MILITARY INVOLVEMENT IN CULTURAL PROPERTY PROTECTION AS PART OF PREVENTIVE CONSERVATION

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Nations have recently been led to borrow billions for war; no nation has ever borrowed largely for education. Probably, no nation is rich enough to pay for both war and civilization. We must make our choice; we cannot have both.

Abraham Flexner 1866–1959

This chapter aims to follow up and expand on Heritage under Siege, my 2012 publication that offers an introduction on the subject of Cultural Property Protection (CPP) in times of armed conflict plus an oversight of all stakeholders and parties involved in heritage protection while focusing on the military input and obligations. The argument is made to consider CPP in times of conflict as part of a preventive conservation strategy. In the heritage sector preventive conservation is an important issue and in most cases the term refers to the precautionary or mitigating measures that are taken to prevent or limit damage. In the context of this paper CPP includes risk preparedness including mitigation procedures by the military before operations start as well as continuous (academic) research. Consequently there seems to be an argument for at least parts of the CPP in the event of conflict spectrum to be labeled as a form of preventive conservation. CPP in the context of conflict as a topic for study and research as well as practical implementation is currently developing fast also triggered by the increasing number of conflicts in the so-called cultural (archaeological) source countries (e.g. Egypt, Libya, Syria, Iraq). Apart from arguing the preventive conservation aspect of CPP this article aims at identifying and fine-tuning new developments and trends while giving more cases and, where possible, suggestions for solutions to problems or identified dilemmas encountered during implementation of CPP following the legal instruments provide by international humanitarian law (IHL). In addition the aim is to bring the subject including its military perspective in the academic heritage discourse / debate.

Initial Remarks

The rationale for this piece is to shed light on and analyze the current state of affairs concerning Military involvement in the implementation of Cultural
Property Protection (CPP) in compliance with international legal appointments like the 1998 Rome Statute of the International Criminal Court and The Hague Convention for the Protection of Cultural Property of 1954 and its protocols. In addition it will be argued that military input concerning CPP in the event of armed conflict can be considered a form of preventive conservation. Let me begin by emphasizing that the legal instruments mentioned above include obligations concerning CPP for the military. This needs further explanation; nowadays it has become clear that dealing or not-dealing with Cultural Property can bring risks related to social disorder and conflict (Huntington, 1993; Bevan, 2006). The fact that the military are a major actor when armed conflicts (and sometimes social disorder e.g. the Egyptian “revolution”) are concerned cannot be ignored. Per definition they are involved in all aspects of armed conflict so this includes Protection of Cultural Property or in a negative sense destruction of Cultural Property that in a wider construct can be aimed at or result in cultural destruction at times causing historical obliteration that in its turn can lead to the damage or eradication of identities. Unfortunately these expressions of iconoclasm that are known throughout history are still happening. There are first reports mentioning shelling of heritage sites in Syria among them the famous World Heritage Site of Crac des Chevaliers and several citadels, mosques, temple and tombs. In this case it still has to be determined whether this is collateral damage or to certain extents iconoclasm or looting. Still things are expected to get worse because the conflict in Syria is expanding and getting more intense.\(^1\) As I write this chapter reports are coming in that in Mali or to be more accurate in the town of Timbuktu in the north of Mali mosques and mausoleums containing tombs of Sufi “Saints”, many of these cultural properties recognized by UNESCO and registered on the list of endangered World Heritage sites (e.g. all three historic mosques in Timbuktu), are being damaged or even demolished by members of the extremist Muslim group Ansar ad-Din.\(^2\) The extremists regard the shrines as idolatrous. The attacks are reported to have started on June 30 (2012).\(^3\) According to different sources the Mausoleum of Sidi Mahmoud Ben Amar and two other tombs are already destroyed.\(^4\) The antique wooden

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\(^2\) Defenders of Faith, the group seeks to impose sharia law across Mali and is accused of having links with Al-Qaeda.


\(^4\) Source used: http://m.bbc.co.uk/news/world-africa-18657463 [3 July 2012].