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An Examination of the 2003 Looting of the Iraq National Museum: How the Protection of Iraq's Cultural Property was Overlooked

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**AN EXAMINATION OF THE 2003 LOOTING OF THE IRAQ NATIONAL MUSEUM:
HOW THE PROTECTION OF IRAQ'S CULTURAL PROPERTY WAS OVERLOOKED**

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Abstract

This essay first examines the pre-war planning on the part of the United States for the 2003 invasion of Iraq and a detailed examination of the military activities that took place outside of The Iraq National Museum and the subsequent looting. In direct violation of international law, the Iraqi Army set up posts inside the museum compound and fired upon U.S. forces. The findings of Marine Colonel Matthew Bogdanos after the looting highlight the risk factors that should have been made known in pre-war planning, but were unfortunately over-looked. His investigation also revealed three groups of looters: professional thieves, unknowledgeable opportunists and museum insiders. Although international safeguards have been created to protect cultural property during wartime conflict, such as The Hague Convention, the Geneva Convention and the Blue Shield, these were not applicable or effective in protecting the museum. In addition, the wartime preparations of the British and American museums earlier in the twentieth-century will be compared to the efforts of the Baghdad Museum. Similarities to the plight of the frequently-looted Afghanistan museum will be discussed, a non-European museum that has experienced a similar type of conflict as Iraq. The war experience of Iraq is unique compared to the war experiences of the United States and Europe, both in terms of the structure of the country itself and the nature of the conflict. The failure to recognize these differences played a substantial role in the looting of the Iraq National Museum. The character of Iraqi society is also extremely relevant, such as the effects of the dictatorship under Saddam Hussein, its desert tribal structure, the poor economic situation in the country and international alienation which resulted from the 1991 UN Sanctions. This thesis demonstrates that while destruction during wartime conflict can never be completely predicted, a lack of understanding and a lack of communication on the part of the United States with the cultural sector of Iraq blinded the United States to the specific risk factors for disaster, and therefore resulted in inadequate preparation for the Iraq National Museum against the oncoming war and post-conflict security.

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Introduction

The tragic destruction and looting of the National Museum of Iraq in Baghdad has been mourned by the museum, archaeological and academic communities. So deeply were these communities affected by the events of April 10-12, 2003, that they have been memorialized by annual candlelight vigils to reflect on the loss of cultural and world heritage. Regardless of one's opinion concerning the politics of the current war in Iraq, the loss of life and current state of disarray in the country is also a devastating tragedy. The United States has, in fact, received considerable domestic and international criticism since 2003 for the theft of over 15,000 artifacts from the museum. Many critics have stated that the looting of the museum is an unfortunate event that could have been avoided and should not have occurred. This thesis demonstrates that while destruction during wartime conflict can never be completely predicted, a lack of understanding and a lack of communication on the part of the United States with the cultural sector of Iraq blinded the United States to the specific risk factors for disaster, and therefore resulted in inadequate preparation for the Iraq National Museum against the oncoming war and post-conflict security.

This essay first examines the pre-war planning on the part of the United States for the invasion of Iraq and a detailed examination of the military activities that took place outside of the museum and the subsequent looting. Included will be details from the investigation of the thefts at the museum, conducted by a team of American forces during the months following the looting. The findings of Marine Colonel Matthew Bogdanos, who led the team, highlight the risk factors that should have been made known in pre-war planning. In addition, the wartime preparations of the British and American museums earlier in the twentieth-century will be compared to the efforts of the Baghdad Museum in 2003. Similarities to the plight of the frequently-looted Afghanistan museum will be discussed, a non-European museum that has experienced a similar type of conflict as Iraq. The character of Iraqi society is also extremely relevant, such as the effects of the dictatorship under Saddam Hussein, its desert tribal

structure and the poor economic situation in the country. Further alienating Iraq from America and Europe were the UN Sanctions established on the country in 1991, which had direct negative impacts on the museum's resources and staff. The war experience of Iraq is unique compared to the war experiences of the United States and Europe, both in terms of the structure of the country itself and the nature of the conflict. It will be demonstrated that the failure to recognize these differences played a substantial role in the looting of the Iraq National Museum in 2003.

Chapter 1

The Creation and History of the Iraq National Museum in Baghdad

“You ask me about the sack of Baghdad? It was so horrible there are no words to describe it. I wish I had died earlier and had no seen how the fools destroyed these treasures of knowledge and learning. I thought I understood the world, but this holocaust is so strange and pointless that I am struck dumb. The revolutions of time and its decisions have defeated all reason and knowledge.”

- Saadi of Shiraz (1258)¹

“...I would go so far as to say that ancient Mesopotamia can be described as a culture of memory.”

-Zainab Bahrani (2003)²

Any consideration of the Iraq Museum in Baghdad must also include a history of Iraq itself, a country that has endured numerous, often violent, changes throughout its existence. The area of the Middle East that the world now calls Iraq was once part of ancient Mesopotamia, indisputably regarded as the “cradle of civilization”. As noted by Zainab Bahrani, the ancient history of Iraq has traditionally been claimed as the history of the West, since according to the nineteenth-century model of the progress of civilization, the torch was passed from Mesopotamia and Egypt to Greece and Rome and subsequently the Western world.³ William R. Polk elaborates that, “We can honestly say that it was [in Mesopotamia], that life as we know it today began; there people first began to speculate of philosophy and religion, developed concepts of international trade, made ideas of beauty into tangible forms, and, above all, developed the skill of writing.”⁴ It was here that the first cities were established, and where we find the first temples and evidence of a codified religion, and, ironically, the first organized warfare.⁵

¹ Peter G. Stone and Joanne Farchakh Bajjaly, ed., *The Destruction of Cultural Heritage in Iraq* (Woodbridge: The Boydell Press, 2009), xi.

² Zainab Bahrani, “Iraq’s Cultural Heritage: Monuments, History, and Loss,” *Art Journal*, Vol. 62, No. 4 (Winter 2003): 11.

³ Bahrani 2003, 11-13.

⁴ Milbry Polk and Angela M.H. Schuster, ed., *The Looting of the Iraq Museum, Baghdad: The Lost Legacy of Ancient Mesopotamia* (New York: Abrams, 2005), 5.

⁵ John M Russell, “Iraq in the Crosshairs: An Uncertain Future for the Past,” *World Monuments Fund* (Spring 2003), http://www.wmf.org/sites/default/files/wmf_article/pg_26-29_iraq.pdf.

Francis Deblauwe poignantly observes that many of the artifacts which form the record of this civilization are, or were, in the National Museum in Baghdad.⁶

Beautiful and extraordinary pieces of this rich history have been stored for decades at the Iraq National Museum. Apart from some important objects housed in other institutions such as the British Museum and the Louvre, almost all of the finds recovered from Iraq's archaeological sites are housed in the museum.⁷ It has been referred to as the most important museum in the Middle East, rivaled only by the Egyptian Museum in Cairo. Until mid-April 2003, the National Museum housed about 170,000 artifacts. Although it is considerably smaller than the great museums in Paris, London, Berlin and New York, its collection consists of objects unearthed in controlled excavations in Iraq, providing an almost continuous record of life in ancient Mesopotamia, unparalleled in the museum community. Further, the objects were mostly found in well-documented archaeological contexts, which is not always the case with museum objects. This assists in accurate interpretation and authenticity.⁸

The National Museum in Baghdad was founded in 1921 by the British, who administered Iraq after the defeat of the Ottoman Empire in World War I.⁹ The museum was intended to house select artifacts from Assyrian, Babylonian and Sumerian archaeological digs. Gertrude Bell, the famous British Arabist, explorer and amateur archaeologist, became the director until her death in 1926.¹⁰ She was involved in every aspect of the creation of the museum, from designing the building and cases to collecting and restoring the artifacts. In her will she left 50,000 pounds to the museum to ensure that the mission would continue.¹¹ The museum began as one room within al-Qushlah, Iraq's government building in Baghdad on the east bank of the Tigris River. Due to the growing number of artifacts,

⁶ Francis Deblauwe, "The Rape of Iraq's National Museum," *Archaeology Odyssey* (July/August 2003), <http://iwa.univie.ac.at/deblauwe7803.pdf>.

⁷ Polk 2005, 20.

⁸ Deblauwe 2003.

⁹ Deblauwe 2003.

¹⁰ Polk 2005, 20.

another building became necessary. Located on the same side of the river at the foot of the al-Shuhada bridge, the new building was named the Iraq Museum.¹² In 1966 when a larger building was needed, the museum was relocated to the west side of the river and was renamed the Iraq National Museum. The new museum was a two-storey brick building with a basement. The galleries form rectangular blocks, thirteen to eighteen meters wide; they are arranged around a planted square courtyard measuring fifty meters long, and are surrounded by covered verandas. The building was extended 20 years later, through the addition of another square courtyard. This brought the number of public galleries to twenty, which covered a surface area of 11,000 square meters. The pieces are arranged in chronological sequence, with prehistoric and Sumerian periods on the first floor and the ground floor displaying Assyrian and Islamic periods. More than 10,000 items were displayed, spanning 10,000 years of human civilization from the Prehistoric, Sumerian, Babylonian, Assyrian, Hatraean, Parthian, Sasanian and Islamic periods. The items on display represented less than 3% of Iraq's archaeological holdings.¹³

In his book *The Looting of the Iraq Museum, Baghdad: The Lost Legacy of Ancient Mesopotamia* (2005), William R. Polk describes some of the most striking and memorable pieces of the museum before the invasion of 2003. The walls had been adorned with gigantic Assyrian wall carvings, some 15 meters long and 5 meters tall, showing ceremonies in ancient Nimrud and Khorsabad, with giant human-headed winged bulls that once guarded the gates of the Assyrian capitals. Scores of glass cases displayed "thousands of tiny masterpieces of the earliest Mesopotamian craftsmen." Some of them contained hundreds of stone cylinders, each the size of a child's finger. Painstakingly incised in reverse, the cylinders captured vivid images of griffins, sphinxes, and other mythological beasts when rolled across wet clay. One collection of these cylinders had been called the first-ever state archive. In other cases were the earliest known pieces of elaborate pottery, jewelry and statues from Ur, Babylon,

¹¹ Polk 2005, 27-28.

¹² Polk 2005, 20-21.

¹³ Polk 2005, 21-22.

Ninevah, Nimrud, Ashur and the multitude of cities scattered along the Tigris and Euphrates Rivers. Some of the earliest examples of cuneiform writing (“proto-cuneiform”, dating from about 3200 B.C.) were preserved in the Iraq National Museum on clay tablets.¹⁴ The Sumerians wrote contracts, letters, and decrees on these tablets using the writing system they created.¹⁵

In addition to the thousands of precious tablets and cylinders, the museum contained several notable prize pieces. The Warka Vase, also known as the Uruk Vase, is one of the most important objects in the museum. One of the first illustrations of the ritual and religious practices that were the basis of Mesopotamian society, it comes from most important city in Mesopotamia in the fourth millennium B.C.: Uruk, the modern Warka and the Biblical Erech. The carved alabaster is a testament to early artistic skill in stone carving and presents a narrative about its civilization. The vase dates from 3300 – 3100 B.C.¹⁶ Another prize of the collection is known as the Assyrian Ivory Lioness from Nimrud, dating from the eighth century B.C. The small ivory plaque is one of a pair which depicts a lioness attacking a Nubian boy. The other of pair is in British Museum. Most likely the pieces were used to adorn furniture as inlays, and both were set with carnelian and lapis lazuli and gilded. The style of the ivory indicates manufacture in a Phoenician workshop, ending up through trade or as war booty at the Assyrian court. The theme and details are Egyptian in origin.¹⁷ In summarization, for eight decades and despite 20 years of war, repression and economic sanctions in Iraq, archaeologists have deposited thousands of artifacts and manuscripts such as these masterpieces at the museum, documenting 10,000 years of civilization.¹⁸ All of these artifacts were endangered as the result of conflict.

With its strategic location on a fertile plain, Iraq has long been a desirable prize. Over the course of four thousand years, the country has been continuously invaded or attacked. According to

¹⁴ Deblauwe 2003.

¹⁵ Polk 2005, 6-7.

¹⁶ Polk 2005, 80.

¹⁷ Polk 2005, 142.

Peter G. Stone, Iraq is not only familiar with warfare and invasion, but the devastating loss of cultural property:

The area now referred to as Iraq has seen perhaps more than its share of almost endemic, and certainly dramatic, destruction of cities and civilizations over the last few thousand years. Much of this destruction came about simply as a result of fighting – so called “collateral damage”; however, without doubt, much of the damage was part of a predetermined policy to destroy the physical memory of a vanquished enemy.¹⁹

The Iraq Museum has unfortunately not been spared the destructive results of conflict within its country. The museum has been forced to dismantle the public galleries several times since 1980. At the beginning of the Iran-Iraq War, rockets often rained down on Baghdad, including a particularly deadly one that fell within 200 meters of the museum. As a result the public galleries were dismantled, except for very large, permanently fixed objects, such as Assyrian reliefs, Islamic building facades, and massive wooden doors. Movable objects were put into above and below ground storage, with subsequent damage to some artifacts due to humidity. At the end of the Iran-Iraq War in 1988, the exhibits were remounted.

In late 1990, with the Persian Gulf War about to begin, displays were once again dismantled and put into storage in the basement of the museum’s old storage building. Many iconic and valuable objects, such as the Ur Cemetery gold and most of the finds from the Neo-Assyrian Queens’ Tombs were then transferred to a deep vault at the Central Bank.²⁰ During the Gulf War of 1991 the Ministry of Communications, located across the road in front of the museum, was bombed and the resulting tremors shattered a number of the museum’s cases.²¹ During the 1990s, because of sanctions and the possible renewal of warfare, the museum remained closed, except for the occasional brief and small exhibitions. The objects that had been removed to the Central Bank remained there in storage. When

¹⁸ Andrew Lawler, “Saving Iraq’s Treasures,” *Smithsonian* (June 2003), <http://www.smithsonianmag.com/people-places/iraq.html?c=y&page=1>.

¹⁹ Stone 2009, 7.

²⁰ Lawrence Rothfield, ed., *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War* (Lanham: AltaMira Press, 2008), 29.

the museum was reopened in 2000 and most of the exhibits were reinstalled as they had been before the first Gulf War, there was no longer a display of the Queens' Tombs, with the exception of photos of some objects. The same was the case for some of the most famous items from the Ur tombs, shown in photographs in the cases that used to hold the objects.²²

In April 2003, the museum was forced to close during the second Gulf War. Prior to the war, the staff members began preparation to stand guard and protect the museum's collections during the impending invasion. However, the fighting drew so close to the museum that the few remaining staff members were forced to evacuate. What resulted after the departure of the staff and the cessation of military activity is regarded as a tragedy for the cultural heritage of Iraq, and one which continues to reverberate across the world. Donny George, director of research for the Iraqi State Board of Antiquities, called the looting "the crime of the century...not just a loss for the Iraqi people, but a loss for all mankind."²³ On July 3, the Coalition Provisional Authority organized a one-day exhibit of the gold pieces from the royal tombs of Ur, as well as some recovered stolen artifacts such as the Warka Vase. Only a few hours after the exhibit closed, a US soldier standing guard at the museum was killed by a sniper.²⁴

Between April 11th and 13th, 2003, gangs of looters seized the chaotic situation as an opportunity to ransack the unprotected museum. According to Col. Matthew Bogdanos, it was estimated that 15,000 pieces were stolen.²⁵ Missing items included abbasid wooden doors; Sumerian, Akkadian and Hatraean statues; around five thousand cylinder seals from different periods; gold and silver material, along with necklaces and pendants and other pottery material. In many cases, what the looters could not take they smashed and destroyed, including the head of terra-cotta lion from Tell Harmal, from the

²¹ Polk 2005, 22-24.

²² Rothfield 2008, 29.

²³ Lawler 2003.

²⁴ Polk 2005, 22-24.

Old Babylonian period around 1,800 B.C., and Roman statues found in the city of Hatra, from the first century B.C., in addition to a large number of pottery material from the storerooms.²⁶ Through Col. Bogdanos' formal investigation with the United States Military, he concluded that there had actually been three thefts at the museum by three distinct groups: "professionals who stole several dozen of the most prized treasures, random looters who stole more than 3,000 excavation-site pieces, and insiders who stole almost 11,000 cylinder seals and pieces of jewelry."²⁷ The professionals may have been acting mutually with international dealers and even resident diplomats; amateurs took sledge hammers and chain saws to giant statues and wall carvings or simply grabbed what they could from the shattered glass cases. An "antiques mafia" quickly came into existence, perhaps one that was already in place and waiting for an opportunity.²⁸

Although each missing piece from the collection was a priceless loss, several of the most valuable pieces were stolen: the Sacred Vase of Warka, the Mask of Warka, the Golden Harp of Ur, the Bassetki Statue, the ivory Lioness Attacking a Nubian and the twin copper Ninhursag Bulls. When the Vase of Warka was returned on June 12 2003, it was in 14 pieces, broken mostly along the upper register of the vase. It was immediately examined by Dr. Ahmed Kamel, the museum's acting director, who determined that (1) all of the breaks were along ancient fractures; (2) all of the pieces were recovered; and (3) the vase was in exactly the same condition as when it was excavated. Using information acquired during that seizure, a warehouse was raided in Baghdad later that same day, recovering 76 pieces that had been stolen from the museum's basement, including 32 cylinder seals and the extraordinary Bassetki Statue, which had been submerged in a cesspool behind the warehouse and

²⁵ Matthew Bogdanos, "The Casualties of War: The Truth About the Iraq Museum," *American Journal of Archaeology*, Volume 109, no. 3 (July 2005), http://www.ajaonline.org/pdfs/109.3/AJA1093_bogdanos.pdf.

²⁶ Polk 2005, 1-2.

²⁷ Bogdanos 2005.

²⁸ Polk 2005, 8.

covered in grease by smugglers willing to await a more favorable smuggling environment.²⁹ The Mask of Warka was eventually found in an orchard in Baqubah.³⁰ Luckily, the golden bull's head that was stolen from the Harp of Ur off a table in the restoration room was a modern replica. The original had been removed to the Central Bank of Iraq before the 1991 Gulf War.³¹ According to William R. Polk, "Bits and pieces of the collection have been retrieved. Doubtless more will come to light as time passes, but, as a collection, the museum as it was is no more."³²

²⁹ Bagdanos 2005.

³⁰ Polk 2005, 210.

³¹ Bagdanos 2005.

³² Polk 2005, 9.

Chapter 2

A Closer Examination of the Looting of The Iraq National Museum

“Oh your city! Oh your house! Oh your people!” wrote a scribe of ancient Sumer. “Turmoil descended upon the land...the statues that were in the treasury were cut down...there were corpses floating in the Euphrates; brigands roamed the roads.”

-Andrew Lawler (2003)¹

“The looting and laying waste of the lands of Sumeria and the destruction- of almost Biblical proportions- of its clay-walled cities were not, I fear, just a prophecy of things to come but our world’s most sinister act of historical destruction. For the treasures of Mesopotamia belonged not just to the Iraqis or to the present-day Arabs and Muslims of the Middle East; they belonged to all of us. They contained the subtext of our human life, they key to all mythology and to all history. The lands of Gilgamesh belong to us, to our friends and to our enemies, to peoples whose languages we shall never speak and to whose shores we shall never travel.”

-Robert Fisk (2009)²

With the lucidity of hindsight, there has been much discussion on the pre-war planning before the 2003 invasion of Iraq, or depending on which commentator, the lack thereof. “It didn't have to happen,” Martin Sullivan, who headed the President's Advisory Committee on Cultural Property for eight years, told Reuters news agency. He continues, “In a pre-emptive war, that's the kind of thing you should have planned for,” he said.³ A notable few scholars and members of the archaeological community came forward to request special consideration for Iraq’s cultural property. The government was certainly receptive to this information and requested information on what specific areas of cultural importance should be avoided in bombings, but the issue of looting was somehow passed over. As a result, the museum was left unprotected for several days during the invasion of Baghdad, literally leaving the doors of the museum open for theft.

¹ Andrew Lawler, “Beyond the Looting: What’s Next for Iraq’s Treasures,” *National Geographic Magazine* (October 2003): 26-27.

² Stone 2009, xii.

³ Deutsche Welle, “Robbing the Cradle of Civilization,” DW-World.DE, <http://www.dw-world.de/dw/article/0,,835730,00.html>.

Pre-War Planning

Lawrence Rothfield, co-founder of the Cultural Policy Center at the University of Chicago, states in his essay for *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*: “As war clouds began to gather in the spring and summer of 2002, no one from either inside or outside the government was speaking about the danger of cultural looting to those beginning to draw up plans for post-combat Iraq.”⁴ State Department and Pentagon officials were warned that in the uprisings that occurred in the aftermath in the 1991 Persian Gulf War, nine of thirteen regional museums in the south and north of the country had been damaged and looted, which resulted in the loss of about five thousand artifacts, of which less than 10 percent had been recovered. In fact, as a consequence of these losses, genuine objects were no longer put on display at the regional museums (except for the Mosul Museum); instead they were replaced by casts and photographic displays.⁵ However, it was bombing, not looting, that preoccupied the Pentagon. Towards the end of 2002, the Pentagon published an article on the internet describing its efforts to avoid targeting culturally important sites in Iraq but made no mention of post-conflict looting. Unfortunately, protection advocates (such as members of the archaeological and cultural heritage community) and war planners (consisting of the State Department, the military and the Pentagon) never clearly defined this distinction and thus it was not planned for.⁶ Rothfield contributes this lack of preparation as an expected occurrence, stating, “Post-war planners are almost certain to see cultural protection as low priority.”⁷

The Department of Defense requested a meeting with advocates to discuss protecting sites, monuments and museums from damage during active combat operations. On January 25, 2003, McGuire Gibson (of the University of Chicago’s Oriental Institute), Ashton Hawkins (the former general counsel for the Metropolitan Museum of Art in New York and president of the American Council for

⁴Rothfield 2008, 8.

⁵ Rothfield 2008, 27-28.

⁶ Rothfield 2008, 12.

⁷ Rothfield 2008, 16.

Cultural Policy, or ACCP), Arthur Houghton (who had served in both the State Department and as curator of the Getty), and Maxwell Anderson (then president of the Association of Art Museum Directors), met at the Pentagon with Joseph Collins from the Pentagon's Office of Stability Operations. These attendees were joined by Caryn Hollins, the director of Collins's office, and Maj. Chris Herndon. During this meeting, the group had not focused on protecting Iraq from looting despite Collins being charged with addressing post-conflict stabilization and reconstruction planning. Only Gibson saw looting as a second major threat that the Pentagon needed to take seriously. According to Rothfield, "This mismatch of objectives between the ACCP and the Pentagon, on one hand, and Gibson on the other, together with Gibson being outnumbered, may explain why post-combat looting of museums and sites was treated as a secondary issue."

The advocates mistakenly came away from the meeting with the impression that the Pentagon had agreed to take steps to protect the museum and sites from looting by Iraqis. While Houghton stated that "all of sixty seconds" was given to discuss the issue of looting and Gibson claimed he spoke for "more than two minutes", the fact remains that only a fraction of the meeting was devoted to this topic, which proved not to be enough to emphasize the importance to the war planners. There had also been no pre-meeting to clarify the topics that were to be addressed, which would have clarified the meetings goals. However, the Office of the Secretary of Defense got what it wanted from the meeting: access to good data on site coordinates that would enable the military to comply with the Geneva Convention and avoid destroying or damaging culturally significant sites.⁸ This miscommunication may have been a significant cause in the gap of protection of Iraq's cultural property.⁹

That afternoon, Gibson, Houghton, Hawkins and Anderson, joined Bonnie Burnham of the World Monuments Fund for a meeting at the State Department with Ryan Crocker, the deputy assistant

⁸ Rothfield 2008, 14.

⁹ It is not stated whether or not the advocates were in direct contact with Dr. George or Dr. Jabber. The lack of communication may have been a result of the UN sanctions, but this has not been directly stated.

secretary of state in the State Department's Bureau of Near Eastern Affairs and Patricia Harrison, the Assistant Secretary of State and the head of State's Bureau of Educational and Cultural Affairs. Crocker appeared surprised to learn that of the sixteen working groups in the Future of Iraq Project (FOI), none dealt with culture. He immediately ordered the State Department to create a new FOI Project working group on the cultural sector. However, it would be several weeks until this newly formed working group created a "wish list" of what ought to be done in the case of occupation. Archaeologist Zainab Bahrani stated that the number one item on the list "was to put guards at all museums and as many archaeological sites as possible." Unfortunately, as summarized by Rothfield, "with the war weeks away, it was far, far too little, too late" and the working group on culture produced no report.¹⁰

Rothfield further explains that even if the future of Iraq Project included a working group on culture from the beginning, and if the Pentagon had actually adopted all of its recommendations for protecting museums and sites during the postwar reconstruction period, this would have made no difference to the fate of the museum and the shorter-term damage to archaeological sites. In his opinion, security forces were needed in the immediate aftermath of the conflict to prevent sites and museums from being looted.¹¹ Stability Police Units (SPUs), administered by the United Nations and NATO, have been extremely successful in other war torn states, such as Bosnia.¹² However, the Future of Iraq Project at the State Department was unable to make the Pentagon see the need for this type of security in the immediate aftermath of combat. As a result, the responsibility fell to the Office of Reconstruction and Humanitarian Assistance (ORHA), newly created by the Pentagon to address postwar instability, an impossible task to accomplish in only six weeks. With more notice, ORHA might have developed the capability to field peacekeeping forces. It is quite unlikely, however, that a military

¹⁰ Rothfield 2008, 15.

¹¹ Rothfield 2008, 15.

¹² Rothfield 2008, 130.

police unit specializing in cultural protection would have been established, even with extra time.¹³

Rothfield further explains that “the surge in cultural looting in the Iraq countryside during the 1990s provided a preview of what would happen in central authority were destroyed, and highlighted the need for peacekeeping forces in postwar Iraq. That need had been amply demonstrated, of course, by the Persian Gulf War, Bosnia and Kosovo.” Yet the Pentagon never developed policing forces of any kind, or even budgeted for them. Robert Perito accuses that the United States “simply had not adopted post-conflict stability as a core mission.” In an effort to grapple with this problem, the Clinton administration had set up a Peacekeeping Core Group. But this interagency group was abolished, along with all others, in Bush’s first national security directive.¹⁴

Other cultural advocate groups were involved, such as The American Institute of Archaeology, representatives of which wrote to Donald Rumsfeld in January 2003 and continued attempts to meet with Collins up until the onset of the war. As the war drew closer, the AIA sent a “Declaration of the Protection of Iraq’s Cultural Heritage” to the Pentagon, publishing a version in *Science* in mid-March. Other cultural preservation groups joined the campaign, such as the International Council on Monuments and Sites (ICOMOS), the International Committee of the Blue Shield, and the Society for American Archaeology (SAA). Representatives of the SAA wrote directly to Rumsfeld, explicitly warning of the threat of post-combat looting. “After the 1991 Gulf War,” the president of the SAA stated, “there was widespread looting of museums and archaeological sites.” An occupation would require “that the military establish units tasked with protection of Iraq’s cultural heritage, including museums, libraries, archaeological sites and other cultural institutions” to “ensure that looting does not occur.” The president also obligations as set out in Article 9, Section 1 of the 1999 Second Protocol to the 1954 Hague Convention. The Defense Department’s General Counsel wrote back three days before the war, citing that the United States is not party to the 1954 Hague but conducts all operations in accordance to

¹³ Rothfield 2008, 16.

¹⁴ Rothfield 2008, 6.

provisions in 1954 and 1999 protocol. The letter further stated that the military will take measures to protect Iraq's cultural and historical sites. As Rothfield points out, "The absence in the last sentence of the words 'from looting' is chilling, as is the deliberate vagueness about what 'requisite measures' means, considering the SAA's emphasis on these two matters."¹⁵

Organizations and scholars in the United States were not alone in their efforts, as attempts were also made in the United Kingdom to prevent destruction of Iraq's cultural property. The International Committee of the Blue Shield (ICBS) acted as information and focal point for lobbying both governments of the United States and United Kingdom in the months before the Second Gulf War.¹⁶ At the beginning of 2003, there was much anxiety in Britain about what their government would do to avoid damage to archaeological sites. Questions were asked in Parliament, appeals made to various government departments and letters published in national press.¹⁷ Roger Matthews (director of the British School of Archaeology in Iraq) and Neil Brodie (a specialist in the illicit trade of antiquities) stressed the vulnerability of Iraq's museums and the disasters that had occurred during regional uprisings against Saddam Hussein in 1991, when thousands of artifacts had been looted and not yet recovered.¹⁸ As in the United States, a list of vulnerable sites and museums was given to British government.¹⁹

Given the lessons learned from the Gulf War in 1991 and the repeated warnings of the archaeological community, it seems reasonable that the war planners should have anticipated some looting, however, the looting of the museum caught even Dr. Donny George Youkhanna, former director-general of the Iraq Museum and an Iraq native, by surprise.²⁰ Dr. George was even given an ominous warning roughly a year before the 2003 invasion. Dr. George received information from a very reliable source that there were people in England, including some referred to as "scholars," who were

¹⁵ Rothfield 2008, 16-17.

¹⁶ Stone 2009, 68.

¹⁷ Stone 2009, 73.

¹⁸ Stone 2009, 75.

¹⁹ Stone 2009, 76.

²⁰ Bogdanos 2005, 503.

suggesting that the Iraqi people did not understand the value of the archaeological remains in Iraq, that they did not “deserve” them. Therefore, the obvious solution to this was that the material should be “removed” (i.e. stolen) from Iraq and taken to England. It was reported that one person had actually stated, “I’m waiting for the day that the American troops enter Baghdad. I will be with them and I will go to the Iraq Museum and take what I want.”²¹

With the escalation of tension in early 2003, the State Board of Antiquities and Heritage (SBAH), led by chairman Dr. Jabber Khalil, with the consultation of the Ministry of Culture, made several decisions meant to safeguard museum objects. The portable objects from the museums in Mosul, Babylon and Hatra, including some life-size statues from Hatra and some objects from other providential museums were transferred to the Iraq Museum in Baghdad.²² At the same time, partially as a result of the intelligence reported to Dr. George and partly from their experience of looting that had followed the invasion of 1991, museum staff had been busy removing and storing the majority of objects on display in the galleries.²³ A group of five people 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 those five. They even swore on the Qur’an not to reveal the secret.²⁴ The only things left in the galleries were objects that were too large or heavy to move and some replicas.²⁵ Sandbags and foam were placed in front or upon some of the large immovable objects, such as the Assyrian reliefs. 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. 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. Windows and doors were blocked with concrete blocks, and the steel

²¹ Stone 2009, 97.

²² Rothfield 2008, 30.

²³ Stone 2009, 97.

²⁴ Rothfield 2008, 30.

²⁵ Stone 2009, 97.

doors of the storerooms and doors, meant to segregate specific areas, were closed and locked. Dr. George wanted to seal all the outer doors to the museum and the administrative offices of the SBAH, but Dr. Jabber didn't want to go that far.²⁶

The ultimate protection for the museum would have been the guards, but as war approached, the staff of more than 40 guards disappeared. If they had stayed in position, especially in their uniforms, they would probably have been fired upon. Discarded uniforms, similar to Iraqi army issue, might have been mistaken for Republican Guard uniforms.²⁷ In early 2003, museum staff received orders from the Ministry of Culture to assemble teams of men and women of all ages, in order to defend the museum complex. These teams, of between 20 and 25 individuals, were sub-divided into groups for first-aid, fire prevention and control, messengers, and one group who were given AK-47 Kalashnikovs to defend the compound, "whatever happened". Rotas were set up to ensure that the Museum compound was protected by these teams, each under the command of one of the Director Generals of the State Board of Antiquities and Heritage. The museum would be guarded at all times of the day and night.²⁸

William R. Polk, a Middle East expert, visited Baghdad before the 2003 invasion and tried to convince Iraqi authorities to send the Baghdad Museum's collection out of the country for safekeeping. Given the fact that just the dismantling of the museum's public galleries and the storing of the most 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 the storerooms in time to send the collections abroad. Donny George and McGuire Gibson have stated that is unlikely that any museum could

²⁶ Rothfield 2008, 30.

²⁷ Rothfield 2008, 30.

²⁸ Stone 2009, 97.

accomplish this.²⁹ For the Iraq Museum, reduced members of staff and loss of trained museum professionals as a result of 13 years of sanctions would have made such an effort impossible.³⁰

No resources were available from the international community, which did not have any funds in place to provide support for governments seeking to protect their cultural property from the ravages of war. The 1999 Second Protocol of the Hague Convention called for setting up such a fund, but it had not yet come into effect. Even if it had, UN sanctions would have prevented any direct financial assistance to the Iraq regime.³¹

The Invasion of Baghdad and the Military Activities at the Museum

As a “small but lethal” force of twelve thousand soldiers swarmed into Baghdad between April 5 and 9, the local population quickly realized that the Americans were unable, or unwilling, to impose order. Mobs began looting businesses, sacking government buildings and attacking the homes of regime officials. As radio reported that the looting had spread into Basra’s banks on April 8, archaeologists grew more and more anxious. The AIA and AARB sent a letter to Secretary of State Colin Powell, Secretary of Defense Rumsfeld, and British Prime Minister Tony Blair, copying others more directly involved in operations. McGuire Gibson of the Oriental Institute stated, “If looters get in, it is going to be a disaster.”³²

Dr. George could not get to the museum on Saturday, April 5, as there was a fierce battle around the intersection of Hilla and Al-Dorah, where American troops were entering Baghdad coming from Babylon, and Hilla troops were entering from the highway. He barely managed to get to the museum on Sunday April 6, passing through the remains of battle that included burned Iraqi and American tanks, armored vehicles, cannons and a variety of other vehicles. Just over half of the team

²⁹ Rothfield 2008, 28.

³⁰ Rothfield 2008, 28.

³¹ Rothfield 2008, 17-18.

³² Rothfield 2008, 19.

that was scheduled had arrived due to the difficulties in accessing the museum. Dr. George and several others stayed overnight in the museum for two days.³³

Dr. George stated that when he woke up in the museum on the morning of April 8, "...I was woken up at about 5 a.m. by the sound of huge blasts all over the area, very close to us." Most of the blasts came from the left side of the museum, where the staff later learned that the American troops had arrived and captured the building of the Ministry of Information adjacent to it, the building housing the radio and television station. This building is not more than 400 or 500 meters from the museum. They started hearing fighting on the right side of the museum.³⁴ When asked for his opinion on a plan of action, Dr. George bravely asserted that he would stay with the museum. He later said, "I was confident that as soon as the Americans occupied the whole area, the first thing they would do was to protect the museum." Since there was stored food and water, a new plan was formulated to go down to the cellars of the museum, lock the doors and wait. As he went back into his office to collect some biscuits, Dr. Jabber said they had to leave quickly. He looked out the windows and pointed out four to five Iraqi militants with RPG-7s on their shoulders, firing towards the left side of the museum against the American tanks. This made the museum compound a "very hot spot". Dr. George realized that the museum could be caught in the cross-fire of a battle. He and the four remaining staff members checked that the museum gate and door were blocked and locked and that the main door of the State Board of Antiquities building was chained and locked. They then left in a car and drove to the east side of the Tigris, with the intention of returning to the museum as soon as possible when the fighting had calmed down.³⁵ Dr. George was forced to stay with an aunt for the rest of the week due to the military activities.

³³ Stone 2009, 97-98.

³⁴ Stone 2009, 98.

³⁵ Stone 2009, 99.

On Saturday, April 12, the museum director heard on the news that the museum had been looted. On Sunday, he resolutely traveled to the American headquarters at the Palestine Hotel with Dr. Jabber. After many identification checks, he spoke with U.S. Marine Colonel Zarcone, who agreed that protecting the museum was an American responsibility. Col. Zarcone asked Dr. George to point out the museum on the map, which shocked him: "I was surprised that these American troops that had come to Baghdad did not know the location of the National Museum." The colonel said he would immediately get troops to protect the museum.³⁶

Dr. George was able to return to the museum later that day, where he found a few employees and two or three other volunteers. He then began to assess the damage, despite another employee begging him not to look. In his office, all the doors had been smashed and had holes, drawers had been emptied, books, reports and paperwork were scattered all over the floor. He said there must have been "about two feet of papers on the floor." The desk was dismantled into three or four pieces, the computer was gone, the safe was destroyed completely and eight cameras inside were gone. Even the coffee machine was taken away. Exactly the same thing had happened to all offices in the Department.³⁷

There was no electricity in the museum, so Dr. George walked into the museum to assess the damage by daylight. In addition to the pillaging of all department offices, he discovered that the looters had broken through a window that had been blocked some years before. Four glass cutters had been left in one of the halls. He continues:

I saw the showcase for the Warka Vase smashed on the floor and I realized that one of the masterpieces of the museum was missing. Of course my heart at that time was pounding; because we had three very, very important pieces in that room: the Sumerian Stele of Lion Hunting, the Warka Vase, and the beautiful mask of the Warka Lady...the Sumerian Stela of Lion Hunting was still there because it was made of basalt on a steel base, which was too heavy to move easily. We went through the museum and we saw a lot of damage everywhere. We discovered that the statue of Basitki from the Akkadian Gallery was gone; at the end of the

³⁶ Stone 2009, 100.

³⁷ Stone 2009, 100-101.

Babylonian Gallery a number of terracotta lion statues had been smashed, and in the Grand Assyrian Gallery I noticed that the statue of the Assyrian king Shalmanessar III was gone, another great loss. In the Hatra Galleries we found more tragedy: three important marble statues had been smashed and their heads removed; and the bronze head of Nike, the deity of victory, had also been taken.³⁸

According to Mohsen, an employee who lived on the museum grounds and had been at the museum the whole time, by midday on Thursday April 10, there had been 300-400 people gathered at the front of the museum compound and outside on the street. They were all armed with a variety of hammers, crow-bars, sticks, Kalashnikovs, daggers, and bayonets. He realized that they intended to enter the museum, so he went to an American tank very close to the right side of the museum. Through an interpreter, he begged the Americans to come and move their tanks in front of the museum to protect it. The Americans in the tank radioed to their command and said that they were sorry but that they did not have permission to move. The looters then started entering the compound and then the museum building and smashing the doors. They first came through one of the back doors, then opened a small door at the front. After that people were inside the Department building, coming and going from these open doors, taking anything they wanted.³⁹ This looting continued for three days: Thursday April 10, Friday the 11th and Saturday the 12th. Although the looting ceased on April 13, Dr. George recalls:

Sunday 13, Monday 14 and Tuesday 15 were very, very hard days for us, as we had to stand guard in front of the museum with sticks and clubs in our hands, trying to protect what was left inside. And we could see looters going around, roaming around the premises waiting to loot again. On one occasion, one of them waved a Kalashnikov at us, and we were afraid of another large wave of looters. Our most pressing concern was that we were afraid that the mob would set fire to the whole building, as had happened to many other government buildings.⁴⁰

On Sunday April 13, the media began to arrive and over the next few days, press from all over the world as well. Dr. George considered the international response appropriate because, "what we had in the museum, and in the archaeological sites across Iraq, was not only the Iraqi heritage, but

³⁸ Stone 2009, 101.

³⁹ Stone 2009, 101-102.

⁴⁰ Stone 2009, 102.

rather the heritage of humankind that we held here in trust. It was this global heritage that was looted and disturbed and smashed, and this is a great loss to all humankind."⁴¹ Despite the assistance brought by the attention of the media, there were unfortunate misunderstandings, such as the statement that 170,000 objects had been stolen, when in fact the museum was estimated to contain 170,000 objects.⁴² Although the mistake resulted in a sensational reaction and negative criticism, the media had a direct link in the protection of the museum. Dr. George was able to talk to John Curtis, the curator of the Near Eastern Department of the British Museum, via satellite phone for an interview. George said he feared another wave of looting, and that his biggest fear was that the mob would set fire to the museum. He conveyed the desperation of the situation and asked Dr. Curtis to do something, to which he responded that he would do everything he could. Immediately after the conversation, Curtis contacted Neil MacGregor, the Director of the British Museum. He in turn telephoned Tessa Jowell, the British Minister of Culture. She immediately contacted Prime Minister Tony Blair and asked him to do something at once. The message was then relayed to the Pentagon and the American State Department, and immediate orders were given by the Pentagon to deploy forces to protect the museum.⁴³

One of the strongest and most effective advocates for the restoration of the museum is the "Pit Bull," also known as Marine Col. Matthew Bogdanos. He is a reservist and a classics scholar, who earned his civilian nickname as a homicide prosecutor in New York City. Bogdanos has been the assistant attorney general in Manhattan since 1988. Col. Bogdanos was leading a counterterrorist unit in southern Iraq when he learned of the looting. He quickly got permission from the U.S. Central Command to form an ad hoc "Monuments" team (WWII-era military teams charged with restoring the cultural destruction of fine art by the Nazis), composed of 14 members with investigative experience. Bogdanos and his team raced north to Baghdad, arriving on April 20. They established security at the

⁴¹ Stone 2009, 102.

⁴² Stone 2009, 102.

⁴³ Stone 2009, 102-103.

museum complex and began an inventory of missing treasures with the museum authorities. They sent descriptions of the missing items to border guards, customs agents, international police agencies and archaeologists around the world.⁴⁴ The colonel's perspective is extremely valuable due to his understanding of the military activities that took place outside the museum and the worth he places in Iraq's cultural heritage.

Col. Bogdanos describes in detail the military activity that took place on the steps of the museum in his article, "The Casualties of War: The Truth About the Iraq Museum". The original plan of the staff of the Iraq Museum had been to stay in the museum throughout the battle, but they were forced to leave on the morning of April 8 when they realized the museum was going to become a battlefield. According to Col. Bagdanos, the compound itself occupied a militarily significant position: it lay across the street from the compound of the elite Special Republican Guard (a force charged with the protection of former President Saddam Hussein) and controlled the approach to the strategic al-Ahrar Bridge across the Tigris, approximately 900 meters away. Due to the advantageous position, Hussein's forces had prepared sandbagged fighting positions and other military fortifications within the museum compound. These military activities were in direct violation of international law, specifically the Hague Convention, which states that nations cannot use cultural property as the location of strategic or military equipment.⁴⁵ On the following day, April 9, a tank company from the Third Infantry Division's Task Force 1-64, the only U.S. unit in that part of Baghdad, moved to an intersection about 500 meters west of the museum. The company had orders to keep that intersection open as a lifeline to support U.S. forces engaged in combat in the northern part of the city. The tank company immediately began taking fire from the compound and from three of its four buildings: the main building (galleries and storage rooms), the Children's Museum, and the library and a building to the rear of the compound that

⁴⁴ Robert M. Poole, "Looting Iraq" *Smithsonian* (February 2008), <http://www.smithsonianmag.com/specialsections/making-a-difference/monument-sidebar.html>.

⁴⁵ Rothfield 2008, 80.

had previously been used as a police station. The company commander, U.S. Army Captain Jason Conroy, estimated that there were approximately 100–150 enemy fighters carrying rocket propelled grenades (RPGs) or AK-47s and firing on U.S. forces from those four buildings. Some were dressed in Special Republican Guard uniforms and some in civilian clothes. Neighborhood residents confirmed this information in their accounts, stating that “the Americans had come under attack from inside the museum grounds and that fighting in the area was heavy.” The fighting was so heavy that for the next two days (April 9-10), U.S. soldiers never left the inside of their tanks.⁴⁶

According to several accounts from nearby residents, it was during this time – on April 9th - that the two Iraqi Army vehicles drove up to the back of the museum and spent several hours loading boxes from the museum onto the vehicles before they left. On the following day, Second Lieutenant Erik Balascik’s platoon received word of looting “in the area of the museum and the hospital.” They passed this information up to the Task Force 1-64 commander, Lieutenant Colonel Eric Schwartz, who ordered them to move closer to investigate. As soon as they did so, they began receiving intense fire from the compound. As Bogdanos states in his essay, “The Thieves of Baghdad”: “This forced one of the tanks to fire a single round in return from its 120 mm main gun, which took out the RPG position, put a hole in the Children’s Museum, captured the world’s attention, and inflamed critics.” He points out that because the Iraqi army had fortified this cultural site and people were firing at them from inside it, Balascik would have been completely justified by international law in eliminating the threat (i.e., firing back upon the forces in the museum compound). He continues, “Even if [U.S. forces] had simply stood their ground and fought back...there would have been nothing left to the museum either to save or to loot.” Instead of conducting an assault to save the museum, Schwartz made the “militarily wrong but culturally brilliant” decision to pull back those tanks from the museum: “This was the only way to avoid the choice between endangering his men and destroying the institution. It took real courage to pull

⁴⁶ Bogdanos 2005, 501-502.

back.” Because of that fire and because the Children’s Museum blocked their view into the main compound, they never advanced close enough to determine what was actually going on within the compound.⁴⁷ Col. Bogdanos and his team later found direct evidence of Hussein’s men using the museum as a fighting base during their inspection of the area after the combat had ended. He summarizes his findings as: “The entire museum compound had been turned into a well-constructed military stronghold in clear violation of international law.”⁴⁸

According to the description of the fighting outside the museum on April 8 – 11, American troops were being fired upon from the museum complex. Would the presence of additional troops have effectively protected the museum? Col. Bogdanos believes that the presence of more U.S. forces in Baghdad certainly would have enabled securing the museum sooner. But even with increased troop strength, U.S forces could not possibly have accomplished this without a battle, as Iraqi forces had set up fighting space within the museum compound. He elaborates, “Not only would lives have been lost, but forces attempting to dislodge the Iraqis would have risked creating far more damage to the museum than ultimately occurred during the looting.” Lieutenant Colonel Eric Schwartz told Col. Bogdanos in April 2003 that he was determined not to damage the museum if he could avoid doing so. Further, even if additional troops were placed at the museum, what could they have done against gangs of looters? Col. Bogdanos bluntly points out that: “Surely, shooting into a crowd of unarmed men and women in a country that had just been liberated from a regime that would have done precisely that was not an option.” Shooting unarmed men and women in civilian clothes who were not presenting a risk to human life—even when engaged in a crime such as looting— 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. Would a better solution have been to put a tank in front of museum? Col. Bogdanos states quite frankly that this action would have been a death trap for those inside. The effectiveness of a tank is linked to

⁴⁷ Rothfield 2008, 35-36.

⁴⁸ Bogdanos 2005, 502-503.

mobility and ability to return fire, which it wouldn't have in front of museum. There would have been no survivors after a direct hit from an anti-tank weapon.⁴⁹

Therefore, the lack of military protection at the museum can be explained during the period of intense combat (April 8-11), however, the question still remains over the period of time after combat, when the military from inside the museum had left (April 11-16). Bogdanos asserts that "The very asking of this question... presupposes an omniscience that is not always possible in the fog of war, [especially] given the chaotic and confusing nature of war in general and urban warfare in particular." Quite simply, how would U.S. forces know that the fighters had left the compound? No one has stated that American forces were ever informed that the fighters were gone.⁵⁰ It was only later concluded by Col. Bogdanos and his team that because there were no Iraqi forces fighting from the museum when the first of the staff returned on April 12, the last fighter had to have left before mid-afternoon on that day. It is also clear that by April 12 the looters had the run of the museum. There was no looting from April 13–16. Dr. George requested assistance on April 13, but until assistance arrived, staff guarded the museum themselves. American forces did not arrive until April 16. The explanation for the delay, as Col. Bogdanos explains, "Is neither sinister nor complicated"; more resistance than expected was encountered, causing all available U.S. forces to be engaged elsewhere.⁵¹ These 96 hours were the only time the museum was not guarded by either museum staff or U.S. forces. At approximately 10:00 a.m. on April 16, four days after the staff had returned and the looting had ended, U.S. forces— specifically a tank platoon led by U.S. Army 2nd Lieutenant Erik Balascik and Sergeant First Class David Richards from C Company, Task Force 1–64 —entered the compound for the first time.⁵²

⁴⁹ Bogdanos 2005, 503-504.

⁵⁰ Bogdanos 2005, 506.

⁵¹ Bogdanos 2005, 505.

⁵² Bogdanos 2005, 503.

Who Were the Looters of the Iraq Museum?

Col. Bogdanos and his team began their investigation of the damage to the museum on April 21, 2003. Scholars initially compared the losses and destruction at the museum to the fall of the Library of Alexandria.⁵³ The museum had approximately 500,000 registered objects designated by one of five different numbering systems.⁵⁴ Author Francis Deblauwe estimated that of the museum's 170,000 artifacts, about 14 percent had been stolen and 20 percent had been damaged.⁵⁵

Very likely preventing further damage and theft of the collections, museum staff began moving objects of the galleries in March 2003, weeks before the invasion. The staff had moved 179 boxes of 8,366 artifacts to a "secret location"⁵⁶ and many objects were also moved into basement storerooms and vaults.⁵⁷ These actions of the staff of the Iraq Museum and the SBAH in trying to secure the items on public display, were for the most part successful. The major losses from the looting were from the storeroom.⁵⁸ However, because the Ministry of Culture did not give them permission to remove the artifacts from display until about three weeks before the war began, the very limited number of staff involved in the transfer- just five people- were unable to remove all of the objects that were firmly affixed to the walls or that were extremely heavy. As a result, the looters were able to take some of them, including the Warka Vase and the Bassetki Statue. With more time, staff would have been able to remove those as well, leaving only massive Assyrian bulls and slab reliefs, Islamic building facades and giant doors. In retrospect, it might seem like a bad decision to remove the items from the Mosul Museum and Hatra to the museum just before the war. This decision was based on the fact that the Mosul Museum was looted during the first Gulf War, with some of the losses important artifacts. Therefore, on balance it would have appeared that it was better to consolidate the collections into one

⁵³ Lawler 2003, 42.

⁵⁴ Bogdanos 2005, 490.

⁵⁵ Deblauwe 2003.

⁵⁶ Bogdanos 2005, 490.

⁵⁷ Lawler, 42.

⁵⁸ Rothfield 2008, 31.

complex, which was presumed by its staff to be on a no-strike list. The staff had the experience of the 1991 Persian Gulf War, when the museum was not targeted, and they assumed that the complex would be secured. They were wise, however, not to trust in that assumption, but to take precautions and hide what they could of the major artifacts that were located in the public galleries.⁵⁹

According to Col. Bogdanos' analysis after the looting, which has been confirmed by several other scholars, there appears to have been three distinct groups of looters: "professionals who stole several dozen of the most prized treasures, random looters who stole more than 3,000 excavation-site pieces, and insiders who stole almost 11,000 cylinder seals and pieces of jewelry."⁶⁰ These groups of thieves are more clearly defined by what Col. Bogdanos calls the "three different kinds of loot" that were stolen: marquee items from the galleries, random artifacts from the storage area and smaller, high-value pieces from the storage basement.⁶¹

From the twenty-eight galleries, landings on two floors, and the nearby restoration room, thieves stole forty of the museum's most treasured pieces. All evidence suggests that these items were carefully chosen, implying that the thefts were professional: unmarked copies and lesser pieces were passed by for the "highest ticket items". It is unknown whether or not these thieves were assisted by museum staff. Further, the underworld connections necessary to move and sell these items required a level of professionalism beyond that of a low-level staff member or neighborhood looter. In fact, Bogdanos and his team had been told that professionals had come in just before the war, possibly through Jordan, waiting for the fog of war and the "opportunity of a lifetime".⁶² Upon his return to the museum, Dr. George stated that it was very clear to him and the museum staff that many of the looters had come from the area immediately surrounding the museum.⁶³ The Warka Vase, a prize of the

⁵⁹ Rothfield 2008, 32.

⁶⁰ Rothfield 2008, 42-43.

⁶¹ Rothfield 2008, 40.

⁶² Rothfield 2008, 40-41.

⁶³ Stone 2009, 103.

museum and one of the first objects to go missing, suggests it was not looted by a frenzied mob but “calculating thieves”. In addition, many of the high-profile pieces that were stolen were on display, suggesting that potential buyers may have “placed orders” for artifacts.⁶⁴

Conversely, Bogdanos believes that the presence of glass cutters and skid mark paths along the floors (which marked where heavy items had been dragged out) prove the presence of unexperienced thieves in the museum as well. He argues that the “rusty relic” of a glass cutter would have been useless in its poor condition, and there was no evidence that glass cutters were used anywhere in the museum. Further, why would a professional bring such a tool to a museum with no security system or no guards on duty? In the galleries, corridors, and nearby restoration room, twenty-five pieces or exhibits were damaged by unprofessional theft efforts, including eight clay pots, four statues, three sarcophagi, three ivory reliefs, two rosettes, and what remained of the Golden Harp of Ur. Bogdanos uses the skid marks and damaged statues to reconstruct a scene of “bumbling amateurs” knocking over statues and trying to drag them away on their foam rubber padding, having “no idea what they were getting into.” Unfortunately, some of these random bumlbers did get lucky.⁶⁵

The second major theft was from the museum’s aboveground storage rooms. Out of the three storage rooms, two were looted, but none of their exterior steel doors showed any signs of forced entry. Either the storage rooms were left open by the staff or an unauthorized person had the keys. However, Dr. Donny George specifically stated that the staff had locked the doors before they left. As of the end of December 2003, the museum staff had determined that approximately 3,138 excavated objects (e.g., jars, vessels, pottery sherds) were stolen from these rooms. The pattern of looting in these storage rooms was indiscriminate and random: entire shelves and sections were untouched, while others appear to have had their contents swept into bags. Dust patters reveal arm sweeps on these shelves. Items were also found to have been dropped a few feet away because the thief saw items he liked

⁶⁴ Deblauwe 2003.

⁶⁵ Rothfield 2008, 41.

better. In addition, fakes were taken while more valuable items taken as well, which led investigators to conclude that this phase of looting was an unorganized effort. Col. Bogdanos noted that almost all of the items returned under their amnesty program (stolen objects could be returned to the museum with “no questions asked”) were from storage area, which suggest unprofessional opportunists. Sniper evidence was also found in storage area when Col. Bogdanos’ team arrived at the museum. Could the sniper have left the door open in his haste to leave? This thought leaves the question of how he came into the locked storage area in the first place, which remains unanswered.

Evidence strongly suggests that the third theft of a basement-level storage room was an inside job. Thieves attempted to steal the most easily transportable items, stored in the most remote corner of the most remote room in the basement of the museum. The locked front door of the L-shaped suite of four storage rooms was intact, and its rear door could be accessed only through a remote, narrow, and hidden stairwell. As further protection, the staff had bricked up the back entrance, completely sealing those four rooms. Unfortunately, the door was found open with no sign of forced entry, and the brick wall had been broken into. Three rooms in this area were untouched, however, the fourth room was shocking: 103 fishing-tackle-sized plastic boxes, originally containing thousands of cylinder seals, beads, amulets, and pieces of jewelry, were randomly thrown in all directions and what remained of their contents scattered everywhere. Amid the devastation, hundreds of surrounding larger, but empty, boxes were untouched. It was immediately clear to the investigators that these thieves knew what they were looking for and where to look. Col. Bogdanos stated that, “It is simply inconceivable that this area had been found, breached, and entered, or that the nondescript keys had been located by anyone who did not have an intimate insider’s knowledge of the museum and that particular corner of the basement.”⁶⁶ All together, 5,114 cylinder seals and 5,542 pins, glass bottles, beads, amulets, and other pieces of jewelry were stolen from the basement. In April 2003, the museum’s collection of cylinder

⁶⁶ Bogdanos 2005, 514.

seals had grown to well over 15,000. Therefore, approximately one-third of the museum's cylinder seals were stolen in a single moment. Miraculously, the thieves had dropped the keys to the cabinets of extremely valuable coins and seals. There was no electricity during the looting period, so these keys couldn't be found again, saving the rest of the basement collection.

How could the museum have been left open for this theft and destruction? Col. Bogdanos has stated that, ultimately, the same "catastrophic success" on the battlefield which outstripped the ability of the Iraqi forces to react, also outstripped the ability of coalition planners to anticipate security needs once Baghdad fell, sooner than originally expected. In the case of the museum, this was tied with a lack of a sense of urgency on the part of military planners and which, in turn, was grounded in a failure to recognize the extent to which Iraqis identified the museum with the former regime. As relayed in the account by Dr. George, every one of the 120 administrative offices had been ransacked and every piece of furniture destroyed. However, the public galleries weren't as badly damaged, to which Bogdanos attributes the anger towards the Ba'ath party:

Although mob mentality is difficult to understand and impossible to predict, it seemed as if the looters gave full expression to their anger against a brutal regime in the administration offices and, sadly, the adjacent restoration rooms. But once they crossed the long hallway to the public galleries, it seemed as if their anger abated and they showed astonishing restraint and respect...There was a much more complex dynamic at play here than the facile explanation that the cases were empty. It was as if the majesty of the galleries had worked a cathartic spell on many of the looters.⁶⁷

Thus, despite prior warnings, planners simply did not believe that the museum, unlike the presidential palaces and governmental buildings that were more overt manifestations of the regime, would be looted. He continues: "...planners naively thought that the recognition of the Iraqi people in their extraordinary heritage would deter them from looting the museum." Even if coalition forces had properly planned for the museum, given the lack of sufficient forces for country, there would have been

⁶⁷ Bogdanos 2005, 488.

no spare units to assign anyway.⁶⁸ Col. Bogdanos, who understands both necessary military actions and the value of Iraq's cultural heritage, states:

The blame for the looting must lie squarely on the looters. But the blame for creating chaos at the museum from the eighth through the eleventh that allowed the looting to occur must lie with the Iraqi Army. It was they who chose to fire on the American tanks, and they who kept American forces from investigating the reports they had received of looting in the area of the museum. After the 11th, however, the blame clearly shifts to the U.S.⁶⁹

The initial reports that 170,000 objects were stolen from the museum caused an immediate reaction of sensationalism and anger. The president of the International Council on Monuments and Sites even claimed that the United States was guilty of committing "a crime against humanity" for failing to protect the museum.⁷⁰ An emergency UNESCO meeting was called in addition to forming an Interpol task force.⁷⁰ A number of initiatives were started by U.S. governmental agencies that were to be carried out both in the United States and abroad. Matthew Bogdanos believes it is unfortunate that all of these efforts have focused on mitigation of damages that arose from lack of planning prior to the war rather than developing plans for ways to avoid similar disasters in the future.⁷¹

Aside from reporting that a horrendous crime had been perpetrated in a state of anarchy, publicly lamenting the unconscionable losses, and racing to find new hyperbolic comparisons to describe the tragedy, few organizations or governments took direct and immediate action to recover any stolen antiquities, and even fewer either attempted to look deeper into that dark episode or tried to tell the larger, even more complex and disturbing story of how this catastrophe fit into a larger scheme of global criminality.⁷²

Therefore, the more appropriate question seems not to be "who is at fault" but rather "why did this happen" and "how can we prevent this in the future"? The Iraq National Museum is not the first museum to experience war and will certainly not be the last, so it is essential to examine what can be learned from past times of war to ensure such a tragedy does not occur again.

⁶⁸ Rothfield 2008, 39-40.

⁶⁹ Rothfield 2008, 39.

⁷⁰ Rothfield 2008, 480-481.

⁷¹ Rothfield 2008, 240.

⁷² Bogdanos 2005, 481.

Chapter 3 Protecting Cultural Heritage During War: A Review

“Inevitably, in the path of our advance will be found historical monuments and cultural centers which symbolize to the world all that we are fighting to preserve. It is the responsibility of every commander to protect and respect these symbols whenever possible.”

-General Dwight Eisenhower (1944)¹

“Whence comes this extraordinary desire to destroy – for greed or from venom – which has embraced mankind for so many centuries? Is it because, in our dark hearts, we are searching for some primeval god, some deity for whom we must sacrifice all that we hold most dear?...Why are we humanoids so prone to destroy our own history and erase the memory of language?...We are destroying art because we do not want others to possess it. Or we steal history because we wish to possess it so that others cannot take it from us. Or we liquidate history because we despise those who created it.”

-Robert Fisk (2009)²

The shortfalls and mistakes in safeguarding cultural property during the 2003 war in Iraq have been brought to light through intense scrutiny and criticism. The security gaps of pre-war planning by the United States and in part, the United Kingdom, have been discussed, with regard to the lack of thought that was given to looting. The military activity outside the museum has also been discussed, citing that United States military command chose not to engage the Iraqi forces inside the museum compound for risk of damaging the museum further. Although thousands of items from the collection were stolen and significant damage was inflicted, the action of the museum staff to safeguard the collections was for the most part, successful. This chapter addresses the measures that exist to protect museums and their collections during combat, and why these measures were not effective in Iraq. On an international level, laws and conventions have been established to protect cultural property such as the Hague Convention. American and British museums have taken great measures to protect their collections against destruction in past wars, specifically World War I and World War II. Collections were dismantled with great care, elaborate evacuation plans were devised and collections were moved to safer locations. The United States and United Kingdom showed great concern for protecting their

¹ Eisenhower as quoted by Rothfield 2008, 160.

² Stone 2009, XIII.

collections against bombing in previous wars, but there is no record of any concerns of looting in Europe or the United States.

The first and most broadly reaching measure to protect cultural property is international law, the most relevant aspect of which is the 1954 Hague Convention and its First and Second Protocols. The 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict was based on earlier international conventions regulating the conduct of warfare, including the 1899 and 1907 Hague Conventions and on a draft started before the outbreak of World War II. The 1954 Convention was completed in the wake of the large-scale intentional looting and destruction of cultural property perpetrated by Nazi Germany during WWII, and it was the first international convention to address exclusively the subject of cultural property. Neither the United States nor the United Kingdom had ratified the main conventions and its protocols at the time of the 2003 invasion of Iraq. (The U.S. has since ratified the Convention on March 13, 2009.) Virtually all other states involved in the war in Iraq were party to at least the main convention, including Iraq, which became a party to the main convention and the First Protocol on December 21, 1967.³

The premise of first few articles of The Hague Convention is that parties are to show respect for cultural property: property situated in their own territory is not to be exposed to danger and parties must avoid causing harm to cultural property situated within the territory of another State Party to the convention. The most relevant articles to the occupation of Iraq are:

- Article 4(1) – “Nations should not use cultural property as the location of strategic or military equipment nor should such equipment be housed in proximity to cultural property, and a belligerent nation should not target the cultural property of another nation”,
- Article 4(2) (which is very controversial) – The obligations of the first paragraph “may be waived only in cases where military necessity imperatively requires such a waiver,” and
- Article 4(3) – State parties have an obligation “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.”⁴

³ Rothfield 2008, 79.

⁴ Rothfield 2008, 80-81.

Following the Balkan Wars of the 1990s, the convention was updated with the Second Protocol of 1999. Article 6 of the Second Protocol clarifies and narrows the circumstances in which the military necessity waiver.⁵

In many criticisms of the events at the Iraq Museum, references have been made to violations of The Hague Convention, but as some authors have pointed out, they are not applicable. Iraq is a State Party to the Convention and First Protocol, but the U.S. and U.K. were not in 2003. The Convention is non-binding upon non-State Parties belligerents.⁶ However, before the U.S. ratified The Hague, official United States policy supported international norms for the protection of cultural property during war.⁷ In fact, the practices required from The Hague are based on practices of the U.S. military during WWII.⁸ Furthermore, Col. Bogdanos has made the point that the actions of the Iraqi army went completely against The Hague. The entire museum compound had been “turned into a well-constructed military stronghold in clear violation of international law.” The Hague specifies that such sites lose their protections when used this way.⁹

Patty Gerstenblith, a professor of law at DePaul University, and Katharyn Hanson of the University of Chicago believe that by ratifying The Hague, and especially the Second Protocol, provisions for the United States will be clarified, such as the military exception waiver and criminal conduct. The Second Protocol also imposes clearer obligations to preserve cultural property that would be relevant to minimize the types of damage that were done to the cultural heritage of Iraq by the looting of the Iraq Museum and of the archaeological sites. Ratification will clarify to the U.S. military its obligations to train and educate troops about cultural heritage protection, require the U.S. military to maintain personnel who are equipped and trained to help in preservation efforts and will require the U.S. military

⁵ Rothfield 2008, 80-82.

⁶ Rothfield 2008, 91.

⁷ Rothfield 2008, 121.

⁸ Rothfield 2008, 83.

⁹ Bgodanos 2005, 503.

to incorporate cultural heritage preservation priorities into the earliest stages of all its planning.¹⁰

Zainab Bahrni explains in her article for *Art Journal* that The Hague is not only important to define and clarify State parties' actions during war, but also extremely ideologically important for the peoples that it is designed to represent:

A destruction of cultural heritage in Iraq is thus not simply a misfortune for global cultural heritage, but also a tragic loss for the people of Iraq. The reason that international laws on cultural heritage (such as the Hague Convention) exist is precisely because people's sense of communal identity is defined in relation to a shared culture and history.¹¹

There is perhaps no way to know if the United States had been party to The Hague Convention in 2003 would have any had greater impact on pre-war planning or the events of the invasion, but the U.S. would have certainly been held liable for breaking it.

Lawrence Rothfield states that the U.S. military had other obligations under international law that it did not observe in the 2003 invasion. Under the 1949 Fourth Geneva Convention, it would have been responsible for restoring public order and ensuring effective law enforcement as part of its obligations as an occupying power. That issue would be sidestepped by not declaring an occupation to be in effect, even after President George W. Bush declared on May 1, 2003, that active combat operations were over.¹²

There is an organization that is devoted to the preservation of cultural property: the Blue Shield is an international consortium of national committees, which describes itself as the cultural equivalent of the Red Cross. The Blue Shield symbol was created by The Hague Convention to help identify cultural property.¹³ In 1996, the four main cultural property international non-governmental organizations – the International Federation of Library Associations and Institutions (IFLA), the International Council on Archives (ICA), the International Committee of Museums (ICOM) and the International Committee on

¹⁰ Rothfield 2008, 110.

¹¹ Bahrni 2003, 13.

¹² Rothfield 2008, 10.

¹³ Stone 2009, 65.

Monuments and Sites (ICOMOS) – met in order to discuss how to best respond to the need to protect cultural property in the event of disasters and armed conflicts. This meeting resulted in the creation of the International Committee of the Blue Shield (ICBS). In September 2005, the Coordinating Council of Audiovisual Archives Association (CAAAA) joined the ICBS. The ICBS has set up a series of National Committees that compromise, at a minimum, representatives from these organizations with representatives from government, emergency services, the military and others.¹⁴ Unfortunately, in 2002 and 2003 the Blue Shield had no U.S. committee, and, according to Lawrence Rothfield, “its comatose international body would not have been welcomed by U.S. war planners, who have long resisted working with groups affiliated with international organizations.” He cites the attempts by UNESCO to go into Iraq in 1991 after the Persian Gulf War, but the United States vetoed the requests.¹⁵

Despite the noble intentions behind the stipulations of The Hague Convention, the Geneva Convention and the Blue Shield, these international measures provided no assistance to the collections of the Iraq Museum. In addition to international protocols and agencies, which had little effect on the events that unfolded in Iraq, there are many preparations that museums can take to protect their collections. American and British Museum personnel who have experienced war have taken many steps to protect their collections against physical conflict, most notably bombing. In order to safeguard their objects, these museums have often moved their collections to more secure locations. The Ministry of Culture in Iraq adhered to this plan in 2003, although the collections of the regional museums were moved into the Baghdad Museum rather than distributing them to more secure areas. The logic followed the assumption that the regional museums were heavily looted during the First Gulf War, and the museum was presumed to be on a “no strike” list prior to the 2003 invasion. As was previously discussed, safeguarding from bombing was the primary and apparently only, focus of pre-war planning in Iraq.

¹⁴ Stone 2009, 67.

¹⁵ Rothfield 2008, 8.

History of Museum Wartime Preparations and Experience: Great Britain, 1915-1945

As early as World War I, signage was proposed to indicate culturally important sites to the enemy, which is similar to the Blue Shield precautions taken today. The “large stiff rectangular panel divided diagonally into two pointed triangular portions, the upper black and lower portion white,” had been approved at the Hague Conference of 1907. By 1915, contributions to *The Museum Journal* recommended the use of these signs, to be placed prominently on the exterior of the building. Clearly, the unpredictable nature of aerial bombardments at the time or the ability to see these signs during night air raids had not been considered.¹⁶ Criticism of the “protective sign” was voiced in the pages of the *Museum Journal*. In November 1915, a “Provincial Curator” who “had seen more results of air raids than most curators” wrote:

...having regard to the great reverence the Germans have already shown for “specified buildings” including museums, surely the one thing we should *not* do in this country would be specifically to mark the museums with a so-called “protective sign” as such a “protective sign” would certainly be looked upon as a target for the air raiders (*Museum Journal* 15:184).

The curator cited the German destruction of Malines, Antwerp and Lierre as evidence of the lack of respect given by the enemy to monuments and art treasures. The debate continued through the *Journal* between the curator and the editor, the latter citing that if no signs are placed, the curator could be accused of being negligent.¹⁷ Such debates have continued until modern times, specifically during the Balkan Wars of the 1990s: going against the wishes of the Croatian Minister of Culture, a list of culturally significant sites was sent to UNESCO with the intention of requesting protection. Unfortunately, every one of the sites on the list was targeted by opposition forces.¹⁸

Writings for *The Museum Journal* were noteworthy, although perhaps not fully developed, in protecting museums against air raids. Blackout regulations in London during World War I required that museums with roof-lit galleries, such as the Science Museum, had to close them at dusk, ending the

¹⁶ Gaynor Kavanagh, *Museums and the First World War* (London: Leicester University Press, 1994), 25-26.

¹⁷ Kavanagh 1994, 26.

¹⁸ Stone 2009, 6-7.

evening hours of museums.¹⁹ As air raids increased in 1915, The British Museum of Natural History placed buckets of sand in “convenient places” to extinguish “any conflagration which might be caused by an enemy bomb”. A layer of gravel and wet sand was spread over the roof of the building that was used for storing the spirit collection. The windows of rooms containing specimens of special value were sand-bagged. Members of the staff were issued with instructions defining actions to be taken in the event of an air raid, including the treatment of the general public.²⁰ As more serious attacks ensued, the view of the destructive power of bombs changed. Museum personnel had assumed that lower galleries and basements would be safe, because it was anticipated that bombs would explode before they penetrated solid floors. By August 1916, the President of the Museums Association cautioned that “the high explosive and incendiary shells dropped from Zeppelins are much too efficient to be evaded” and were just as likely to explode on the floor as on the roof.²¹ Despite the warnings, The Birmingham Museum and Art Gallery kept a significant proportion of its paintings on exhibition. However, paintings with primary rescue status were indicated by a red disk.²² Collections of the British Museum that could not be moved in 1917 were secured in their locations. Statues were removed from pedestals, laid on the floor and covered by sandbags while glass and porcelain were packed with protective materials in cases.²³

As the war progressed, it was decided that the best protection for the collections would be to move them to more secure locations. In 1916, collections from the British Museum of Natural History were moved to other museums in preparation for aerial attacks; specimens of mammals went to the Royal Albert Memorial Museum, and valuable meteoric stones and plant specimens were moved to the

¹⁹ Kavanaugh 1994, 25.

²⁰ Kavanaugh 1994, 27.

²¹ Kavanaugh 1994, 27-28.

²² Kavanaugh 1994, 28.

²³ Kavanaugh 1994, 31.

museum at Tring.²⁴ In December 1917, with advance warning of heavy and destructive air raids, provisions were made to remove the greater proportions of the collection of the British Museum to new buildings at the Library of Wales. A special train of six coaches was provided by the London and Northern Western Railway. The best of the removable antiquities and coins of the British Museum were “lodged in a most remarkable refuge”, a new section of the underground railway, a line coinciding with Holborn and Oxford Street. Forty to seventy feet below the surface, it was certainly safe from air attack, but there was a great risk from the damp and problems of packing and transportation. The space was prepared to receive the collection by installation of floors, a lift, ventilation apparatus, electric radiators, hygrometers and thermometers.²⁵ The Rosetta Stone, the head of Amenemhat III and slabs of the Parthenon frieze were protected in this space by permanent patrol, consisting of two museum clerks. One of the keepers of antiquities visited it once every 24 hours. A telephone was arranged to run from the underground to the museum and an alarm bell was routed to the Post Office. The guards were not armed, although an appeal was made in order to deal with the rats. The collection of National Gallery was also housed underground, in a section of the Aldwych tube, and those guards were armed with revolvers.²⁶

Taking a lesson in early planning from WWI, British museum directors began preparations to safeguard their collections against the second oncoming world war in 1938. They planned the removal of objects to repositories in the northwest of the country, principally in Wales. Unlike the French museum staff, who depended on cars and trucks, the British relied almost entirely on their rail system. Therefore, they had a limited choice of sites. The large houses that were chosen had to be near a town and station but remote from air target attacks, strong and dry and needed a door or window large enough to allow passage of the largest painting. As in the First World War, parts of the Underground in

²⁴ Kavanaugh 1994, 29.

²⁵ Kavanaugh 1994, 31.

²⁶ Kavanaugh 1994, 32.

London were set aside for storage. At the National Gallery, the frames of the larger pictures were specially cut so that the paintings themselves could be pulled out quickly and rushed to their packaging cases in the basement in case of attack. After many drills, a big gallery could be emptied in seven minutes. For things which could not simply be moved, “ingenious and bizarre” protective structures were built right into the museums.²⁷

The pace of preparation intensified in London during the summer of 1939 with the inexorable progress towards war. Museums were reluctant to close because it would be a terrible blow to public morale, but the breaking point was reached on August 22nd, when the German-Soviet non-aggression pact was signed. The National Gallery closed on the 23rd and the Tate had cleared its galleries by one o'clock on the 24th. Trains crept along at 10 miles an hour to keep vibrations to a minimum. Dutch museums also followed suit with these actions. The museums of Paris were authorized to close on Friday, August 25th. Many European museums were moving their collections to various locations, “like an enormous kaleidoscope, the treasures of Europe would soon be flung outward into a strange new pattern.”²⁸ The most important British objects reached their destinations before the formal declaration of war on September 3.²⁹

However, soon the British works evacuated to Wales lay directly in the path of German raiders flying from new air bases in conquered France. Two hundred pieces of “supreme importance” were sent to several other locations, including Caernarvon Castle. Humidity was controlled at the castle by dipping old blankets and felt in a nearby stream and hanging them around the paintings. The Germans kept advancing, so a quarry was chosen to house the collections. Five thousand tons of slate rock had to be blasted from the floors to level them and six whole buildings in which humidity and light could be controlled had to be constructed over an area of half a square mile inside the cavern. Cases weighing

²⁷ Lynn H Nichols, *Rape of Europa: The Fate of Europe's Treasures in the Third Reich and the Second World War* (New York: Vintage Books, 1995), 51.

²⁸ Nichols 1995, 53.

²⁹ Nichols 1995, 54.

thousands of pounds had to be inched down, without cranes, into little motorized trolleys which moved them into the buildings.³⁰

The bombs that were so feared by British museum staff did come. The National Gallery was hit nine times. An oil bomb went straight through the dome of the main reading room of the British Museum; others destroyed the roof of the new Parthenon Gallery. The Tate was hit over and over again, until all of the galleries were unusable. Director Rothenstein, looking down from what was left of the roof, saw:

...a scene of desolation and fantasy: acres of glass roofing had disappeared, and daggers of glass, some as high as a man and other minute, were lodged upright in the surrounding lawn – a dense harvest of glass dragon’s teeth, glittering in the sun. Entire paving stones from the street lay on top of the walls and roof beams; others, which had fallen through glass roofing and wooden floors, lay in the basement far below.³¹

Thus, the efforts to protect the museum collections were very successful and necessary, especially during World War II. There is no record of museum pieces being damaged, besides some collections suffering from minor damage from WWI storage conditions.³²

The United States, 1941-1945

Intricate preparations for the nation’s treasures were also being made in the United States before World War II. In March 1941, the National Resources Planning Board, set up by President Roosevelt to begin organizing for a possible war, had established a Committee on the Conservation of Cultural Resources, whose mission was to “collecting information, preparing plans, and promoting measures for the protection of cultural resources of the United States”. After studying the British and other European experiences, they decided that the best way to protect the nation’s collections would be to remove them to remote, bomb-proof refuges. The National Gallery and the Metropolitan Museum of

³⁰ Nichols 1995, 96.

³¹ Nichols 1995, 96.

³² Kavanaugh 1994, 34.

Art made preparations to use remote, fire-proof mansions in city suburbs.³³ The Metropolitan's collections were moved to mansion in suburban Philadelphia. Curators at Boston's Museum of Fine Arts kept lookouts on the roof and moved the best objects into three buildings in Williamstown provided by Williams College. The Frick Collection and Philadelphia Museum of Art used vaults beneath their own buildings. The Phillips Collection in Washington sent a shipment to Kansas City, and from San Diego and San Francisco collections were removed to Colorado Springs.³⁴ Luckily the United States never experienced the same level of bombing as did Europe, but the British model of prevention proved very effective in safeguarding museum collections.

In addition to these measures, many U.S. institutions had hastily ordered protective actions which were not always the best for their works of art: the Museum of Modern Art took down their major paintings on the third floor every night and put them in a sand-bagged storeroom in the center of the floor, and re-hung them every morning before the public arrived. Millions of candles were ordered in preparation for power failures, fire crews were on duty around the clock, nursing stations were set up and first-aid supplies were distributed with gas masks.³⁵ The Frick had begun to paint its skylights black, although probably in vain, for, because as one member dryly observed, the island of Manhattan would be quite unmistakable from the air except in the foulest weather. The threat of bombing was not the only danger that museum officials were concerned with, but that of individuals doing purposeful destruction: "Fear of sabotage was even greater than fear of damage – the directors envisaged bombs hidden in packages and mobs bent on destruction." In Boston the Japanese Galleries were immediately closed to prevent misguided demonstration of patriotism. The MET was closing at dusk, fearing that people caught in a blacked-out museum would be tempted to make off with the exhibits.³⁶

³³ Nichols 1995, 204.

³⁴ Nichols 1995, 208.

³⁵ Nichols 1995, 205.

³⁶ Nichols 1995, 206.

Afghanistan, 1989 - 1998

Museums in the United States have been spared the massive destruction brought by bombs during its most recent wars, but the Kabul Museum has not been so fortunate. Caught in a conflict strikingly similar to that of the museum in Bagdad, The National Museum in Darulaman, Afghanistan (about 6 miles south of Kabul, has seen more than a fair share of warfare and direct combat. As unrest threatened Kabul in February 1989 following the departure of Soviet troops, the staff of the museum crated, packed, and stored the bulk of the collections in the museum's storerooms. Only objects too heavy to move were left in place. The museum fortunately survived the rule of the Democratic Republic of Afghanistan and the Soviet occupation relatively intact. Sixteen metal trunks containing artifacts were removed by the government to safe areas in Kabul before the mujahideen (the resistance forces) arrived in 1991. These cases are still untouched to this day but their contents remain a mystery; lists of what they contain were burned in the fire caused by a 1993 rocket attack. In October 1997, after an attack on the Chahrasayab military base which resulted in rockets falling on the museum's front garden, President Rabbani ordered that the collections be removed to Kabul immediately.

Professionals on the Commission for the Preservation of Afghanistan's Cultural Heritage were against the move, citing that packing and moving cannot be done in a hurry without causing much damage, and most felt that it would take from two to four months to pack adequately. They also felt that Kabul was no safer than Darulaman: on November 20, jets dropped two 1,000 pound bombs on the center of Kabul near sites under consideration for storage of the museum collections. The search for a secure location subsequently continued for several months.³⁷ The work of securing the collections from the rocket-riddled building in Darulaman moved at a turgid pace until May, when President Rabbani finally chose the Kabul Hotel in the city's center as the depot for safe storage for the collection. The hectic packing of what was then estimated to be about 30 percent of the pre-1992 collections

³⁷ Nancy Hatch Dupree, "Museum Under Siege," *Archaeology* (April 20, 1998), <http://www.archaeology.org/online/features/afghan/>.

proceeded, and the long-awaited shift took place between September 1 and 8, 1996. Nineteen days later President Rabbani's government fled and the Taliban Islamic Movement moved in.³⁸

Bombs have been a severe threat and a major source of destruction to the Afghan National Museum in Afghanistan. When Kabul was taken in April 1992, ending the 14-year rule of the Democratic Republic of Afghanistan (DRA), mujahideen ("the resistance") factions began warring among themselves for control. Attacks were often launched from the south, and the National Museum in Darulaman was often on the front line. On May 12, 1993, a rocket slammed into the roof of the museum, destroying a fourth- to fifth-century A.D. wall painting from Delbarjin-tepe, a site of an ancient Kushan city in northern Afghanistan, and burying much of the museum's ancient pottery and bronzes under tons of debris. On November 16, another rocket hit the northwest wing of the museum, exposing storerooms to winter rain and snow and further depredations of the combatants. On the night of October 10, 1997, the Taliban recaptured the military base at Chahrasayab, and rockets fell in the museum's narrow front garden. Miraculously the building did not take another direct hit. Outside the entrance, however, the head of a lion on a Kushan schist throne from the Buddhist site of Khum Zargar, 40 miles north of Kabul, was split in two.

In addition to the severe destruction left by bombs and rockets, The Kabul Museum has been a repeated victim of looting due to the continued conflict that has engulfed it. When Soviet troops withdrew from Afghanistan in 1988, all but the capital of Kabul had fallen to the mujahideen. When Kabul itself was taken in April 1992, ending the 14-year rule of the Democratic Republic of Afghanistan (DRA), mujahideen factions began warring amongst themselves for control of the city. The subsequent breakdown of law and order has been disastrous for the museum. Each time a new faction triumphed, it would loot the ruins.

³⁸ Nancy Hatch Dupree, "Museum Under Siege: The Plunder Continues," *Archaeology* (May 26, 1998), <http://www.archaeology.org/online/features/afghan/>.

About 70 percent of collections at the Kabul Museum 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 sculptures and schist reliefs dating between the first and third centuries A.D. and Hindu marble statuary from the seventh and ninth centuries 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 the renowned metalwork of the Ghaznavids, whose sumptuous capital flourished 90 miles southwest of Kabul during the tenth and eleventh centuries.³⁹

When the Taliban recaptured the military base at Chahrasayab in October 1997, Armando Cuomo, an archaeologist from the University of London, reported that government soldiers frightened away the government police guarding the museum. They proceeded to blast open the doors and ransacked the storerooms, despite the presence of a foreign witness. Because of the ongoing fighting, the museum staff has been unable to ascertain what was taken during that incident, although they could determine that about 70 percent of the finer objects were missing. It has also been determined that the looters were discriminating in what they took and apparently had both the time and the knowledge to select the most attractive and marketable pieces. For example, they removed only the central figures from the display mounts of the delicate Begram ivory carvings. It is also telling that although some 2,000 books and journals remain in the library, volumes with illustrations of the museum's best pieces are missing. This suggests that the museum was not plundered by rampaging gangs of illiterate mujahideen happened to be holding the area, but by knowledgeable and discerning thieves. Internal thefts took place as well: with each changeover of power between warring mujahideen

³⁹ Dupree 1998.

forces, the fleeing guards took what they could. Some of the guards may have been cooperating with dealers who capitalized on the fact that the guards had the opportunity to identify saleable pieces as the museum staff worked at sorting and organizing the objects.⁴⁰

The Greater Implications of Looting

The museum in Afghanistan is a prime example that cultural property not only faces the threat of physical conflict during warfare, but perhaps a more dangerous threat from within its country's borders. As Sue Cole, secretary to the United Kingdom and Ireland Blue Shield observes: "In war it is often said that the first casualty is truth; anecdotally the second is often cultural property either because of inaccurate targeting, guerrilla or resistance activity, looting, or to raise money for food." Looting as a means of destruction has existed since ancient times. Documented looting dates back to Alexander the Great in 333 BC, when he took items from his enemy, Persian ruler Darius III.⁴¹ Peter Fisk reminds us that "the destruction and pillaging of the history of the 'other' – the enemy, the alien, the 'barbarian' population next store to us – is nothing new."⁴²

Iraq, a country rich in archaeology and cultural heritage, has recognized the need to protect its country's property from such theft. Following the 1958 revolution overthrowing the monarchy established by King Faisal I in Iraq, looting of archaeological sites was a crime punishable by fine or imprisonment. This effectively brought an end to the looting of antiquities. However, after the 1991 Persian Gulf War, following the looting of the regional museums, the antiquities trade was revived and looting began again in the desert areas of Southern Iraq.⁴³ According to Lawrence Rothfield, "Iraq publically and prominently exposed a series of structural problem in the field of heritage protection. Once relatively rare, antiquities looting in the aftermath of war has become commonplace in the last

⁴⁰ Dupree 1998.

⁴¹ Poole 2008.

⁴² Stone 2009, XI.

⁴³ Rothfield 2008, 54.

twenty years.”⁴⁴ The 1991 Persian Gulf War took a major toll on Iraq’s Ministry of Culture and on the country’s cultural heritage. In the uprisings following the establishment of no-fly zones, eleven regional museums were looted. Over the course of the decade, haphazard looting of archaeological sites throughout the country evolved into regularized operations, fueled by the desperate living conditions of Iraqis under UN sanctions, combined with a surge in international demand from collectors. Especially desirable are the tiny, easily smuggled, and valuable cuneiform tablets and cylinder seals, of which many were taken from the Baghdad museum.

Reflecting on the greater context of the conflict in Iraq, Guido Carducci of UNESCO explains: “The war in Iraq was a reminder to what extent armed conflicts are far from being a remote legacy of the past. They are a reality, particularly in some areas of the world. They may break out nearly at any time with varied forms, manifestations, and degrees of aggressiveness.”⁴⁵ In fact, over the last few decades archaeologists have been increasingly concerned with the remains of recent wars and with the relationship between archaeology and conflict.⁴⁶ Increasingly, conflicts have targeted symbols of culture in order to destroy a people’s identity. In the wake of the destruction of cultural heritage during WWII, the international community responded with the 1954 Hague Convention. Since then, the nature of warfare has changed, with conflict becoming less of a matter of external belligerents and more one of internal conflict, such as the conflicts within Afghanistan and Iraq. During these internal conflicts, warring parties often specifically target cultural heritage. The Second Protocol of the Hague Convention was written to address this changing nature of conflict. Mounir Bouchenaski, director-general of the International Center for the Preservation and Restoration of Cultural Property (ICCROM), states that “the international community must continue to identify proper mechanisms to respond to the growing

⁴⁴ Rothfield 2008, xvi.

⁴⁵ Rothfield 2008, 89.

⁴⁶ Stone 2009, 9.

demand for the preservation of heritage badly damaged during such conflicts.”⁴⁷ UNESCO’s press release No. 18 of 2002 for the UN’s Year for Cultural Heritage, stated that “from Bamiyan to Jerusalem or Sarajevo in the past few years cultural heritage has often been a military target or the flashpoint of political, ethnic and religious conflicts.”⁴⁸ In addition, for at least two decades there has been a growing body of research and published information on the rise of ethnic, racial, and religious tensions and of the parallel rise of “internal” regionalism in many parts of the world. These trends have suggested a long term threat to the world’s stability through the breakdown of present patterns of comparatively large, often multinational and multiethnic, political, sovereign states, created between 1870 and 1920 (including most of the ex-colonial national frontiers in Africa and Asia).⁴⁹

If the very nature of warfare is changing, can international law adapt quickly enough and adequately address emerging dangers to cultural heritage? Can “international” law and conventions even apply to conflicts that are now for the most part, internal? Are museums left to their own devices to protect their collections in the face of conflict? As we have seen, American and British museums had more than adequate means and time to plan for the safeguarding of their treasures. This does not mean that the plans were easily carried out, but the collections did not suffer any serious damage or were subjected to looting. The Iraqis did not have the means to properly prepare for oncoming war and theft as a result of the sanctions from the first Gulf War. The few international advocates for the collection of the Baghdad Museum had their pleas fall on deaf ears. The focus for pre-war planning in Iraq was on protecting the museum structure and collections against bombs, which was also extensively planned for in both World Wars. Is it from this mindset that the thought of looting was disregarded? There are no documented cases of pieces being stolen from European museums after the World Wars, even with the chaotic movements of the collections. No bands of thieves broke into the makeshift

⁴⁷ Rothfield 2008, 207-208.

⁴⁸ Rothfield 2008, 208.

⁴⁹ Rothfield 2008, 208-209.

storerooms or attacked the parades of train cars and trucks. Lawrence Rothfield has even stated that post-combat looting was once rare, but has become more commonplace in the past twenty years. Iraq museums have been subject to looting twice within the past 20 years, after the first and second Gulf Wars. Why has looting on such a large scale occurred in Iraq and in countries with similar internal conflict, such as Afghanistan? The next chapter will examine the cultural and psychological factors that contributed to the looting actions at the Baghdad Museum and the differences from European museums.

Chapter 4 The Psychology of Looting

Shamash instructs Hammurabi [on a stone stele]: "To cause justice to prevail in the land, to destroy the wicked and the evil, that the strong may not oppress the weak."

-Code of Hammurabi¹

"The questions facing us at the start of the 21st century must be why, after millennia of human conflict, have we not got better at protecting cultural heritage and can we get better?"

-Peter G. Stone (2009)²

Looting is an act of warfare that has existed since the beginning of warfare itself, the victor seizing the treasures of the defeated enemy. However, theft and destruction of cultural property does not occur often in modern times, except on rare occasions. The establishment of international laws and conventions reflects the recognition that cultural property needs to be protected during conflict and the general international taboo of its destruction or theft. In addition to insufficient pre-war planning and the unfortunate military activities at the compound that went against The Hague Convention, the society and mindset of the Iraqi people must also be considered in the looting tragedy. Along with those factors, the tribal structure in Iraq, the extreme poverty of the people and the backlash of ruler ship under an oppressive dictatorship combined to create a tragic mix for the museum's collections.

Tribal Structure

The social structure in Iraq is radically different than in the United States or Europe. In describing this structure, archaeologist and journalist Joanne Farchakh-Bajjalay has gone so far to say that, "In this society, individualism is an unexciting notion." Especially true in the southern part of the country, generations of Iraqis have lived under a patriarchal, tribal society. The father is the leader of his group and his sons help him achieve the goals he sets for the entire family. The house, or bayt,

¹ William Polk. World Monuments Fund, "The Baghdad Museum: A Casualty of War?" *World Monuments Fund* (Spring 2003), http://www.wmf.org/sites/default/files/wmf_article/pg_26-29_iraq.pdf.

² Stone 2009, 7.

represents the first basic cells of the tribe, or the qabila. The sons will marry, enlarge the house, and form what is known as al-fakhdh, which is the union of all these families under the authority of one shaykh, whom they chose. The union all of the fakhdh creates the ashira, or the clan. It is led by one shaykh, the shaykh al mashyakha or the overall shaykh, who in consensus with the shaykhs of the fakhdh made the major decisions that involve all the members of the clan. Decisions like going to war, establishing peace, monitoring public behavior, or following a religious leader are all made here. The power of the shaykh al mashyakha is strong and should not be underestimated. Saddam Hussein understood this power and appealed to it directly during an address to the country on March 25, 2003, in which he asked the people to use their weapons “because the enemy did not violate only Iraq but also their clans and tribes.” According to Farchakh-Bajjal, “That’s what makes the tribal system simultaneously so strong and dangerous. At times they are even more powerful than governmental institutions.”³ The people of southern Iraq feel their allegiances first to their own tribes, and therefore abide by the decisions of their shaykhs. Family ties are essential for survival in this environment, as no individual can survive alone in the desert. This need is directly reflected in the old saying, *blood does not become water*.⁴

Although the existence of the tribal system can be traced back to the 18th century migration of the Bedouins, its power and influence has waxed and waned over the past century. After the Revolution of 1958, Iraq’s understanding of the past changed. After centuries of decline, Baghdad was again the capital of culture in the Arab world. People showed real interest in knowing and preserving archaeological sites and visiting museums. This rise of intellectual society subsequently brought the death of the tribal societies, as the pride of being an Iraqi citizen slowly deadened the need to be a part of a tribe. However, Saddam’s suppression of the 1991 Shia uprising led to the complete alienation of the population and the UN’s imposition of a no-fly zone from the 33rd parallel downward. The creation

³ Rothfield 2008, 51.

⁴ Rothfield 2008, 53.

of the no-fly zone deprived Saddam of control of the countryside and allowed for the revival of tribal power.⁵ Saddam tried to regain the support of clans and leaders by giving them full control over the areas in which they lived, which gave even more momentum to the resurrected tribal system. Peasants worked for Iraqi archaeologists as professional diggers, which also brought an end to looting until 1991. Farchakh-Bajjal explains that because the nature of this work, the tribesmen “did not see the difference between an archaeological mission and the looting of a site. For them, in both cases it concerns objects that are looked for and are taken away, and whether these antiquities end up in a Baghdad museum very far away from their homes or in another one in the West, the outcome is still the same.”⁶ In fact, in the eyes of looters, excavating archaeological sites is not a crime. Even in local police records looters are not written up as thieves, but as people digging for artifacts. Within a tribal society, to be called a thief is a tremendous insult.⁷

Poverty

The Iraqi people live well below the World Bank definition of poverty,⁸ devastatingly ironic considering that with its oil and rich mineral resources, water, fertile land and a large working population, Iraq is one of the richest countries in the world. Under Saddam’s regime, only a fraction of this wealth was ever allocated to the general population. Most oil revenue was spent on the military, the palaces and the family of the president. In fact, estimates have suggested the less than 5% of the revenue of these resources ever reached the people of Iraq. This economic failure produced a very high level of acute poverty and starvation. Reflecting on this poverty, Dr. Donny George told a story of a very personal experience with the economic situation. On one excavation, he noticed that one of the workers was very slow and he could hardly move. After checking with the foreman, he found out that

⁵ Rothfield 2008, 54.

⁶ Rothfield 2008, 55.

⁷ Rothfield 2008, 52.

⁸ Rothfield 2008, 50.

the man, together with his wife and three children, had nothing to eat for four days as he had nothing to plant, no money and no supplies left at home.⁹ That being said, archaeology is a convenient means to solve such problems for poor Iraqis and their families. Many Iraqi peasants see in the desert “fields of pottery that you can dig up whenever you’re broke,” not the heritage of mankind. To poor Iraqis, there isn’t much difference between working in a field or digging in a site – it’s all work, and work brings money. Farchakh-Bajjal further elaborates that, “In a way, rural society in southern Iraq is a different world than the one we live in – we perceive history and heritage differently. We look at southern Iraq as the cradle of civilization. Looters in the Sumerian desert do not know much about these ancient peoples. They see themselves as the ‘lords of this desert and owners of all its possessions’.”¹⁰ Following a similar strain of thought, in an article for the World Monument Fund, the authors argue:

Between oil and antiquities, Iraq’s two vast underground resources, it’s the antiquities that presumably provide some benefit to poor, otherwise destitute people. Even some archaeologists have publicly stated—as at the Fifth World Archaeological Congress in June 2003—that digging their own past for sale is a right of the poor, though it’s widely acknowledged that those who do the digging may receive a pittance. Let us not blame the looters; their trade is after all ancient.¹¹

Iraqis were well aware of their low rank on the economic scale, which has not changed since WWII. The Iraqi nation was always taught that its wealth was for the Arab Nation first, second for those who governed and their families, then the military, and then last were the people. This hierarchy was accepted by the people when the government was strong. However, awareness that the people came last in the minds of the governing elite led to an understanding that it was acceptable for the people to steal from government properties. No one was taught that the government was supposed to administer and protect the wealth of the people on their behalf. Therefore, the people understood that what was in the museums and in the archaeological sites was the property of the government, just as were the

⁹ Stone 2009, 107.

¹⁰ Rothfield 2008, 50.

¹¹ Neville Agnew, David Myers and Gaetano Palumbo, “Securing a Future for Iraq’s Beleaguered Heritage,” *World Monument Fund*, Winter 2006/2007, 10.

contents of any other government office or building. Consequently, it was considered that it was completely reasonable to take this property, just as people were taking – looting – from other government institutions and offices.¹² Although he admitted that he did not foresee the amount of looting that took place at the museum, Dr. Donny George later explained that the combination of these factors should have led to the opposite conclusion:

Now if we start to consider [the issues]: the huge gap between the people and the government, the extreme lack of awareness of the importance and cultural value of the ancient Mesopotamian past on the part of the majority of the people, especially in the southern part of the country, the impossible individual economic situation and the grinding poverty of the community, these factors combine to create a very volatile situation. In such a situation it is perfectly understandable that large scale looting can happen at any time, unless the country is controlled by a very strong police force, although even this can never be enough –or the solution – for a country like Iraq with over 12,000 archaeological sites.¹³

The Dictatorship of Saddam Hussein

In addition to the social structure of a desert tribal system and the extreme poverty under an apathetic government, the psyche of the people of Iraq has suffered extreme damage living under a dictatorship. Saddam's Ba'athist regime held power from 1968 to 2003, which created a deep current of anger and resentment among the Iraqi people. For the sake of this discussion, however, we will focus on the extremely tight grip that his government held on the antiquities trade until 2003. As was previously discussed, Iraq was quite successful in preserving its cultural heritage for many years, which the Ba'ath Party continued. Saddam took a personal interest in these matters, viewing Iraq's pre-Islamic Mesopotamian past as reflecting glory on his present-day secular tyranny, and added the deterrence of terror against looting. As one museum official put it after the 2003 invasion, "In Saddam Hussein's time, if they caught you looting, they did this," he said, making a slicing motion at his throat.¹⁴ Under Saddam, history lessons were greatly politicized. Saddam Hussein was represented as the modern day version of

¹² Stone 2009, 105.

¹³ Stone 2006, 107.

¹⁴ Rothfield 2008, 6.

Hammurabi, Sennacherib, Nebuchadnezzar and Saladin. Joanne Farchakh-Bajjal explains, "Past civilizations were not only a part of history; they now had an extension into modern, everyday life: one was made to feel Sumerian or Babylonian."

After the imposed UN sanctions of 1991, Saddam lost control of the countryside and poverty increased, which led to the rise of looting of archaeological sites. In addition to the economic need, the renewed plundering of archaeological sites became a sort of revenge against the governmental system. Peasants sought to destroy something dear to Saddam's heart, and at the same time they were making money. Farchakh-Bajjal sourly observes that during this time, "The antiquities market, as always, was there to take full advantage of people's ignorance, hatred and suffering."¹⁵ As a reaction to the surge in looting, Saddam introduced the death penalty in the 1990s. This punishment was carried out in some cases, but the government lacked the ability to halt all activity in the southern countryside. Techniques and equipment of the looters became more sophisticated, which led to entire tribes living off illicit trade. An equation was created in which the sanctions created a demand for black markets, which also created tribes that specialized in illicit trade.¹⁶

Nancy Wilkie attributes the severity of the looting of the Iraq Museum and subsequent looting of archaeological sites to "the fact that, based on their past experience, most Iraqis expected the imposition of a strong government that would strictly enforce stringent rules immediately after the overthrow of Saddam's government. Our failure to understand this and to act accordingly opened the door for the looting of museums and archaeological sites."¹⁷ Rather than a group of Saddam's troops ready to enforce the death penalty for stealing antiquities, looters were met with no consequences for three whole days at the Iraq Museum.

¹⁵ Rothfield 2008, 54-55.

¹⁶ Rothfield 2008, 55.

¹⁷ Rothfield 2008, 244.

The extent of the anger of a people crushed under a dictatorship is perhaps not easily understood by the Americans or British who reside democratic societies free of terror. Robert Fisk has stated that “in the wake of the disastrous Anglo-American invasion, we witnessed something quite unique. Squads of organized youths would turn up in buses or trucks in Baghdad to set fire to the galleries and libraries, to the government records of a whole society, even the central bank. At one fell swoop, they tore apart the history of Mesopotamia, of Islam, of the still living nation of Iraq.”¹⁸ As previously discussed, the museum was put on a no-strike list before the invasion. Unfortunately, the pre-war planners has no idea of the extent to which the average Iraqi viewed the museum not as housing the priceless cultural heritage of their country, but as Matthew Bogdanos phrases it, “Saddam Hussein’s gift shop”. As a result, planners did not understand that many Iraqis would equate stealing from the museum with stealing from Saddam, and not from themselves. Even museum officials, who brought in sandbags and foam-rubber padding against possible bomb damage, were caught by surprise. Dr. Donny George told the Wall Street Journal, “We thought there would be some sort of bombing at the museum. We never thought it would be looted.”¹⁹

Col. Bogdanos experienced the hatred of the old regime first-hand while he conducted his investigation and retrieval efforts in Iraq, although some lessons were hard-learned. Extreme anger was frighteningly evident when his team first arrived at the museum: above the center door there was a large handwritten sign in Arabic that read, “Death to all Americans and Zionist pigs.” Two days later, they inspected a fire burning in one of the interior courtyards and found the partially burned remains of hundreds of Ba’ath Party personnel cards and files.²⁰ On one occasion, his team learned through an informant that a few months before the war, hundreds of boxes containing approximately 39,453 ancient books, Islamic manuscripts, and scrolls, had been moved to a bomb shelter in western Baghdad.

¹⁸ Stone 2009, XII.

¹⁹ Rothfield 2008, 34.

²⁰ Bogdanos 2005, 485.

The residents of the local community came forward to return the manuscripts because they felt that they could no longer protect the shelter's contents from thieves. A riot broke out when the director of the manuscript museum arrived with Col. Bogdanos to retrieve the manuscripts, the residents screaming that he was giving the manuscripts back to the Ba'athists.

Col. Bogdanos had no idea that museum officials were seen as government officials, and therefore an extension of Saddam's regime. The manuscripts were not removed from the shelter, and Col. Bogdanos suspects that still probably remain there.²¹ This perception of the connection of the museum to the Ba'ath Party reached crisis level on May 9, 2003, when approximately 100 former employees staged a riot on the museum grounds. The demonstrators carried signs calling for the removal of all senior staff, claiming they were Ba'ath Party members. Other signs in English and Arabic called such officials, particularly Dr. Jaber, "dictators." The forced departure on June 16, 2003 of Dr. Hana Abdul Khaliq, a senior member of the SBAH, by Ambassador Pietro Cordone helped lessen the impression of the Iraqis that the museum was intimately associated with the Ba'ath Party. Even after her departure, however, concerns remained, and Col. Bogdanos' team was often asked often by Iraqis to swear that the items being returned would be held by U.S. authorities, not by Ba'athist officials, until a lawfully constituted Iraqi government came to power.²²

Internal vs. External Conflict

There is little doubt that the very nature of the conflict in Iraq led to the looting of the museum and ongoing looting of archaeological sites. We have examined many other museums that have experienced major wars, but there is a profound difference between the external wars of Europe and internal wars of the Middle East. European wars involved outside belligerents that bombed and invaded their countries, but these actions did not bring about the complete disintegration of order in their

²¹ Bogdanos 2005, 499-500.

²² Bogdanos 2005, 496.

countries. Iraq was invaded by outside forces, but this invasion acted as a spark to ignite the various internal factions that would compete against one another for power. The looting was the result of internal strife as Iraqi society completely collapsed. J. Holmes Armstead, Jr., vice president of the International Association for Military Pedagogy, explains:

The breakdown of Iraqi society has been a long time coming and our military command, foreign policy structure and intelligence apparatus failed to fully appreciate the level of animosity that would be released by Saddam's dislocation. The tragic loss at the sites and museums is the direct result of the deterioration of Iraqi society into anarchy and increase of ethnic strife to levels closely approximating civil war. U.S. policymakers, both civilian and military, failed to anticipate such chaos and hence were not ready and prepared to protect the massive amount of cultural property in the country."²³

In addition, there is increasing evidence that looting is helping fund the "insurgency" in Iraq. Interpol is hesitant to make this connection public, however, Col. Bogdanos makes an explicit connection between looting and sale of antiquities and the funding of those fighting in the Coalition forces.²⁴ He describes a "nexus between insurgency and art theft, [in which] the trade helps to fund the roadside bombs that kill so many."²⁵

Lack of Communication, Awareness and Understanding

It has been established that protection against looting was not planned for whatsoever by the U.S. or U.K. prior to the 2003 invasion. It has also been established that the UN sanctions on Iraq created severe poverty and led to the rise of looting of archaeological sites and the resurgence in tribal power, particularly the south. The sanctions established after the 1991 Persian Gulf War created a multitude of problems, which scholars now say contributed to the looting of the museum. A direct result of the sanctions was our lack of awareness of cultural differences between the U.S. and Iraq. The cessation of cultural exchanges between the U.S. and Iraq resulted in a loss of access to individuals with an understanding of contemporary Iraqi culture. According to Nancy Wilkie, our failure to recognize

²³ Rothfield 2008, 119.

²⁴ Stone 2009, 5.

²⁵ Rothfield 2008, 154.

that Iraqi people tend to identify more closely with their tribal origins than with the nation-state has contributed to the looting of archaeological sites.²⁶ Further, the UN sanctions and lack of communication caused many Iraqis to become embittered toward the U.S. as the country's economic situation deteriorated.²⁷ Due to all of the negative consequences of the sanctions on Iraq, Wilkie believes that:

It is time for the international community to reevaluate the costs and benefits of imposing economic sanctions on countries such as Iraq. Sanctions impoverished and embittered the very people whom we hoped would become our allies once we had overthrown Saddam's regime, and they caused many of those who could have helped us the most in the days immediately following the invasion of Iraq to flee the country soon after the sanctions were imposed.

Due to the sanctions, the United States had no contact with or knowledge of government departments with whom we needed to work to protect the cultural heritage of the country. In fact, in many cases we did not even know the locations of their offices.²⁸ Sanctions also made it difficult or even impossible for archaeologists and museum personnel to acquire the materials needed to create detailed inventories of their collections that would have been useful for interdicting the trade in looted objects in the aftermath of the invasion. Now, these objects on the art market cannot be identified without protracted legal proceedings.²⁹ Photographs or detailed drawings of objects are essential to track them down. Even when the museum had negatives of objects on file, the UN sanctions regime blocked the museum from obtaining photographic supplies to make the positives.³⁰ Lawrence Rothfield does not excuse the archaeological community from blame for these conditions within Iraq's museums, stating:

...our profession allowed the world to forget about Iraq's archaeological heritage and failed to bring to its attention the irreparable damage being caused to that heritage as the direct and indirect result of sanctions. No active, public debate about the protection of the archaeological heritage under sanctions was launched. Very few archaeologists stood beside their Iraqi

²⁶ Rothfield 2008, 244.

²⁷ Rothfield 2008, 245.

²⁸ Rothfield 2008, 246.

²⁹ Rothfield 2008, 245.

³⁰ Rothfield 2008, 250.

colleagues at that time, and those who did went through very difficult moments with the governments and official institutions.³¹

Could this lack of lack of communication and therefore lack of understanding of modern Iraq have led to the miscalculation of troops and combat operations? The 2003 war was planned and executed extremely quickly. Col Bogdonos has even stated that victory was achieved much quicker than expected, which left a gap in post-combat security to properly establish order. Armstead summarizes:

With the hindsight of four years enlightening the current debate, much has been written about mistakes in judgment, poor planning, and confused policies...In short, the forces deployed and committed to the operation in Iraq were insufficient to police and stabilize a nation of 27.5 million people following the cessation of combat operations after the defeat of Saddam Hussein's regular armed forces...The responses to Iraqi instability and successive employment of forces were woefully inadequate to establish stable internal governance and normalize the civil life of Iraq.³²

William Polk believes that unless the time of the collapse of the Iraqi regime and the arrival of British and American troops were miraculously synchronized, there would be days—or perhaps even weeks—when no one would be able to stop the pillage of available cultural property.³³ Unfortunately, the movements were not perfectly synchronized, and the collections of the museum were left unprotected for several days. Angry citizens destroyed what they saw as government property in an act of protest, desperate opportunists stole what they could in an impoverished time, and calculating thieves seized a chance to steal some of the world's most valued treasures. After the analysis of the unique psychology of the Iraqi people and mistakes made in the actions of the invading forces, the simple fact of human nature still remains: when law and order break down, and people are driven to desperation, some certainly will take the opportunity to seize what they can.

³¹ Stone 2009, 9.

³² Rothfield 2008, 118.

³³ Polk 2003.

Conclusion

Col. Matthew Bogdanos, who led the American investigation of the looting of the Iraq Nation Museum, ends his 2005 book, *The Thieves of Baghdad*, by concluding: "One of the unpleasant truths to emerge from Baghdad is that, in assessing blame for the looting there, and for the confusion that followed, nobody gets off scot-free – not the military, not the press, not law enforcement, not the archaeologists, not the former regime, and not the staff...[therefore], when everyone's culpable, is anyone guilty?"¹ The key word in this assessment is "confusion" - confusion due to both the nature of the war itself and the lack of understanding of the country of Iraq.

The United States and the United Kingdom are certainly aware of the importance of cultural property and museum collections within their borders during war time, as demonstrated by their elaborate preparations in the earlier 20th century, where invasion or air raids seemed likely. However, these countries did not have to prepare for the looting of their collections by relying on the local non-professional population. The state of the societies in England and United States in 1914 and 1939 were nothing like that of Iraq during the end of Saddam's reign, which consisted of poverty-stricken members of a predominantly tribal society, oppressed by a dictatorship that appeared to hold onto Babylon's relics for its own gratification.

It is very easy to assign blame to the United States for the lack of information it held on the country that it was about to invade, especially in the area of cultural property. The haste with which the war was planned, executed and achieved victory did not allow for adequate post-combat security planning at the Baghdad Museum. While it cannot be decisively proven that the issue of looting was deliberately ignored, it was clearly not given the proper attention it needed. It also cannot be denied that the UN sanctions prevented proper communications and therefore complete understanding of the country. The UN sanctions also deprived the Iraq Museum staff of proper materials and manpower, the

¹ Matthew Bogdanos as quoted by Stone 2009, 14.

addition of which may have provided more security for the museum collections. The Baghdad Museum was severely lacking in internal staffing, which resulted in flimsy organization.

Despite the obvious sources of blame and inadequacy, possible solutions are not so obvious. Would the presence of more troops have been the answer? Although more troops would have certainly protected the museum, the Iraqi military set up posts in the museum compound before U.S. troops arrived and fired upon them from inside. For U.S. forces to engage these troops would have been to engage in a battle on the compound, which most certainly would have damaged the structure and possibly parts of the collections. Part of the delay in obtaining additional forces to guard the museum can certainly be attributed to the actions of the Iraqi army. Further, by willingly exposing cultural property to direct combat, Iraq lost its protection status for the museum under the Hague Convention, to which Iraq was a State Party and the United States was not. The fact remains that it was Iraqis who stole the majority of the missing items, although some scholars take the Iraqis' extreme poverty and brutally repressive political history into consideration when assigning judgment for these thefts.

Despite the tragedy, the events at the Iraq National Museum in Baghdad at least have some positive outcomes: renewed communication and cooperation between the cultural sectors of Iraq and the United States, international recognition for the value of Iraq's cultural heritage, unparalleled international cooperation in efforts to acquire stolen artifacts, and a recognition in the importance of effective international conventions and protocols concerning cultural heritage, especially relating to conflict. It was assumed that the United States would never ratify The Hague Convention, but it was surprisingly ratified in 2009. Being a State Party to the Convention may cause the United States to more thoroughly evaluate all aspects of conflict for future wars, which requires specific consideration and protection of cultural property. Furthermore, the museum community has been made aware that "source countries" with rich cultural heritage are not always as fortunate to have professionally trained museum staff or the necessary resources that are available in the United States and Europe.

Thus, the ultimate blame for the tragedy at the Iraq Museum can be assigned to a lack of understanding: a lack of understanding by the United States of the current state of Iraq and the mentality of its people, a lack of understanding of the importance of the museum's collections by the thieves and a lack of understanding of the events by those who were not present at the Iraq National Museum on April 10th - 12th, 2003.

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