HOLY PLACES—CONTESTED HERITAGE:
DEALING WITH CULTURAL HERITAGE IN THE REGION OF PALESTINE FROM THE OTTOMAN PERIOD UNTIL TODAY

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While cultural property protection can serve as a device to facilitate bridging the divides between different communities, societies, nations and civilizations, cultural property protection activities—if politicized and abused—also generate the potential to trigger, increase or prolong conflict. Sadly, the latter has proven more prevalent in the context of the Israeli-Palestinian conflict. This chapter discusses cultural heritage situated in a contested area in the context of its history and its religious, political and ideological implications alongside the development of the legal instruments designed to protect cultural heritage and to regulate its handling from the Ottoman period until today. In its second part the chapter focuses on the development of cultural property protection in the Occupied Palestinian Territories. The heated and continuing debate on the role of archaeology and cultural heritage in the Israeli-Palestinian conflict is not only dominated by the seemingly incompatible political interests of both conflict parties, but is also burdened with partly false, blurred or polemic arguments and accusations. Therefore, this chapter strives to provide an outline of historical developments while avoiding interpretation.

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Although the chapter does not deliver any proposal for conflict resolution, it points out positive aspects and perspectives in the current situation that may generate more positive outcomes in the future.

Near Eastern Archaeology and Cultural Property Protection

The protection of cultural heritage during armed conflict and politically unstable situations characterized by ethnically or religiously motivated conflicts, has remained a source of public and media interest ever since the looting of the Iraq National Museum and the continued looting of archaeological sites in Iraq following the invasion of Iraq during the spring of 2003.¹ Ratification of various international conventions to protect cultural heritage has become a politically delicate topic. To a large extent the archaeological community has shunned the issue of cultural heritage protection. Only recently it became a matter of real concern at international conferences and in publications. Ultimately, archaeologists who possess knowledge about heritage at risk should be expected to act responsibly and play a more active role in cultural property protection.

Beyond the well-known looting and destruction in Iraq, attention should be focused on the situation in other regions in the Middle East, where cultural heritage is severely threatened and archaeological sites have been looted and destroyed, such as Syria, Lebanon and Palestine. This chapter will focus on Palestine, beginning with a brief historical survey and concentrating on three challenges cultural property protection the region is facing: Palestinian construction practices, illegal excavations, and the security barrier built in response to Palestinian terrorist attacks.