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Cultural Heritage Destruction in Middle Eastern Museums: Problems and Causes

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State University of New York
College at Buffalo
Department of History and Social Studies Education

Cultural Heritage Destruction in Middle Eastern Museums: Problems and Causes

An Abstract of a
Thesis in Museum
Studies

By

Evan A. Wright

Submitted in Partial Fulfillment
of the Requirements
for the Degree of

Master of Arts

December 2018

Abstract

Destruction of cultural heritage sites and museums in the Middle East has become increasingly prevalent in the recent decades. This thesis aims to unravel the causes for these violent acts. It uses a socio-historical perspective of how culture, religion, and politics have polarized people and contributed to the ruination. Three museums are examined through a scope of progressive violence: The Kuwait National Museum, The National Museum of Iraq and the National Museum of Afghanistan. This thesis shows that both secular and religious factors have contributed to this destruction, and faults by international governing agencies and of investment of mitigation strategies are the causes for what came about. The research also presents ideas on what can be done to improve present circumstances.

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College at Buffalo
Department of History and Social Studies Education

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Chapter 1: Introduction

In recent years the atrocities that have occurred to cultural heritage in the Middle East have been the most heinous events that have happened in recent history. The violence that has been targeted towards cultural heritage sites and museums has occurred on an unprecedented scale over the last three decades. Museums have been ransacked and burned, while archaeological sites have been looted and blown up in the heart of the important centers of human development. The atrocities have caused people to ask: how could this happen? It seems all too common that this is said yet history repeats itself, though we have not initiated the plans to combat this. Protecting cultural heritage is one of the most vital and important aspects of civilization. The British Council says “Societies have long sought to protect and preserve their cultural heritage, for reasons ranging from education to historical research to the desire to reinforce a sense of identity. In times of war and conflict, cultural identity and cultural heritage become more important. Buildings, monuments and symbols of culture that speak of shared roots acquire an increased significance.”¹ The destruction of these heritage sites and museums has an effect that reverberates on all cultures.

The term “Cultural Heritage” has a multi-layered definition according to United Nations Educational, Scientific and Cultural Organization (UNESCO). The definition includes tangible and intangible heritage Tangible cultural heritage covers movable items including paintings, sculptures, coins and manuscripts. Immovable tangible heritage includes artifacts such as

¹ Stephen Stenning, “Destroying cultural heritage: more than just material damage”, <https://www.britishcouncil.org/voices-magazine/destroying-cultural-heritage-more-just-material-damage>, (August 21, 2015)

monuments and other products of structural achievements of humans. Intangible heritage includes oral traditions, performing arts and rituals that are at greater risk of being lost to living populations during conflicts. As items that are vital to cultural identity and belonging, they can become targets of violent and oppressive action that seek to destroy the symbols or iconography associated with alternative faiths and traditions.² This definition stems from The Hague Convention of 1954, which introduced the term "cultural property" for the first time in an international agreement and defined the term broadly enough to encompass a wide range of at-risk property. The convention defines cultural property to include both movable and immovable property as well as the buildings and monuments that house such property. Additionally, the definition includes "centers containing a large amount of cultural property," meaning that cities or sections of cities that contain multiple examples of cultural property are to be considered cultural property themselves.³ The convention and definition are intended to protect the cultural identity of the people within the conflict as well as relevant material culture that is vital to self-identity.

Museums and cultural heritage sites have the responsibility of upholding cultural identity; they have become the victims of war in the Middle East in recent years by vicious religious extremist groups as well as warring parties. Most recently the Islamic State of Iraq and Syria (ISIS), has been leading one of the most destructive campaigns against cultural heritage sites though ethnocide and destabilization of a region. Other conflicts that are to blame for this havoc include the Iranian Revolution, Iran-Iraq War, Persian Gulf War, Lebanese Civil War and the

² Ibid.

³ Harvey E. III Oyer, *The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict - Is It Working - A Case Study: The Persian Gulf War Experience*, 23 *Colum. VLA J.L. & Arts* (1999), 52.

Afghan Civil War/Taliban, which have left many Middle Eastern countries robbed of their tangible, intangible and immovable cultural objects.

Sparked by the fall of Western-backed colonial powers' influence and the struggle for cultural identity in emerging nations behind ethnic and religious tension, these conflicts have since reached a head. Revolutions and instability have been the center point of conflict for almost 50 years, yet the global community has lacked the power to enforce rules set forth to protect heritage. This thesis examines three prominent museums in the Middle East Region; The Kuwait National Museum, The National Museum of Iraq, and National Museum of Afghanistan, which have experienced severe destruction to their collections due to armed conflicts. It aims to unravel the causes for these violent acts and how museums can protect themselves.

Geography

The discussed regions can be placed in the scope of historical and regional importance. Iraq and Kuwait encompass most of what was ancient Mesopotamia where agriculture, writing, and urban settlements developed around 3100 B.C. This historical region is located in Western Asia situated within the Tigris–Euphrates river system that empties into the Persian Gulf. The region historically has been the subject of colonial, and more recently, neo-imperial interests that have wreaked havoc on the region. As shown in figure 1, the two countries have many open areas that are often either deserts or dry flatlands. Most of the populations are urban along the Tigris- Euphrates rivers or in Kuwait, at the mouth of ports of the Persian Gulf.



Figure 1: Iraq and Kuwait in relation to each other.

Afghanistan's geography is starkly different. On the border of the central Asian steppes and the high-altitude Hindu Kush mountain region, the country is very mountainous and inaccessible for parts of the year due to the rough terrain. Looking at Afghanistan as a whole, the western region is less mountainous than the rugged eastern provinces of the country. As seen in figure 2, the capital city Kabul, is in the eastern portion of the country. The city of Kabul is seen more in focus in figure 3 with the National museum of Afghanistan located in the southern neighborhood of Darulaman.

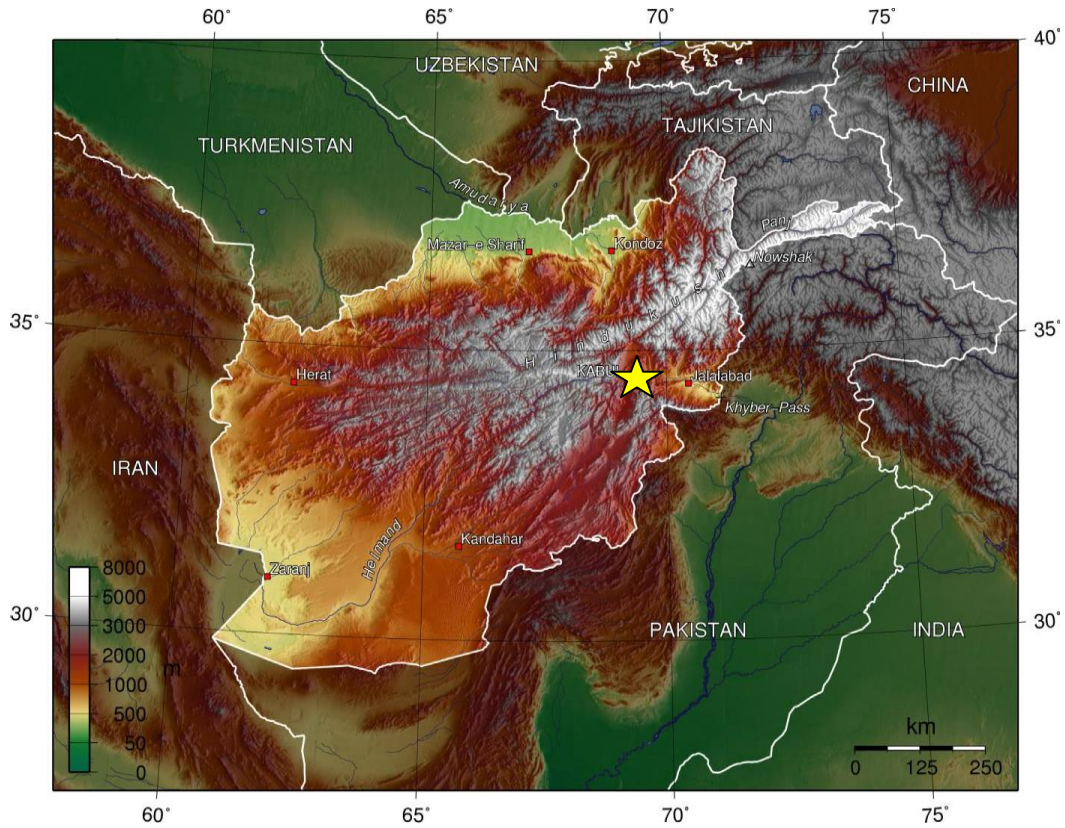


Figure 2: Geography of Afghanistan with major cities

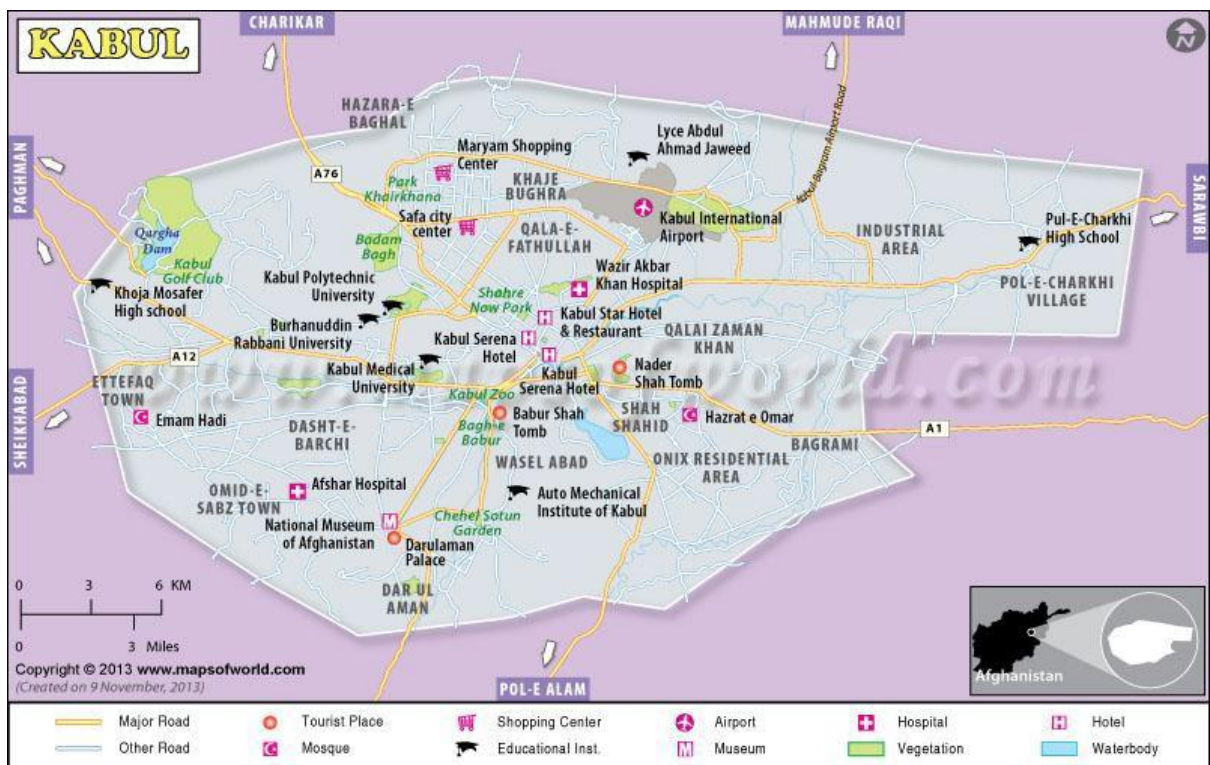


Figure 3: City map of Kabul, Afghanistan with points of interests and neighborhoods

Iconoclash vs. Iconoclasm

Museum professionals in the Middle East must consider Islamic extremism, especially as it spreads across the world wreaking the same havoc as it has in the region. This threat has presented itself in two ways, as Iconoclash and as Iconoclasm. These two definitions are important to differentiate as they represent different threats to cultural heritage in Muslim lands during conflict. Applying this understanding is key to fighting the wave of Islamic extremism as demonstrated in Afghanistan and parts of Iraq. Without acknowledging these principles to disaster planning in museums, the effects on cultural heritage will have long lasting and irrevocable damage.

Iconoclash

Combining this conflict of images and history together, a new definition created by Bruno Latour called *Iconoclash* sums up what is happening. Iconoclash is characterized as the contemporary and perpetual image wars in the public sphere, both destructive and constructive, and driven by advanced technologies of capitalist hypermodernity, new media mobilization, and the global economy, and of the extensive consumption and regeneration of violent imagery.⁴ This definition characterizes the impact that certain groups in the Middle East such as the Taliban, *al Qaeda* and ISIS are having on cultural institutions. Iconoclash also reflects characteristics that have allowed terrorist religious organizations to be so volatile when it comes

⁴ Bruno Latour, "What is Iconoclash? or Is there a world beyond the image wars?" In *Iconoclash, Beyond the Image-Wars in Science, Religion and Art*, edited by Peter Weibel and Bruno Latour, (Cambridge: MIT, 2002), pp. 14-37, 2002,16.

to many aspects of their practices. Most importantly, their attitudes and beliefs to the destruction of cultural heritage and artifacts when compared to their actions relate to the convoluted nature in which they attack cultural heritage. Iconoclasm also reflects a struggle of interpretation and power. Historically, iconoclastic actions have also been used as a political strategy to counter the powerful memory of a political power. An example of this would be the erased faces of Egyptian Queen Hatshepsut's mortuary temple complex at Deir el Bahari.⁵ This practice can be seen as a simple act that rarely involved the complete breaking of idols and imagery, rather, they have involved the mutilation of the dangerous component⁶ that challenges current rhetoric. In Hatshepsut's case, the political legacy that she left by her tomb and statuary challenged the legitimacy of her successor, Thutmose III, whose dissent towards her led him to try to erase her rule. This example is very similar to why the National Museum of Iraq was looted. The museum was targeted because it represented Saddam Hussein's power and was used to support his legitimacy as a ruler. Instead of stealing items many things were destroyed or ransacked, including the museum's offices and archives. The mundanity of destruction is the clue for using Iconoclasm to describe the type of destruction. During the war, many government buildings including the National Museum were attacked to show disdain for Saddam's Baathist government. These actions are seen to greatly challenge an existing power or ideal and can include the destruction of artifacts but not with the same reason or conviction as iconoclasm. Iconoclasm can also be described as an action taken for refuting power because of conflict. In Latour's theory, the belligerent is digging for the origin of an absolute – not a relative – distinction between truth and fallacy, between a pure world, absolutely emptied of human-made intermediaries.⁷

⁵ Ömür Harmanşah, "ISIS, Heritage, and the Spectacles of Destruction in the Global Media," *American Schools of Oriental Research* 78, no. 3(2015): 176.

⁶ *Ibid*, 176.

⁷ Latour, "What is Iconoclasm? or Is there a world beyond the image wars?" 25.

Conversely, Iconoclasm is driven by doctrine and the establishment of an ideal personification of a perception. An example is demonstrated by the Afghan people and the war that has raged on for years. In the iconoclash of cultural heritage there are multifaceted social issues that compound the problem, both direct and indirect consequences of several decades of war and social upheaval. A whole generation of Afghans, for instance, were largely deprived of an education that encompassed knowledge and respect for the cultural heritage of their homeland. For these people, refugees and the ongoing Afghan migration, the connection between identity and history was fragmented or bound to notions of political, ethnic and tribal affiliation in the more immediate context of war, rather than in a sense of national unity derived from a universally-owned heritage and history.⁸ These reasons give a non-binary approach to looking at this type of conflict in contrast to an Iconoclasm.

Iconoclasm

Religious Iconoclasm as a tradition of many monotheistic religions is the first step to understand the problems with organized attacks on art. This belief system is where the adherents reject religious icons representing figures from the religion because they consider it blasphemous for them to be portrayed. This is because the icon is felt to reflect physical attributes or value when representing an image that is unholy or heretical. The ideology is understood as a historically pervasive tactic in the secular religious sphere and for removing the intimacy agency, effective power, and present liveliness of images and is attested in the history of all monotheistic

⁸ Brendan Cassar and Ana Rosa Rodríguez-García, “The Society for the Preservation of Afghanistan’s Cultural Heritage: An Overview of Activities Since 1994,” in J. Van Krieken-Pieters (Ed.), *Art and Archaeology of Afghanistan: Its Fall and Survival: A Multi-Disciplinary Approach*, (Brill Academic Publishers: 2005) 17.

religions , not just Islam.⁹ Another term relating to imagery in Islam is Aniconism. This concept takes a broader definition than Iconoclasm in visual representations of religious icons and nature in the religious sphere of art. These components are completely absent in art and architecture associated with an aniconistic group such as Islam. Using these two different terms, Islam wholly encompasses Aniconism in all its art and architecture which promotes Iconoclasm. This ideology has led to the way images are interpreted in terms of having power, such as idolatry especially in eyes of ISIS.

These religious dogmas have been the most complex and conflicting in the religion of Islam. Islamic decorative art in religious spaces from the founding of the religion in the 7th century A.D have been generally absent of imagery. Rather, they have adhered to a tradition of artistic expression through complex geometrical art and calligraphy that has adorned religious spaces. This mentality is thought to have originated from the Prophet Muhammed's times. Currently, Bedouin Arabs did not have a solid tradition of figurative art and were polytheistic. Like other places in the Near East, religious veneration was directed at non-sculpted stones.¹⁰ The story of the founding of Islam also states that Muhammad went to the *Ka'ba* in Mecca and destroyed the idols of the polytheistic religions. One of the main

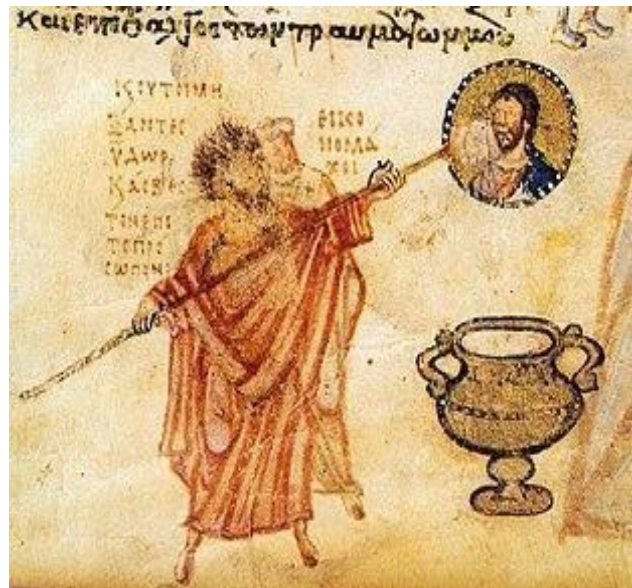


Figure 4: Byzantine Iconoclasm, Chludov Psalter, 9th century

⁹ Josh Ellenbogen and Aaron Tugendhaft, *Idol Anxiety*. (Stanford University Press, 2011): 76.

¹⁰ Silvia Naef, "Is Islam Iconophobic? The attitude of religion and culture toward figurative images in Islamic Lands," *Hadeeth ad-Dar: The Journal of Dar al-Athar al-Islamiyyah* 26 (2008): 43.

supporting factors of all the iconographic prejudice is a Quranic verse which is usually referred to regarding figuration, in *Sura 5:90*. This passage calls on believers to stay away from holy stones venerated by the Arabs before Islam.¹¹ This passage from the Quran has set the stage for a radical interpretation that has had destructive outcomes. These outcomes lead to Islamic fundamentalism of the destruction of cultural heritage sites stated by Salafi ideology which places great importance on establishing *Tawhid* (monotheism) and eliminating *Shirk* (polytheism). Thus, what was seen at the Afghanistan museum is a new added threat to museums in the region as conflicts rage on.

This type of threat is greater in a sense than that of traditional warfare such as what happened in Kuwait and in some ways Iraq. In Kuwait, items were stolen, kept, and protected as a form of war booty. There was no intent of destroying the collection based on idealism or religious fanaticism. Moreover, it was a form of theft because of personal charisma of Saddam Hussein and an attempt to reunify with Kuwait. While in Iraq, items were looted or destroyed under the auspices of rebellion of the old government and the value of marketability of the objects. In analyzing the cases of Kuwait, Iraq, and Afghanistan, there is an evolution occurring in the way that armed conflict is affecting cultural heritage. What could have been personal motives, to motives of ethnic conflict, had transformed into religious tensions. Because of this, tensions and conflicts are not based on nationalistic or ethnic tensions, but rather religious motivations.

These two definitions reflect the social and religious conflicts that have thrown the Middle East into chaos and that have led to bad outcomes for the cultural heritage of the region.

¹¹ Silvia Naef, "Is Islam Iconophobic? The attitude of religion and culture toward figurative images in Islamic Lands," 43.

Although, as learned from the lessons from the case studies, there is an underlying powerful cause affecting the stability of museums and cultural heritage in the Middle East that needs to be understood in order to protect museums.

Conflict analysis for Museums

To identify the underlying motivations for the destruction occurring to museums in the Middle East in the last thirty years, context as well as comparison is used. By understanding core problems of current and past conflicts, we are able to determine how different scenarios have contributed to different outcomes for cultural heritage, especially museums in the Middle East. This destruction can be seen through variations of armed conflict in the three cases as either Secular Armed Conflict or Religious Armed Conflict. These antagonists directly or indirectly target museums and cultural heritage sites in different ways. Developing a methodology as the basis of context in understanding, assists with developing a model that may predict future threats.

As a starting point, there are two types of antagonistic threats in all three case studies of secular and religious armed conflict that can be understood as being iconoclastic in nature as well as opportunistic. From this place, it can bifurcate into a secular or religious tendency whose goals are nationalistic in nature. Two examples that tie this together would be: the destruction of artifacts and heritage sites in Afghanistan as an extent of theocratic nationalism, and the looting of the National Kuwait Museum by Iraq as a means of destroying national identity of the Kuwaiti people. These causes are also opportunistic because in the case of Afghanistan, the National Museum of Afghanistan was an unintended victim of a multiyear civil war. In Kuwait's case, it is an opportunity to gain cultural artifacts. These examples

share similar tendencies in that through secular and religious conflict are the underpinnings of ethnic identity and shared cultural history. This ethnic identity can take different forms and reflect different objectives. Such things as ethnic tension plays out in mass destruction regardless of attacking a nationalistic identity because the sense of nationality is absent. The absence negates the use of nationalism to define cultural identity because the dedication to the ethnic group is stronger than a unifying cultural distinctiveness within a state. Thus, using this definition to describe a secular conflict two outcomes to the destruction of cultural property plays out.

These outcomes manifest themselves in being either unintended destruction or purposeful. Unintended often happens during a conflict to assert dominance over another group. An example would be the destruction of religious cultural institutions such as mosques in Iraq during the mid-2000s due to secular conflict between Sunni and Shia religious Muslim subgroup in Iraq. At his time a sectarian conflict broke out between Sunni and Shia Iraqis during the U.S led occupation of Iraq where many mosques and other cultural sites important to both sects were damaged. Another would be the initial destruction that occurred to the National Museum of Afghanistan during the civil war in the early 1990s. The power struggle that resulted from the fall of a Soviet backed Afghan government led to tribal warfare where the museum ended up being burned.¹² Cultural sites are in the way of the conflict rather than being a target. Reasons often include being a strategic advantage or base points for armed operation of military groups as well as a target. This can also be seen with the destruction of the spiral minaret of Samarra in Iraq, built by Caliph al-Mutawakil in the 9th century. In 2005, insurgents blew up the top section of the 162-ft. tower because it was being used by U.S. soldiers as a lookout position in

¹²Nancy Hatch-Dupree, "Museum Under Siege," 40.

the Iraq War.¹³ The resulting damage of being in the middle of conflict zones heightens the chances of destruction to sites. Additionally, destruction of material culture can also be done in a very purposeful way as the result of iconoclastic intentions by the aggressor. These intentions are used to destroy the identity of the of the non-belligerent by targeting cultural symbols used as unifying representations. Aggressions can be manifested through this example as in the attack on the Kuwait National Museum/Dar al-Athar al-Islamiyyah collection, and attacks on the National Museum of Afghanistan after the establishment of the Taliban. Another example is a separate secular iconoclasm in the looting and destruction that occurred at the National Museum of Iraq and subsequent other looting to Iraqi cultural institutions after the Persian Gulf War. The actions used in these situations are starkly different from religious iconoclasm and in result a product of Iconoclasm.

Regardless of what type of conflict is occurring, there is little to nothing that can be done until stability is returned. Conflicts can go on for an indeterminable amount of time that can prevent access to collections. This is because of the danger war-stricken areas pose as well as the inability to secure such sites from threats such as generalized looting. These situations result in national instability that limits the amount of oversight of the amount of damage being done. A governing body such as the Directorate-General of Antiquities & Museums (DGAM) of Syria or SBAH of Iraq, have limited capacity to control and protect these sites. Concurrently, these conflicts also lead to the inability of museum staff to appropriately guard collections from damage because of the threat to their own lives. Alternatively, global cultural preservation organizations such as UNESCO, INTERPOL, and others can't help either because of the same

¹³ Joris Kila, "Inactive, Reactive, or Pro-Active? Cultural Property Crimes in the Context of Contemporary Armed Conflicts" *Journal of Eastern Mediterranean Archaeology & Heritage Studies* 1, no. 4 (2013): 328.

threat. This inability to protect institutions and heritage sites is the main reason the destruction of museum collections has exacerbated.

Religious Armed Conflict

In the context of the Middle East, armed religious conflicts have plagued countries and have had disastrous effects on cultural heritage. In understanding the types of attacks that can occur on museums a religious armed conflicts can be more disastrous than a secular armed conflict. In comparison, a secular military has been shown to have more organization when targeting cultural heritage compared to religious led conflicts. Religious Armed Conflicts (RAC) can be considered more personally motivated by religion and is more individualized than a nationalistic secular conflict. RAC has an endpoint of the installation of their beliefs and changing history to fall within their rhetoric and legitimize rule. This leads to further destruction to what is perceived as a “religious wrong” in times of religious ignorance such as with the Islamic State group and others such as seen with the Taliban. These groups use items of former national identity, something museums emulate, to delegitimize the rule of the former to establish their own identity through religious teachings.

This causes cultural and heritage institutions to be targeted and used as scapegoats to promote political and religious ideology. Places such as museums and historical sites are targeted because of the legitimacy they hold within the culture. Destruction of these sites are very purposeful. In comparison to secular conflict, not to say that they are not targeted, within the Middle East evidence has shown that often these sites happen to be in the way of fighting rather than being direct targets. Instances such as the Islamic State attack on the Mosul Museum and the destruction of the cultural heritage site of Nimrud in Iraq and Palmyra in

Syria are evidence of this. Their motivations were driven from the conflict their groups regime had with iconoclasm and their interpretation of Islam. Because of this the outcomes to the were disastrous and irrevocable to heritage sites in Iraq, and Syria archeology and museums. Furthermore, it can be shown that a religious armed conflict can be more disastrous to artifacts and historical sites than a secular armed conflict to this region. These are a resulting action of ethnocide that result in the destruction of the history of indigenous people.

As defined by UNESCO in "Declaration of San Jose":

“Ethnocide means that an ethnic group is denied the right to enjoy, develop and transmit its own culture and its own language, whether collectively or individually. This involves an extreme form of massive violation of human rights and, in particular, the right of ethnic groups to respect for their cultural identity.”¹⁴

Deliberate in nature, religious armed conflicts can be more terrifying than a secular armed conflict. By defining and isolating types of conflict, there can be a better effort to help save cultural heritage and mitigate damage that can be incurred; as well as predict the severity of destruction through the belligerent rhetoric. Museum professionals must analyze different threats to determine how outcomes may play out. By understanding armed conflict, museums in the Middle East may effectively categorize different threat levels.

¹⁴ William Schabas, “Genocide in International Law: The Crime of Crimes.”

Secular Armed Conflict

With secular armed conflict in relation to cultural heritage in the Middle East, there are generally different motives for destruction. Secular conflict stems from illegitimate or legitimate states warring over a reason that involves an invasion, occupation, or political motives. These groups are also subscribing to an ethnic or nationalistic allegiance than to one based on religion. In these conflicts, a secular armed conflict can be perpetrated against a religious armed conflict. This can be seen with Kurdish and Iraqi forces fighting against ISIS. Another example would be Iraqi invasion of Kuwait and the U.S invasion of Iraq. In these types of conflicts international governing rules apply for each party to protect cultural heritage which, if abided by, result in better outcomes. This is demonstrated in detail with the key case studies.

In the case of Kuwait, there was no preparation or evacuation plan executed; the Iraqi Army immediately secured cultural sites, and took artifacts for the interest of its protection. In the case of Iraq, the museum took all necessary steps to protect the museum months before invasion. It had Iraqi government guards for protection. The museum guards however, fled due to instability and the Iraqi Army occupation. Then the museum was looted and ransacked, and it was not secured by invading forces for six days. In Afghanistan the conflict is divided: In 1992-1996 secular armed conflict, the museum attempted to save collection by shipping items out of the country. Then the government destabilized and was unable to protect the museum. The museum was neglected due to conflict. Between 1996- 2001, in the religious armed conflict stage of destruction, the museum was targeted by the theocratic Afghani government. This caused most of the remaining collections to be destroyed as an act of defiance to the international outcry and as an act of propaganda.

Chapter 2: Literature Review

When trying to understand the atrocities that have happened to museums in the Middle East, contemporary scholars have offered commentary on these issues, but they often lack suggestions for implementation. These problems are often the result of long-standing conflict zones that prevent academics from fully analyzing and establishing preventive measures to combat violence to cultural heritage. From an academic perspective, many of the writings on the destruction to museums and cultural heritage in the Middle East are placed in three genres. They are either commentaries on the inefficiency of international law, reactionary, or firsthand accounts from Western museum professionals entering regions after conflicts have started.

In the article "*The Prosecution of War Crimes for the Destruction of Libraries and Archives during Times of Armed Conflict*"¹⁵, Sanja Zgonjanin often cites John Henry Merryman's article "The Prosecution of War Crimes for the Destruction of Libraries and Archives during Times of Armed Conflict" as a pivotal scholar within the field relating to the discussion of the legal ability to protect heritage in times of war. According to Merryman's article "*Two Ways of Thinking About Cultural Property*,"¹⁶ the 1954 Hague Convention was "the first universal convention to deal solely with the protection of cultural property and appears to incorporate the international responsibility"¹⁷ by an earlier resolution in the Article 28 of the Nuremberg trials. In this article Merryman dissects the 1954 Hague Convention as solidifying other protocols built as a result from World War I and World War 2. Merryman also discusses

¹⁵ Sanja Zgonjanin, "The Prosecution of War Crimes for the Destruction of Libraries and Archives during Times of Armed Conflict." *Libraries & Culture* 4, no. 2 (2005).

¹⁶ Merryman, "Two Ways of Thinking About Cultural Property," *American Journal of International Law* 80(1986), 836.

¹⁷ Ibid.

the ramifications and origins of the 1970 UNESCO Convention as a form of cultural nationalism. These conventions discussed by Zgonjanin and Merryman build up the policies and procedures of global acceptable treatment of cultural heritage during war.

While the Conventions are well intentioned, both authors voice their inability to be effective. As Zgonjanin stated, “common to all cases of destruction: the failure of the justice system to prosecute and punish those who are responsible.”¹⁸ Other citations are drawn from the various laws, declarations, and precedents formed for the protection of cultural heritage. These laws and conventions include; *The Lieber Code*, *The Oxford Manual*, *Brussels Declaration of 1874*, *1899 and 1904 Hague Convention*, *Nuremberg Trial Rulings*, *The 1954 Hague Convention*, *The 1970 UNESCO Convention*, *The 1999 Hague Convention 2nd Protocol* and the *2015 UN Security Council Resolution 2199*. These culminate into the foundations of illegality to the destruction of cultural property that academic papers cite yet provide nothing regarding implementation. Both authors have created a cohesive and sound understanding of the Conventions on cultural heritage.

There are three different types of accounting for cultural heritage destruction that have been revealed when researching this topic for these cases. Firsthand articles recount what happened during the conflicts using personal knowledge or research. Reactionary articles try to surmise what happened and attempt to develop new ways of mitigating. These are often shown to have the most accurate information. The last is ongoing research during conflicts. This type produces hypothesis and utilizes different types of commonly unreliable sources such as social media to determine effects on the heritage around them. When taken together, these

¹⁸ Sanja Zgonjanin, “The Prosecution of War Crimes for the Destruction of Libraries and Archives during Times of Armed Conflict”, 141.

accounts present a holistic approach to analyzing and understanding the situations unfolding in the Middle East.

Kuwait National Museum

The literature on specific incidents within destruction of institutions discusses the ramifications of war. The theft of museum collections by the Iraqi Army at the Kuwait National Museum was written as a firsthand account in two articles by Kristy Norman.^{19,20} Both are excellent primary sources detailing the raiding of the Kuwait National Museum during the invasion of Kuwait, as well as describing conservation efforts on the return of the stolen items, especially the Dar al-Athar al-Islamiyyah collection. These articles reflect the viewpoint of a conservator working at the museum during the invasion and the accounts of damage to the museum and collection. Another firsthand account is from Sheikha Hussah al-Sabah, the daughter of Sabah II, the 11th Emir of the State of Kuwait.²¹ It is the response of the owner of the private Dar al-Athar al-Islamiyyah's collection to how the items were repatriated in 1998. For secondary sources the works by BP Montgomery²² and by Bloom and Gould²³ discuss supplementary sources on the topic. Other articles reflect a global reaction of shock to the systematic destruction and looting of the museum by the Iraqi army through news articles such

¹⁹ Kristy Norman, "The Invasion of Kuwait, and the Subsequent Recovery of its National Museum: A Conservator's View", *Museum Management and Curatorship*, (1997):185.

²⁰ Norman, Kirsty. "The Retrieval of Kuwait National Museum's Collections from Iraq: An Assessment of the Operation and Lessons Learned." *Journal of the American Institute for Conservation* 39, no. 1 (2000):136.

²¹ Sheikha Hussah al-Sabah. "Rescue in Kuwait: A United Nations Success Story". *Museum International*, 50 (1998): 38-42.

²² BP Montgomery. "The Rape of Kuwait's National Memory". *International Journal of Cultural Property* 22, no.1(2005): 61-84.

²³Jonathan M. Bloom, and Lark Ellen Gould. "Patient Restoration: The Kuwait National Museum." *Saundio Aramco World* 51, no. 5, (September 2000).

<http://archive.aramcoworld.com/issue/200005/patient.restoration-the.kuwait.national.museum.htm>

as those by Bob Drogin²⁴ from 1991. These articles portray the acts in a barbaric and opinionated perspective.

Often articles such as these give a one-sided perspective that characterize the Kuwait National Museum as a victim. A different side can be shown by the museum professionals that coordinated the systematic looting and seem to commend them on professionalism and care that was taken when these artifacts were taken. Harvey Oyer takes that perspective in his article on cultural property law.²⁵ In one study, Oyer points out contradictory biases that the State Board of Antiquities and Heritage (SBAH) and Iraqi Army did the right thing by securing and evacuating the museum. Such articles give a balanced take on contentious issues and must always be taken in account of an argument.

Iraq

The publication of scholarly articles on the destruction and looting on The National Museum of Iraq were at the forefront of the global media stage almost as soon as the looting happened, because the invading army of the United States had a larger media presence in their actions. Because of this, many of the articles convey harsh criticism atypical to other sources that deal with the destruction of cultural heritage because of the involvement of the U.S Government. Compilations such as; *Catastrophe! The Looting and Destruction of Iraq's Past* edited by Geoff Emberling and Katharyn Hanson from 2008,²⁶ “The Rape of Mesopotamia:

²⁴ Drogin, Bob. “In 7 Months, Iraqis Stole 'the Very Soul' of Kuwait”. *Los Angeles Times*, March 11, 1991. http://articles.latimes.com/1991-03-11/news/mn-145_1_kuwait-national-museum

²⁵ Oyer, “The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict - Is It Working - A Case Study: The Persian Gulf War Experience”, 49.

²⁶ Geoff Emberling and Katharyn Hanson, editors. *Catastrophe! The Looting and Destruction of Iraq's Past*. Chicago, Oriental Institute-Chicago, 2008.

behind the looting of the Iraq Museum” edited by Lawrence Rothfield from 2009²⁷, and articles published by news sources, relay concerns by the international community that other cultural heritage sites never had. These sources also reflect how varied the information can be. Other sources from The Oriental Institute of Chicago and the United States Government contribute largely to the research of published works. This demonstrated reasoning and accountability that other sources did not produce within their accounts of destruction. Colonel Matthew Bogdanos writes an assessment of what happened using personal experience of overseeing the U.S military's attempts to reclaim artifacts lost during looting²⁸. Bogdanos wrote many articles on this topic; most are based on his firsthand experiences. Many of the articles on the destruction and looting to Iraq's National museum are rich with knowledge, insights and theories to demonstrate the development of a socio-historical narrative that led up to the event. A prominent collection of writings in a book edited by Lawrence Rothfield with contributions by McGuire Gibson, Donny George Youkhanna, and Matthew Bogdanos “The Rape of Mesopotamia: Behind the Looting of the Iraq Museum”²⁹ and “Antiquities Under Siege: Cultural Heritage Protection After the Iraq War.”³⁰ These compilations tie together the faults of action in protecting cultural heritage in the Middle East. The contributors hold preeminence in their field and worked jointly in producing articles on the volatility of antiquities in the Middle East, especially in Iraq.

In consideration of the implementation of cultural heritage protection, literature on the topic often reflects a reactionary stance in the wake of destruction and reflects little in the way

²⁷ Lawrence Rothfield, *The Rape of Mesopotamia: Behind the Looting of the Iraq Museum*. University of Chicago Press, 2009.

²⁸ Matthew Bogdanos, “The Casualties of War: The Truth about the Iraq Museum.” *American Journal of Archaeology* 109, no. 3 (2005): 506.

²⁹ Rothfield, ed. *The Rape of Mesopotamia: Behind the Looting of the Iraq Museum*.

³⁰ Lawrence Rothfield, editor. *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, Altamira Press, 2008.

of implementation. Three articles in *Museum Management and Curatorship* Volume 16, Issue Two³¹ are a reactionary call to preserve heritage because of the wars of the early to mid-1990s (Bosnia and Desert Storm). This issue of *Museum Management and Curatorship* had compiled a large amount of material that called for better preservation and mitigation methods as a reaction to the Bosnian Wars (1992-1995) and the resulting and immense destruction to cultural heritage since WWII in Europe. Written after these wars, plans were made to protect and recover the destroyed heritage as seen in such articles by Barbara Robert's "War Emergencies: Coordination and Preparedness to pay off- An International perspective"³² and in The War and the Conservator's: "Preventative Measures and Recovery" by Nicholas Stanley-Price.³³ Another post-war call to action includes Kristy Norman's publications, "The Invasion of Kuwait, and the Subsequent Recovery of its National Museum: A Conservator's View" (1997)³⁴ and "The Retrieval of Kuwait National Museum's Collections from Iraq: An Assessment of the Operation and Lessons Learned" (2000)³⁵ are another set of responses in the wake of Kuwait's looting during the Persian Gulf War (1990-91). These articles reflect a reactive response in cultural heritage academia that give suggestions of change yet lack instances of plans working. These articles tend to build on each other over the course of twenty years.

³¹ *Museum Management and Curatorship* 16, no. 2 (1997)

³² Barbara O. Roberts, "War Emergencies: Coordination and Preparedness do Pay off—An International Perspective", *Museum Management and Curatorship*, (1997):162.

³³ Nicholas Stanley-Price, "Preventive Measures and Recovery", *Museum Management and Curatorship*, (1997):158.

³⁴ Kristy Norman, "The Invasion of Kuwait, and the Subsequent Recovery of its National Museum: A Conservator's View"

³⁵ Norman, "The Retrieval of Kuwait National Museum's Collections from Iraq: An Assessment of the Operation and Lessons Learned," 136.

Afghanistan

There is a major gap in academic research on the National Museum of Afghanistan due to the conflicts and instability plaguing the country over the past 40 years. Nancy Hatch Dupree was one of the foremost cultural heritage scholars before the Soviet invasion of Afghanistan in the late 1970s. Among the relevant scholarly articles on Afghanistan's heritage pre-war, Dupree is noted as a leading academic and had an active role at the National Museum of Afghanistan. Dupree's book, "The National Museum of Afghanistan: An Illustrated Guide"³⁶ was one of the first attempts to publicize and create a partial catalogue of the museum's collection. Among her most prominent writings on Afghanistan, the article "Museum Under Siege"³⁷ is one of her most important to understand what happened in years immediately following the Afghan Civil War and prior to the Taliban Regime. This article, in connection with the organization Preservation of Afghanistan's Cultural Heritage (SPACH), aided in giving a small assessment of what had happened to the institution during the civil war and the major damages incurred during that time. The article also serves as an early attempt to show the damage that was caused during the civil war before the country was inaccessible under the Taliban. This organization was pivotal in developing research and protection for the museum. Many of the notable founders contributed articles to *Art and Archaeology of Afghanistan: Its Fall and Survival: A Multi-Disciplinary Approach*³⁸ include; Nancy Hatch Dupree, Carla Grissman, Brendan Cassar, Ana Rosa Rodríguez-García, and Juliette van Krieken-Pieter through various articles. This compilation is pivotal in understanding the current situation of Afghanistan's cultural heritage protection.

³⁶ Nancy Hatch-Dupree, *The National Museum of Afghanistan: An Illustrated Guide*. The Afghan Tourist Organization & The Afghan Air Authority, 1974.

³⁷ Nancy Hatch-Dupree, "Museum Under Siege." *Archaeology* Volume 49, Issue No. 2(1996): 47.

³⁸ *Art and Archaeology of Afghanistan: Its Fall and Survival: A Multi-Disciplinary Approach*, edited by J. Van Krieken-Pieters, Brill Academic Publishers: 2006.

By providing an overview of the diversity of activities undertaken in the cultural heritage field, it aims to change public opinion into a positive one for future scholars to take note of. Other articles such as Barbara Crossette's "Shift, Moves to Save Art for Afghans"³⁹ reflect the inability of the global community to effectively save the collections from the deleterious actions of the Taliban government.

After the fall of the Taliban by the U.S Government in 2001, access to the country's crumbling cultural heritage resources opened, resulting in numerous assessments on the state of cultural heritage in the country. Contemporary articles have been written by American cultural professionals who had access to the region under the U.S occupation. These include; "The War-Ravaged Cultural Heritage of Afghanistan: An Overview of Projects of Assessment, Mitigation, and Preservation"⁴⁰ by Gil J. Stein and "The Kabul Museum: Its Turbulent years"⁴¹ by Carla Grissman are assessments of Afghan heritage now that the country is in its most semi-stable state in over three decades. The articles focus on rebuilding the nation's cultural heritage especially for the National Museum as archeological sites. The articles "Between Cult and Culture: Bamiyan, Islamic Iconoclasm, and the Museum" by Finbarr Barry Flood⁴², "Cultural Heritage Preservation and Development at the National Museum of Afghanistan in Kabul" by William Remsen and Laura A. Tedesco⁴³ are pivotal in understanding the toxic attitudes that developed towards antiques during the Afghan civil war. Through the academic literature, it

³⁹ Crossette, Barbara. "U.N., in Shift, Moves to Save Art for Afghans." *The New York Times*, March 31, 2001. <https://www.nytimes.com/2001/03/31/arts/un-in-shift-moves-to-save-art-for-afghans.html>

⁴⁰ Gil J. Stein, "The War-Ravaged Cultural Heritage of Afghanistan: An Overview of Projects of Assessment, Mitigation, and Preservation." *Near Eastern Archaeology* 78, no. 3 (2015):190.

⁴¹ Ibid.

⁴² Finbarr Barry Flood, "Between Cult and Culture: Bamiyan, Islamic Iconoclasm, and the Museum," *The Art Bulletin* 84, no. 4 (2002)

⁴³ William Remsen and Laura A. Tedesco, "US Cultural Diplomacy, Cultural Heritage Preservation and Development at the National Museum of Afghanistan in Kabul" in *Museums, Heritage and International Development*, ed. Paul Basu and Wayne Modest (Routledge, 2015)

can be shown that stabilization and creation safe spaces for conservators will contribute toward progress of the short and long-term impact on the Afghan cultural infrastructure.

Of all the major museum institutions within the Middle East, one of the few places that used a preparedness plan was the Beirut National Museum as told in “Recovery Operations at the National Museum of Beirut”⁴⁴ by Isabelle Skaf. Her article reflects how attempts were made to save collections and even the movable objects in the collection. Skaf’s article also demonstrates the implementation of long-term planning for collections under siege for an indeterminable amount of time. This is something many of the other articles do not incorporate when discussing planning methods. Consulting sources on the management or preparation such as “ICCROM Involvement in Risk preparedness”⁴⁵ by Jukka Jokilehto, international heritage organizations come across as “Eurocentric”⁴⁶.

Comparatively, it may take longer for the incidents that occurred to appear within academic journals and books because the overall destruction has yet to be assessed. Ongoing conflicts over multiple years or decades such as the Afghan Civil War and the ensuing Taliban regime do not allow the full scale of the destruction to be known. This perpetuates the lack of understanding regarding the effects of these wars and the inability for the global community to help. Yet, the stipulations of the Hague Convention are meant to set rules for how it should be, yet falters and has no backing until the destruction has already occurred. Still, this remains a long and tedious task of pinpointing the aggressors of the infractions that seldomly results in charging those responsible. As said in *Preventative Measures and Recovery* by Nicholas Stanley-Price⁴⁷,

⁴⁴ Isabelle Skaf, “Recovery Operations at the National Museum of Beirut”, *Museum Management and Curatorship*, (1997):176.

⁴⁵ Jukka Jokilehto, “ICCROM's Involvement in Risk Preparedness.” *Journal of the American Institute for Conservation* 39, no. 1 (2000).

⁴⁶ *Ibid*, 173.

⁴⁷ Nicholas Stanley-Price, “Preventive Measures and Recovery”.

“The number of countries in which museums and archives have been badly damaged as a result of armed conflict in the 1990s appear to be higher than at any time since the Second World War”⁴⁸. This statement reflects the inability of the doctrine set forth within the 1954 Hague and UNESCO declarations of the 1970s to create any changes as seen in academic literature. More often they are only mere philosophies and ideals that are called on but do not achieve anything. As museum professionals we must invest in effective disaster planning for institutions and collections worldwide.

Mitigation Strategies

In exploring mitigation preparations, UNESCO, the United Nations (U.N.) and the International Center for the Study of the Preservation and Restoration of Cultural Property (ICCROM), provide rules for mitigation plans. Articles such as ICCROMS’s “Involvement in Risk Preparedness”⁴⁹, and UNESCO/ICCROM’s, “Endangered Heritage: Emergency Evacuation of Heritage Collections”⁵⁰ provide a basic outline on preparation of museums during threats. They appear to be more idealistic than practical when using them considering what has happened in the Middle East. Other papers are reactionary to a specific event such as the disaster at the Iraqi Museums. Two articles in *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, Col. Bogdanos’s “A Five-Point Plan for Future Action”⁵¹ and in Gibson and

⁴⁸ Ibid, 158.

⁴⁹ Jukka Jokilehto, “ICCROM's Involvement in Risk Preparedness.” *Journal of the American Institute for Conservation*.

⁵⁰ *Endangered Heritage: Emergency Evacuation of Heritage Collections*. UNESCO and ICCROM, 2016.

⁵¹ Matthew Bogdanos, “A Five-Point Plan for Future Action” In *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, edited by Lawrence Rothfield, 27-32. Altamira, 2008.

Youkhanna's "What Cultural Ministers and Heritage Sites Should Do to Prepare for Conflict"⁵²

give solutions to faults during the invasion of the Iraq War and protecting cultural heritage.

While these articles point to progressive policies when militaries are involved in conflict, they do not reflect the often-unconventional methods of war during a civil war or socio-political upheaval. These types of conflicts have been increasingly common in the Middle East with groups such as the Taliban and the Islamic State group. ICCROM's paper on "Risk Preparedness and Heritage Management in times of Socio-political Crisis: The role of experts" by Mohammad Beiraghi in *ICCROM: Protecting Cultural Heritage in Times of Conflict*⁵³ and Bruno Latour's "What Is Iconoclasm? or Is There a World beyond the Image Wars?"⁵⁴ addresses these issues during socio-political crisis through cause and effect. Using these articles demonstrates how cultural heritage is the center of destruction during conflict complements the mitigation strategies put forth in articles of *Museum Management and Curatorship*⁵⁵ Volumes and *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*⁵⁶ series.

⁵² McGuire Gibson and Donny George Youkhanna. "What Cultural Ministers and Heritage Sites Should Do to Prepare for Conflict" In *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, edited by Lawrence Rothfield, 27-32. Altamira, 2008.

⁵³ Mohammad Beiraghi, "Risk Preparedness and heritage management in times of socio-political crisis: The role of experts," in *ICCROM: Protecting Cultural Heritage in Times of Conflict*, ed Simon Lambert and Cynthia Rockwell, (ICCROM, 2012)

⁵⁴ Latour, "What is Iconoclasm? or Is there a world beyond the image wars?" 25.

⁵⁵ *Museum Management and Curatorship* 16, no. 2 (1997)

⁵⁶ Lawrence Rothfield, ed., *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, 27-32. Altamira, 2008.

Chapter 3: History of Cultural Property Legislation

The destruction of cultural property and heritage sites is an occurrence that is as old as warfare. Cultural property destruction is described as erasing ethnic, religious, and cultural memories to therefore undermine or eliminate groups identified and existence.⁵⁷ These actions can be caused by religious beliefs such as iconoclasm as well as non-religious motives which result in an ethnocide to cultural identity. Iconoclasm is defined as the action of attacking or assertively rejecting cherished beliefs and institutions or established values and practices or the rejection or destruction of religious images as heretical. In the past two centuries, attempts have been made by countries to regulate warfare to avoid such atrocities to one another's material culture. Such attempts have culminated into multinational accords that made standards and rules for the way war is to be conducted and holding violators accountable. These situations are the guidelines for how cultural heritage should be addressed.

An important step that has influenced much of the cultural heritage planning legislation during conflicts was initiated during the American Civil War. In 1863 U.S President Abraham Lincoln implemented the *Lieber Code* or *Instructions for the Government of Armies of the United States in the Field to the Union Troops*. This code imposed how the U.S Army should conduct itself in wartime. Some of the important laws to cultural heritage protection were set forth in Articles 34 and 36. Article 34 states “ As a general rule, the property belonging to churches, to hospitals, or other establishments of an exclusively charitable character, to establishments of education, or foundations

⁵⁷ Zgonjanin, "The Prosecution of War Crimes for the Destruction of Libraries and Archives during Times of Armed Conflict", 128.

for the promotion of knowledge, whether public schools, universities, academies of learning or observatories, museums of the fine arts, or of a scientific character – such property is not to be considered public property in the sense of paragraph 31; but it may be taxed or used when the public service may require it.”⁵⁸ Article 36 says, “If such works of art, libraries, collections, or instruments belonging to a hostile nation or government, can be removed without injury, the ruler of the conquering state or nation may order them to be seized or removed for the benefit of the said nation. The ultimate ownership is to be settled by the ensuing treaty of peace. In no case shall they be sold or given away, if captured by the armies of the United States, nor shall they ever be privately appropriated or wantonly destroyed or injured”⁵⁹. The significance of the Lieber code, although not always followed, was the influence it had within the global community to erect standards in the way warfare was conducted. It influenced the need to enact standards as well as an attempt to protect significant material culture from conflict.

One of the first multinational, Western-backed international cultural property prevention initiative attempts to define what cultural property was during wartime in the *Brussels Declaration of 1874*. This declaration reinforced that cultural property was a form of private property and therefore established a link between culture and property ownership.⁶⁰ “On the initiative of Czar Alexander II of Russia the delegates of 15 European States met in Brussels on 27 July 1874 to examine the draft of an international agreement concerning the laws and customs of war submitted to them by the Russian Government.” Although not all the governments ratified the convention, it was an

⁵⁸ “Practice Relating to Rule 40. Respect for Cultural Property”, *International Committee of the Red Cross* (accessed July 6, 2017), https://ihl-databases.icrc.org/customary-ihl/eng/docs/v2_rul_rule40

⁵⁹ *Ibid.*

⁶⁰ Zgonjanin, 130.

effort toward the codification for laws of war and an important start of international procedures for the protection of cultural heritage. In the year in which it was adopted, the Institute of International Law, at its session in Geneva, appointed a committee to study the Brussels Declaration and to submit to the Institute its opinion and supplementary proposals on the subject.

The efforts of the Institute led to the adoption of the *Manual of the Laws and Customs of War at Oxford in 1880*. Both the *Brussels Declaration* and the *Oxford Manual* formed the basis of the two Hague Conventions on land warfare and the Regulations annexed to them, adopted in 1899 and 1907. *The Brussels Declaration* notes that Article 8 of the *1874 Brussels Declaration* states: “The property of municipalities, that of institutions dedicated to religion, charity and education, the arts and sciences even when State property, shall be treated as private property. All seizure or destruction of, or willful damage to, institutions of this character, historic monuments, works of art and science should be made the subject of legal proceedings by the competent authorities.”⁶¹ Comparatively, Article 53 of the *1880 Oxford Manual* states “The property of municipalities, and that of institutions devoted to religion, charity, education, art and science, cannot be seized. All destruction or willful damage to institutions of this character, historic monuments, archives, works of art, or science, is formally forbidden, save when urgently demanded by military necessity”.⁶² Many of the provisions of the two Hague Conventions can easily be traced back to the *Brussels Declaration* and the *Oxford*

⁶¹ “Treaties, States Parties and Commentaries.” International Committee of the Red Cross. Accessed July 6, 2017. <https://ihl-databases.icrc.org/ihl/INTRO/135>

⁶² *Documents relating to the program of the first Hague Peace Conference, laid before the conference by the Netherland Government-Carnegie Endowment for International Peace. Division of International Law.* (1921). Clarendon Press, 54

*Manual.*⁶³ These declarations were the first attempts to develop a multinational treaty to ensure the protection of rights to those at war. Yet the greatest atrocities to cultural heritage lay ahead.

The Hague conventions of 1899 and 1907 were greater global attempts. A series of international treaties and declarations were negotiated at two separate conferences at The Hague in the Netherlands. These treaties were an attempt to develop multinational standards in the procedures of war in “civilized” countries. Article 56 of the *1899 Hague Regulations* provides, “The property of the communes, that of religious, charitable, and educational institutions, and those of arts and science, even when State property, shall be treated as private property. ... All seizure of, and destruction, or intentional damage done to such institutions, to historical monuments, works of art or science, is prohibited, and should be made the subject of proceedings”⁶⁴

The second convention was proposed by U.S President Theodore Roosevelt in 1904 but was postponed due to the Russo- Japanese War (1904-1905) until 1907. It stated in Article 56 of the *1907 Hague Regulations* provides: “The property of municipalities, that of institutions dedicated to religion, charity and education, the arts and sciences, even when State property, shall be treated as private property. All seizure of, destruction, or willful damage done to institutions of this character, historic monuments, works of art and science, is forbidden, and should be made the subject of legal proceedings”.⁶⁵ Then World War I arrived, and these agreements were again ignored and not implemented by all parties. This resulted in a tremendous loss to the cultural heritage of Western Europe.

⁶³ Ibid.

⁶⁴ Practice Relating to Rule 40. Respect for Cultural Property.

⁶⁵ Ibid.

Another proponent to creating international awareness of cultural property, The Roerich Pact, was initiated by a museum at the beginning of World War II. This pact, signed by twenty-one-nations, was meant to preserve cultural treasures in times of danger by the designation of objects as cultural treasures. Such objects were to be considered neutral, unless used for military purposes.⁶⁶ Aspects of the Roerich Pact included in the protection are historic monuments, museums, and scientific, artistic and cultural institutions.⁶⁷ These protections again faltered with Nazi Germany looting and confiscating countless amounts of cultural heritage from invaded countries. “After World War II, the judges of the military tribunal of the Trial of German Major War Criminals at Nuremberg Trials found that by 1939, the rules laid down in the 1907 Hague Convention were recognized by all civilized nations and were regarded as declaratory of the laws and customs of war. Under this post-war decision, a country did not have to have ratified the 1907 Hague Convention to be bound by them.”⁶⁸ This ruling was critical to the enforcement of cultural heritage laws and prompted of the major laws to come, the 1954 Hague Convention.

The key international initiative considered to be one of the most all-encompassing collaborations was created after World War II. It is the *Convention for the Protection of Cultural Property in the Event of Armed Conflict*, also known as the 1954 Hague Convention. This convention prompted another attempt to rectify the recognition of global character of cultural property, recognition of the need for special legal provisions

⁶⁶ Zgonjanin, 130.

⁶⁷ Ibid.

⁶⁸ “Yale Law School, “Judgement: The Law Relating to War Crimes and Crimes Against Humanity”, *Avalon Project at the Yale Law School* <http://avalon.law.yale.edu/imt/judlawre.asp>, (accessed September 17, 2017).

to preserve cultural property, recognition of individual responsibility for crimes against cultural property, and the extension of jurisdiction to trying such crimes⁶⁹ by drawing to previous conventions on war time procedures. As stated in Article 4(3) of the convention, “The High Contracting Parties further undertake to prohibit, prevent and, if necessary, put a stop to any form of theft, pillage or misappropriation of, and any acts of vandalism directed against, cultural property. They shall refrain from requisitioning movable cultural property situated in the territory of another High Contracting Party.”⁷⁰ It bound provisions against buildings, housing, sheltered archives, and literary collections during conflicts.

Furthermore, The Hague Convention bound the High Contracting Parties to safeguard cultural property situated in Chapter 1 Article 3, their own territory against “foreseeable effects of an armed conflict, by taking such measures as they consider appropriate.”⁷¹ Thereby, the onus is on each contracting country to take affirmative steps to protect its own cultural property from foreseeable wartime damage. As would be expected, The Hague Convention also requires Contracting Parties to refrain from hostile acts directed against cultural property in their own territory or within the territory of other Contracting Parties, and to refrain from any use of cultural property, or areas immediately adjacent to it, that would likely expose it to destruction or damage. Furthermore, no Contracting Party can evade its obligation to protect another Contracting Party's cultural property simply because the other Contracting Party has failed to

⁶⁹ Merryman “Two Ways of Thinking About Cultural Property,”843.

⁷⁰ Practice Relating to Rule 40. Respect for Cultural Property.

⁷¹ UNESCO. “Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention, The Hague, 14 May 1954.” Accessed November 5, 2017. http://portal.unesco.org/en/ev.php-URL_ID=13637&URL_DO=DO_TOPIC&URL_SECTION=201.html

properly safeguard its own cultural property.⁷²

This stipulation forces parties involved to protect cultural heritage regardless if one violates the agreement making the other responsible of protection of sites. Thus, in theory, the cultural property of a Contracting Party is protected from enemy attack so long as that party continues to adhere to the provisions of The Hague Convention itself.⁷³ As a reactionary doctrine that was brought about from WWII, the 1954 Hague Convention was the culmination of every previous attempt to protect cultural heritage. These provisions falter when belligerents in conflicts are not bound by agreements or the government that is responsible for protection specifically targets cultural heritage which results in rampant violations.

A following decree by the United Nations cultural arm, UNESCO, continued to contribute to what was deemed cultural property by their convention in 1970 by developing *The Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*. The convention added manuscripts and incunabula singularly or in collections. This convention also brought new definitions for sound, photographic, and cinematographic archives,⁷⁴ yet with all these conventions to help ensure that cultural heritage and property remain neutral in conflicts there is no guarantee that the agreements will be followed or enforced.

This is especially true when conflicts arise, and warring parties ignore these conventions and more dangerously, are not bound to them. With the cases of the Taliban and ISIS, they completely reject Western ideals as they are of those of their perceived enemy, the infidel. In other cases; laws were just ignored such as in the Afghan Civil

⁷² Oyer, 52.

⁷³ Ibid, 54-55.

⁷⁴ Zgonjanin, 131.

War, very loosely enforced as in the U.S Invasion, or contentiously seen as ignored with Saddam Hussein in the invasion Kuwait. This convention also bound parties of more regional conflicts to them as seen in 1954 Hague Article 19(1): “ In the event of an armed conflict not of an international character occurring within the territory of one of the High Contracting Parties, each party to the conflict shall be bound to apply, as a minimum, the provisions of the present Convention which relate to respect for cultural property.”⁷⁵ The convention was added in 1999 following the atrocities of the Balkan Wars of the early 1990s. This was called the Second Protocol to The Hague Convention for the Protection of Cultural Property and stated in Article 15, “1. Any person commits an offence within the meaning of this Protocol if that person intentionally and in violation of the Convention or this Protocol commits any of the following acts: ... (e) theft, pillage or misappropriation of, or acts of vandalism directed against cultural property protected under the Convention. 2. Each Party shall adopt such measures as may be necessary to establish as criminal offences under its domestic law the offences set forth in this Article and to make such offences punishable by appropriate penalties”.⁷⁶ While the guidelines are excellent starting points for the protection of culture, they have been frequently violated with few examples of repercussions to the violator and even smaller reparations to the victims. The enforcement of these laws is often left to war tribunals at the Hague that often take place years after the event, take years to try criminals.

Within the Middle East, no justice has been delivered when cultural heritage laws are violated. An example would be when in March of 2001, the *Bamiyan* Buddhas were intentionally destroyed by an Islamist affiliated group in Afghanistan. The *Bamiyan*

⁷⁵ Practice Relating to Rule 40. Respect for Cultural Property.

⁷⁶ Ibid.

Buddhas were two 1,700-year-old statues carved into a sandstone hillside in the *Bamiyan* region of Afghanistan. The destruction was done by militiamen acting on an edict to take down the "gods of the infidels."⁷⁷ The edict was a product of Mullah Mohammed Omar, a *Taliban* leader, who issued the ruling on February 26, 2001 ordering the destruction of all non-Islamic statues in Afghanistan.

A western observer who witnessed the act said: "They drilled holes into the torsos of the two statues and then placed dynamite charges inside the holes to blow them up." The Taliban considered the statues an abomination from the pre-Islamic "dark ages" that relate to iconoclasm. We now know that the decision to demolish the Buddhas and all pre-Islamic monuments and artifacts depicting living beings in the country was the result of an internal power struggle heavily influenced, if not dictated, by foreign forces, or al-Qaeda.

More notably are the violations to the Hague and UNESCO conventions conducted by ISIS in Iraq and Syria which have wiped out countless artifacts and cultural heritage sites in recent years. In March 2015 ISIS purged the historical site of Nimrud, capital of the ancient Assyrian empire, founded more than 3,300 years ago. Its frescoes and sacred texts were celebrated around the world for being well preserved. The destruction was documented by ISIS; they used sledgehammers and jackhammers to break down alabaster reliefs before bulldozing the mud brick enclosure. Then they blew the site up with large barrels of ammunition. In another instance in 2014 ISIS militants pulverized ancient artifacts, in a Mosul museum after the city was taken. The propaganda

⁷⁷ Gall, Carlotta, "Afghans consider rebuilding Bamiyan Buddhas," *The New York Times* November 5, 2006.



Figure 5: Buddhas of Bamiyan before and after Taliban destruction



Figure 6: ISIS jackhammering a Lamassu relief (2015)

video shows them toppling over statuary as well as smashing anything left in the museum.

The US Department of Defense (DOD) has an obligation, under Section 402 of the National Historic Preservation Act of 1966, to protect the heritage property of any area in the world under the responsibility of the DOD. Failure to take into consideration heritage property could easily result in the DOD being sued both by U.S. citizens and possibly in international court⁷⁸ by The Hague. Yet, when looking at the way the US led invasion was handled, it could be considered a travesty to cultural heritage as well. As said by INTERPOL (International Criminal Police Organization.), “Despite the 1954 Convention and its additional Protocols, the destruction of and trafficking in cultural properties persisted throughout numerous regional conflicts. Following the new and more recent forms of aggression and destruction carried out by terrorist groups, the international community has recognized the need for more forceful prevention and intervention.”⁷⁹ This intervention is necessary given the ineffectiveness proven in carrying out these rulings, especially in the Middle East or other areas of heavy conflict. These laws are often implemented after the fact rather than trying to enforce them while such tragedies occur. Often solutions such as the 2015 adoption of resolution 69/281 by the United Nations called “Saving the cultural heritage of Iraq, stated “the UN General Assembly deplored the rise in deliberate attacks and threats on the cultural heritage of countries affected by armed conflicts. A breakthrough was achieved in February 2015

⁷⁸ Joris Kila, “Inactive, Reactive, or Pro-Active? Cultural Property Crimes in the Context of Contemporary Armed Conflicts”, 336.

⁷⁹ *Protecting Cultural Heritage, An Imperative for Humanity* [Pamphlet]. (2016). United Nations-INTERPOL.

through the adoption of UN Security Council Resolution 2199, under Chapter VII of the UN Charter. This resolution recognizes that the illicit trafficking of cultural objects can be used as a source of financing for terrorism and requires Member States to take legally-binding measures to prevent “trade in illegally exported Iraqi and Syrian cultural property” with the assistance of UNESCO, INTERPOL, and their main partners.”⁸⁰

Though these laws are suggested and often are not ratified by their states government bodies for years or put into place after tragedy has struck.

In the cases of the National Museum of Kuwait, the Iraq National Museum, and the National Museum of Afghanistan, international protocols did little in the prevention or persecution of cultural heritage crimes. Because of this, museums cannot completely rely on the protection of these conventions, but rather learn from past mistakes to solve current threats. To develop from these past mistakes, an in-depth look into three case studies will be made to understand the context of the conflict. Using the juxtaposition of varying types of conflict set forth in the following cases, can the understanding be made to what happened to these institutions and therefore proper planning can be proposed.

⁸⁰ *Protecting Cultural Heritage, An Imperative for Humanity*,9.

Chapter 4: Case Studies

Kuwait National Museum

The beginnings of the Kuwait National Museum start on December 31, 1957 when the museum was first inaugurated. It was then based at the former palace of Sheikh Abdullah Al-Jaber Al-Sabah in the Dasman neighborhood of Kuwait City. The archaeological discoveries at Failaka created a requirement for a place to house these important finds and the Department of Antiquity and Museums bought the residence of the Sabah family in Kuwait City, then turned it into the national museum.⁸¹ In 1976 the collection was transferred to Al-Badr House in preparation for the establishment of the new, larger museum to be opened later. In 1983, ancient, Islamic, and popular antiquities were moved to its current home and culturally has its objectives in the preservation of Kuwaiti heritage and the dissemination of knowledge.⁸²

The present National Museum (KNM) was built in 1983 and was designed by famed architect Michel Ecochard. At the time of implementation, the complex consisted of five separate buildings surrounding a center garden court. The institution itself was opened to public in 1986 and divided into four blocks: three for permanent exhibitions and the fourth for administrative offices and auditorium.⁸³ By 1990, the KNM housed two major collections: The National Archaeological and Ethnographic Museum, and the al -Sabah Collection of Islamic Art, otherwise known as Dar al-Athar al-Islamiyyah Collection. The al-Sabah collection began to take form in 1975 when Sheikh Nasser Sabah al-Ahmed al-Sabah purchased the collection's first object. It was a mid-14th century enameled glass bottle he found in a London art gallery. At that

⁸¹ "Museums in Kuwait -Kuwait National Museum." Visit Kuwait -Guide to Kuwait. Accessed December 4, 2018. <https://www.visit-kuwait.com/attractions/national-museum.aspx>.

⁸² Ibid.

⁸³ Ibid.

time, the collection started out as a hobby he and his wife Sheikha Hussah Sabah al-Salem al-Sabah were pursuing, it soon grew to a full-fledged collection worthy of a place in a museum.⁸⁴ By 1983, as the collection was growing, it had made its way from Sheikh Nasser's private residence to its new location at the Kuwait National Museum. The building became known as Dar al-Athar al-Islamiyyah (DAI), where Sheikha Hussah became the organization's director general.⁸⁵ The al-Sabah Collection had been assigned a spare building in the complex and the two collections functioned separately, each with its own staff.⁸⁶

The Dar al-Athar al-Islamiyyah Collection had been placed on long loan to the state under the auspices of the Ministry of Information and were exhibited⁸⁷ for public viewing. The al-Sabah Collection within the assemblage, consists of a wide range of important objects, which include books, manuscripts, ceramics, glass, metal, precious stones and jeweled objects, architectural ornaments, textiles and carpets, coins and scientific instruments. The objects on display represent the full chronological and geographic spread of the Islamic world.⁸⁸ In 1990, the collection was rated amongst the top six Islamic art collections on public display anywhere in the world,⁸⁹ something truly significant to be stolen.

⁸⁴ "About Dar al-Athar al-Islamiyyah Collection", *Dar al Athar al Islamiyyah at Kuwait National Museum*, GMCC, darmuseum.org.kw/, (Accessed February 2, 2017)

⁸⁵ Ibid.

⁸⁶ Norman "The Invasion of Kuwait, and the Subsequent Recovery of its National Museum: A Conservator's View", 182.

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ Norman 1997, 182.

Background

The invasion of Kuwait by Iraq is a multifaceted event that has roots in the shared history of British imperialism between the two countries. The two countries were both a part of the Ottoman Empire that, in its decline, came under the influence of Britain. In 1899 Britain made the Sheikdom of Kuwait into a protectorate from the Ottoman Vilayet of Basra due to political turmoil. This embittered Iraq, especially when Kuwait became an independent nation in 1961, a move that the Iraqi government did not support. Iraq claimed that Kuwait had been created by British imperialism and that it was, indeed, an extension of Iraq.⁹⁰ From 1982 until 1988, Kuwait provided financial support to Iraq during the Iran-Iraq War despite violent retaliation from Iranian forces. In the end, Kuwait's financial contributions totaled around \$14 billion to Iraq. At the end of the war, relations eventually worsened when Iraq was unable to repay Kuwait and asked for loan forgiveness. The government of Kuwait was unwilling to forgive the loan.⁹¹ Iraq-Kuwait relations became even more strained over this as Iraq became crippled by its debt.

Amber Pariona stated: "After the Iran-Iraq War ended, the oil minister of Iraq suggested increasing oil prices as a means of paying off its war financing. Around the same time, Kuwait increased its oil production. With abundant oil supplies on the market, the price of oil from Iraq could not be increased. Consequently, the economy of Iraq continued to suffer. Iraq considered Kuwait's refusal to reduce its oil production as an act of aggression. This accusation of aggression was followed by the allegation that Kuwait was drilling for oil in the Rumaila field in Iraq. Iraq insisted that Kuwait had developed an advanced drilling technique, capable of slant-drilling. According to Iraqi officials, Kuwait's use of slant-drilling allowed the country to steal

⁹⁰ Amber Pariona, "Why Did Iraq Invade Kuwait in 1990?" World Atlas. Last modified April 25, 2017. <https://www.worldatlas.com/articles/invasion-of-kuwait-why-did-iraq-invade-kuwait.html>.

⁹¹ Ibid.

over \$2.4 billion in oil. In 1989, Iraq demanded repayment for the lost oil.”⁹² Thus, Iraq’s inability to repay Kuwait back for the Iran-Iraq war, Iraq’s economic instability, and the idea that Kuwait was an inherent part of Iraq separated by imperialism, instigated the invasion on August 2, 1990. During the initial invasion members of the Ministry of Iraqi Antiquities, The State Board of Antiques and Heritage (SBAH), came to the Kuwait National Museum and systematically began packing and shipping all the movable artifacts from the museums back to Iraq. In February of 1991, as the Iraqis were losing the war, the military burned down the parts of the museum as they retreated.

Timeline of Events

During the events of the Iraqi invasion in 1990, the Kuwait National Museum and the Dar al-Athar al-Islamiyyah Collection, respectively, were looted in their entirety by the occupying Iraqi forces. Among the stolen items were objects from the al-Sabah collection as well as the entire Dar al-Athar al-Islamiyyah research library. The only things left in the museum were a pair of carved 14th century wooden doors from Fez, Morocco.⁹³ Though not immediate, the process of looting took place over time. This sequence of events began during September through October of 1990 with the removal of many artworks, books and manuscripts and cultural objects from museums and private collections of Kuwait by the Iraqis. From Kristy Norman’s personal account, she stated that “on the first day, guards were posted on all institutions which the Iraqi government wanted to reserve for its own uses, in order to prevent looting.”⁹⁴ Then one

⁹² Ibid.

⁹³ "About Dar al-Athar al-Islamiyyah Collection" *Dar al Athar al Islamiyyah at Kuwait National Museum*, GMCC, darmuseum.org.kw/, (Accessed February 2, 2017)

⁹⁴ Norman, “The Invasion of Kuwait, and the Subsequent Recovery of its National Museum: A Conservator’s View”, 182.

of the Kuwaiti staff of Dar al-Athar went to the museum a few days later, posing as an interested student, and was asked if she knew where any of the keys were, so at least we knew that the Iraqis had not even forced an entrance yet. On September 1st, 1990, six weeks after the invasion, there was news that trucks had been seen outside the museum, and it was speculated that the collections were being moved north to Iraq.⁹⁵

At the time, Iraq claimed that the action was necessary under the First Protocol of the Hague Convention as part of their obligation to protect the cultural objects in occupied territory.”⁹⁶ Kristy Norman believed that “The disappearance of the National Museum and Dar al-Athar al-Islamiyyah collections was not, on the whole, the result of random looting, and this situation was to be one of the most significant factors in their recovery.”⁹⁷ This can be seen with the meticulousness of how the collection was taken by the Iraqi officials. As stated in a news article from the L.A Times, “Iraq's seven-month rape of Kuwait's culture and economy was a grimly efficient affair: What the Iraqis didn't steal, they destroyed. At the Kuwait National Museum, Baghdad's museum chief personally supervised the work when 17 trucks drove up to cart off one of the world's best collections of ancient Islamic art.”⁹⁸ The article also quotes Colonel Jeffrey Greenhithe, arts, monument , and archives officer for the U.S. Army, stating that "What (Iraqi President) Saddam (Hussein) did to the people of Kuwait was a crime against humanity,...But what he did here," [he said, pointing around the fire-gutted museum that once was a pride of the Arab world,] "was a crime against civilization.”⁹⁹

⁹⁵ Ibid.

⁹⁶ The Impact of War on Iraq's Cultural Heritage: Operation Desert Storm and Operation Iraqi Freedom, *Cultural Property Training Resource: U.S Department of Defense*, <https://www.cemml.colostate.edu/cultural/09476/iraq08-01enl.html>, (accessed February 9, 2017).

⁹⁷ Norman, “The Retrieval of Kuwait National Museum's Collections from Iraq: An Assessment of the Operation and Lessons Learned.”, 138.

⁹⁸ Drogin, “In 7 Months, Iraqis Stole 'the Very Soul' of Kuwait”, March 11, 1991.

⁹⁹ Ibid.

What was lost

In attempts to assess what was lost, The National Museum and the Dar al-Athar al-Islamiyyah presented different problems as the two collections were not unified in their collection accession records. Problems began to arise when the museum tried to establish what was stolen or lost after the invasion because of the separate collection catalogs. In the weeks leading up to the invasion, the Iraqis sent staff from their Department of Antiquities to assess and pack what they wanted from the two collections. Most of the immovable objects were left as well as many objects such as ethnographic material. It was later revealed that the Iraqis involved had been working under a deadline imposed by the army and did not have time to take everything. They were methodical enough, however, and took all documentation for both collections.”¹⁰⁰ In analyzing losses and theft the two major collections were assessed differently.

National Museum’s Collection

Kristy Norman's account for losses states, “The National Museum has not at the time of writing produced exact figures but estimates that it has lost twenty to thirty percent of its collection.”¹⁰¹ In actuality, sixty to seventy percent of the National Museum collections was taken. It was felt that the National Museums collections where difficult to quantify by Norman because of the inadequate record keeping. At the time of the recovery operation, the material in Iraq was estimated at about 26,000 objects.¹⁰² A major problem of trying to account for inventory discrepancies was because the National Museum had no records outside Kuwait, or

¹⁰⁰ Norman, “The Retrieval of Kuwait National Museum's Collections from Iraq: An Assessment of the Operation and Lessons Learned,”138.

¹⁰¹ Ibid,142.

¹⁰² "About Dar al-Athar al-Islamiyyah Collection " *Dar al Athar al Islamiyyah at Kuwait National Museum*, GMCC, darmuseum.org.kw/, (Accessed February 2, 2017)

indeed at another site inside Kuwait, it could not assemble an inventory for Interpol or as a basis for the recovery operation in Baghdad.¹⁰³

Dar al-Athar al-Islamiyyah

The Dar al-Athar al-Islamiyyah collection within the Kuwait National Museum has had a better accountability of its collections, primarily because it is organized from a private collection. Kirsty Norman stated that Iraq antiquities professionals were methodical in documentation for both collections. At the time, Dar al-Athar numbered around 3,000 objects of varied media and an Islamic art and history library of some 3,000 books, and about 900 additional objects were on display.¹⁰⁴ There was also a library of books, modern and antiquarian, on Islamic art and the Islamic world. The collection and library were housed in a large modern building designed to lead the visitor through 10 interconnecting galleries around a spectacular central atrium in which hung the largest carpets. The objects were presented by period, from pre-Islamic through to Mughal India.¹⁰⁵ Other parts of the collection were 1,500 major pieces included two double-pages in Kufic (early Arabic) writing from a 2,000-year-old religious document, 10th-Century crystal chess pieces, emerald-encrusted Mongol daggers and a lace-like gold pendant from AD 8. About 2,000 ancient coins and signature stones, some dating 2,500 years before Christ, were highlights.

¹⁰³ Norman, "The Retrieval of Kuwait National Museum's Collections from Iraq: An Assessment of the Operation and Lessons Learned.", 137.

¹⁰⁴ Kristy Norman, "The Invasion of Kuwait, and the Subsequent Recovery of its National Museum: A Conservator's View", 132.

¹⁰⁵ Ibid, 136.



Figure 7: Inside Dar al-Athar al-Islamiyyah (DAI) at the Kuwait National Museum.



Figure 8: The Dar al-Athar al-Islamiyyah at Kuwait National Museum Post-Invasion 1990.

The items that make up the twenty to thirty percent of what was known to be destroyed at the museum were items left behind by the Iraqi Antiquities authorities. These objects suffered the most dramatic damage because they were on display; they had no ready-made packaging or supports because they were deemed too large or immovable. The Iraqis were able to pack smaller objects with paper in tin trunks, but larger objects received little or no protection. The one large rug still out on display, a 17th-century medallion Ushak carpet, was rolled on itself, folded twice, and then trussed tightly with rope for the trip to Iraq in an open truck¹⁰⁶ which heavily damaged it. Other objects that were left in the museum to suffer damages were the pair of 14th-century Moroccan wooden doors, standing at 3.5 m tall. The Iraqi Department of Antiquities staff had been unable to move them, and they were burned with the museum several months later. The door's metal fittings were found in the ashes, they were among the collection's great pieces.¹⁰⁷ Some other items that were lost was "Hellenic columns and statues dating to Alexander the Great, and three ornate Arab pottery urns, had their own gallery. So, did gilt-embroidered Kuwaiti dresses, and delicate ancient lyres and other musical instruments."¹⁰⁸ Few of the museum's collections were safe with about only a hundred items being on loan to other institutions which were primarily in Russia. At the time of the invasion, Kristy Norman assisted in overseeing a traveling exhibition was being sent to Russia and around the world. This exhibition was made up of 114 of the most important objects from the collection¹⁰⁹ and was well documented for the trip.

¹⁰⁶ Norman, "The Retrieval of Kuwait National Museum's Collections from Iraq: An Assessment of the Operation and Lessons Learned," 141.

¹⁰⁷ Ibid, 141.

¹⁰⁸ Drogin, "In 7 Months, Iraqis Stole 'the Very Soul' of Kuwait", March 11, 1991.

¹⁰⁹ Ibid.

Significance of what was lost

The significance of the looting that occurred in the Kuwait National Museum during the Iraq invasion and Desert Storm war can be separated into two instances; looting and burning. The removal of artifacts is evidence of how Iraq's antiquities authorities quickly acted to secure and relocate the museum's collection in what is interpreted as well organized and planned out. Whereas, the burning of the museum by the military was a byproduct of the war itself. If it was intentionally done with artifacts inside and not when the military was retreating, it would have been more malicious.

Fortunately, Kuwait's participation in the global arts community contributed to the quick return of the museum collections. Farah Al Sabah saw the repatriation of objects stolen in the Kuwait invasion as pivotal in the Kuwait's membership with the United Nations. As Al Sabah stated, "Kuwait's willing hand to help, and with its peaceful and friendly nature, led the UN's Security Council to unanimously condemn Iraq's unprovoked invasion of Kuwait in 1990. Had the UN not intervened, especially since Kuwait was assigned to the UN conventions that protect cultural property, the archives of the Kuwait National Museum, along with other treasures, might never have been recovered."¹¹⁰ International conventions such as "Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property" of 1970 was also signed by both Kuwait and Iraq. Al Sabah believed The Convention helped cement Iraq's "obligation to reclaim exported cultural property" from Kuwait when it took the National Museum's archives (among other irreplaceable property) in 1990.¹¹¹

¹¹⁰ Farah Al- Sabah, "Digitizing A Survivor's Identity: The Past, Present, and Future of the Kuwait National Museum Archive", *Proceedings of The Memory of the World in the Digital Age: Digitization and Preservation*, (2012), 840.

¹¹¹ Ibid.

A key point according to Oyer is that after the war Kuwaiti representatives came to Baghdad with a list of only 2,500 objects to be returned, the Iraqis turned over twenty-five thousand items, "including not just the famous Islamic collection, but also the records of the Museum and the artifacts and archaeological records of sites such as Failaka."¹¹² The return of the collection, which occurred in the fall of 1991, was not reported in the international media until months later, leading to claims even long after the war's end that the Iraqis had not yet returned the antiquities.¹¹³ This is pivotal in understanding that Iraq did indeed protect the cultural heritage of Kuwait during the war. This adds to the question of whether the actions of the SBAH were truly malevolent with the removal of the collection during the invasion; especially with the amount of documentation put into the collection they removed. The inability of the Kuwait Museum to recall the records of their stolen collection should be a call for other museums to develop robust archives. In doing so they can recall and mitigate loss in the event of theft or destruction to their collections.

Following the invasion, the importance of implementing a modern digitization system of the collection became clear. As Norman stated, "before the war, neither Dar al-Athar al-Islamiyyah nor the National Museum had computerized its documentation of the collections. This situation was to have profound implications for the recovery program, particularly in the case of the National Museum. Dar al-Athar al-Islamiyyah's main archives of documents and photographs were in Kuwait, but there was a secondary archive in London."¹¹⁴ Consequently, this was based on situational irony. This reflects the importance of having multiple digital copies

¹¹² Oyer, "The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict - Is It Working - A Case Study: The Persian Gulf War Experience", 61.

¹¹³ Ibid.

¹¹⁴ Norman, "The Retrieval of Kuwait National Museum's Collections from Iraq: An Assessment of the Operation and Lessons Learned," 137.

of collections in the event of the destruction of collections archives. A lesson that Iraq would later come to regret not doing. If not for the organized removal of the Kuwait National Museum's collection with the records of the objects, the museum would have never known what it had lost except for the Dar al-Athar al- Islamiyyah collection. This major point emphasizes the need for a digitized and off-site archive of collections as well as the dangers of improper record keeping. The motives of the museum being burned is seen as a "scorched earth" military tactic common of retreating militaries. It could be said that if the SBAH did not remove the collections and records it could have been a complete loss comparable to Afghanistan's National Museum a few years later.

What could have been done?

In looking at everything that has happened with the Iraq looting of the Kuwait National Museum, it is clear they neglected to prepare for the invasion. According to Kristy Norman, "although it seems strange in retrospect, in July 1990 most people in Kuwait refused to see an invasion as a possibility."¹¹⁵ With that in consideration, if the museum did not foresee a conflict approaching, there were no contingency plans to put in place in the event something like this would have taken place. These plans are designed to be implemented at a moment's notice and be ready to execute far ahead of time. Planning such as digitizing their collections and housing them in an offsite location, could have been extremely beneficial in tracking down stolen items. In hindsight technology to do so was lacking in the early 1990s, but the Dar al-Athar al-Islamiyyah collection had done so with most of their collection by having an archive in London,

¹¹⁵ Norman, "The Retrieval of Kuwait National Museum's Collections from Iraq: An Assessment of the Operation and Lessons Learned," 136.

U.K. Why the whole collection was not cataloged in a digital database until the mid-2000s (after the looting of the Iraq Museum) remains unknown.

With regard to understanding types of armed conflict in the Middle East, the invasion and looting of the Kuwait Museum is one of the most organized, compared to the destruction of other Museums in this analysis. Saddam Hussein's forces were organized, methodical, and driven by the acquisition of more historical cultural artifacts from the Middle East. Although what the Iraqi Army did to the museum itself during its retreat was heinous, it does not reflect the organization that was used to remove artifacts. It could be said that the attempts of the Iraqi Antiquities to save a major repository for cultural heritage may be meritorious. Yet, Kuwait and the UN did not view it that way compared to the other actions his forces did during the war.

Hussein's defense of the theft was to save the material culture during a time of war from internal looting. To do so, he cited the provisions from the First Protocol of The Hague Convention as part of Iraq's obligation to protect the cultural objects in occupied territory. This attempt was seen by the international community and the United Nations as a ruse for malicious antiquities theft. Hussein's interest in bolstering his legitimacy of power through cultural heritage contributed to having the best antiquities professionals, facilities, and museums, thus offering justification to do such a move.

Offering a different perspective, Harvey Oyer states in *the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict - Is It Working - A Case Study: The Persian Gulf War Experience*¹¹⁶, that Iraq protected the heritage of Kuwait during the Gulf War. He claims that "At first glance, Iraq clearly violated the provisions of The Hague

¹¹⁶ Oyer, "The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict - Is It Working - A Case Study: The Persian Gulf War Experience", 50.

Convention that prohibit Contracting Parties from pillaging, vandalizing, or misappropriation of cultural property. Most western media coverage portrayed Iraqi military forces as calculating looters who only returned Kuwait's cultural treasures because of U.N. Security Council mandates."¹¹⁷ More recently, however, a starkly contrasting account of the same events has been offered by a group of renowned American Mesopotamian scholars. These scholars contend that “during the Gulf War, the Iraqi Department of Antiquities acted in accordance with The Hague Convention in its treatment of the Kuwait Museum collection and that the Iraqis should be commended for their compliance.”¹¹⁸ The actions of the retreating Iraqi Army give a differing perspective as seen by the western media, as they torched the museum at other sites.

This case demonstrates that invasions from a large organized army that can establish a military presence and secure cultural sites is overall less detrimental to museum collections. Saddam Hussein had the conviction to attempt to save the collection out of historical relevance regardless whether it was self-motivated. This is different from other armed conflicts regarding museums as there was an attempt to save the collection at the beginning of the conflict. Whereas in other cases, such as with the National Museum of Iraq, the duties of protecting the cultural heritage of the institution were lacking or not made a priority during a time of war. Another notable comparison would be during an armed religious conflict. As cultural heritage institutions are targeted specifically with collections being destroyed based off ideological underpinnings.

Repercussions

Echoes of this conflict heavily implicated Iraq as being the instigator and belligerent of the conflict with Kuwait. “Until August 1990 Iraqi cultural property and cultural heritage

¹¹⁷ Ibid, 60.

¹¹⁸ Ibid.

resources (its museums, monuments, archives, religious sites and archaeological heritage) were among the most well managed in the world,”¹¹⁹ though this would dramatically change because of the repercussions of Desert Storm. This was due in part to the United Nations sanctions against Iraq and Saddam Hussein's regime. These sanctions have proven to have caused disastrous consequences on the Iraqi economy and furthermore the state of antiquities which limited the SBAH of Iraq in securing its cultural heritage. As summarized by the U.S State Department, “The most significant, and unintended, consequence or outcome during the aftermath of the Desert Storm campaign arose because of strict UN economic sanctions, which:

- (a) caused unemployment and deprivation among Iraqi citizens, causing some to turn to crime;
- (b) prevented the Iraqi military from effectively monitoring the south with its vast archaeological resources, by air;
- (c) restricted foreign specialists who wished to monitor and guard Iraq's archaeological sites; and
- (d) denied Iraqi archaeologists and authorities the basic tools, such as photographic paper, needed to document and report thefts from archaeological sites and museums to INTERPOL and law enforcement agencies Worldwide.”¹²⁰

Even worse after the war, the Iraqi Department of Antiquities announced that it was prepared to return the Kuwait collection. UNESCO was unable to act as an intermediary, since the United States and Britain had vetoed two proposals to send UNESCO specialists and Mesopotamian scholars to assess cultural damage in the war zone.¹²¹ These actions exacerbated the degradation to both countries cultural heritage sites setting for the further undoing of the cultural heritage of Iraq over the next 10 years.

¹¹⁹ The Impact of War on Iraq's Cultural Heritage: Operation Desert Storm and Operation Iraqi Freedom, In *Cultural Property Training Resource: U.S Department of Defense*, (accessed February 9, 2017).

¹²⁰ Ibid.

¹²¹ Oyer, “The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict - Is It Working - A Case Study: The Persian Gulf War Experience”, 61.

In the following years ethnic tensions that were suppressed under Hussein erupted in the wake of the 2003 U.S invasion that found root in the Desert Storm conflict. During the war, “Coalition allies encouraged Kurds in the North and Shiites in the South to revolt against the Saddam Hussein regime: Some of those who did rebel turned their anger on the most immediate symbol of Saddam's tyranny: government buildings, including local museums. Ultimately, eleven of the thirteen regional museums across the country were ransacked, and more than 4,000 objects were stolen. Approximately 400 of these objects have been documented and approximately twenty-four were later identified on the art market.”¹²² Even years after this war, degradation of the antiques sector was exacerbated, with U.N sanctions stifling cultural heritage protection. As stated by the U.S Department of State, “After Desert Storm, Iraq's archaeological sites were largely unattended; foreign archaeologists were forbidden by UN sanctions from working in the country and thus forbidden to guard the sites with their presence; the UK and US had vetoed the sending of a team of UNESCO specialists to assess the situation; even the import ban of photographic paper needed to document the theft of artifacts from sites and museums and report those thefts to authorities abroad was banned under UN sanctions; thus, years would pass before the evidence of theft from Iraqi sites could be recorded and disseminated.”¹²³ These sanctions in turn established a lawlessness to Iraq when they themselves were invaded thirteen years later by the United States.

¹²² Ibid.

¹²³ The Impact of War on Iraq's Cultural Heritage: Operation Desert Storm and Operation Iraqi Freedom, In *Cultural Property Training Resource: U.S Department of Defense*, (accessed February 9, 2017).

Iraq National Museum

Between March 19th to mid-April 2003, the United State military launched a major combat offensive against Iraq and the Saddam Hussein government. The U.S Military under the command of U.S President George Bush preceded with the invasion on the speculation of the Iraqi government harboring weapons of mass destruction. The fighting created a power vacuum and a state of lawlessness in which looting was rampant and the invading U.S forces struggled to contain. As Bogdanos note: “Among the many targets of the looters was numerous government buildings including the Iraq museum, home to one of the finest collection of antiquities in the world.”¹²⁴ This instability caused the largest destruction to a museum collection since the Bosnian and Desert Storm wars. Among many of the other regional museums looted, the National Museum of Iraq is one of the best archaeological museums in the world, containing the material evidence for the development of civilized human society from the very beginning of its history. The subsequent invasion of Iraq and the inability of the U.S military to establish rule of law as they invaded exacerbated the looting that occurred at the museum. Around 15,000 artifacts, statues, and archives were either destroyed or stolen from the museum in a few days’ time with delayed intervention from the invading U.S government to stop it.

Background

Geographically, Iraq is in what is now ancient Mesopotamia (see figure 1), the low-lying region between the Tigris and Euphrates Rivers where the first city-states developed with the arrival of the Sumerian culture around 5,000 B.C. “Sumerian farming, writing, legal, and technological inventions were passed down to and further refined by successive empires in the

¹²⁴Bogdanos, “The Casualties of War: The Truth about the Iraq Museum.” 477.

same region, such as the Akkadians, Babylonians, and Assyrians. Because much of this area has been cultivated and permanently resided on for at least 7,000 consecutive years, the initial concerns of archaeologists and historians were justifiable.”¹²⁵ "For millennia, this region has garnered great interest for its rich provenance in the development of human culture and civilization.

The country today known as Iraq was a region of the Ottoman Empire until its partition and disillusion after World War by western countries. It was made up of three provinces, called vilayets in the Ottoman language: Mosul Vilayet, Baghdad Vilayet, and Basra Vilayet (separated from Kuwait in 1889). These three provinces were joined into one Kingdom by the British with the name "State of Iraq".¹²⁶ The problem with Iraq was that it had no historical, religious, or ethnic homogeneity. Iraq had no natural capital and no single administrative system or ruling class. If it was to become a unitary state this would have to be imposed, to some extent against the wishes and traditions of the inhabitants of each province.¹²⁷ Then in terms of religion there was great diversity.

Historically, Iraq has been the leader in the Middle East region regarding cultural heritage preservation, archeology and well-established museums. This history dates to Iraq's colonial past and the establishment of antiquities laws that have helped to regulate and initiate a high functioning cultural sector. In 1918, Sir Percy Cox the Oriental Secretary of Great Britain, asked Gertrude Bell to consult on the preservation of cultural heritage and she became the Honorary Director of the Department of Antiquities in 1922, drafting antiquities law. Genna Duplisea

¹²⁵Oyer, "The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict - Is It Working - A Case Study: The Persian Gulf War Experience", 57.

¹²⁶David Kenneth Fieldhouse, "Western Imperialism in the Middle East 1914-1958," Oxford University Press USA - OSO, 2006. ProQuest Ebook Central.

¹²⁷ Ibid.

stated: “She was one of the government’s most eminent scholars on Mesopotamia, attending the Paris Peace conference in 1919, then the Cairo Conference in 1921, to determine the future of Mesopotamia. Later that year, she was instrumental in establishing Faisal I as the new state of Iraq’s monarch. She worked to preserve Iraqi cultural heritage and keep artifacts within the country as the founder and director of the newly opened Baghdad Museum of Antiquities in 1926 (now the Iraq National Museum).”¹²⁸

More recently, Bell’s role has been reassessed in the scope of literary theorist Edward Said’s 1979 work *Orientalism*.¹²⁹ In this work he includes Gertrude Bell alongside male administrators as “Oriental experts all, posted to the Orient as agents of empire, friends of the Orient, formulators of policy alternatives because of their intimate and expert knowledge of the Orient and of Orientals.”¹³⁰ To the British administration, Bell’s knowledge of the Orient and its peoples made her an acceptable white, educated, upper-class replacement for local knowledge. Said also argues that Orientalism is a means of “dominating, restructuring, and having authority over the Orient.” Creating knowledge of a colonized region allowed the British to create policy, to govern, and to incorporate a new space into a Western system of ideas, measurement, and understanding.¹³¹

In one of the first instances of Iraq’s antiquities laws, Leonard Woolley was stopped from taking all the extraordinary third-millennium B.C.E. finds from the ancient Sumerian city of Ur 1 for division between the British Museum in London and the University of Pennsylvania Museum

¹²⁸Duplisea, Genna. "Writing in the Masculine: Gertrude Lowthian Bell, Gender, and Empire." *Terrae Incognitae* 48, no. 1 (2016): 55-75. 64

¹²⁹ Edward Said, *Orientalism* (New York, NY: Vintage Books, 1979)

¹³⁰ *Ibid*, 224.

¹³¹ Duplisea, “Writing in the Masculine: Gertrude Lowthian Bell, Gender, and Empire,” 63.

in Philadelphia.¹³² Such high functioning rules were developed at the end of British colonial rule on the onset of the new Iraqi State. “Antiquities laws in place since 1936 vested ownership of archaeological sites and artifacts in the nation and a vigorous enforcement system protecting a truly vast archaeological heritage (numbering some 10,000 sites), there was remarkably little looting of museums or archaeological sites anywhere in Iraq, even during the unrest and privations caused by the Iran-Iraq war (1980-88).”¹³³ This was due in part to the amount of funding in the latter half of the 20th century that was invested into this sector under Saddam Hussein's Baathist party. It can be seen that “with a keen understanding of the region's 5,000-year history and a cadre of well-trained archaeologists ..working at Iraq's universities, at the National Museum and at the SBAH - archaeological research in Iraq had continued virtually uninterrupted from the early 20th century until the 1980s.”¹³⁴ The present Iraq Museum opened in 1964, and in 1982, six large galleries were added to the building for a total of 22 galleries, plus an ample lobby and reception area at the main entrance. This made The Iraq National Museum one of the most impressive archaeological museums in the world, containing the material evidence for the development of civilized human society from the very beginning of its history. This entirely documented collection of finds from the cradle of civilization encapsulates the essential cornerstones of modern life, including agriculture, writing, laws, mathematics, astronomy, the arts, and warfare.¹³⁵

This investment in Iraq’s cultural heritage sector created a highly educated population that was aware of their heritages worth. In the 1980-1990s, Iraq began to engage with a series of

¹³² Donny George Youkhanna, “Learning from the Iraq Museum”, *American Journal of Archaeology* 114, no. 4 (2010): 1.

¹³³ The Impact of War on Iraq's Cultural Heritage: Operation Desert Storm and Operation Iraqi Freedom, In *Cultural Property Training Resource: U.S Department of Defense*, (accessed February 9, 2017).

¹³⁴ Ibid.

¹³⁵ Youkhanna, “Learning from the Iraq Museum”, 1.

wars between the neighboring countries which set the stage for the degradation of the cultural heritage sector. After the invasion of Kuwait and the subsequent coordinated theft of Kuwait's National Museum, the global community through the United Nations acted against Iraq in the form of heavy sanctions that led to a severe economic recession. In, "The Looting of the Iraq Museum in Context"¹³⁶, McGuire Gibson states what he thought were underlying causes to the looting. A major factor Gibson stated that worsened the looting of the Iraq National Museum was the progression of looting in archaeological sites. This was due to the inability of the Iraqi government to protect cultural heritage in the years after Gulf War and leading up to the Iraqi invasion.

Gibson correlated massive looting of archaeological sites in the southern deserts of Iraq in the 1990s to a vigorous new market for Mesopotamian antiquities that grew throughout the period before the 2003 war. From this he claimed that a congruence of events had set the stage for a 1990s boom in illegal antiquities trade and in Iraqi artifacts. Because of a global recession, Gibson claims that in the late 1980s investors went looking for alternatives to stocks and other investments. These investments were found in the form of Iraqi antiquities. This interest was added to by the Moore and Erlenmeyer collections of antiquities, a private collection with numerous Mesopotamian objects, put up for auction at the same time. As Gibson notes: "Because they were both old collections, amassed before the 1970 UNESCO Convention on cultural property, numerous museums, universities, and other institutions that would not normally have bought antiquities, joined the major collectors in bidding for the items. As a result, the objects were often bought for unprecedented amounts. Before these sales, cylinder

¹³⁶ McGuire Gibson, "The Looting of the Iraq Museum in Context" In *Catastrophe! The Looting and Destruction of Iraq's Past* edited Geoff Emberling and Katharyn Hanson, 13-18, Oriental Institute-Chicago: 2008, 14.

seals might fetch a few hundred dollars, with exceptional ones bringing a couple of thousand. In the Erlenmeyer sale, several seals were purchased for tens of thousands of dollars; three of the Moore seals sold for over \$100,000.”¹³⁷ Congruently, during the first Gulf War in 1991, nine of Iraq’s regional museums were looted, putting more than 5,000 items into the illegal market. This flooded the antiquities market with illegal and legal Mesopotamian and other objects from Iraq’s history with a demand to match.

Gibson¹³⁸ and Bogdanos¹³⁹ alluded that an inability of the SBAH to effectively monitor sites because of UN sanctions on post-Gulf War Iraq. In the years that followed, the Iraqi government could not control the countryside because of no-fly restrictions in the south of Iraq. For the first time in more than fifty years looters began to carry out extensive illicit digging on dozens of sites. Because of the international sanctions, foreign excavators could not continue work at that time. The SBAH, the agency responsible for all archaeological sites, museums, and standing monuments in Iraq, had been reduced in its funding, and as a result it had to lay off or retire many of its employees. The regional inspectors that were left, who would normally have gone into the desert to inspect sites, were unable to do so because they no longer had vehicles.¹⁴⁰ These factors set the stage to what was to come when ultimate lawlessness struck the country during the U.S invasion of the country.

Timeline of what happened

Due to ongoing tensions, players on both sides of the Iraq Invasion (Both U.S, Iraq, and the global community) tried to ramp-up efforts to assure the protection of cultural heritage during

¹³⁷ Gibson. “The Looting of the Iraq Museum in Context”, 15.

¹³⁸ Ibid.

¹³⁹ Bogdanos, “The Casualties of War: The Truth about the Iraq Museum.”, 477.

¹⁴⁰ Ibid.

the eve of war. The Cultural Property Training Resource notes: “In January 2003, a delegation of scholars, museum directors, art collectors and antiquities dealers met with officials at the Pentagon to discuss the implications of the invasion. They warned that Baghdad 's National Museum was the single most important site in the country. One member of the delegation, McGuire Gibson of the University of Chicago, twice returned to the Pentagon to discuss precautions the Coalition should take.”¹⁴¹The museum itself was then closed in February 2003 on the auspice of war and to prepare its collections from possible looting.

Later that month The Society for American Archaeology (SAA) wrote to the United States Secretary of Defense urging protection of antiquities in Iraq.¹⁴² During the museum closure the “staff at Iraq's SBAH prepared for the coming war by transporting moveable artifacts from the and Heritage and the Iraqi National Museum to safe storage and marking museums around the country with the blue shield symbol indicating that they were protected under the terms of the 1954 Hague' Convention.”¹⁴³

According to Donny George Youkhanna, then director general of the museum, the SBAH made several decisions intended to safeguard objects during the war. “First, all portable objects from Mosul, Babylon, and Hatra, including some life-sized statues from Hatra, and some objects from the other provincial museums, were transferred to the Iraq National Museum. Second, a group of five persons was given the responsibility of dismantling and hiding the portable objects from the museum's public galleries in a secret storage location known only to the five; they swore on the Qur'an not to reveal the secret. Third, sandbags and foam were placed

¹⁴¹ The Impact of War on Iraq's Cultural Heritage: Operation Desert Storm and Operation Iraqi Freedom, In *Cultural Property Training Resource: U.S Department of Defense*, (accessed February 9, 2017).

¹⁴² Youkhanna, “Learning from the Iraq Museum”, 3.

¹⁴³ The Impact of War on Iraq's Cultural Heritage: Operation Desert Storm and Operation Iraqi Freedom, In *Cultural Property Training Resource: U.S Department of Defense*, (accessed February 9, 2017).

in front of or upon some of the large, immovable objects, such as the Assyrian reliefs. Fourth, the basic object records and many of the most important reference books from the Antiquities Library were hidden off-site in a bomb shelter, along with almost 40,000 manuscripts from the Manuscript House. Fifth, the movable shelving of the Antiquities Library was put in the closed position and welded to make the remaining books and journals less accessible to looters. Sixth, windows and doors were barricaded with concrete blocks, and the steel doors of store rooms and doors meant to segregate specific areas were closed and locked. This reviewer wanted to seal all the outer doors to the museum and the administrative offices of the SBAH but was not allowed to do so, except for a partial barrier placed behind the museum's front entrance.”¹⁴⁴

In hindsight, the museum professionals who dealt with the issue first hand believed “the actions of the staff of the Iraq Museum and SBAH, in trying to secure the museum by removing a clear majority of items on public display into a secret storage place... was to a great extent successful.”¹⁴⁵ Bogdanos believes it was “the Ministry of Culture did not give permission to remove the artifacts from display until three weeks before the war began, the very limited number [of people] involved in the transfer- just five- were unable to remove all the objects that were firmly affixed to the walls or that were extremely heavy, and thus the looters were able to take some of them, including the Warka Vase and the Bassetki Statue.”¹⁴⁶

Other items that may have not been safeguarded as well were all the large-scale objects, such as the Assyrian stone relief slabs and some artifacts affixed to the walls. The SBAH also put down sandbags in front of the reliefs to lessen the damage if they toppled from bomb blasts.

Unfortunately, due to lack of time and equipment, the staff members doing the removal of

¹⁴⁴ Youkhanna, “Learning from the Iraq Museum”, 3.

¹⁴⁵ Ibid, 31.

¹⁴⁶ Matthew Bogdanos, “A Five-Point Plan for Future Action” in *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, ed. Lawrence Rothfield, (Altamira Press, 2008).

objects also decided to leave a few very heavy or very fragile items on display, thinking that looters would be unlikely to move things that heavy. Among the artifacts left on display were the famous Warka vase, the Bassetki statue base, and the statue of Entemena, all of which were stolen. It was probably the Bassetki statue base, made of copper and weighing more than 300 pounds, that caused the breaking of every step in the marble staircase as it was dragged from the mezzanine gallery to the ground floor.”¹⁴⁷

In the face of charges that Iraqis did not take enough care of their heritage, and that the objects would be far better in museums and private collections elsewhere (thus justifying the illegal market), we can elaborate on a number of issues: The Iraqi antiquities organization did try to safeguard the objects, which included bringing many of them to Baghdad from outlying museums, thinking they were safer there. They took almost all portable objects off display and put them in a secret storeroom. Youkhanna and Gibson wrote: “With more time, staff would have been able to remove even those, leaving in the public galleries only the massive Assyrian bulls and slab relief, plus Islamic building facades and giant doors. The major losses were from the store rooms, whose entry doors were blocked and locked.”¹⁴⁸ As one BAH official said, “Already in 1991, we put the most famous items in a vault in the Central Bank and left them there throughout the 1990s and through the 2003 war. We built walls across doorways and windows to deter people from entering the museum, and interior walls to hide key doors. The curators also took the entire contents of the Manuscript House, a separate building several hundred meters east of the museum and stored them in a bomb shelter in west Baghdad.

¹⁴⁷ (Youkhanna) and Gibson. “The Looting of the Iraq Museum Complex”, 23.

¹⁴⁸ Youkhanna and Gibson, *Preparations at the Iraq Museum in the Lead-Up to War*, 31.

...Shortly after the war, the museum's records and the library books were recovered from the shelter, otherwise the inventory of objects could not have been done at all."¹⁴⁹

Another question raised is why didn't the SBAH send the collections abroad? This was proposed by William R. Polk, a Middle East expert, who visited Baghdad before the invasion and tried to convince Iraqi authorities to send the museum's collections out of the country for safekeeping. Given the fact that just the dismantling of the museum's public galleries and storing of most of the displayed items in a secret storeroom took more than two weeks to complete, it is highly unlikely that museum staff could have emptied the galleries and storerooms in time to send the collections abroad¹⁵⁰ according to Youkhanna and Gibson. The main obstacle to this effort was that "given the reduced staff numbers and the loss of trained museum professionals because of thirteen years of UN sanctions, it would have been unthinkable to consider such a course of action in Baghdad."¹⁵¹ A plan would have already needed to be put in place far ahead of time in order to execute a coordinated plan such as that.

The Invasion

On March 20th, 2003 the U.S led invasion of Iraq began. A week later March 27th, UNESCO director, Koïchiro Matsuura, urged United States to protect cultural heritage sites. On April 5th, almost two weeks after the invasion the first U.S. forces enter Baghdad. Due to the ongoing fighting by U.S against the Iraqi military, civil authority broke down in the capital. On April 8, the Iraq National Museum staff fled due to a fire in front of the museum. During this fire a U.S. tank round fired into the reconstructed Assyrian gate at the entrance to the children's section of the Iraq National Museum. Attempts to protect the museum were in vain as

¹⁴⁹Gibson, "The Looting of the Iraq Museum in Context", 26.

¹⁵⁰Youkhanna and Gibson, *Preparations at the Iraq Museum in the Lead-Up to War*, 28.

¹⁵¹Ibid.

the special police unit charged to protect the museum fled as the battle came closer to the museum. Neil Brodie believed that had they stayed in position, especially in their uniforms, they would most probably have been fired upon. Wisely, as they left, they discarded their uniforms and weapons.¹⁵²

A few days later April 10th, looting started in museum galleries, store rooms, and offices. When the looting began, a man who had stayed in his house on the museum's grounds went out to the nearby intersection and asked U.S. troops in a tank to drive off the looters. The tank crew, after conferring with commanders, said they could not do so. By April 12th fighting had subsided enough for museum staff members who lived in the neighborhood to come in and begin to secure the building. At the same time, international journalists arrived to document what was occurring at the museum. The Museum officials pleaded for the U.S. military's assistance to the media to prevent further looting. The press reported that looters ransacked the museum archive computers, burning records that spanned to the early days of archeology in Iraq. At this time the press also erroneously reported that the same looters stole almost 150,000 items.¹⁵³

Bogdanos stated that "if journalists were able to get into the museum on the twelfth, military forces should have been able to do the same on that day or even on the eleventh."¹⁵⁴ He contended that "Journalists... are generally able to move more freely on the battlefield in order to report on the conflict"¹⁵⁵As the looters fled, a few antiquities employees living nearby came into the complex and shut the doors. They also hung up a large sign saying that the buildings were under the control of the Americans, which kept the mob at bay. Although the United States

¹⁵² Neil Brodie, "Spoils of War." *Archaeology* 56, 4. (2003):17.

¹⁵³ Bogdanos, "Thieves of Baghdad: The Looting of the Iraq Museum.", in *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, ed. Lawrence Rothfield, (Altamira Press, 2008),37

¹⁵⁴ *Ibid*, 37.

¹⁵⁵ *Ibid*.

finally did send troops to guard the museum on the 16th of April, the basement store rooms were not entered until after U.S. Marine Colonel Matthew Bogdanos arrived with a team of investigators on April 21st.”¹⁵⁶ According to Youkhanna and Gibson, “With almost three full days of unhindered activity in the antiquities complex, the looters could have taken much more, had the great majority of them not been more interested in the components of the SBAH offices.”¹⁵⁷

What was lost

There were many issues in trying to address numbers, during the assessment of what was lost during looting. Initially in 2003, the media that had convened around the museum had reported 150,000 items lost. This in fact ended being 15,000. Youkhanna had stated that “One of the major problems with the Iraq National Museum, as with many museums, was the lack of a complete inventory, including photographs of each item. Yet a very fine master catalogue in large ledgers, recorded in English and Arabic, has existed since the museum was founded in the early 1920s; this master could be correlated with excavation find catalogues, and thus the present location of an item could be discovered from notations on the ledgers and in museum display case and shelf logs. However, the maintenance of such records was seriously compromised because of ... layoffs of personnel during the sanction’s regime in the 1990s.”¹⁵⁸ Even worse, Michalowski stated that “the looting of the museum is more tragic because so many of the objects were still unpublished. Almost everything that was officially excavated in Iraq since the

¹⁵⁶Donny George (Youkhanna), and McGuire Gibson. “The Looting of the Iraq Museum Complex” In *Catastrophe! The Looting and Destruction of Iraq's Past* edited Geoff Emberling and Katharyn Hanson, 13-18, Oriental Institute-Chicago: 2008.

¹⁵⁷ Youkhanna and Gibson, *Preparations at the Iraq Museum in the Lead-Up to War*, 32.

¹⁵⁸ Youkhanna, *Learning from the Iraq Museum*, 2.

twenties of the last century was deposited there.”¹⁵⁹ Many artifacts and collections were parts of major archaeological digs that were cataloged in special ways that correlated with original excavations. The perpetrators appear to be divided among several distinct groups, each with different motivations. Some were expressing their anger at the old regime; others were neighborhood thieves, eager to take furniture, air conditioners or anything they could find; others- such as those who burned the archives of the Saddam era in the National Library- appear to have had political or sectarian motivations; some looters, particularly National Archives were professionals, removing copper wiring, windows, and doors. By all the accounts, the smallest group of all were the well-organized art thieves who worked methodically, cutting off the heads of heavy stone statues with special saws stealing only the most valuable works. They apparently knew what they were stealing. The chief U.S investigator later surmised that professional thieves at the Iraq Museum during April 10th to 12th,2003, may have been fulfilling "orders" from international buyers.”¹⁶⁰

By compartmentalizing areas, Matthew Bogdanos separated areas of collection theft into three areas, Public galleries, storage rooms and basement of the museum. As of 2005, about 13,864 or more items are accounted as lost¹⁶¹with about 3,459 items recovered back to the museum. The worst theft occurred in the basement, and a about 2,307 objects recovered out of 10,686 known objects stolen. The world will probably never know how many items were taken from the ground floor storeroom, because it had not yet been inventoried.¹⁶² As stated in the article by Donny George Youkhanna *The Looting of the Iraq Museum Complex*, “Over the past

¹⁵⁹ Piotr Michalowski, “The Ransacking of the Baghdad Museum Is a Disgrace” (April 15, 2003). <http://historynewsnetwork.org/article/1386>.(accessed January 18, 2018)

¹⁶⁰ The Impact of War on Iraq's Cultural Heritage: Operation Desert Storm and Operation Iraqi Freedom, In *Cultural Property Training Resource: U.S Department of Defense*, (accessed February 9, 2017).

¹⁶¹(Youkhanna) and Gibson, “The Looting of the Iraq Museum Complex”, 25.

¹⁶² Ibid.

seventy years, since the founding of the museum, the museum staff has determined that most pieces brought back from excavations are not likely ever to be exhibited. Although an item may be of great importance for archaeologists, since it gives evidence of date or function of a grave or building, its broken or damaged condition keeps it from being displayed. To take inventory of this room the museum staff would have to take the original excavators' records, check them against the museum's central register to see which objects had not been given inventory numbers, and then check each shelf to see what was there. Since the looters smashed many of things in the storeroom, and since objects, through the years, might have lost their number tags, it would take a great deal of time and energy to do the inventory, and there would still be numerous objects that could not be identified.”¹⁶³

Many of the main artifacts from the museum's collection that were stolen or destroyed included; the Sacred Vase of Warka, the mask of Warka and the Golden Harp of Ur, the Bassetki Statue, the Lioness Attacking a Nubian ivory, and the twin copper Ninurta Bulls. Also unaccounted for was the “Treasure of Nimrud”, a spectacular collection of more than 1,000 pieces of gold jewelry and precious stones from the eighth and ninth centuries B.C. that had been discovered between 1988 and 1990 by Iraqi archaeologist Muzahim Hussein Mahmud during his excavation of four royal tombs. It is considered by many to be one of the greatest archaeological finds of the last century. ¹⁶⁴

Significance of what was lost

Nationalism, dictatorship, and history go hand in hand in understanding what happened with the National Museum of Iraq. Two historical epochs on which the Saddam's Baath party

¹⁶³(Youkhanna) and Gibson. “The Looting of the Iraq Museum Complex”, 25.

¹⁶⁴ Bogdanos, “The Casualties of War: The Truth about the Iraq Museum”, 479.

focused much of its attention were ancient Mesopotamia and classical Islam. In the case of the former, the Baath simply ignored the historical inaccuracy of relating the ancient Mesopotamians to the contemporary Arabs, and radically shifted the period from that of *al-jahiliyya* ('ignorance') to that of the 'Arabs before Islam'.¹⁶⁵ According to Benjamin Isaakhan, "The destruction of Iraq's cultural heritage has provided fertile ground for simplistic and exclusive models of identity to be promulgated, creating a rise in ethno-religious sectarianism and violence. The combination of this absence of an Iraqi national identity and the sharp upsurge in violence has gone on to have very specific consequences for Iraq's democracy."¹⁶⁶

The confluence of the political and national regime is shown to instigate the destruction seen in Iraq after the U.S Invasion. In conjunction with the initial media reports exacerbating the numbers of stolen items the media coverage ignited immediate outrage. Bogdanos reasoned: "You'd have go back centuries, to the Mongol invasion of Baghdad in 1258, to find looting on this scale."¹⁶⁷ Many important artifacts and archives were irrevocably damaged; with prized items of the Mesopotamian world were destroyed in a few weeks' time. One of the most notable artifacts that was destroyed was from the archeological dig conducted by Sir. Leonard Woolley at the ancient site of Ur. The Golden Harp of Ur was in the middle of conservation when the invasion happened and was left in the workroom. Another major piece from the museum's collection, the Warka Vase, a carved alabaster stone vessel found in the temple complex of the Sumerian goddess Inanna in the ruins of the ancient city of Uruk, which was completely smashed off its base during the looting.

¹⁶⁵ Benjamin Isakhan, "Targeting the Symbolic Dimension of Baathist Iraq: Cultural Destruction, Historical Memory, and National Identity." *Middle East Journal of Culture and Communication* 4, no. 3 (2011): 262.

¹⁶⁶ Ibid, 276.

¹⁶⁷ Bogdanos, "The Casualties of War: The Truth about the Iraq Museum", 477.

Blame on Looters

Regarding that on the perspective of the U.S military, Bogdanos stated that “Shooting unarmed looters in civilian clothes who were not presenting a risk for human life would have been a violation of the law of armed conflict and prosecutable for murder under Article 118 of the Uniform Code of Military Justice.”¹⁶⁸ This justification states that that even if there were some U.S forces on the ground they could not do anything even if they saw looters. Because of this Bogdanos concluded that “The blame for the looting must lie squarely on the looters. Though the blame for creating chaos at the museum from the eight through the eleventh (of April) that allowed the looting to occur must lie with the Iraqi Army.... After the eleventh however, the blame shifts to the U.S”¹⁶⁹ Within this defense is the acknowledgement of practical military tactics during warfare and the rules that need to be followed. In Bogdanos’s defenses he stated that “The bottom line is that any suggestion that US forces could have done more than they did to secure the museum before the twelfth is based on wishful thinking or political ideology rather than on any rational appreciation of military tactics, the reality of the conflict on the ground, the law of war, or the laws of physics.”¹⁷⁰ Bogdanos’s explanation is understandable yet there it draws the need for involvement of international peacekeepers to help monitor and protect these sites during conflicts for the benefit of both warring parties. With the understanding of military tactics, at certain times securing a cultural site is not a practical priority. Thus, there must be mediator of sorts to protect these sites.

¹⁶⁸ Youkhanna and Gibson, *Preparations at the Iraq Museum in the Lead-Up to War*, 38.

¹⁶⁹ *Ibid*, 39.

¹⁷⁰ *Ibid*.



Figure 9: Broken 4,700-year-old Golden Lyre of Ur destroyed in looting



Figure 10: Warka before and after reconstruction from looting.

U.S Planning

The most significant outcome of the U.S led invasion of Iraq was the lack of forethought and action by the U.S military on the cultural heritage of Iraq. Planning and implementation of protective strategies can be haphazard and slow as demonstrated by what happened to the Iraq National Museum and other historical sites around Iraq. These actions either directly or indirectly affected the cultural heritage of Iraq. Many of these infringements resounded the carelessness that the United States showed towards the material tangible cultural heritage of the country. Bogdanos believed that “Planners had no idea of the extent to which the average Iraqi viewed the museum [not as housing priceless cultural heritage of their country, but as Saddam’s gift shop.] The museum, for example, had been closed for 20 years of the previous 24 -open only once (on Saddam Hussein's birthday in 2000) and closed again shortly thereafter. As a result, planners did not understand that many Iraqis would equate stealing from the museum with stealing from Saddam and not from themselves.”¹⁷¹ This has been in light of many sourced accounts of the top professionals in the field warning the U.S Pentagon about the dangers that cultural heritage posed. These warnings echoed the repercussions that occurred after the Kuwait War and the market of illicit Mesopotamian artifacts that percolated in the wars since. Professionals such as McGuire Gibson and others repeatedly made efforts to convince government officials to discuss the ramifications of heritage and conflict if the U.S were to invade. The United States armed forces were lackadaisical in their efforts to safeguard centers of cultural importance. Because of this, aspects of the cultural heritage of the nation were irrevocably lost. The U.S has received heavy scrutiny for their ineffectiveness in the wake of

¹⁷¹ Bogdanos, “Thieves of Baghdad: The Looting of the Iraq Museum.” 34.

numerous attempts to call for protections. The U.S though, has not felt the repercussions for their negligence from the U.N as stated in the Hague Convention.

These situations, due to bureaucracy and lack of effective oversight, have severely debilitated, if not ruined, the heart of the cultural heritage sector in Iraq. This type of military conflict that affected the National Museum of Iraq was neither religious nor militaristic in nature but reflected the dissent of the people and the meaning the museum held as an extension of government power. It was a direct result of societal breakdown, lack of law and order, socioeconomic depression, and the rise of an emerging illicit antiquities market. These factors should have been used in the consideration by the U.S government in understanding consideration of the effects the war would have. As Michalowski stated: “The pillaging of the Baghdad Museum is a tragedy that has no parallel in world history; it is as if the Uffizi, the Louvre, or all the museums of Washington D.C. had been wiped out in one fell swoop. Some compare the event to the burning of the Alexandria Library. The full range of losses will probably never be known because the catalog records were scattered and destroyed and the living record of more than eight thousand years of human history has been erased in two days.”¹⁷²

Afghanistan

The National Museum of Afghanistan, a department of the Islamic Republic of Afghanistan’s Ministry of Information and Culture, is the paramount archeology and ethnography museum in the country. It is tasked with housing and displaying the most important examples of Afghan cultural heritage while educating local, national, and international audiences

¹⁷²Piotr Michalowski, “The Ransacking of the Baghdad Museum Is a Disgrace” (April 15, 2003). <http://historynewsnetwork.org/article/1386>.(accessed January 18, 2018)

and advancing the world's knowledge and appreciation of Afghanistan's remarkable heritage.¹⁷³ The director of the museum, Omara Khan Massoudi, has worked at the museum for over thirty years and has been instrumental in protecting the collections during its tumultuous civil war. Afghanistan has been entangled in conflict for the last 40 years that has wreaked havoc on the country's infrastructure and destroyed the country's cultural heritage. At the center of this assault on the country's cultural heritage and national identity is the National Museum of Afghanistan. One of the few cultural institutions in the war-ravaged country, the museum has seen the extreme ups and downs of any national museum in the world. It has been shelled, burned, and had its remaining contents pulverized by its own theocratic government. This iconoclasm towards the nation's cultural heritage has left what has been found since the fall of the Taliban in 2001 even more precious and important to preserve.

Background

Setting the political context of the NMA's creation, Afghanistan had been in a fierce powerplay over influence between Russia and Britain during most of the 19th century. The two vied for influence over the country that split their empires known as "The Great Game." This political quandary resulted in the First Anglo-Afghan War (1839–1842), Second Anglo-Afghan War (1878–1880), and the Third Anglo-Afghan War (1919).¹⁷⁴ During the Second Anglo-Afghan War Britain was able to assert political influence over Afghanistan. After the death of King Habibullah Khan in 1919, the Third Anglo-Afghan War was instigated by Afghanistan to free British India. The brief war resulted in an Afghanistan free of British influence and its present

¹⁷³ William Remsen and Laura A. Tedesco, "US Cultural Diplomacy, Cultural Heritage Preservation and Development at the National Museum of Afghanistan in Kabul" in *Museums, Heritage and International Development*, ed. Paul Basu and Wayne Modest (Routledge, 2015), 135.

¹⁷⁴ Louis Dupree, *Afghanistan*. Princeton University Press, 1973, 430

borders. With a brief rule of Nasrullah Khan, Habibullah Khan's brother, Amanullah Khan (3rd son of Habibullah Khan) was able to take the throne from 1919-1929. King Amanullah Khan was able to pursue an independent foreign policy free from the influence of the British, and his short rule was marked by dramatic political and social change. He was the first Afghan ruler who attempted to modernize a very conservative Afghanistan on Western designs.¹⁷⁵ This demonstrated by the western architectural styles of the Darulam building complex including the Museum and Palace. Afghanistan's National Museum started as a modest collection of artifacts and manuscripts, described as a "Cabinet of Curiosities,"¹⁷⁶ already existed in the time of King Habibullah. In 1919 an assortment of archival material, regalia, miniatures, and art collected by the royal family was assembled and housed in the Bāg-e Bālā pavilion on a hillside overlooking Kabul.¹⁷⁷ The move from the palace grounds was meant as a means of "modernization" for Afghanistan by King Amanullah Khan. The collection moved to a small building within the grounds of the Royal Palace at Bāgča in 1924.¹⁷⁸

A part of King Amanullah Khan's reforms were the first constitution of Afghanistan and detailed article was allocated for excavation, preservation and allocation of a locality for preservation of historical relics of this country in 1922. According to this law, it was ordered that the branch of "Excavation and Museum" to work under the supervision of Ministry of Education.¹⁷⁹ As the government of Afghanistan had no possibilities and human resources

¹⁷⁵ Ibid.

¹⁷⁶ Joanie Eva. Meharry, "Photos: In Kabul, a New National Museum for Afghanistan Starts to Take Shape." *Asia Blog*. Entry posted December 10, 2012. <https://asiasociety.org/blog/asia/photos-kabul-new-national-museum-afghanistan-starts-take-shape>.

¹⁷⁷ "Kabul Museum." *Encyclopædia Iranica*. Last modified September 15, 2009. <http://www.iranicaonline.org/articles/kabul-museum>.

¹⁷⁸ Ibid.

¹⁷⁹ Government of Afghanistan. "A glance at background of National Museum of Afghanistan." Ministry of Information and Culture. http://moic.gov.af/en/page/1291/2122?fbclid=IwAR3pnmotu-hQk4Qk994MNKDA2iP_asQM77GcThgpxJMhTNR3qT1ZsqH-Jp4. (Accessed December 8, 2018.)

necessary for unveiling of historical relics, an accord was signed with the government of France in this connection. Based on this agreement, the *Délégation Archéologique Française en Afghanistan*, heading by Musio Fochet to visit Afghanistan and beside Afghan excavators, he also worked for unveiling and recognition of historical relics¹⁸⁰. In 1931 its holdings were transferred to the present building in Darulaman, meant to be the new capital, six miles south of the capital Kabul. This building had previously served as the Municipality, adjacent to the imposing palace built by King Amanullah in 1923 for the Parliament as part of his vision of a new European-style city outside the overcrowded walls of Kabul.

After World War II, numerous archaeological missions, including those of the: Italians, Americans, Japanese, British, Indians, and Soviets, conducted excavations. Agreements with the Afghan government and the various archeological delegations originally provided for an equitable division of finds between the foreign institutions and the Kabul Museum. From 1964 on, however, no archeological finds or artifacts could leave Afghanistan.¹⁸¹ The first Afghan-directed work was carried out at a Buddhist site at Hadda in eastern Afghanistan in 1965. Foreign archaeological missions were bound by agreements guaranteeing that all excavated objects would be deposited with the government of Afghanistan; all artifacts from Afghanistan where to stay there. In 1966 the Afghan Institute of Archaeology was established in Darulaman to receive these finds; exceptional items were placed in the museum. A unique feature of the museum was the fact that more than 90 percent of its exhibits were scientifically excavated inside Afghanistan.

¹⁸⁰ Ibid.

¹⁸¹ "Amanallah." Encyclopædia Iranica. <http://www.iranicaonline.org/articles/amanallah-1892-1961-ruler-of-afghanistan-1919-29-first-with-the-title-of-amir-and-from-1926-on-with-that-of-shah> (Last modified August 2, 2011)

The collection of The National Museum of Afghanistan (NMA) is thought to have housed approximately 200,000 objects at the time of the Soviet invasion in 1978, although no full inventory of the museum's holdings had ever been conducted at that time. Some idea of the museum's pre-war holdings can be gained from *The National Museum of Afghanistan: An Illustrated Guide*¹⁸² and from a partial catalog by UNESCO of some of the main artistic objects in the museum.¹⁸³ The importance of the museum's collections to history lies within the rich story of the Asian Steppes and the Silk Road trade. Due to its strategic location, Afghanistan was closely linked to neighboring regions, and had a significant, though often overlooked, impact on their historical development. As early as the 5th millennium B.C.E, lapis lazuli from Afghanistan was traded to Iran, Mesopotamia, Syria, and Egypt.¹⁸⁴ This provenance reflected heavily on its artifacts which it houses from the great Silk Road empires of Bactria and Kushan.

Cultural Destruction in Afghanistan

Politically and socially, Afghanistan has a turbulent history wreaked with instability and power grabs over the past four decades. In the middle is the cultural identity that The National Museum of Afghanistan represents, an unintended victim. Rather than one incident, the events at the NMA can be seen over the course of almost four decades that have affected any previous attempt to create a cohesive institution. Until 1973, Afghanistan was a kingdom ruled under the House of Barakzai and then after a bloodless coup became a democracy. In April 1978, the communist People's Democratic Party of Afghanistan (PDPA) seized power via a coup d'état

¹⁸² Hatch-Dupree, *The National Museum of Afghanistan: An Illustrated Guide*.

¹⁸³ Stein, "The War-Ravaged Cultural Heritage of Afghanistan: An Overview of Projects of Assessment, Mitigation, and Preservation," 189.

¹⁸⁴ *Ibid*, 187.

known as the Saur Revolution, creating an Afghani puppet state until the instability of the USSR led to withdraw of support to the PDPA.

Soviet troops withdrew from Afghanistan in 1988 and all but the capital of Kabul had fallen to the resistance, known as the (fractional) mujahideen. During the post-Soviet civil war from 1988–1996, the museum sat at the front between the territories controlled by rival mujahideen factions. Over a period of months, the museum was rocketed, shelled, set on fire, and subjected to frequent raids by looters. When Kabul itself was taken in April 1992, ending the 14-year rule of the Democratic Republic of Afghanistan, mujahideen factions began warring among themselves for control of the city. Attacks were often launched from the south, and the National Museum in Darulaman, south of Kabul, was often on the front line.¹⁸⁵ During this period, an estimated 70% of the museum’s collections – approximately 140,000 objects – were looted or destroyed. In addition to the loss of objects, approximately 90% of the object records in the museum registry were burned.¹⁸⁶ In 1994 the Society for the Preservation of Afghanistan’s Cultural Heritage (SPACH) was founded in Islamabad, Pakistan, with part of its assistance efforts going to preparing an inventory of what remained at the Kabul Museum. The society was organized specifically to address the concern with the preservation of Afghanistan’s cultural heritage, and one of the few such organizations currently working in Afghanistan. Society for the Preservation of Afghanistan’s Cultural Heritage has focused its attention on the sphere of Afghanistan’s material heritage, advocating for the role that this particular facet of the national identity can play in peace, development and nation-building. SPACH has been predominantly active in the areas of supporting the National Museum of Afghanistan and preserving its

¹⁸⁵ Nancy Hatch-Dupree, "Museum Under Siege," 42.

¹⁸⁶ Gil J. Stein, "The War-Ravaged Cultural Heritage of Afghanistan: An Overview of Projects of Assessment, Mitigation, and Preservation," 190.

collections, advocacy and awareness-raising with regard to the plight of cultural heritage in Afghanistan in general and in relation to specific sites of cultural significance, and in field surveys and emergency conservation works on endangered monuments and sites.¹⁸⁷

From 1993 to 1998, the Museum staff labored under extremely difficult, even dangerous, circumstances. Darulaman as well as Kabul suffered daily rocketing and shelling. In May of 1993 the museum was struck by a rocket and then in March of 1994, the building caught on fire.¹⁸⁸ A pivotal point for the museum was when the Taliban gained control of Kabul and most of the country on September 27th, 1996. Until then members of SPACH were able with some safety work on what was left of the collection. Through the efforts of Carla Grissman, an attempt was made in mid-1996 to conduct another preliminary inventory of the remaining objects of the National Museum and to facilitate a plan to have them removed to more secure premises. Due to the obvious lack of security at Darulaman, the Ministry of Information and Culture of President Rabbani's Government was also anxious to safeguard what remained of the collection. Thus, the objects were packed up and the Kabul Hotel in the center of the city was chosen as a temporary site to house them along with 71 National Museum staff members. From April to September 1996, just two weeks before the arrival of the Taliban in Kabul, over 500 crates, trunks and boxes, containing 3,311 objects were shifted from the Museum to the Kabul Hotel. The project was ultimately successful but was hampered all the way by continued hostilities.¹⁸⁹ The collection made it safely, with no damage done to the collection or harm to the staff.

¹⁸⁷ Cassar and Rodríguez-García, "The Society for the Preservation of Afghanistan's Cultural Heritage: An Overview of Activities Since 1994," 15.

¹⁸⁸ Carla Grissman, "The Kabul Museum: Its Turbulent Years," in *Art and Archaeology of Afghanistan: Its Fall and Survival: A Multi-Disciplinary Approach*, ed. J. Van Krieken-Pieters (Brill, 2006), 66.

¹⁸⁹ Cassar and Rodríguez-García, "The Society for the Preservation of Afghanistan's Cultural Heritage: An Overview of Activities Since 1994," 23.



Pottery and debris litter a storeroom after a 1993 rocket attack.

Figure 11: Pottery and debris from National Museum of Afghanistan 1993



Figure 12: Burned archive labels from Afghanistan National Museum

During this time, there was relative stability for the collection being removed from the dangerous conditions of the museum. In June (1999) a Taliban decree was issued in Kandahar by Mullah Mohammed Omar protecting all cultural and historic relics of Afghanistan and making excavations and smuggling of artifacts out of Afghanistan illegal and punishable by law. On another earlier promising note, the Taliban was also renovating the Kabul Museum, and even opened it for a month in the summer of 2000 until it was shuttered by hard-liners scandalized by the "idols" on display.¹⁹⁰ Yet it has been described that the death knell for Afghanistan's heritage was ultimately being sounded not just by hardline Taliban, but by the increasingly influential al-Qaeda forces in the country who bankrolled the Taliban.¹⁹¹ A year later the largest threat was yet to come, systematic cultural heritage cleansing by the state government, the Taliban.

In February 2001, the Taliban leader Mullah Mohammad Omar issued an edict ordering the destruction of the Buddhas claiming they were idols and objects of worship:

*"On the basis of consultations between the religious leaders of the Islamic Emirate of Afghanistan, religious judgments of the ulema and rulings of the Supreme Court of the Islamic Emirate of Afghanistan, all statues and non-Islamic shrines located in different parts of the Islamic Emirate of Afghanistan must be destroyed. These statues have been and remain shrines of unbelievers and these unbelievers continue to worship and respect them. God almighty is the only real shrine and all fake idols must be destroyed."*¹⁹²

As stated by Romey, Afghan nationalism, reflected in the stone monuments and elaborate sculptures going back thousands of years, was getting in the way.¹⁹³ Later that same month, the Taliban also destroyed large numbers of statues in the National Museum of Afghanistan,

¹⁹⁰ Kristin M. Romey, "The Race to Save Afghan Culture," *Archaeology*. Volume 55, Issue No. (2002): 20.

¹⁹¹ Ibid, 22.

¹⁹² Weiss, T. G., & Connelly, N. (2017). *J. Paul Getty Trust Occasional Papers in Cultural Heritage Policy: Vol. 1. Cultural Cleansing and Mass Atrocities: Protecting Cultural Heritage in Armed Conflict Zones*. Los Angeles, CA: J. Paul Getty Trust.

¹⁹³ Kristin M. Romey, "The Race to Save Afghan Culture," 22.

including masterpieces of Gandharan art from the 2nd–4th century C.E., the Buddhist monastery complex of Hadda (these are some of the earliest depictions of the Buddha), along with statues of the Kushan emperor Kanishka, and 19th century carved wooden funerary and religious sculptures from the Nuristan region (formerly Kafiristan) in eastern Afghanistan.¹⁹⁴ This antipode of cultural policy is a reflection of the Taliban’s harsh interpretation of Islamic *Sharia* law and the resulting conflict that cultural heritage has against their viewpoint. These attitudes exacerbated issues with the NMA collections until the U.S, in late 2001, establishing stability and reconstruction to Afghanistan's cultural heritage sector. A major problem with protecting cultural heritage in the country is that Afghanistan is not a party to the 1970 UNESCO Convention, and it therefore cannot avail itself of this process.¹⁹⁵ This resulted in the inability of the U.N. to work with Afghanistan in helping promote and protect their heritage through funding and assistance. After attempts to rejoin the global community, Afghanistan became a Party to the 1970 UNESCO Convention in September 2005, giving it the protection that the convention provides.¹⁹⁶

Timeline of what happened

Many attempts have been made to gauge figures on the status of the National Museum of Afghanistan's collections when fighting had subsided or cooperation between warring parties had allowed. The first attempt was in the early 1990s although there were only estimations previously. This first assessments about the status of the NMA was described by Nancy Hatch-

¹⁹⁴ Gil J. Stein, “The War-Ravaged Cultural Heritage of Afghanistan: An Overview of Projects of Assessment, Mitigation, and Preservation,” 189.

¹⁹⁵ Patty Gerstenblith, “From Bamiyan to Baghdad: Warfare and the Preservation of Cultural Heritage at the Beginning of the 21st Century,” *Georgetown Journal of International Law*, (2006): 324.

¹⁹⁶ Crossette, Barbara. "U.N., in Shift, Moves to Save Art for Afghans." March 31, 2001.

Dupree in an article for Archeology Magazine in 1996 titled "Museum Under Siege." In the article Hatch-Dupree stated:

“About 70 percent of the museum's collections are now missing. Most of its vast gold and silver coin collection, which spanned the nation's history from the Achaemenids in the sixth century B.C. through the Islamic period, has been looted. Also gone is a Greco- Bactrian hoard of more than 600 coins from Kunduz, in northern Afghanistan, dating to the third and second centuries B.C, including the largest Greek coins ever discovered. Pieces of Buddhist stucco a schist relief dating between the first and third centuries A.D. and Hindu marble statuary from the seventh and ninth century have been taken, as have carved ivories in classic Indian styles from Begram, site of the summer capital of the Kushan Empire in the early centuries A.D. Also missing are many of the museum's prized examples of renowned metalwork of Ghaznavids, whose sumptuous capital flourished 90 miles southwest of Kabul during the tenth and eleventh centuries.¹⁹⁷

Her article gave a startling glimpse into the horror that had fallen onto the museum during the Afghan Civil war. This account gives an example of a window of opportunity that Hatch- Dupree and organizations such as SPACH could attempt to save the museum. The next set of reports on Afghanistan would come in 2001 with the destruction of the Bamiyan Buddhas and the subsequent invasion of Afghanistan by the U.S.

After stabilization of the country after the fall of the Taliban, more assessments have come out about the state of the museum that reflect the importance of Hatch Dupree's earlier evaluation. A before and after can be given through the papers of Carla Grissman and Gil Stein. This research confirms and disseminates rumors on what happened to the museum and clarify what was really lost. It was found that at least 70 percent of everything once housed in the Kabul

¹⁹⁷ Hatch-Dupree, "Museum Under Siege," 42

Museum vanished or was destroyed. Although we should be grateful for the remaining 22,607 items (mostly small beads and spangles from a single archaeological dig)¹⁹⁸ Many of the more important items such as the Bactrian gold horde and ivory's from Tillya Tepe were hidden during the conflict and were found later after stabilization commenced.

Significance of what was lost

The significance of what was thought to be lost was not realized until the stabilization of much of country in 2001. Most of the objects that were left at the museum before the civil war were destroyed with little record to tell what was lost. Between the partial burning of the museum and then the attacks by the Taliban, what was left of the collection can be considered a total loss. What was found after the U.S invasion of the country brought out hope of renewal in national identity through its liberated cultural heritage. Many of the most important items were hidden by pre-civil war government officials to try to protect the collections from looting and destruction. These items were hidden in government vaults or safe spaces within the country and were thought to be lost during the war. Carla Grissman stated that the collection of the NMA was important because “every object in its possession came from Afghanistan and excavated from Afghan soil. Collections spanned fifty millenniums, from the Middle Paleolithic, Neolithic, Bronze Age, Achaemenid, Bactrian, Indo-Greek, Great Kushan, Kushano-Sasanian and Hindu Shahi through to the Islamic and ethnographic present time. Accidental finds accounted for several important collections, including the Ashoka Edicts from Kandahar, objects from Tepe Fullol, Tepe Khazana, Serai Khoja, Hindu Shahi pieces from Tagao and Gardez and the famous Kunduz, Chaman-i-Houzuri, Tepe Maranjan and Mir Zakah coin hoards.”¹⁹⁹ These collections

¹⁹⁸ Grissman, “The Kabul Museum: Its Turbulent Years,” 79.

¹⁹⁹ Ibid,63.

therefore offer a unique viewpoint of history of the Asian steppes and of how different cultures blend, especially eastern and western cultures. Not only material artifacts have been lost but also a unique repository of knowledge about a distinctive civilization blending eastern Asian and Mediterranean influences that developed along the old trade routes that cross the country. For example, the early Greco-Afghan kingdoms that arose in the region after the breakup of the empire of Alexander the Great around the middle of the third century B.C. produced an extraordinary culturally Greek city known now as Ay Khanum, near the northeastern finger of Afghanistan that reaches toward China.²⁰⁰ Items that were thought to be lost from these empires were reclaimed after the liberation and stabilization of Afghanistan in 2003 and 2004. In 2003, a section of the Central Bank vault in the Presidential Palace was cleaned out to make room for quantities of newly printed currency. Crates were shifted, revealing tin trunks and seven safes holding the precious collections missing from the museum. A government press release was issued announcing that the trunks of artifacts from the Kabul Museum deposited in 1989 were intact.²⁰¹

These hidden stockpiles contained many treasures including: ivories, bronzes, ceramics, marble and glass treasures from Begram. The more than 100 ivories catalogued included the leogryph console, the three standing yakshas, the largest examples of ancient carved ivory in the world, and dozens of incised panels, carved openwork plaques and friezes. All the Hellenistic bronzes were intact, as was all the gold jewelry. The glassware included the Pharos of Alexandria, the millefiori bowl, blue glass vases and bowls, the dolphin flasks and the painted goblets. All the alabaster and porphyry vessels that were on display were intact. Among the Greek plaster emblems was the Head of a Poet, Eros Holding Psyche as a Butterfly, Aphrodite

²⁰⁰ Crossette, "U.N., in Shift, Moves to Save Art for Afghans," March 31, 2001.

²⁰¹ Grissman, "The Kabul Museum: Its Turbulent Years," 70.

And Ganymede. Thirteen of the 14 ceramics were found intact, including the blue-green glazed pottery vessel in the shape of a bird woman. Also, from the vault emerged over one hundred objects from Hadda, numerous large figures from Fondukistan, the giant footprint of the Buddha and the Buddha head from Kama Dakka, the Qol-i-Nader reliquary, many terracotta heads from Tepe Khazana and the unique rhyton from Kona Masjid in the shape of ram's horns holding a smiling male head with snail curls between the horns. Also intact was the gilded silver Cybele plaque from Ai Khanum, the fragments of gold vessels from 2500 B.C. Tepe Fullol, the gold belt buckle from Surkh Kotal, the fifteenth millennium B.C. limestone head from Aq Kupruk, the oldest sculptured specimen found in Asia, and the second millennium B.C. bone seal with winged camel. Over a thousand gold coins and over 300 silver coins, including the Bactrian double decadrachm as issued by King Amyntas ca. 120 B.C., the largest Greek coins ever discovered, were intact. New trunks were bought, and all objects were repacked and deposited again in the vault.²⁰² These items survived most of the extreme travesties of the ten-year war to be found, unscathed. Out of the items found in 2004 from the Presidential Palace, the Central Bank and the Museum, the team catalogued the 71 entire Tillya Tepe collection of 20,457 items on 453 datasheets. Not the smallest appliqué was missing. New safes were bought, and the Bactrian Gold was repacked and again deposited in the vault.²⁰³ This was done for the collections safekeeping as the country was still rocked by instability.

What could have been done

Preventative measures for protecting the museums relates to the lack of development in the cultural heritage sector and the overall degradation of the country due to civil war. From this

²⁰² Grissman, "The Kabul Museum: Its Turbulent Years," 72.

²⁰³ Ibid, 71.

point professionals need to work on developing the museum and antiquities field within the country as well as emergency procedures for museums and archaeological sites.

According to Remsen and Tedesco, the challenges facing those engaged in heritage preservation in Afghanistan include the following; the large quantity and dispersed nature of cultural heritage sites; the lack of site identification, documentation or research; the difficulties in prioritizing needs and developing hierarchy of interventions; the inaccessibility of many sites, often far from roads and in rugged terrain; the country's harsh climate, which limits intervention schedules; the generally poor condition of most of most historic monuments that make work difficult, slow and expensive; the absence of local infrastructure to support interventions; and the lack of a qualified local workforce to manage or carry out conservation work.... The practical realities have significantly limited the scope and scale of the opportunities for foreign donors and their local implementers to carry out cultural preservation work.²⁰⁴

With ongoing conflicts happening in Afghanistan since the 1970s, the question of why or how this happened to the museum cannot be easily explained as in other conflicts. One of the primary causes that sets the groundwork for undermining cultural heritage is instability. Instability, whether it is political, social, or financial caused many of the problems. In the case of Afghanistan, it was a mixture of political and social instability with financial reasons seldom being a reason that protection could not be made. Politically, the instability led during the fall of the Soviet backed government into civil war, left the museum without the support of its government. When a government cannot take care of its constituents, sectors such as cultural heritage, are neglected in the void of civil authority. During the period of the civil war and the Taliban regime, the collection was either neglected, separated, or stolen. Socially, the meaning of

²⁰⁴ Remsen and Tedesco, 107.

the museum was ignored and when some form of stability occurred, the museum was targeted by the theocratic government. As noted by Patty Gerstenblith: "Lawlessness, lack of centralized civil authority, and economic poverty are now the accepted recipe for cultural heritage destruction the shortcomings of the current legal regime, particularly the looting of unexcavated archaeological sites. This is the most devastating type of cultural loss-not only are objects lost to history, but the contexts in which those objects were embedded are also permanently lost."²⁰⁵ It can be concluded that if the Taliban stayed in power after 2001, there would be very few remnants of Afghanistan's historical material culture left. These conclusions are shown in the toxic relationship between the Taliban government and al-Qaeda that had already started to slip into extreme religious fundamentalism. Yet another factoring question could be made about the museum's collections, was why wasn't it removed from the country?

There has been a stigma surrounding the motives regarding the attempts of removal of cultural heritage to global safe havens. Museum officials and scholars say that despite repeated Afghan requests that priceless treasures be safeguarded over the last 20 years -- during the decade-long Soviet occupation, and then amid civil war and fierce Islamic radicalism -- virtually none were officially removed, although pieces have been regularly smuggled out for sale.²⁰⁶ The collection's survival owed much to the quiet efforts of museum personnel in 1988, when the decision was made to move the most important artefacts. More than 200 crates and boxes of artefacts were moved from the museum, on the outskirts of Kabul, downtown for storage in the Ministry building. The most valuable pieces, including the Bactrian Gold, a collection of over 20,000 items from 2,000-year-old burial mounds, had already been stored in the presidential

²⁰⁵ Gerstenblith, "From Bamiyan to Baghdad: Warfare and the Preservation of Cultural Heritage at the Beginning of the 21st Century," 325.

²⁰⁶ Crossette, "U.N., in Shift, Moves to Save Art for Afghans," March 31, 2001.

palace compound.²⁰⁷ Another attempt was by then President Mohammad Najibullah in 1991 to have the Swiss Bibliotheca Afghanistanica Museum take the Tillya Tepe treasure excavated in 1979 out of the country. Though, the Afghan government couldn't reach a consensus and the collection was not moved. Again, another attempt was made during the civil war period between 1992-1996 by Ahmad Shah Massoud, the then military leader of the Northern Alliance defending Kabul from the Taliban. Massoud was equally reluctant to move objects, including the Tillya Tepe treasure, out of the country when he held power in Kabul between 1992 and 1996, but gave his full support to the Bibliotheca Afghanistanica after being ousted by the Taliban. In the last interview before his assassination in September 2001, Massoud told Newsweek that he regretted the fact he didn't move the contents of the Kabul Museum to a "safer place" when he had the chance.²⁰⁸ On the same occasion, UNESCO, Western archaeologists and SPACH also opposed the removal of artifacts as well.²⁰⁹ One of the founders, Nancy Hatch Dupree, said "There's A lot of fury in hindsight and it's easy to pontificate on principles' in Paris or London when you have no idea of the realities on the ground. But the reality isn't that simple, for the basic fact is that cultural heritage is inevitably bonded to national honor." According to Dupree, SPACH had also explored the option of removing museum collections to a safer area, but while many Afghan officials enthusiastically endorsed the idea, those at the top often demurred, saying that it would make them look weak and unable to protect their cultural heritage.²¹⁰ These occasions given to protect and save the National Museum's collections faltered to pride and stigmas that resulted to its demise.

²⁰⁷ Lyndel V. Prott, "Protection of Cultural Movable from Afghanistan," in J. Van Krieken-Pieters (Ed.), *Art and Archaeology of Afghanistan: Its Fall and Survival: A Multi-Disciplinary Approach*, (Brill Academic Publishers: 2006,)190.

²⁰⁸ Ibid.

²⁰⁹ Ibid.

²¹⁰ Romey, "The Race to Save Afghan Culture," 21.

These apprehensions even stem to UNESCO's policies of intervention because of the abuses of western powers during wartime. Over the last century, especially as colonial empires were collapsing, an overriding principle was embraced by many archaeologists and enshrined in international conventions and the policies of organizations like UNESCO. This principle was that artifacts should never be removed from a country, however poor or unstable it might be. Across Asia, Africa and the Mediterranean, governments and citizens campaigned to bring pillaged art back home.²¹¹ This damage of state sponsored looting has put a stain on cultural heritage protection in times of war. In *U.N., in Shift, Moves to Save Art for Afghans*, reflects the outcry about the state of Afghanistan's cultural heritage problem after the destruction of the Buddhas. The article states that in UNESCO's experience, museums had been skittish about accepting works for safekeeping, especially institutions in Pakistan and France, which have been the targets of campaigns to return art already in their collections.²¹²

In the same interview Paul Bucherer, the founder of the Bibliotheca Afghanistanica, stated: "By the time UNESCO established official guidelines with the Afghanistan Museum in July 2001, there was hardly anything left" in the country.²¹³ In the interview Bucherer pulled out a photograph of a storeroom in the basement of the Ministry of Information and Culture in Kabul. He stated, "Here's 18 cubic feet of primarily Gandharan and Bactrian artifacts from the Kabul Museum, in pieces no bigger than my little finger. The Taliban came in the morning, hammered until prayer time, paused, hammered again, paused for tea, then hammered for the rest of the day. Afghan Taliban refused to do the job, so Mullah Omar sent in foreigners - Arabs, Chechens, Sudanese - to blow them up."²¹⁴ Juliette van Krieken-Pieters felt that the Afghans as such did

²¹¹ Crossette, "U.N., in Shift, Moves to Save Art for Afghans," March 31, 2001.

²¹² Ibid.

²¹³ Romey, "The Race to Save Afghan Culture," 23

²¹⁴ Ibid.

not want their Buddhas to be destroyed. They formed part of their personal history, at least for the people that were aware of their existence. One must keep in mind that even Mullah Omar issued decrees in 1999 to emphasize the importance of the Buddhas.²¹⁵ What was left of the community “knew what the future held” and tried to send items to the Afghanistan museum in Bubendorf Switzerland with no avail. Even if I had their agreement, I now doubt whether the Afghans would have managed to bypass al-Qaeda [and get the materials out]. But at the time "Rabbani, the recognized president of Afghanistan, gave written permission in May 2000 to bring the materials here to Bubendorf and this was not acceptable to UNESCO. The president of a country is responsible for the belongings of his nation, and if his request is not accepted, I do not know what else can be done."²¹⁶ These statements reflect the effectiveness of what the global community entrusts as its cultural protector, UNESCO. When cultural heritage is sacrificed, it is likely that many other aspects of life that mark us as human beings are also being sacrificed. It is our obligation to preserve cultural heritage as the inheritance of future generations and because future generations depend on us to do so.²¹⁷

In an alternative perspective to this, Finbarr Flood believed that the destruction of cultural heritage was a result of defiance to international community. Flood stated that “By destroying the Bamiyan Buddhas and the National Museum Statues the Taliban acknowledged the symbolic and political significance of this cultural heritage. The Taliban intended to eliminate the physical record and the historical memory of the pre-Islamic past for ideological iconoclastic reasons but also as a statement of political defiance toward the international

²¹⁵ Van Krieken-Pieters, “Dilemmas in the Cultural Heritage Field: The Afghan Case and Lessons for the Future,” 212.

²¹⁶ Romey, “The Race to Save Afghan Culture,” 22.

²¹⁷ Gerstenblith, “From Bamiyan to Baghdad: Warfare and the Preservation of Cultural Heritage at the Beginning of the 21st Century,” 35.

community who vociferously opposed its actions and its poor civil rights record”²¹⁸ Political and iconoclastic the motives of destroying cultural heritage in Afghanistan centered on reinventing their theocratic regime into a national identity. Flood notes: “Similarly, Taliban iconoclasm can be understood as constituting a form of protest against exclusion from an international community in which the de facto hegemony of the elite nations is obscured by the rhetoric of universal values.”²¹⁹ In addition he added, “an index of an idea of community that frequently falls far short of the ideal (and nowhere more so than in Afghanistan, where superpowers did battle by proxy), there could be few better targets to make the point”²²⁰ Thus the damage done to the country's cultural heritage and its main repository, the National Museum, has been irrevocably destroyed. The ongoing regional instability of Afghanistan has further added to that by the inability to safeguard, monitor and protect the museums corresponding cultural sites. To help prevent these atrocities organizations have tried to help implement plans to preserve and protect Afghan heritage.

In looking to the future, the US-National Museum of Afghanistan Partnership was conceived as a joint venture between an American cultural institution and the national Museum to address some of the pressing and practical needs identified in the conservation assessment. Remsen and Tedesco stated that after an open competition, the Oriental Institute of the University of Chicago, a leading cultural heritage and archaeological institutions, was selected to carry out the Museum Partnership activities. The United States has committed US \$2.77 million for this project.²²¹ The museum partnership has three primary aims:

- 1) The establishment of a new museum electronic catalog and collections management

²¹⁸Flood, "Between Cult and Culture: Bamiyan, Islamic Iconoclasm, and the Museum," 644.

²¹⁹ Ibid, 653.

²²⁰ Ibid.

²²¹ Remsen and Tedesco, 109.

system, with remote data backups to avoid the fate of the museums past paper microfiche inventories and catalog.

- 2) The complete digital inventing, documentation and archival rehousing of the museum's collections to better protect the objects in their current storage locations and to facilitate future relocation to a new museum building, and
- 3) Practical, sustainable, capacity- building training in museum management, museum practice and operations for museum staff in Kabul

The National Museum of Afghanistan has been and remains a symbol of national unity in a country with great ethnic and political divisions. It faces profound present and future challenges, including significant practical and operational difficulties and real curatorial and exhibition design questions in the future.²²² With further investment and the cultivation of interest of the National Museum of Afghanistan and the afghan culture can we never see something like this happen again.

²²² Ibid.

Chapter 5: Current Threats

Islamic State in Iraq and Syria

The threats to museums in the middle east reached new heights in 2011 with the rise of a new extremist group in Iraq and Syria. This is a result of an extremist version of iconoclasm propagated by the jihadist militant group, ISIS. This paradigm in Islamic thought towards imagery transcends previous historical incidents of iconoclasm including times of previous wars. The goal of these wars was cultural and ethnic cleansing and to perpetuate their Salafi ideology. Tragically, thousands of years of heritage has been destroyed in less than a couple of years due to this fighting. Their root causes laid in religious extremism against material historical culture base off fundamentalist Islamic teachings. Between 2014-2016 they attacked and destroyed numerous sites in a purposeful way that resulted in the complete loss of cultural and museum collections. In doing this they completed one of the most destructive forms of armed conflict to a cultural heritage site. This terrorist group has initiated a radical agenda during the Syrian civil war and the ongoing instability of the Republic of Iraq by forcefully taking over local governments. The ramifications of their destruction include displacement of the largest group of people since World War II and a campaign of destruction of hundreds of cultural heritage sites that date to the dawn of human civilization.

Thee destructive acts conducted by ISIS have greatly overshadowed previous damage done to cultural heritage sites. An account for the group's actions can be shown using ISIS's origins and comparing it with the first two jihadist waves of the 1980s and 1990s. ISIS was born of an unholy union between an Iraq-based *al-Qaeda* and the defeated Iraqi Baathist regime of Saddam Hussein. Coming from an environment of destructive war led to extreme religious fundamentalism fueled by religious ideology. This school of Islamic religious thought is part of

an ideological offshoot of *Wahhabism*. It is a very conservative Sunni School that has many branches including, *Salafi* fundamentalism which ISIS is a part of. *Salafi* jihadists take the holy book of Islam, the *Quran*, and very literal interpretations of *Sharia* law. This conservative approach stems from the Taliban's interpretations of Islamic rule. Its origins root in *al-Qaeda's* localized mission in Iraq that was led by Abu Musab al Zaraqawi, who was killed by Americans in 2006. Since Saddam Hussein's fall and the 2003 U.S Invasion in Iraq, nominal groups led by *al-Qaeda* have waged sectarian war against the Shia's. This warfare evolved into fighting against other religious minorities and the Iraqi government as the conflict progressed. The Sunni sect of Islam is the largest Muslim sect in the world and was often disenfranchised by Saddam's Baathist party and the later Iraqi government.

In Syria, the rise of this organization is contributed to the civil war in the country led by the Shia leader President Bashar al-Assad and the disenfranchisement with his people. The Sunni cries of inequality in Syria fell on deaf ears when it appealed to western governments leading its isolation and extremism in some of its adherents. These raw feelings led to the amassing thousands of embittered Iraqi and Syrian Sunnis to fight under ISIS's banner, even though many do not subscribe to its extremist Islamist ideology.²²³ The broken social systems of Iraq and other Middle Eastern countries produced a fraying and illegitimacy to state institutions which ISIS thrived on. ISIS who is currently led by Abu Bakr al-Baghdadi, who has recruited and accomplished more than Osama bin Laden's twenty-year movement being head of *al-Qaeda*. This organization is also backed up by its vast funding which comes from sources such as smuggling, extortion, and the oil wealth of the region. The group has relied in recent years of

²²³ Fawaz A. Gerges, "ISIS and the Third Wave of Jihadism." *Current History*, December 2014, 339-43. 339.

funding and manpower from international recruits with the sources of this funding often coming from the looting and theft of cultural heritage sites and museums.²²⁴

From early 2014 up until late 2017, ISIS held large swaths of area converging on eastern Syria and North Iraq. During this occupation, the group conducted rampant widespread destruction of cultural heritage sites and museums in the areas they controlled. These actions were used as propaganda for their movement and heavily publicized on various forms of social media such as YouTube. Their actions provoked global outrage by the destruction of cultural sites using various tools and improvised weapons. In late February 2014 a video surfaced showing ISIS militants pulverizing ancient artifacts in a Mosul museum after the city was taken.²²⁵ The propaganda video shows them topping over statuary as well as smashing anything left in the museum. Before the attacks in late 2013, 1,700 out of the 2,200 artifacts that make up the museum collection, were transferred to Baghdad for safekeeping and because there was maintenance work in [the] museum building.²²⁶ This construction luckily prevented what could have been predicted as complete destruction of the museum's collection as evidence to what they did to the few immovable objects that remained.

In another instance in March 2015 ISIS purged the historical site of Nimrud Iraq, capital of the Assyrian empire, which was founded more than 3,300 years ago. Its frescoes and sacred texts were celebrated around the world for being well preserved and were a major tourist attraction in Northern Iraq. The destruction documented by ISIS, used sledgehammers and

²²⁴ Zachary Laub, and Jonathan Masters. "Background Briefing: What is the Islamic State?" PBS NewsHour. Last modified November 16, 2015. <https://www.pbs.org/newshour/world/what-is-islamic-state-iraq-and-syria>.

²²⁵ Al-Salhy, Suadad, "The full story behind ISIS's takeover of Mosul Museum," Al Jazeera March 9, 2015.

²²⁶ Ibid.

jackhammers to break down alabaster reliefs before bulldozing the mud brick enclosure. They blew up the site with large barrels of ammunition, which was about a mile and half large settlement. Documenting their destruction, they posted a video of it as propaganda, it's one of the worst spectacles of ISIS's cultural destruction. The propaganda used praise to describe the destruction by eradicating heretical gods to make way for their conservative view of Islam.

The archeological complex at Palmyra received notable attention when it was captured in May 2015 by ISIS forces and quickly was used for its propaganda. The amphitheater at its site was host to public executions, one of which the beheading of a leading figure, archaeologist to the site Khaled al-Asaad. Using satellite imagery and videos posted by the group at the time, sites of the complex such as Valley of Tombs, Baalshamin Temple and the 2,000-year-old market complex were blown up. When Syrian government forces recaptured the area, there was little to nothing left of many of the major sites. This also happened with Hatra in Iraq. In March 2015 ISIS attacked the 2,000-year-old city of Hatra, one of the first capitals of the first Arab Kingdom. Video shows ISIS sledge hammering off the faces of wall statuary using bulldozers and explosives to destroy the archeological site before leveling it. In connection to the destruction at the Mosul Museum, most of the immovable artifacts destroyed there were from the Hatra site. After this region was recaptured, there was little to nothing left of the physical site. Other targets include sects within Islam as well as other minority ethnic and religious group's cultural heritage sites. ISIS continues to destroy multiple cultural heritages of this ancient region by demolishing historic churches, synagogues, mosques, Sufi and Shia shrines, and other major archaeological sites.²²⁷ These provocative and heinous displays of destruction to cultural sites

²²⁷ Denis MacEoin. "The Destruction of the Middle East." Gatestone Institute. Last modified December 27, 2014. <https://www.gatestoneinstitute.org/4973/destruction-middle-east-antiquities>.

have those in the field of antiquities and archeology aghast to the destructive power and path of ISIS.

With the loss of almost ninety eight percent of territory once claimed by the jihadist group across Iraq and Syria, Iraq's government announced that its war against ISIS was over in December of 2017, almost four years after the group first seized parts of the country.

Unfortunately, this conflict wiped out thousands of years of history in a short amount of time while the conflict was watched from afar by the international community. This begs the question: how can this be prevented, and if it cannot be prevented, what can museum and cultural heritage professionals do to minimize or mitigate damage? The answer lies within being able to predict and initiate defensive strategies for museums and heritage sites through extensive planning.

What are the implications of these situations?

In the case studies affecting museums and cultural heritage sites in the Middle East over the last 30 years, the theme of social upheaval is a predominant if not the sole factor that exacerbated the destructive circumstances. This theme is the unifying factor that resulted in damage to cultural heritage, specifically museums. The outcomes of social upheaval have resulted in progressive tensions of social, ethnic and sectarian violence that have plagued the region. The reasons of these breakdowns are reflected in the evolution of ethnic identity over nationalism to religious sectarian violence. This has created a far-reaching destabilizing effect on Middle Eastern countries among Sunnis, Shias, and minorities. Acts of destruction towards cultural heritage are displayed by early examples in the case studies as retaliatory actions of iconoclasm towards a nationalist identity that was viewed as oppressive. This causes the isolation and the dissolution of nationalism fueled by religious and ideological tensions which contribute to sectarian violence. The sectarian violence creates armed militant jihadists that have been

driven by radical Islamic teachings. Conservative sects like ISIS and *al Qaeda* target museums and other cultural heritage sites with the purpose of eradicating heritage in place of their own ideologies. These brief explanations result in conflict with almost all aspects of society that result in destabilization that threatens museums.

Pragmatic approach

Though ISIS and the Taliban are often labeled as terrorist groups, they have successfully created sophisticated states. As Audrey Kurth Cronin stated, “Terrorist networks, such as al Qaeda, generally have only dozens or hundreds of members, attack civilians, do not hold territory, and cannot directly confront military forces. ISIS, holds territory in both Iraq and Syria, maintains extensive military capabilities, controls lines of communication, commands infrastructure, funds itself, and engages in sophisticated military operations. If ISIS is purely and simply anything, it is a pseudo-state led by a conventional army.”²²⁸ This conclusion develops the notion of what they are doing to cultural heritage of the region is a part of “nation building”. This is done by developing a new sense of national identity by expunging perceived harmful aspects of it. Nation building is defined by: “Creating a country that works out of one that does not - because the old order has collapsed (as in the former Soviet Union), or been destroyed by war (Iraq), or never really functioned in the first place (Afghanistan). To transform a failed country can involve establishing order through the rule of law and creating legitimate government and other effective social institutions, as well as a credible currency and a

²²⁸ Cronin, Audrey Kurth. “ISIS Is More Than a Terrorist Group.” *Foreign Affairs*. Last modified March 23, 2016. <https://www.foreignaffairs.com/articles/middle-east/isis-not-terrorist-group>.

functioning market economy.”²²⁹ The by-product of these steps is extremist ideologies perpetuated by the destruction of cultural heritage by ISIS and the Taliban. The public displays of smashing ancient Assyrian “idols” in Mosul and Nineveh by ISIS and the destruction of the collection at the National Museum are testaments to this. These nation building steps can be attributed in conjunction to the themes of Iconoclasm. Attacks on aspects of nationalism, such as cultural heritage, to establish a new identity are inevitable. This is even more true when there are deep ethnic, religious or political divisions in the population or the country has no history of ever functioning effectively.²³⁰

The practicalities of running a pseudo government such as Taliban and ISIS have established governments in the areas they control and need revenue. Besides instituting religious propaganda against cultural heritage, they are practical in knowing what cultural heritages worth is. Thus, items that are not destroyed in displays of propaganda can be sold to benefit the organization. The Taliban and ISIS have various ways of income and many cultural heritage items can fetch large sums of money and be a good revenue for funding. “Islamic State or Isis did not start the looting. They came across a pre-existing situation and institutionalized it. At first there was a casual arrangement to loot whereby Isis applied an obscure Islamic tax of 20 per cent payable to the ‘State Treasury’ but since the beginning of 2015 this has been formalized. You now have to have a license issued by an ‘archaeological administration’ office with punishments if you are caught digging an area where you are not allowed.”²³¹ Afghanistan also had laws such as these at one point in place. Organization of antiquities such as in ISIS controlled areas and the

²²⁹The Economist Newspaper. "Economics A-Z terms beginning with N -Nation building." The Economist. Accessed December 5, 2018. <https://www.economist.com/economics-a-to-z/n#node-21529949>.

²³⁰ Ibid.

²³¹ Watson, Andrea. "How antiquities are funding terrorism." The Financial Times. Last modified June 25, 2015. <https://www.ft.com/content/fbecb8a2-09df-11e5-a6a8-00144feabdc0>.

Taliban's Afghanistan reflect the need to control assets such as cultural heritage that can be used to support a regime, even if it is to sell them.

Another problem that was found in both cases of Iraq and Afghanistan was that of looting by everyday people and clandestine art dealers. As Amir Al-Azm stated was "subsistence looting by displaced people many of whom are on the brink of starvation"²³² also contributes to theft in both cultural heritage institutions as well as archaeological sites. Conflicts can have many negative effects for the everyday person and when they are drawn out, they can be even worse. Looting, as in the case of the Iraq and Afghanistan, can be a result of desperation to sell items as well. The market is ripe for middle eastern antiquities even if values could be as little as ten to twenty percent of what the same objects with legal provenance could fetch.²³³ These thieves and often the people they work for and sell too, are even harder to find. As Richard George stated smugglers and attempts to fight them, are already a long way down the supply chain from the actual looting of antiquities.²³⁴ Though the needs of these looters of archaeological sites and museums are far from being quenched. The immediate demands of the extreme privation suffered by many Syrians (and others) are likely to outweigh such long-term considerations. The antiquities looting crisis in the Middle East - one aspect of the region's broader cultural heritage destruction disaster - will probably persist at least until the wars in Syria and Iraq are brought to an end.²³⁵

²³² Ibid.

²³³ Ibid.

²³⁴ Richards, George. "The antiquities looting crisis in the Middle East." Al Jazeera. Last modified

March 12, 2016. <https://www.aljazeera.com/indepth/opinion/2016/03/antiquities-looting-crisis-middle-east-160310093409472.html>.

²³⁵ Richards, George. "The antiquities looting crisis in the Middle East." Al Jazeera. Last modified March 12, 2016. <https://www.aljazeera.com/indepth/opinion/2016/03/antiquities-looting-crisis-middle-east-160310093409472.html>.

Chapter 6: Lessons from Case Studies

Analyzing the incidents of extreme cultural heritage destruction to national museums of countries during conflicts; an assessment can be made on what went wrong and how to prevent further loss. Each of the instances of cultural heritage destruction share the same theme of armed conflict and negligence towards protecting heritage. These faults contribute to the further loss of collections through absence of national government, high illegal demand for artifacts, lack of international interventions, religious iconoclasm. Because of these factors, disaster planning attempts faltered, and heritage was lost. By addressing these common flaws in that have affected conflicts in the Middle East region can the promotion of effective disaster planning and mitigation be implemented to other museums in the region.

Absence of National Government

A major contributor to the losses at museums demonstrated in the cases where the absence of a preventative measures to guard collections and sites. As what happens in wars, governments have limited capacity to ensure the protection of its cultural treasures resulting in their loss. In Kuwait and Iraq, the governments of these countries were under attack or became non-functioning because of this conflict. Thus, the inability to safely execute and protect museums and collections is thwarted. In Kuwait's conflict, The Gulf War, it took several days before the Iraq came to the Kuwait National Museum and systematically packed the entirety of the collection under the auspices of protecting cultural heritage during war time. There was no security or attempts to protect the museum because of lack of planning on the museums part as well as absence of a government protection force for the museum. Thus, Saddam could go and take the contents of the museum without any conflict or objection.

In Iraq in the U.S led invasion, the U.S government was quick to neutralize the Iraqi government and military. Comparatively, the U.S. government was abnormally slow in securing cultural sites taking up to six days to secure the national museum. Meanwhile the museum was raided, looted, and many items were lost while the museum was left unattended. The museum had guards that protected the grounds but, they were a part of the Iraqi military and thus fled as U.S forces inundated Baghdad during the war. The absence of government contributed in the inability to protect the museum as well as the inability of the U.S led coalition to establish law as they invaded and protect cultural sites.

In the example of Afghanistan, the general instability that began when the country erupted in civil war in 1992. The instability and absence of a legitimate government contributed to the lawlessness that wrecked the country for almost five years. Because of this the museum and its collection was left vulnerable to war and fighting with little protection. Attempts made to help the collection and the museum by the former government President Mohammad Najibullah to have items sent away to Switzerland where thwarted. As a backup plan, he implemented plans of hiding many of the gold treasures in safes. While other attempts were made by SPACH, the only viable attempt made by the Afghan government to secure the museum was after the Taliban gained control and implemented a ban of the sale of archeological items. This attempt is duplicitous, as the collection was destroyed later by government officials in the following year.

High Illegal Demand

Another concerning trend that primarily affects the Iraq and Afghanistan museums was the illicit market of Middle Eastern artifacts. Many objects that were stolen were done for sale on the black market. Because of the reasons the art market was ripe for conflict induced looting. In Iraq, everyday people knew the value of its nation's treasures do to the heavy investment into the

heritage sector and due to economic decline, it was eventually taken advantage of. The effects of this led to looting and thievery on an unprecedented level as Iraq felt the sanctions of the U.N. When the U.S destabilized the nation during the Iraq War, another antagonist surfaced, dissenters of the Saddam Iraqi government. They combined with the looters of the museum to target and destroyed what they saw was oppression in the form of a government institution. Objects from the museum were meant to fetch high prices on the illegal markets and to the everyday person who decided to loot, they ended up returning the items they stole after the U.S military secured the museum.

In Afghanistan it can be seen starkly different. Many of the prized objects such as the Bactrian gold and ivory panel carvings had been hidden away at the start of the civil war were forgotten and thought to be lost. Afghanistan's main collections had been tucked away and what was left in the museum was eventually lost with the museum. The museum was burned, shelled, and left without electricity for multiple years before assessments could be made to it. When they were made it was found that many objects that survived were stolen. A collection of Buddha statues housed by the museum were decapitated and later found in the markets of Pakistan and China. These objects were destroyed because of the ineffectiveness of moving large statues for the looters.

In comparison there wasn't as large market for the items in Afghanistan as there was for Iraq though many items made it onto the market via Pakistan. In the case of Kuwait, the Iraqi government was the sole beneficiaries of the looting in a hypothesized attempt to add to their collections. Saddam Hussein relied on the power history to legitimize his regime and did so in the Gulf War by confiscating the entirety of the Kuwait National Museum. Rather than selling the items, Hussein intended to add them into the government collection of Iraq. If allowed to do

so, many of Kuwait's national treasures and that of the private Sabah collection would have been incorporated into the SBAH Collection of Iraq. The contentious question of whether Iraq stole the Kuwait National Museums collection or acted to protect it is debatable.

Lack of International Intervention

In Iraq, the stabilization of cultural heritage sites during the Iraq War was the main instance in lack of international intervention. The U.S failed to secure the National Museum as well as other cultural and archeological sites that led to looting and damage. As the aggressors, the U.S neglected to protect the cultural heritage of a nation they were destabilizing as they attempted to overthrow the government. If the U.S made an immediate presence, the damage to the National Museum and other state buildings would have not been as bad as it ended up being. They lacked implementation plans to safeguard cultural heritage even though it was heavily advised to do so. Because of this poor planning the outcomes to many cultural heritage sites of Iraq had poor outcomes many objects still lost or stolen.

In Kuwait, the Iraq military did try to protect the cultural heritage of Kuwait by putting armed guards at the museum within days. Even if Saddam's actions were considered heinous in the theft of the collection, there is evidence that he did try to secure and protect the collection. If he did not secure the collection the retreating Iraqi army could have set the museum ablaze with the entirety of the collection inside. This factor can be argued that Hussein's actions did benefit the collection. In one of the most detrimental instances of lack of intervention was the case of the National Museum of Afghanistan. There it took more than 12 years for any type of major intervention to be made to the collection at the museum. These hostilities impact negatively on the social and economic stability of communities and the ability of government and non-

governmental organizations to deliver development projects to those regions.²³⁶ Attempts as early as the late 1980s were made to send the collection away as civil war loomed. Yet there is a stigma against evacuating collections out of a state in conflict due to the many atrocities that other western countries have made in the name of this. Thus, attempts from SPACH to anti-Taliban leader Ahmad Shah Massoud to UNESCO'S first attempt were in vain because of stigmas and lack of action between individuals and the global community.

International agencies such as the United Nations, UNESCO, and other NGOs, often lobbied the governments of the countries urging protection with no avail. These organizations are weak in their actions in these three cases, with involvement causing problematic implications especially with the case of Kuwait. The United Nations sanctions along with dominant players in the organization such as the U.S. imposed harsh sanctions that all but Iraq and the SBAH after the Gulf War. These sanctions then set the stage for what happened in Iraq in 2003. In other situations, like Afghanistan, too little was done too late. By the time that UNESCO attempted to save the Afghan National Museum there was nothing left at the time due to Taliban imposed ethnocide. In analyzing the role of these NGOs, they lack force in the face of destruction of cultural heritage with their actions in these cases being bureaucratic and lacking real effectiveness. Without imposing a harder approach to prevention and combating cultural heritage destruction the U.N and UNESCO are useless in these extreme situations.

Religious Iconoclasm and effects on the region

In one major instance, religious Iconoclasm contributed to the negative actions towards a museum's collections. After the Afghan civil war and consolidation of power, the Taliban

²³⁶ Cassar and Rodríguez-García *The Society for the Preservation of Afghanistan's Cultural Heritage: An Overview of Activities Since 1994*, 16.

became more and more aligned with a strict school of Islam, *Wahhabism*. This coincided with the relationship the theocratic Taliban government held with the terrorist group *al Qaeda*. Stated previously, the Taliban government allowed progress to begin again at the National Museum of Afghanistan and even went so far as to declare antiques theft against the law. Though those positions drastically changed especially in 2001 as they began to destroy historical sites such as the Bamiyan Buddhas and other historical sites. This correlated in an extremely hostile situation for cultural heritage in Afghanistan because of the extreme stance on iconoclasm. This issue with religious fundamentalism is a major point to be considered in understanding threats to museums in the Middle East region. Although only touched upon in the Afghanistan case study, this has been a rampant problem challenging museum in the Middle East in the last ten years. These religious fueled tensions towards national and cultural identity are at the forefront of an attempt at ethnocide based on religion. Without combating the wave of extremism and the disenfranchisement of people's nationalistic identity, this wave will continue to threaten cultural heritage.

Chapter 7: Practical Planning

Preparation is imperative to maximizing the chances of survival of cultural heritage in worst case scenarios. Although many museum professionals find it unfathomable for their collections to be destroyed or stolen, it remains a real possibility. As said by McGuire Gibson and Donny George Youkhanna, “It is essential that all museums administrators everywhere think of worst-case scenarios. Any museum could be the victim of looting in times of social unrest, especially given the current elevated prices for antiques and works of art. Museums should have a contingency plans to remove artifacts for safekeeping- perhaps even outside their countries, and if practical at least in storerooms that are better constructed that is currently standard in the near east and elsewhere.”²³⁷ The atrocities that have been occurring in the Middle East to museums should be the rallying point for museums around the world to develop cohesive disaster mitigation plans to alleviate possible damage. If not, the next time more priceless objects will be lost forever.

Every museum no matter how small, should have a disaster plan that is ready to implement at any time. Focusing on preparation, the assessment of the danger should be put in on focus to determine the appropriate plan. As mentioned earlier, the type of threat is the largest indicator of the extent of what will happen, especially when dealing with armed conflicts within the Middle East. After recent incidents of destruction of cultural heritage in Mali and Syria, the United Nation established guidelines to reinforce the need for cultural heritage to be protected from destruction and looting. The U.N details key action protocols at the international, national,

²³⁷ Gibson, and Youkhanna. “What Cultural Ministers and Heritage Sites Should Do to Prepare for Conflict,” 251.

and specifically protocols during armed conflicts.²³⁸ In Security Council Resolution 2100 (2013), United Nations Security Council Resolutions 2199 (2015) and 2253 (2015) aimed to prevent illicit trafficking of cultural properties from, within, or into conflict areas. This creates a problem for non-actors of these established protocols which leaves action plans ineffective and not preventative for every situation.

The establishment of key risk management planning lies in educating and providing funding for the development of museum preparedness plans within the Middle East. These plans need to reflect the current threats to museums and corresponding cultural heritage sites. By assessing the threat, either Armed Conflict or Religious conflict can professionals and governments prepare effectively for hazards that may endanger collections and sites. As shown by the preparedness model presented, different risks have different outcomes and learning from the past is key. In development of an implementation plan, two key sources of heritage emergency plans have influenced the development of a proposed plan that is focused on addressing the original threat. ICCROM's emergency plan *Endangered Heritage: Emergency Evacuation of Heritage*²³⁹ collections and *Be Prepared: Guidelines for small museums for writing a Disaster Preparedness plan*²⁴⁰ have been based as model for their proposed strategies.

Problems

A major problem is addressing the needs of museums during threats, that are applicable to all museums regardless of size, location, or financial status. As stated in Heritage for Peace, “cultural heritage institutions should develop a strategy for the protection of cultural heritage in

²³⁸ *Protecting Cultural Heritage, An Imperative for Humanity.*

²³⁹ *Endangered Heritage: Emergency Evacuation of Heritage Collections.* N.p.: UNESCO and ICCROM, 2016.

²⁴⁰ *Be Prepared: guidelines for small museums for writing a Disaster Preparedness plan.* Heritage Collection Council, 2000.

the event of an armed conflict.”²⁴¹ However, all too often solutions are sought from developed countries to address problems in developing countries. The guiding principle in the development of risk management plans should undoubtedly be that local problems need local solutions.”²⁴² These solutions need to address the threats that have plagued the region over the last 30 years on a local level. Taking these lessons learned, especially with the rise of new threats through religious armed conflicts caused by ISIS, sectarian violence, and civil wars, create a cohesive action plan. By focusing on assessing threats, museums need an established plan to be able to anticipate multiyear conflicts and prepare for these conflicts especially in long term situations such as with the Afghanistan civil war or the ongoing Syrian civil war. This allows flexibility of plans to shift with unanticipated variables in all the cases presented. Addressing safe spaces for collections during long term conflicts or political situations need to always be an option for museums with major threats. As Juliette van Krieken-Pieters wrote, “Many people in the legal, archaeological or museum field are opposed to or have mixed feelings when it comes to the concept of a ‘safe haven’. Their main concern lies in the fact that there are always those who will use it as an excuse for misuse.”²⁴³ The practice of hiding collections throughout the country in conflict cannot be relied upon either even though it has worked in previous situations. If it became known, or was assumed to be general practice, that museum pieces are concealed on site, determined exploiters (local or foreign), pillaging troops (authorized or not) and vengeful military forces, seemingly authorized to destroy enemy culture, would go straight to any known secure point to look for such pieces.²⁴⁴ Social instability, corruption and opportunism often get in

²⁴¹ "Conflict, Heritage and Risk Management." *Heritage for Peace*. <http://www.heritageforpeace.org/heritage-for-peace/risk-management-in-conflict/> (Accessed May 1, 2017)

²⁴² Ibid.

²⁴³ Juliette Van Krieken-Pieters, “Dilemmas in the Cultural Heritage Field: The Afghan Case and Lessons for the Future,” 214.

²⁴⁴ Prott, “Protection of Cultural Movables from Afghanistan,” 190.

the way of these plans as well. As Beiraghi stated, recent conflict situations confirm that during socio-political crises where the population opposes governments, heritage resources encounter some major threats: “Public ignorance about heritage values and protection of heritage properties; instability of regimes, making protection of heritage properties less important in comparison with political issues; People’s intention to show their opposition to their governments by looting museums and destroying heritage properties that they think belong to regimes and not to them; Limitations of international bodies like UNESCO, ICOMOS (International Council on Monuments and Sites), ICCROM and similar institutions, during the crisis when their national committees cannot act properly because of instability of the country or due to their structure which is considered unreliable by the regimes.”²⁴⁵ To step up this global initiative Col. Matthew Bogdanos stated “ UNESCO ought to convince its member nations to support such an initiative. It is time that the UN seize the mantle of international leadership and convince its members to support such a plan. As our best hope, UNESCO ought to step into the vacuum of international leadership, seize the bully pulpit and become relevant again.”²⁴⁶ Without this governing mediator in atrocities to cultural heritage nothing will be accomplished in time to save heritage. A more specific problem that poses a hindrance to other war-torn countries, is that of Afghanistan. According to Cassar and Rodríguez-García, there seems to have been a distinct lack of political will to address a range of important and urgent issues affecting cultural heritage. Rather than using the new-found freedoms and political support that characterized the immediate post-Taliban era to play an active role in protecting cultural heritage, and promoting the values that this embodies, the government seems to have lapsed into treating such heritage as an

²⁴⁵ Beiraghi, “Risk Preparedness and heritage management in times of socio-political crisis: The role of experts,” 100.

²⁴⁶ Matthew Bogdanos. “A Five-Point Plan for Future Action” in *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, ed. Lawrence Rothfield, (Altamira Press, 2008), 156.

instrument of its political goals, rather than as a source of diversity and inspiration that in fact belongs to all the women and men of the country. In 2006, Afghans find themselves in a situation that seems in many ways to differ little from their cultural experiences under previous regimes, which used the symbols of cultural heritage in crude official attempts to bolster a sense of national identity.²⁴⁷ This reflects the lack of prioritization of cultural heritage and the probable stagnation to the future efforts in the country. Cassar and Rodríguez-García continues this note in that failing to rise to this opportunity, far from being more effective than its predecessors, the government will continue to imperil the surviving cultural heritage of Afghanistan, while effectively marginalizing itself in the eyes of a dynamic new generation of Afghans. Handicapped by a lack of vision and policy direction, arguably the government's next greatest challenge is an acute lack of capacity.²⁴⁸

Professional Organizations

A plan with different contingencies must be put in place before conflicts arise to maximize the effectiveness of outcomes. Museums within the Middle East must focus on a plan that is specifically geared to armed conflict and have it well prepared before any conflict arises. The basis of risk preparedness should be raising public awareness. It is also important to organize social actions among heritage professionals instead of governmental measures, because depending on the nation, there may not be enough resources or interest in developing preparedness plans and through professional organizations it is more likely to happen. In this case, Beiraghi stated that a group of experts could act effectively because: they can be involved

²⁴⁷ Cassar and Rodríguez-García, "The Society for the Preservation of Afghanistan's Cultural Heritage: An Overview of Activities Since 1994," 36.

²⁴⁸ Ibid.

within public activities and try to raise public awareness in protection of cultural heritage. Due to their profession, they can carry out risk assessments and evaluate them in order to implement the best means of protection. They are familiar with, or may be members of, international organizations in protection of cultural properties.

Therefore, they (experts) can inform those organizations about critical conditions and act for them in an efficient and practical process.²⁴⁹ Organizing these professions is key in developing these plans because they can often work off of each other using knowledge of what works. Thus, museums and professionals do not have to be reliant on their government and can strengthen connections with other museums. An example of an organized professional group working in the auspices of war would be SPACH's efforts in Afghanistan. One of the great strengths of SPACH as an organization has been the preparedness of its personnel to work and travel inside Afghanistan to assess the potential threats at first hand, and the implications and limitations of policies and theories when witnessed at the practical level of implementation, even when security could not be assured. In this manner SPACH has been able to keep abreast of developments and threats to monuments and sites across the country as they unfolded and continue to unfold, and to advocate for policy change and action when necessary.²⁵⁰ Organizations such as these bridge the gap when government organizations cannot or because of diplomatic reasons, will not.

²⁴⁹ Beiraghi, "Risk Preparedness and heritage management in times of socio-political crisis: The role of experts," 197.

²⁵⁰ Cassar and Rodríguez-García, "The Society for the Preservation of Afghanistan's Cultural Heritage: An Overview of Activities Since 1994," 32.

Digitization

Digitization of the whole museum collection is one of the most important preparation actions that need to be completed in a timely and organized fashion. This is key in assessing what the museum has and what it must lose. “In areas of special vulnerability, such as the Middle East, database management programs need to be approached as emergency situations, with resources directed for the rapid creation of museum catalogs.”²⁵¹ This can be seen as a major fault in the cases of Kuwait, Iraq and Afghanistan where complete and digitized documentation was lost due to physical copies or partial digital copies left on site and were victims to the museums destruction along with the collections. This step is key in the easy organization of collections to know what they have, portable, and if stolen can be quickly accounted for. This permit sending information to trafficking watch dogs such as INTERPOL and fine art auction houses. Documentation is essential in identifying a cohesive collection as well as bringing old and new objects together. This was a major shortcoming in the NMA’s collections where all the collection’s information cards were lost or extremely damaged when the museum burned. This left professionals unable to determine what was lost or what was even in the collection. Another example of this fault would be in Kuwait where only the Dar al-Athar al-Islamiyyah collection’s records was sent to another location and not the entire museum inventory. For cohesiveness, Iraq had many small archeological items that had not been touched or cataloged since their excavations in the 1920s. This disarray caused many of the oldest items to have lost their provenance due to being unorganized and identified in a cohesive catalog. To add to the

²⁵¹ Gibson and Youkhanna, “What Cultural Ministers and Heritage Sites Should Do to Prepare for Conflict,” 252.

problem, many, if not all the computers, collection and administration files were lost due to looting and the resulting destruction. This made it even harder to track down stolen items.

With digitization of collection items, it also preserves the images of the items in case of their untimely loss or destruction during conflict. Having a digital image and documentation of an item that is lost is far better than having broken pieces and a half-burnt ID card for an item. Digitizing and establishing remote servers are thus an imperative for not just Middle Eastern museums to establish but all museums. Another very important aspect for this plan is for the digitized copies to be stored in a separate location in the event of something happening to the museum where they may be lost. This proved extremely beneficial for the Kuwait National Museum's Dar al-Athar al-Islamiyyah collection during the Gulf War by the keeping of a copy of the collection in London U.K. Another key benefit of this offshoring of digitized collections is it prevents invading parties from tampering. With many collections being digitized it is easy for hacking to make items disappear. This hypothetical notion is key to be considered in this century as many computerized systems can be hacked especially if a belligerent party wants to steal an item and thus make it disappear from records. This can make theft very easy for thieves to steal and hide what they have done. Cloud storage could be the key to help prevent this and has been used more and more for practical uses. Cloud storage is a model of computer data storage in which the digital data is stored in logical pools. The physical storage spans multiple servers (sometimes in multiple location) leaving it less susceptible to things such as power outages or destruction of server sites.

Twining

A suggestive step in preparing a museum in any conflict is establishment of developing connections and agreements with other institutions abroad. Called twining or Sister Cities. This

route is meant to establish collections with another institute or city for mutual relationships. During a time of conflict, the sister institution can work with that institution and have established relocation procedures. This is beneficial during times of need, because if too many groups try to help fragmentation of assistance can lead to duplicated efforts and a loss of information. To prevent this, heritage institutions in danger could link up with one foreign heritage partner only. This idea has already been put into practice by the American Association of Museum and has also been suggested by the Middle East Librarians Association.²⁵² This process also destigmatizes sending collections away to other countries that may not give back materials when conflicts end. The stigma of sending collections away during threats of war or long drawn out conflict was one of the reasons for why the National Museum of Afghanistan collection was always on the move and never left the country. The need for twinning is key to saving collections by safekeeping in long term conflicts. It also gives reassurance that the collection will be returned.

As stated by Heritage for Peace, “collaborations of this sort are actually advantageous to both parties. The institution at risk only must deal with one foreign partner, which is simpler and provides a direct point of contact. Their counterpart will get to know the institution at risk better and will be able to readjust their plans as they go along, targeting their assistance appropriately and seeing their money better spent. However, it can be more than a just a practical solution.” An example of such partnership is Kabul which has sister city agreements with Ankara and Istanbul, Turkey; Delhi India and Omaha, Nebraska. Others include Kuwait City’s partnership with Mexico City as well as Baghdad’s relationship with Beirut. Cultivation of these international ties can sow the seeds of disaster prevention by establishing contingency plans for evacuation of

²⁵²“Conflict, Heritage and Risk Management.” *Heritage for Peace*. <http://www.heritageforpeace.org/heritage-for-peace/risk-management-in-conflict/> (Accessed May 1, 2017)

collections in dire situations that threaten not just the museum's cultural heritage, but the country itself. This can be seen with the invasion of ISIS forces into Northern Iraq taking key strategic cities such as Mosul, or the damage done to Palmyra.

By having a clear plan that can be fulfilled by both agreeing parties, cultural heritage and museum collections can be safely taken away and stored until the conflict is resolved. Without these types of partnerships, there will be further serious damage to cultural heritage. International cooperation is imperative in these cases to successfully evacuate collections from either a failing state, state ordered cultural cleansing or total war. Situations seen in Afghanistan should be taken as a call to develop new regulations to help in this struggle, yet there are none.

Trained Cultural Police

In the event of a threat to culture, whether it is a war or the inability of a government to protect cultural heritage, there needs to be an international arm dedicated to solely protecting Cultural sites. These "cultural police" would work to protect museums and archaeological sites from looting by securing sites with armed personnel. These armed personnel would ensure that looting of cultural heritage would not occur in times of war; they would also work to track down stolen objects and persecute those who stole. The goal of these special forces would be in the mitigation of damage to cultural sites as well as educating military personal in proper protection as well. To make this happen there is need for an international body such as the U.N to establish this and require its members to mitigate the situations. "Yet, the UN has never trained guards for the (cultural) sites. Even the UN's cultural arm, UNESCO has failed to act, claiming it has no such mandate from its member nations,"²⁵³ because of this there is only willing participation in

²⁵³ Bogdanos, Mathew. "A Five-Point Plan for Future Action" in *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, ed. Lawrence Rothfield, (Altamira Press, 2008), 155.

the 1954 Hague treaties rather than cooperative enforcement. One group that Lawrence Rothschild recommended as a model in a speech The Italian Carabinieri Department for the Protection of Cultural Heritage, a division of the Italian National Police.²⁵⁴ This organization supports international police cooperation via INTERPOL and UNESCO to stop the illicit trafficking of cultural property and has also carried out support activities during peacekeeping operations (as in Iraq between 2003 and 2006). The Italian Carabinieri Department for the Protection of Cultural Heritage department works in close cooperation with UNESCO and represents an international reference for many countries that seek to improve their policies and procedures for countering illicit trafficking of cultural objects. Twenty-six countries from all over the world have benefited from training courses for their police forces and customs agents.²⁵⁵ Modeling a force based on this organization is key in fighting the destruction of cultural heritage. The U.N needs to entrust the establishment of this group to UNESCO and be able to send group members to conflicts as they arise around the world. With an established force by UNESCO modeled off the Carabinieri there can be some hope.

Until this plan is put forth, the conflicting armies and leaders must also plan for any actions for the protection of cultural property in the proposed areas of operations. This protection must go beyond merely putting the site on a no-strike list or Blue Shield designation. Blue Shield International, formerly the International Committee of the Blue Shield, is an international organization founded in 1996 to protect the world's cultural heritage from threats such as armed

²⁵⁴ Rothfield, Lawrence. "Antiquities Under Siege: Baghdad, Cairo, and Libya." Speech, University of Chicago Center, Beijing, China, June 7, 2012.

²⁵⁵ "The Italian Carabinieri Department for the Protection of Cultural Heritage -TPC supports international police cooperation via INTERPOL and UNESCO to stop the illicit trafficking of cultural property."

conflict and natural disasters.²⁵⁶ It must include the securing of significant sites and immediate deployment if needed, of on-call security forces upon reports of looting. Where such forces



Figure 13: Blue Shield

already exist, U.S. forces should assist by providing them with vehicles, radios, and training. Where no forces exist, the U.S military must protect the sites until trained forces are available.²⁵⁷ Because of this Gibson and Youkhanna believe that such preparation would enable planners to identify shortfalls and - where appropriate- attempt to fill such needs from international organizations or coalition countries before the conflict.”²⁵⁸ Investment into museum planning whether it is developing a plan, digitizing collections, or implementing agreements for safe sanctuary is key, but without funding and training can be easily fail. Global agencies such as ICCROM,

UNESCO and the U.N need to step up funding for developing programs and implement them on a mass scale for institutions at risk and those with little funding to do so themselves.

Preparedness should not need a catastrophic incident to occur in order to have plans.

²⁵⁶ "Blue Shield International." In *Wikipedia*. Wikimedia Foundation, Inc.

https://en.wikipedia.org/wiki/Blue_Shield_International.

²⁵⁷ Matthew Bogdanos, "A Five-Point Plan for Future Action" in *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, ed. Lawrence Rothfield, (Altamira Press, 2008), 160.

²⁵⁸ *Ibid.*, 160.

Chapter 8: Conclusion

The facts presented lead to a conclusion that there are numerous, complex reasons why museums and the cultural heritage sectors in the Middle East have been targeted in heinous attacks and destruction. The complexities of the socio-political and religious tensions in the region have brought down the foundations of the region's history to a point of serious irrevocable losses. Professionals and governments must institute preventive measures and attempt to predict conflict related damage to cultural heritage and be ready to initiate plans. Furthermore, these plans must be assessed to address individual threats and the needs of each museum. Generalization of planning cannot be used to solve all cultural heritage problems and must be addressed on a local level. These three case studies show each region shares the common theme of British imperialism, and the lack of attention given to ethnic and religious problems spurred the issues. By acknowledging these preexisting problems, the keepers of cultural heritage may prepare themselves and aid in the process of healing after the conflicts are over.

For without this planning and implementation besides U.N security resolutions, it will continue to happen. As Cassar and Rodríguez-García said, "In a fragmented society, valuing cultural heritage can be important to boost the consciousness of national unity, bridging ethnic and social divisions, and firmly rooting the country of its glorious past. By educating the young in the rich and diverse material heritage left as a trace by the different civilizations that inhabited the land in the past, we will ensure that a new generation ... is made aware of the values of cultural diversity, so important to build peace in a post-conflict country."²⁵⁹

²⁵⁹ Cassar and Rodríguez-García, "The Society for the Preservation of Afghanistan's Cultural Heritage: An Overview of Activities Since 1994," 37.

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