

The end of history? The impact of the Gulf Wars (1990–1991 and 2003-present) on Iraq’s cultural heritage

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Abstract

This article examines the legal and military circumstances that have led to the destruction of cultural heritage in Iraq, exposing shortcomings in international cultural policy and addressing the question of whether such an ‘end of history’ is an inevitable consequence of military conflict.

This paper begins by discussing the cultural significance of ancient Mesopotamia modern Iraq and leads to an examination of case studies including the utilisation of artefacts and sites by the military and the neglect and targeting of cultural property as a tactic of war. The focus shifts to an exploration of the term ‘cultural genocide’ and given the significance of the region to western culture, raises the question of whether we can interpret recent events as a form of ‘cultural suicide’. This paper investigates how the post-war anarchy of the first Gulf War was allowed to reoccur, despite considerable predictions and forewarning, questioning why the protection of cultural heritage was not a key issue in the British government’s agenda.

Drawing upon scholarly and professional journals, newspaper articles and international conference papers, this report provides a critique of events. It uses case studies to illustrate the main points including lack of military planning, questionable prioritisation, inadequate international support and disregard for cultural policy.

Key words: Iraq, cultural property, cultural heritage, cultural genocide and the Hague Convention.

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The end of history? The impact of the Gulf Wars (1990–1991 and 2003-present) on Iraq’s cultural heritage.

Throughout history, cultural heritage has played a part in warfare, from the destruction of cultural property belonging to the enemy to a victorious army triumphantly carrying away treasures for ostentatious display. ‘*To the victor goes the spoils*’ has been the justification for centuries of rampant cultural property theft and destruction during times of armed conflict.

The greatest cost of war is in lost and blighted lives, but as civilians and soldiers have perished in Iraq, the war has claimed another victim. This paper focuses on the significance of Mesopotamian cultural property, providing recent and current examples of events to demonstrate the vulnerability of cultural heritage in warfare, leading to a discussion of whether the theory of cultural genocide can be applied.

Ancient Mesopotamia, now modern Iraq, is a territory that historians have long referred to as the ‘cradle of civilisation’. It was here that life began and the people who inhabited this area are not only responsible for our civilisation, but for a number of significant developments. Clusters of people built campsites, which developed into villagesⁱ and eventually emerged as cities, with Babylon being the world’s first metropolis.ⁱⁱ Huge technological advancements were made including the invention of the wheel, the development of agricultural techniques such as irrigation and the progress of building practices resulting in the construction of houses, weapons and chariots. Philosophical and scientific developments led to breakthroughs in astronomy and complex mathematical systems such as the notion of time. Throughout this period came the creation of a cooperative society with a concept of trade and divisions of labour,ⁱⁱⁱ and with the establishment of communities came elaborate administrative and legal structures involving definitions of marriage, divorce, inheritance,^{iv} the control of public order, wages and labour conditions, and the administration of justice.^v This information was passed down and further refined by successive generations for thousands of years.^{vi} Political progression resulted in the emergence of kings and religious leaders.^{vii} Artistic and craft practices inevitably followed and the objects that have been left behind reveal a wealth of extraordinary details about the past. A scheme of written representation was created as a means of communication, beginning with pictograms and becoming cuneiform (figure 1), a wedge-shaped writing which was inscribed or engraved onto metal, ivory, stone and clay. A vast quantity of clay tablets have survived which has uncovered over 3,000 years of literate culture, throwing unprecedented light onto ancient society, revealing ritual practices, contractual agreements and works of literature^{viii}, reflecting a high level of intellectual sophistication.



Figure 1. Cuneiform inscriptions on clay tablets^{ix}

In the 1991 Gulf War, there was little damage to cultural buildings but 4,000 artefacts were looted from Iraq's National Museum in Baghdad with very few recovered. The museum held the world's largest collection of Mesopotamian artefacts before 2003 but in the aftermath of the invasion at this time, 15,000 objects were stolen, with approximately half recovered. Cultural buildings were damaged from their use by the military including the utilisation of the National Museum by the Iraqi army as a fortified fighting position (figure 2); the building becoming a shield of protection, in clear violation of international law.^x



Figure 2. A gaping hole in the façade of The National Museum caused by a US tank in retaliation^{xi}

The Iraqi army was defeated in this battle and the fighting continued elsewhere, leaving waves of pillaging to proceed for three days with no military protection. Looting also occurred across the country's thirteen regional museums including Iraq's second largest archaeological collection at the Mosul Museum.^{xii} The Basra Museum is now occupied by squatters and the museums at Kufa and Nejef are occupied by the Islamist party. The ensuing chaos resulted in part of the Nasiriyah Museum being burned and the Tikrit Museum destroyed by a cruise missile.^{xiii} Many of the archaeologists that now remain in the country have been evicted from the museums, which are frequently being used as military camps^{xiv} (figure 3).

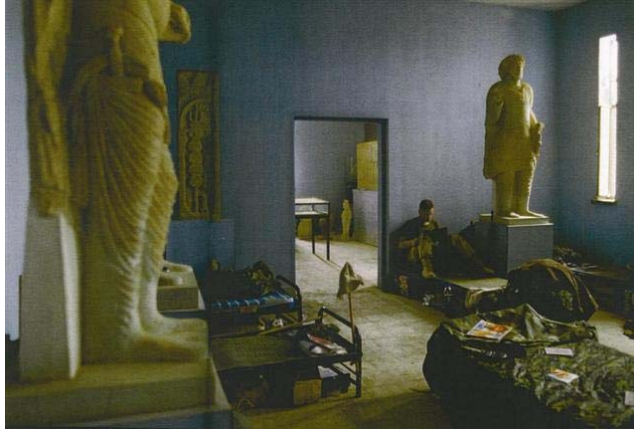


Figure 3. US military occupation of the Nasiriyah Museum^{xv}

Much of the knowledge about Mesopotamia comes from archaeology. There are over 11,000 sites in Iraq and possibly more awaiting discovery. Approximately 1,500 sites have been researched, a tiny amount in comparison but a high yield in terms of the rich treasures that have been unearthed. Perhaps the vastest loss of knowledge has been from these locations, which are being ravaged to fuel the international art market. Rampant daily looting continues across the country and is difficult to police.^{xvi} To give an example of the scale of the problem, some sites are being systematically looted by around 300 armed men who are using bulldozers and taking truckloads of artefacts, whilst guarded by another 40 men with Kalashnikovs.^{xvii}

Proper excavation involves a meticulous dissection of the land. Aerial photographs show extensive damage with many sites now resembling moonscapes, cratered with freshly dug holes and trenches. The thieves may have unearthed more artefacts since the 2003 invasion than archaeologists have excavated in decades (figure 4).



Figure 4. Excavations carried out by trained archaeologists (left) and the pock-marked moonscapes caused by looting (right)^{xviii}

One archaeologist reported that the looting is targeted at second and third millennium BC sites as these artefacts are appealing to collectors.^{xix} This indicates a certain level of knowledge. It is coordinated large-scale crime which represents a complete breakdown of law and order, with no infrastructure to stop it.

Despite there being 11,000 archaeological sites, Iraq's State Board of Antiquities has employed only 2,600 guards to protect these areas. They are poorly trained and do not have radios, vehicles, weapons or body armour.^{xx} This raises a serious question regarding the lack of international support.

Ransacking the land in this way is particularly destructive as it damages the artefacts and destroys the context necessary for interpretation. Even if an object is later recovered, the most meaningful information, for example, data on settlement patterns, is lost forever. Artefacts can only tell their full story when found in situ, in association with other objects and the remains of human activity, otherwise they are stripped of all cultural and historical meaning.^{xxi} When they are literally wrenched from the ground, they can be given fake provenances to disguise their origins. This has repercussions in that it falsifies archaeological records, perhaps even potentially 'blurring' history. One archaeologist said '*Evidence is being ripped from the ground just as you tear pages from a history book.*'^{xxii} The looting of these sites is also worse than the pillaging of museums as unknown quantities are taken whereas museums usually have inventories or at least partial records of their holdings.

In this case, cultural property has not only become a victim of warfare, but it has assumed the role of a mere commodity which is exploited to satisfy the appetite of collectors. The trade in cultural artefacts is a lucrative business. An accessible supply of desirable material, a cheap labour base and a ready market of collectors create an unfortunate combination. The illicit trade in cultural property is the world's third largest black market activity after narcotics and firearms.^{xxiii} The illegal trade has also been found to finance these areas and some sources suggest that it is a growing source of revenue for terrorists.^{xxiv}

The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict states:

'High Contracting Parties undertake to respect cultural property... refraining from any use of the property and its immediate surroundings... for purposes which are likely to expose it to destruction or damage in the event of armed conflict.'^{xxv}

The Convention also asserts that this obligation may be waived in cases of 'imperative military necessity' which proves to be a generous loophole. This law is reiterated in the protocol additional to the 1949 Geneva Convention.^{xxvi} The US and the UK have neither signed nor ratified the Convention or protocols but are bound by a 'duty of care' and have stated an intention to abide by its principles.^{xxvii}

Several sites of cultural significance have been utilised by the armies to accomplish military objectives. An example of this is Samarra which was built and abandoned during the ninth century and claims to be the largest archaeological site in the world.^{xxviii} Built in 849-852 AD, the al-Mutawakkiliyya mosque is a powerful religious icon. It has a distinctive spiral minaret which

makes it one of the most memorable architectural images in Iraq. It is of such significance in the country that it is depicted on a banknote.^{xxxix}

Coalition military sources reported that the mosque was wrenched from the control of the Iraqi army, which was using it to mount attacks.^{xxx} In 2004, US forces used it as an observation point and sniper post to reduce the number of roadside bombs which targeted military vehicles.^{xxxi} The structure was therefore utilised as both a weapon of warfare and a shield of protection. The minaret was regularly shot at and now has a large crater in it which was caused made by a grenade^{xxxii} (figure 5). It is questioned why US troops did not gain control of the mosque and protect it from being used again for military purposes? This example demonstrates a disregard for cultural policy since the US agreed to abide by the Hague Convention's tenets.



Figure 5. Damage caused to the al-Mutawakkiliyya mosque by a rocket propelled grenade^{xxxiii}

According to the Law of Land Warfare, what would otherwise be a protected site may lose this status if enemy forces use it to attack.^{xxxiv} This demonstrates that military and cultural property laws are incompatible and due to the nature of the situation, policies regarding military action will always take priority over cultural policies.

It could be argued that the occupation of the al-Mutawakkiliyya mosque and the National Museum was due to 'military necessity'. However, the purpose-built military camp constructed at Babylon, unquestionably one of the most important archaeological sites in the world, is more difficult to defend.

Archaeological excavations over the last 150 years have uncovered parts of Babylon, but much remains buried with a great deal to discover about the ancient city.^{xxxv} In 2003, a military camp was constructed, originally containing 2,000 US and Polish soldiers (figure 6). In 2004, a keeper from The British Museum compiled a report of the damage at Babylon and his findings shocked the international scholarly community. He observed that trenches had been dug into the ancient deposits of unexcavated land and used as sniper pits.^{xxxvi} In the bank of spoil next to the trenches were bones, pottery

and fragments of bricks with cuneiform inscriptions of the ancient king Nebuchadnezzar.^{xxxvii} This material was being used to fill sandbags and when news of this reached the Western media, the troops were instructed to fill the bags with soil from outside of Babylon, causing a secondary problem as this irrevocably contaminates the area and in turn compromises future archaeological research.



Figure 6. The military occupation of Babylon showing communication masts, vehicles, fuel tankers and a helicopter^{xxxviii}

A helipad was constructed which involved the removal of many archaeological layers which were flattened, covered with gravel, asphalted and treated with chemicals to prevent dust. Heavy concrete blocks were installed to protect it from gunfire. Ancient temples from the sixth century BC collapsed due to the vibrations caused by landings and the fragile bricks were damaged by sand being blasted by the propellers.^{xxxix}

It is estimated that 300,000m² of land at Babylon has been dug, levelled, compacted and asphalted for the construction of car parks and landing zones.^{xl} The gravel has also been brought in from elsewhere which again contaminates the area. Pneumatic drilling is the only way to remove the tarmac and this is highly likely to cause enormous damage to the delicate archaeological deposits beneath.

Vehicle tracks have been created by cutting into the ground, compacting the land and utilising chemicals to prevent dust. This procedure, along with the heavy vehicles, has destroyed the sixth century BC brick pavements.^{xli} Fuel containers were discovered to have leaked which has resulted in environmental contamination. This chemical seepage is likely to have a deleterious effect on the archaeological layers.^{xlii}

An ammunition store and observation tower had been constructed on unexcavated land and a berm built with sand imported from the desert, again irreversibly disturbing and contaminating the archaeological material beneath.^{xliii}

The sack of the museums and archaeological sites, and the occupation of culturally significant locations sparked fierce accusations against the coalition. One area that has been heavily publicised is the warnings provided to

governmental departments concerning the protection of the extraordinary heritage prior to the 2003 invasion.

In the UK, numerous reports were submitted to various government departments, advising on the dangers of warfare towards cultural property. The records are well documented and ranged from letters by individual curators^{xliv} to entire groups such as the All Party Parliamentary Archaeology Group, the International Council on Monuments and Sites, the Council for British Archaeology and the British and Irish Blue Shield Organisations, submitting reports to the Ministry of Defence.^{xlv} Many scholars wrote directly to the Prime Minister, whilst others such as the British School of Archaeology in Iraq contacted the Foreign Office. These documents requested that cultural sites be protected and gave clear warnings about the potential looting and the precautions to be taken.^{xlvi} Numerous politicians also wrote to Tony Blair, the Foreign Office and Commonwealth Office, and indicated the likelihood of looting.^{xlvii} These expressions of concern did not receive a response.

Tessa Jowell was questioned by Members of Parliament on the Commons Culture Committee about the inaction of the British government. Jowell revealed that there was a mistake regarding the correspondence from scholars and archaeologists, and reported that the information went to the Ministry of Defence and the Foreign Office, instead of going to the Department for Culture, Media & Sport. She said '*There was some confusion in the traffic in correspondence before the war... I obviously regret that.*'^{xlviii} Jowell's comments imply that information was simply not passed on and therefore no protection was given. This raises concerns of whose responsibility it was to ensure protection and why they did not act independently of the protest by scholars? It also highlights the question of who actually received this information and why it was not forwarded to the relevant person and department. Additionally, the warnings sent directly to Tony Blair do not make sense in relation to the inaction.

The warnings in the US were no less vocal with archaeologists and scholars expressing similar concerns to the Bush administration. In the months prior to the 2003 invasion, the coordinates for 4,000 key archaeological sites, monuments and museums were passed to the military.^{xlix} Experts met regularly with Pentagon officials in the lead up to the invasion to alert them to the threat towards cultural heritage, including the potential looting.ⁱ The head of the Office of Reconstruction and Humanitarian Assistance reported that the National Museum was second on his list of institutions in Baghdad to be guarded.ⁱⁱ

The Archaeological Institute of America was active in its campaign for protection. It initiated an *Open Declaration on Cultural Heritage at Risk in Iraq* which was sent to the heads of government departments and the media. It was signed by 10 institutions and 130 international scholars and heritage managers.ⁱⁱⁱ

Despite these many warnings, it is unfathomable how the substantial looting and damage to cultural property was allowed to occur. Some US officials

claimed to have not been informed about the importance of the museum, that the looting was unexpected and the media was overestimating the problem.^{liii}

Before the 2003 invasion, a memo was sent by the Pentagon to senior commanders urging the protection of cultural property.^{liv} This indicates that there was some level of preparation and may even suggest some kind of communication problems. Before the looting, a Deputy Assistant Secretary of Defence said that the museum had been placed on a 'no-target list' but that he made no promise to protect it.^{lv} An uninformed US Brigadier General told reporters *'I don't think anyone anticipated that the riches of Iraq would be looted by the people of Iraq.'*^{lvi} This may reveal that the information was not disseminated to ground level and could possibly suggest that the government did not deem it a priority. This lack of awareness of the cultural environment could also imply an inadequate education of the troops. Another example which supports this theory is a comment by one sergeant: *'I have been all the way through this desert and I ain't seen one shopping mall or fast food restaurant. These people got nothing.'* This statement was made in relation to his location near to the 8,000 year old remains of the city of Ur.^{lvii} There is further evidence to strengthen this point. In February 2003, immediately prior to the invasion, an article in the US Airforce magazine, *In Search of Lawful Targets*, made no reference to the Hague Convention or its protocols.^{lviii}

This situation was further exacerbated by the US forces quickly securing and protecting the oilfields and Oil Ministry, to prevent loss or theft of vital information concerning Iraq's oil reserves.^{lix} This prompted widespread international criticism regarding the country's interest in Iraq's oil. A troop of marines with assault vehicles were assigned to guard the Oil Ministry, whilst many other ministries including Trade, Information, Planning, Health and Education remained unprotected.^{lx}

Many sources have criticised the coalition for lack of military planning but evidently there was some planning and consideration. Potential dangers to the Oil Ministry were foreseen and a plan of protection was implemented. Unfortunately, in this case, cultural property was not a priority and instead became the victim of a more profitable commodity in monetary terms.

In the UK, the situation raised a number of questions about the lack of protection including who was responsible in the Foreign Office for collating and assessing the information obtained from scholars and why was no action taken? What contact was there with US colleagues responsible for the military planning and what input did the UK government have for ensuring that the plan encompassed the advice?

Eye witness reports stated that the US soldiers stood back and watched whilst the pillaging occurred.^{lxi} At the National Museum, numerous attempts were made throughout the looting period to persuade US marines to protect the building. However, this did not happen.^{lxii} Even if the extensive warnings had not filtered down to ground level prior to the invasion, to observe such a situation and take no action can only be condemned. It seems to be not simply a case of the US and UK governments ignoring warnings or

miscalculating what needed to be done. Lack of military preparation cannot be held responsible as some element of planning was clearly undertaken. What is increasingly apparent is an issue of negligence. It has to be contemplated how officials failed to see such a predictable consequence of warfare. What may be emerging is the idea that such a situation was not unseen, it was ignored.

In an attempt to understand these recent events, a number of sources argue that 'cultural genocide' has taken place,^{lxiii} that a deliberate destruction of cultural property has occurred which is an aspect of ethnic cleansing and not collateral damage.^{lxiv} It is important to explore this notion to ascertain whether the theory can be applied in this case.

The 1948 United Nations Convention for the Prevention and Punishment of the Crime of Genocide defines genocide:

'Acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.'^{lxv}

Since the establishment of the 1948 Convention, debate remains focussed on its scope. At present, this relates directly to the damage towards and destruction of the physical body. The collective culture of that group, that is, how it defines, identifies or understands itself, is not included. Scholars acknowledge that cultural genocide should not be equal to mass murder but recognise that destroying a group extends beyond the corporeal body to the community body and its collective life and identity, expressed through language, customs, art and architecture.^{lxvi}

Despite cultural genocide not being exclusively defined, it is accepted by scholars and increasingly used to describe the deliberate destruction of the cultural heritage of a people for political or military reasons.^{lxvii} Often utilising highly emotive rhetoric when discussing the subject, it is understood that as a tactic of war, elements of cultural genocide are manifested when artistic, literary and cultural activities are restricted or outlawed and when cultural heritage including monuments, libraries, museums and artefacts are destroyed or confiscated.^{lxviii}

'The first step in liquidating a people is to erase its memory. Destroy its books, its culture, its history.'^{lxix}

Culture is a defining trait of individuals, groups and nations. It embraces ideas, embodies physical objects and reflects widely shared values, providing a *collective* memory and identity.^{lxx} With the destruction of cultural heritage comes the annihilation of the group's identity. This loss is often condemned as a crime that effects multiple generations, erasing cultural memory and severing links with the past that forge and maintain modern identities,^{lxxi} denying that group a critical source of legitimacy.^{lxxii} Such destruction has powerful consequences, as recognised by the United Nations Educational, Scientific and Cultural Organisation's draft declaration concerning the *Intentional Destruction of Cultural Heritage*, which states that heritage is a

component of cultural identity and social cohesion, and intentional destruction may have a harmful impact on human dignity and rights.^{lxxiii}

'The killing of a person destroys an individual memory. The destruction of cultural heritage erases the memory of a people. It is as if they were never there.'^{lxxiv}

Individuals are bonded and inspired by cultural icons. They often become targets of warfare and are systematically selected for destruction. The erasure of the memory, history and cultural identity of a community becomes the military goal.^{lxxv} Cultural buildings and monuments adopt a new role, for example, a mosque represents the presence of a community rather than a place of worship and a library becomes a cache of cultural memory instead of a research facility.

The scholarly community remain divided on whether the nature of the destruction in Iraq is tantamount to cultural genocide. What is clear is that the US and UK actively failed to protect cultural sites. They were not prioritised and instead used for military advantage. However, negligence seems to be evident, rather than the deliberate intent to annihilate the Iraqi people.

This debate is made increasingly complex by the concept of 'cultural internationalism', which declares that any cultural property, wherever in the world it is located, belongs to all mankind. This term is put forward by a number of scholars^{lxxvi} and is asserted in the Hague Convention:

'Cultural property belonging to any people whatsoever is the cultural heritage of mankind.'^{lxxvii}

Therefore, if the cultural heritage in Iraq belongs to the entire world, then cultural internationalism completely undermines the concept of cultural genocide, the theory simply cannot exist. Whether the heritage located in Iraq belongs to the people of its country is debatable. There is evidence that the Iraqi people believe that this cultural property. For example, the country's children are educated to take ownership of it; they are taken on school trips to museums and ancient cities, with culturally significant sites playing a part of everyday life.^{lxxviii} Whilst it is indisputably the local cultural patrimony, it must be considered how these ancient cultures are linked to modern Iraq. It could be argued that these early monuments and artefacts merely share the same geographical region and belong to the entire world.

If cultural internationalism is a recognised concept, perhaps a more accurate term of 'cultural suicide', not cultural genocide, could be applied. However, upon consideration, suicide focuses on a 'wilful intent to destroy oneself' and does not seem appropriate, as much of the damage and destruction seems due to neglect and not deliberate destruction. There does not seem to be an adequate term to clearly define and describe what has occurred.

Iraq has lost an enormous quantity of cultural property but it is unlikely that it equates to cultural genocide. The coalition forces certainly did not prevent the

destruction, but neither does it appear to be a pre-meditated and targeted attack against cultural heritage. It demonstrates that it was simply not a priority, rather than confirming an intentional attempt to obliterate these objects and buildings, their associations and those who subscribe to them.

Attempts to further loot Iraq's museums continues (figure 7). The institutions remain closed, with all excavation and research work at a standstill.^{lxxix} Pillaging of the country's archaeological sites persists with little international assistance, prompting concerns about why cultural heritage continues not to be seen as a priority and raising the question of exactly what is the British government's foreign policy is?

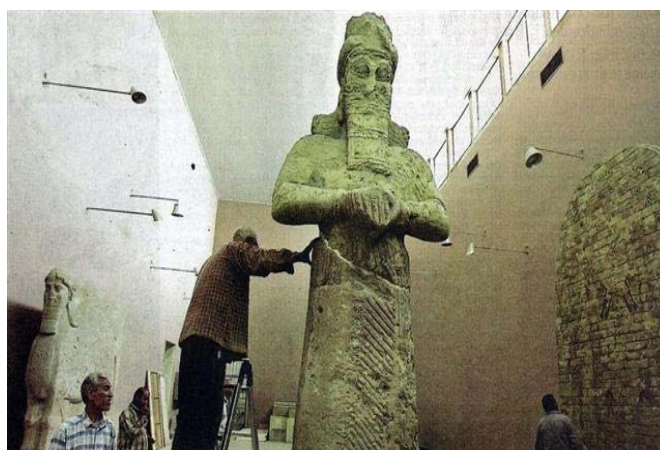


Figure 7. Concrete walls have been built within The National Museum around the galleries to prevent continuing looting.^{lxxx}

Since the measures to protect cultural property are likely to remain inferior to the law of warfare for those who control and make decisions, perhaps such a destruction is an inevitable consequence of military conflict. More work urgently needs to be undertaken in this area, either to ensure that the two bodies of law can work concurrently or to find another method to ensure the safety of cultural heritage as the current instruments are failing.

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