

CULTURAL PROPERTY PROTECTION: A CLEAR RESPONSIBILITY

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ABSTRACT

This article traces the author's involvement in cultural property protection since his role as archaeological advisor to the UK Ministry of Defence in 2003 with respect to the invasion of Iraq. It notes the failure of that work and the concerns raised by it within the archaeological community. The article notes the work of the 'Monuments Men' in the Second World War and calls for closer collaboration between cultural property experts and the military in the future. The article also notes the author's contact and work with the late Donny George.

RESUMEN

Este artículo analiza paso a paso la participación del autor en la protección de la propiedad cultural desde su papel como consejero arqueológico del Ministerio de Defensa británico en 2003 en relación con la invasión de Iraq. Señala el fracaso de este trabajo y las inquietudes suscitadas por él en la comunidad arqueológica. El artículo se fija asimismo en el trabajo que llevaron a cabo los conocidos como 'Monuments Men' durante la II Guerra Mundial y hace un llamamiento a favor de una colaboración más estrecha entre los expertos en propiedades culturales y los militares en el futuro. El artículo también reseña el contacto y el trabajo del autor con el difunto Donny George.

KEYWORDS

Archaeology; Iraq; cultural property protection; Hague Convention; Monuments Men.

PALABRAS CLAVE

Arqueología, Iraq, Protección de la propiedad cultural, Convención de La Haya, Los 'Monuments Men' o miembros de la Sección de Monumentos.

I first met Donny George on 29 April 2003 at a hastily convened meeting at the British Museum entitled 'International Support for Iraq's Museums' organised to discuss the looting, that month, of the Iraq National Museum in Baghdad and other regional museums across Iraq. The looting followed what many still regard as the illegal invasion of the country by the Coalition led by the USA and UK. Donny, then Director of Research at the Iraqi State Board of Antiquities and Heritage, had travelled out of Iraq with John Curtis from the British Museum, at considerable risk to them both, to attend the meeting. It was not surprising that I did not know Donny, nor that I had actually never heard of him – and equally that he had absolutely no knowledge of me. I was not a specialist in the archaeology and antiquities of the early civilisations of the Middle East; had (and still have) not visited Iraq; and, until a few weeks before our meeting, had, only been marginally aware of the quality and extent of the archaeological remains in the country. I did have a very slight edge over many of the general population in that, early in my career, I had spent two years working as a secondary school history teacher and had taught a very brief sketch of 'Early Civilisation in the land between the two rivers'. As such I knew a little more than many others of, for example, the remains at Ur and Babylon and had stood

in some awe before the Sumerian antiquities on show in galleries a few hundred feet away from the seminar room in which that April meeting was held. However, on that April morning that limited knowledge was hardly relevant. I felt, and was, totally out-of-place in the room. Apart perhaps from a small group from the Getty Conservation Institute and two individuals from the Netherlands military, who had their own specialities and reasons for being at the meeting, a roll call of those present would have revealed some of the most eminent experts in one or other aspect of the archaeology of the Middle East: Certainly not my usual company.

That I was present at all was the result of what I have referred to as “a particularly English tale” (Stone 2005/2008). A few weeks before the meeting, on 2 February, I had been approached by an individual in the UK Ministry of Defence (MoD) to help identify and protect the archaeological cultural heritage in Iraq *if* there were to be an invasion. Given my lack of expertise the approach was more than a little odd, but came from someone at the very centre of planning for the possible invasion who knew me personally (for a full discussion of my role in this period see Stone 2005/2008). My contact was part of a small group within the MoD tasked with identifying what should be targeted for attack and, most importantly from a cultural heritage perspective, what should specifically be avoided if at all possible. He knew that I was not an expert in the archaeology of the region but surmised, correctly, that, given my connections, partly through my work as honorary Chief Executive Officer of the World Archaeological Congress (WAC), I would know someone who was and, given my work in heritage management, I would know which questions to ask. With advice from Roger Matthews, the most recent Director of the British School of Archaeology in Iraq, and Neil Brodie, then Director of the Illicit Antiquities Research Centre at Cambridge, and through Roger with colleagues in Iraq, I had been able to do three things before the invasion: deliver a list of key sites; stress the vulnerability of sites and museums immediately after conflict and before a stable external Interim or new Iraqi authority was in place; and remind my contacts of their responsibilities under International treaties. In this facet of my work I had focused on the UK’s obligations under the Geneva Conventions as the UK had not (and as I write in 2012 still has not) ratified the most relevant piece of international legislation - the *1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict* and its two protocols of 1954 and 1999 (hereafter the 1954 Hague Convention). I understand that three further things happened before the invasion: the sites we listed went onto military maps and into field orders to avoid if possible; the information was shared with Coalition partners; and the sites went onto the UK Attorney General’s so-called ‘no-strike list’ – a list of places such as hospitals, religious buildings, and schools that should not be fired upon unless they were being used for belligerent military activity against Coalition forces. However, in briefings with the MoD I had made it perfectly clear that the best way to avoid damage to cultural property was not to start a war in the first place. In this I had had to steer a careful line: I disliked the idea of a war but was being asked to put that aside and face reality (it was put to me on a number of occasions that I was dealing with the ‘only act in town’); I knew that I could work with the MoD or wash my hands of the issue, knowing that they would not identify or consult another archaeologist. My personal decision was to work with the MoD.

During the initial stages of fighting everything that had been set in place to protect archaeological cultural property appeared to be working. This can be ascribed mainly to the speed of the Coalition’s advance, the failure of the Iraqi military to affect any major defence (or its decision not to attempt such a defence), and the remoteness of many sites. Then, in mid-April, it became clear that the National Museum and a number of regional museums had been looted; we could only assume at this point that, if the Coalition forces

had failed to stop the looting of museums, it would only be a matter of time before we heard of the looting of archaeological sites. There was almost universal outrage across the world's media regarding the looting and condemnation of the Coalition for its failure to protect the cultural heritage in Iraq. As honorary CEO of WAC my email in-box was full of messages not only condemning the failures of Coalition forces but also, given the prominent role of the UK in the Coalition, seriously questioning the British Museum's announcement on 15 April that "it was going to take the initiative in providing assistance to the Iraq Museum, and would act as the coordinator for other museums" (Curtis 2008, 202).

It was with this background that I attended the British Museum meeting. We initially heard first-hand accounts of the recent events and current situation in Iraq from Donny and John Curtis followed by discussion of a list of preliminary suggested recommendations concerning action that needed to be taken quickly, drawn up by Donny in collaboration with the British Museum (and see Curtis 2008, 203/4). At this stage almost the entire focus was on the National Museum as Donny had very limited information regarding the looting of other museums and no clear information regarding archaeological sites. There was limited discussion regarding how the post conflict administration of Iraq would work under the newly created 'Office for Reconstruction and Humanitarian Assistance' and how the State Board and museums would relate to it – if at all.

The meeting then discussed issues more generally and two issues, with potentially major detrimental impact, were noted as being of particular concern. First, it was clear that Coalition troops on duty at border checkpoints were not searching for illicit antiquities – or for very much other than senior officials of the recent regime. The potential for antiquities looted from museums and, it was surmised archaeological sites, to slip out of the country was evident to all. Second, there was significant concern raised over the probability of Coalition troops being offered illicit antiquities as souvenirs as they returned home; the need for all troops to be searched and educated not to collect or purchase antiquities was also very clear.

I then asked what I prefaced might seem an inappropriate question given the venue but, on behalf of the members of WAC who had been so enraged by the positioning of the British Museum, queried whether, under the particular circumstances of this extremely contentious conflict, the British Museum was actually the best institution to lead the international effort to support archaeological colleagues in Iraq. As I asked my question I sensed that Donny was having some difficulty in following my line of argument. I put this down, completely incorrectly as I later discovered, to him having difficulty in following my English and cursed my convoluted way of attempting to ask the question politely while, it could be claimed, explicitly criticising my hosts. I remember him looking quizzically at John Curtis - who a few days before, at considerable personal risk, had been one of the first archaeologists into Iraq after the invasion and who had spirited Donny out of Iraq - and again thinking that Donny did not understand my English. I then received, what I later learnt was a frequent gesture from him, as Donny hunched his shoulders, raised his hands, and knocked back his head. His appearance had had nothing to do with his mastery of English but his bemusement and incredulity at my question: "No", he replied in perfect English, there was no conflict of interest in the Iraqi State Board of Antiquities being offered help co-ordinated and led by the British Museum. Indeed, he continued, the British Museum was ideally and uniquely placed to take this role given the depth of knowledge in the Museum regarding the archaeology of the region and the long history of partnership working between the two organisations whose staff knew and respected each other. In his response, Donny revealed himself to be a supreme pragmatist, keenly interested and engaged in things he was passionate about and that, with help and the

correct circumstances, he might be able to influence. As the meeting broke up for lunch I was approached by colleagues from the Getty Conservation Institute who thanked me for asking the question as it was an issue that had been at the forefront of their own minds – but that they had felt it inappropriate to ask. Donny’s strong response had reassured them that the planned international response was a sound, realistic, and appropriate one. Little did we all realise that the spiralling decline in security in Iraq would make nearly all of the plans discussed that day impossible to implement.

Over lunch I was approached by the two individuals from the Netherlands military who were also attending the meeting. They introduced themselves as part of the ‘CIMIC’ team of the Netherlands armed forces – a term that I had never consciously heard. They enthusiastically explained how the Dutch system provide cultural experts with intensive, basic military training, give them an officer’s rank, and embed them in the military to enable them to provide some limited capability for the protection of cultural property during conflict (and see Kila 2010; Teijgeler 2008). It was my first introduction to any form of organised cultural property protection (see below).

In the afternoon there was a Press conference at the British Museum where Donny shared a platform with Tessa Jowell, then the UK’s Secretary of State for Culture. Before the Press Conference the audience, that included more than twenty TV news film crews from around the world following the story of the looting of the National Museum, heard a presentation, entitled (from my programme) ‘Mesopotamian collections in Europe and the US’. The TV crews obviously did not fully understand the script as, as the audience were shown highlights from the British Museum’s collection, the first question was whether the object on the screen had been looted recently from the National Museum in Iraq. When the answer was a surprised “no it’s two floors above you” the TV crews lost interest and waited for Donny and the Secretary of State to make their appearance. The irony of the situation was not lost on some of those present, however, as most of the objects had been removed from Iraq either without permission or through ‘partage’ – the old system of dividing the finds from an excavation between the ‘developing’ source country where the excavation took place and the museum or university from the ‘developed world’ that had undertaken the excavation. In this short presentation the whole dilemma of so-called ‘world museums’ protecting objects from unstable countries, cultural dominance, structural violence, and contemporary colonialism was played out in front of an unsuspecting and un-noticing audience of the world’s media. What Donny made of it I simply do not know.

Immediately following the meeting on 29 April, I went back to the MoD to raise the concerns discussed and I understand, as a result, three additional things happened: all UK military personnel leaving Iraq were searched for antiquities; UK troops with border responsibilities were briefed to be vigilant for the smuggling of illicit antiquities; and all troops and other UK personnel deploying to Iraq were provided with a short briefing note (drafted by Roger Matthews) about the extent and importance of the archaeology of the area. I understand these activities continued until 2009 when UK forces withdrew from Iraq. Unfortunately, these efforts had little long term impact given the extent of looting and destruction of the archaeological record that continued, and still continues to some degree, in Iraq.

From a cultural property perspective, the whole Iraq conflict can only be regarded as a complete catastrophe. As events in 2003 unfolded I was very aware that individuals were having to take decisions very quickly, frequently without the full necessary information, and with limited belief that any such decisions would, or could, be implemented. I was also very aware that how and why decisions were made in this way would be quickly forgotten if a record were not kept. I therefore decided to try to gather the experiences of key individuals into a book that I hoped would act as a sort of diary of

events. Initially, I hoped the book could be produced by the beginning of 2004 but as the months passed, and the situation in Iraq deteriorated and became more complex, it became clear that the whole sorry event was going to be a much longer drawn out affair than anyone had foreseen. It was also clear that such a book needed to incorporate as many voices as possible. During the fifth World Archaeological Congress, held in Washington DC in June 2003 (and itself boycotted by a number of archaeologists who felt it inappropriate to meet in the capital city of a belligerent nation that had taken, in many minds, the world to an illegal and unnecessary war) I therefore asked the archaeologist and journalist Joanne Farchakh Bajjalay to co-edit the book with me. Joanne agreed and one of the tasks she took on was to ensure that Donny write a chapter relating his experiences of the looting of the National Museum. As the months passed and the situation in Iraq worsened Donny failed to find the time to write his chapter and so Joanne travelled to Baghdad to interview him, sending the tapes to the UK to be transcribed and edited. Other key contributors were less easy to pin down and the production of the book dragged on until early 2007 by which time Donny had been forced to leave Iraq for the safety of his family. This personal tragedy had a positive outcome for the book, as Donny contacted us saying that he wanted to add a section to his chapter exploring who had been responsible for the looting and why – a section he felt he could not write while in post in Iraq. In this he identified political, educational, and economic reasons for the looting. I found his additional text particularly pertinent, interesting, and depressing, as it touched on work that I had been involved in for many years: the importance of ensuring an appropriate place for the study of the past in the school curriculum and the manipulation of the past in education for political ends (see, for example, Stone and MacKenzie 1990; Stone and Molyneaux 1994; Stone and Planel 1999). The *Destruction of Cultural Heritage in Iraq* was finally published in 2008.

Donny's observations provided an Iraqi context for the Coalition's failures in Iraq, but they did not provide all of the reasons for the debacle. In retrospect, there appear to have been four main causes for what the journalist Thomas E Ricks (2006) describes as "Fiasco". Most obvious and of fundamental importance, there was a failure to deploy enough troops: even with the best will in the world it is a simple axiom that no military commander can do everything on their agenda if there are not enough troops available to carry out orders. Second, there appears to have been an astonishing failure to plan for anything other than a positive and benign post conflict Iraq: the simplistic notion that Coalition forces could win the conflict within months, if not weeks, and be 'back for Christmas' appears to have obviated any deeper thinking or planning. Third, there was a complete failure to acknowledge the potential importance of cultural property and cultural heritage to what was essentially a society removed, unknown, and alien to those planning the invasion. From the widespread humiliation of Iraqi men in front of women, to the failure to protect the icons of Iraqi culture - such as the national and regional museums and the country's libraries and archives - to the unnecessary damage to archaeological sites and monuments by the poorly planned placing of military camps, to failing to prevent the widespread looting of archaeological sites, the Coalition seems almost to have gone out of its way to antagonise the local population (Curtis 2008; Moussa 2008; Ricks 2006; Steele 2008). Finally, and of crucial importance to the cultural heritage community, it was *our* failure to maintain the close relationship that had existed previously with the military, in particular during the Second World War, that allowed the extreme ignorance displayed. It is clear that if the cultural heritage community fail to engage with the military in this new century then we have no right to complain in the future if the military fail to protect cultural property and cultural heritage (and see Stone 2011b).

Not all agree with me and, by June 2003, my advisory role was provoking harsh and sustained criticism from a small group of archaeologists who argued, from an ethical standpoint, that not only was I wrong to work with the military but that this work ‘provided academic and cultural legitimacy to the invasion’ (Hamilakis 2003, 107). Hamilakis regarded my involvement as part of the wider ‘ethical crisis in archaeology’ in which archaeologists can ‘publicly mourn the loss of artefacts but find no words for the loss of people’ (Hamilakis 2003, 107; and see Hamilakis 2009).

The criticism of my role was part of a focused response reflecting a wider literature (see, for example, Albarella 2009; Bernbeck 2008a; & 2008b; Hamilakis and Dukes 2007; Ronayne 2002; 2007) and more general archaeological opposition to the invasion of Iraq which manifested itself in an active group calling themselves ‘Archaeologists Against the War’ (and see <http://agj.group.shef.ac.uk/>). Indeed, the issue had been identified as important long before the 2003 invasion of Iraq, and WAC had held an Inter-Congress (1998), set up a Task Force on the ‘Destruction of Cultural Property in Conflict Situations’ in 1999 (Ronayne 2000), and published *Destruction and Conservation of Cultural Property* (Layton *et al* 2001). However, given WAC’s financial and resource limitations at the time, no further practical proactive measures had been possible.

I have addressed these criticisms elsewhere (Stone 2011b) and do not repeat this discussion here. Suffice to say that my view remains the same as it was in 2003: if cultural heritage experts do not engage (in a structured, careful way) then we cannot blame the military in the future for damage to cultural property during armed conflict. Having been through two military invasions, Donny understood this better than most and since 2003 I worked with him and a small group of international colleagues, both in and out of uniform, to ensure that cultural property protection (CPP) during armed conflict remained on the agenda at archaeological meetings and in archaeological and military minds. We hope, and have had some limited success, in getting the military to engage with the issue and it is currently viewed by most NATO forces as what the military refer to as a ‘force multiplier’ – something that actually can help them achieve their military objectives (see, for example, chapters in Rush 2010; Stone 2011a). A key event has been the annual conference of the Archaeological Institute of America (AIA) where, fully supported by its, now ex, President Brian Rose, archaeologists and military staff have gathered to share experiences of working together and the development of networks (and see <http://www.archaeological.org/advocacy/military>). This work continues under the current AIA President Elizabeth Bartman. Donny was an ever present presence at these meetings, not letting us forget the pressing need to develop better working relations before conflict flares again. In one of his last emails to me he stressed “...always we need to do anything to raise the awareness, speak out and do our best to the final direction to protect the cultural heritage, and that’s what matters”.

The astonishing failure of politicians and the military to recognise the importance of cultural property in Iraq in 2003 is made all the worse given the close working relationship that had existed during the Second World War between cultural heritage experts and the Allied military. In part this had been a reaction to the unprecedented targeting and looting of Europe’s cultural property by the Nazi hierarchy; in part a realisation by Allied commanders of the importance of cultural property (Edsel 2009; Nicholas 1995; Spirydowicz 2010; Woolley 1947). Regardless of its genesis, the work carried out by these ‘Monuments Men’, who did so much to protect the archaeological (and especially architectural and artistic) legacy of European civilisation during the latter part of the war, seemingly simply withered on the vine as conscripted experts returned to their civilian worlds. That little was put in place to replace them, while understandable in a world exhausted by war, must be seen as a significant criticism of both the military and

cultural heritage community (for the limited work in this field after 1945 see Rush 2010). Emberling (2008, 449) suggests that the “major difference between [the 2003 invasion of Iraq] and the consultation of concerned scholars about cultural property in World War II is the relative lack of concern of the President [US President Bush] and top military leadership for the issue” and concludes that cultural heritage experts need to get their message across not only to the military but also at the highest political levels.

In retrospect, it is a damning indictment of the military process that the staff of the MoD who approached me for advice in 2003 were totally unaware that the MoD itself employed archaeologists to protect the archaeological sites and landscapes in the MoD’s UK Training Areas (see, for example, Brown 2010); I have since learnt that this effort is dwarfed by the archaeological activity of the Department of Defense (DoD) in the USA (Rush 2010; 2011). Unfortunately, regardless of the quality of the work of, and training provided by, the Defence Estates archaeological team or their US or European equivalents, unlike the ‘Monuments Men’ their responsibility, and certainly their influence, on cultural property protection (CPP) once forces are deployed - primarily, but not exclusively, overseas – was, and remains, effectively non-existent.

The British Army did eventually work closely with archaeologists, led by staff from the British Museum, and a mutually acceptable working relationship developed (Clarke 2010; Curtis 2008; Curtis 2011; Curtis *et al* 2008). This relationship was, however, not straightforward and, echoing some of the criticism of my role in 2003, Curtis (2011, 196) notes his refusal to work with the military prior to conflict. Curtis does however see it as appropriate to work with the military in a *post*-conflict situation, where it is only military facilitation that allows CPP to take place although this too has been questioned (Hamilakis 2009, 48, Rowlands 2011). In an attempt to address some of the issues raised by Bernbeck, Curtis and others, I am currently trying to develop a 4 phase model of when and how cultural heritage experts can and should work with the military (Stone forthcoming). Whether one believes that cultural heritage experts should or should not work with the military, one thing is certain: the work done with respect to Iraq was too little, far too late. There is still much to do. The UK has still failed to ratify the 1954 Hague Convention and there is a long way to go before the whole military machine and its political masters take CPP seriously. I, and others, continue to work towards these aims; that we have lost Donny from the team does not mean the work stops: Far from it.

I last saw Donny at the annual meeting of the AIA held in San Antonio in January 2011. He had been worried about finding the funding to go to the meeting, and we had joked in emails in December 2010 that we needed to find a bank to rob to get us to the meeting with my final suggestion that I would bring the masks, if he brought the get-away car... When we met in San Antonio Donny was very amused that I was fulfilling a childhood dream of visiting the Alamo, the scene of some very contentious history misappropriated and mis- (or at the very least overtly simplistically) represented by Hollywood. More relevantly, Donny was very excited that Joanne Farchakh Bajjaly and I were there to receive the James R. Wiseman Book Award for our co-edited volume *The Destruction of Cultural Heritage in Iraq*, in which his chapter described above appeared. Donny’s excitement was not just that we had won a prize, although he was genuinely pleased about the honour, but more that the award kept the destruction as a high profile issue in the general archaeological consciousness. On the afternoon of the evening award ceremony, he worked with me to try and persuade Joanne to make the acceptance speech but we both failed as she claimed her English was not good enough to stand in front of an audience and speak in English (despite the fact she has done this many times). We sat for over an hour laughing as she avoided our pressure and as we discussed the draft of what we wanted to say: once again agreeing that the precise wording of our thanks did not

matter particularly, but that we should use the speech as a platform and opportunity for maintaining the profile of our continuing work to raise the issue of CPP within archaeology and the military.

Later that evening a group of us went for a meal. We decided to walk to the restaurant as our local guide claimed it was very close to the hotel but the distance was obviously a significant challenge for Donny. It was noticeable that he had put on a significant amount of weight and he walked leaning heavily on a stick. Joanne remained with him as he walked slowly and took rests while I hovered between them and the main group ensuring we did not lose sight of them and the route to our supper. After the meal we shared a taxi for the short distance back to the hotel. I left early the next day without seeing Donny. It was with great shock that I heard of his death in early March. We had not been close, but our friendship was growing and I shall treasure my memories of him and, in particular, that hour spent in San Antonio. Donny collapsed at Toronto International airport while in the city to give another lecture on the looting and destruction of museums and sites in Iraq. His later life had been dominated by the events prompted by the 2003 invasion and he had worked tirelessly, and, as we now know, to the detriment of his health, to maintain the issues in the academic, military, and public eye. His death is but another tiny, but directly attributable, statistic to add to the tragedy of the 2003 invasion of Iraq. It makes me even more determined to work to ensure that the protection of cultural property develops a high profile in military and political minds so that no politician can ever again say (as did US Secretary of State Donald Rumsfeld) “stuff happens”; nor military commander assert (attributed to General Tommy Franks) that “I don’t have time for this ---ing bullshit!”



*Receiving the James R. Wiseman Book Award at the 2011 AIA Conference.
(L to R) Patty Gerstenblith, Donny George, Matthew Bogdanos,
Joanne Farchakh Bajjaly, and the author.
(Fot. Serena Bellew)*

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