

**DELIBERATE WARFARE:
DESTRUCTION OF CULTURAL PROPERTY DURING
ARMED CONFLICT IN BOSNIA AND ARMENIA**

Master of Arts in Law and Diplomacy Capstone Project

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Capstone Grade: A

Capstone Remarks by Professor Dr. Richard Shultz:

“Mariya Ilyas had completed an outstanding capstone on the topic “Deliberate Warfare: Destruction of Cultural Property During Armed Conflict in Bosnia and Armenia.” First, the paper is soundly analytic and interdisciplinary, with a clear research approach, sound methodology, and a solid review of the literature. This set up the paper effectively for the examination of the two case studies, which are both done very well. At the end of each case, she returns to her three research questions to draw conclusions about what the perpetrators were able to achieve through the destruction of cultural property and what they were not able to accomplish.

In the concluding chapter, Mariya provides a comparative assessment of the two cases, as well as a note on how ISIS in Syria has employed deliberate attacks against cultural targets. She then relates the topic to the controversy over Confederate monuments in the U.S. It is an interesting sidebar to the paper.

In sum, an outstanding capstone by an outstanding student. I learned from the paper and greatly enjoyed the process of working with Mariya to see it through to completion.”



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Deliberate Warfare: Destruction of Cultural Property During Armed Conflict in Bosnia & Armenia

Master of Arts in Law and Diplomacy

Advisor Dr. Richard Shultz

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Mariya Ilyas

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“Since wars begin in the minds of men, it is within the minds of men that the defense of peace must be constructed.”

-Preamble to the Constitution of UNESCO

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Abstract

Despite many efforts by the international community to protect cultural property during warfare, the loss of and damage to cultural property remained a ubiquitous feature of armed conflict throughout the 20th Century, and now, the 21st Century. This thesis explores why cultural property is destroyed during warfare or conflict. What are perpetrators trying to achieve when they target cultural property such as historical buildings, works of art, archaeological sites, libraries, museums, and places of worship? Are perpetrators successful in achieving their goals? What are the consequences of destroying cultural property? I hypothesize that the destruction of cultural property is a deliberate tactic to not only expunge or dislocate a population so as to discredit their claim to territory, but it is also an attempt to eradicate a culture and erase an identity. Using Bosnia and Armenia as case studies, the research concludes that while perpetrators are successful with the physical removal of a population (in the form of killing or dislocating them), they fail to eradicate a culture and erase an identity from a territory. There are two reasons for this: (1) culture and identity are intangibles, whereas cultural property and people are not and (2) culture and identity are passed down through generations in permanent and nonpermanent ways.

Chapter 1: Introduction

A. Motivation

As I walked through Ephesus, I was captivated by the beauty of the ruins of this ancient Greek city. Everywhere I glanced, my eyes were met with broken columns, damaged stairs, debris, and massive rocks neatly organized to allow passage to tourists. But these rocks, as I soon learned, were once formed the walls of a theater, a temple, a library, public baths, and two agoras. They created spaces where vibrant life once existed. These rocks—on which tourists stood and posed for selfies—were part of property that, once upon a time, meant something to some people.

I had been living in Turkey for seven months before I decided to visit the coastal city of Izmir, from which Ephesus is located about three kilometers southwest. Since September 2015, I had been teaching English in the Mediterranean city of Antalya through the Fulbright English Teaching Assistantship program. By May 2016, however, I was homesick and depressed from living overseas. When one of my best friends, Christina, decided to visit me for a weekend to cheer me up, we rented a car and drove to Izmir.

Ephesus is famed for the nearby Temple of Artemis, one of the Seven Wonders of the Ancient World. The Temple of Artemis was one of the seven churches of Asia that are cited in the Book of Revelation (also known as the Apocalypse of John) and is the site of 5th Century Christian Councils. It is speculated that the Gospel of John may have been written there. Unfortunately, the city was destroyed when the Goths, an East Germanic people, invaded in 263. The Goths were particularly keen on destroying the Library of Celsus, the crown jewel of Ephesus.¹

¹ Cartwright, Mark. Celsus Library. *Ancient History Encyclopedia*.

As Christina drove us back to our hostel after an eventful day exploring the ruins of Ephesus (**Appendix A**), I scribbled in my journal about the experience. I wrote what the tour guide had told us as well as my impressions of the place, as I always do when I visit historical places. Yet, my diary entry dated May 16, 2016 had more questions than answers.

Throughout the rest of my time in Turkey, my interest in destroyed objects deepened. Every time I visited a new museum. I became fascinated by artifacts—documents, valuables, statues, pottery, paintings, pieces of architecture—that shed light on the way of life of a group of people and what they value. More often than not, however, artifacts on display in museums were broken or damaged pieces of cultural property. In the back of my mind, I wondered the same questions from my diary: *Why was this property destroyed? To whom did it belong? What did these objects represent or mean? Why are they on display today?*

B. Research Question

This thesis explores why cultural property is destroyed during armed conflict. This thesis aims to answer three questions: (1) What are perpetrators trying to achieve when they target cultural property such as historical buildings, works of art, archaeological sites, libraries, museums, and places of worship in Bosnia and Armenia? (2) Are perpetrators successful in achieving their goals? (3) What are the consequences, if any, of destroying cultural property?

I hypothesize that the destruction of cultural property is a deliberate tactic to not only expunge or dislocate a population so as to lose their claim to a territory, but it is also an attempt to eradicate a culture and erase an identity. I further hypothesize that perpetrators are successful in destroying cultural property, but often do not succeed in erasing culture and identity because they are intangibles that cannot be bombed. Lastly, I hypothesize that one consequence of destroying cultural property is fueling memory politics and perpetuating a national trauma.

C. Methodology

This paper uses mixed research methodology of primary and secondary sources. The project is based on original interviews as well as peer-reviewed scholarly publications to inform the analysis. Utilizing my Fletcher and Boston networks, I found experts familiar with Bosnian and Armenian cultural heritage right here in Boston. For the Bosnia case study, I used books, journal articles, and interviews with experts at Harvard University. For the Armenia case study, I relied on books, journal articles, and interviews with Armenian diaspora in Boston which included experts at Tufts University and Harvard University. I interviewed professors, ambassadors, researchers, art historians, among others, to get as holistic as possible a perspective of the destruction of cultural property in Bosnia and Armenia, two countries that survived Soviet rule and intense, bloody conflicts. The list of interviewees is found in **Appendix B** and the survey questionnaire asked of each interviewee is located in **Appendix C**.

Chapter 2: Literature Review & Background

Sociologists and anthropologists define “culture” as a collective noun for the symbolic and learned, non-biological, and intangible aspects of human society and social life.² The United Nations Educational Scientific & Cultural Organization (UNESCO) at the World Conference on Cultural Policies 1982 elaborated on this definition, as follows:

“Culture - The whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group. It includes not only the arts and letters, but also modes of life, the fundamental rights of human beings, value systems, traditions and beliefs.”³

Academicians agree culture is produced by humans as well as the natural environments in which humans live. The environmental cultural heritage includes tangible and intangible elements of our cultural heritage, such as indigenous cosmologies, ritual, and language, all of which may be passed down from generation to generation within a race, ethnic group, or nation. Cultural heritage is often preserved in places and property in hopes that it lives on forever. Places of cultural significance therefore are imbued with values that transcend notions of mere utilitarian value.⁴ “In this sense, the past and present cultural environment combine to form the collective heritage of human kind,” writes Mark Driver.

The international community has attempted to protect cultural property during wartime through specific provisions within the laws of armed conflict (LOAC) and by the drafting of multilateral conventions aimed at protecting cultural property in the event of armed conflict. However, the loss of, and damage to, cultural property has remained an inveterate and pervasive

² Nicholas Abercrombie, Stephen Hill and Bryan S. Turner, *Penguin Dictionary of Sociology* (Penguin Books, England, 1994), at 98.

³ Driver, M. (2000). *The Protection of Cultural Property During Wartime. Review of European Community and International Environmental Law*, 9(1), p.2.

⁴ Driver, M. (2000). *The Protection of Cultural Property During Wartime. Review of European Community and International Environmental Law*, 9(1), p.2.

feature of military conflict throughout the twentieth century, illustrating the ineffectiveness of these measures to ensure the protection of our cultural heritage for the benefit of both present and future generations.

A. Destruction During Armed Conflict

The concept of regulating armed conflict has a long history. In Western literature, laws of armed conflict (LOAC) begin with classical Just War Theory. With its origins in Christian theology, Jus War Theory is one of the first theories to acknowledge morality in war. Saint Augustine (354-430), who is the first individual to offer this theory on war and justice, referred to the Bible and regarded some wars as necessary to amend an evil. Some centuries later, Thomas Aquinas (1225-1274) codified Augustine's reflections into the distinct criteria that remain the basis of Just War Theory as used today. The Just War doctrine has two sources, *jus naturale* (natural law) and *just gentium* (law of the people).⁵ The doctrine is split into two parts: *jus ad bellum* (justifications for war) and *jus in bello* (moral conduct of war). *Just ad bellum* sets conditions required for justly going to war, including the need for a just authority, just cause, just intention, and using war as the last resort. *Just in bello*, on the other hand, establishes principles of proportionality (end proportional to the means), discrimination (innocent, noncombatants cannot be targets) and responsibility (collateral damage justified under certain conditions). Only in the principle of responsibility is there an acknowledgement, albeit ambiguously, of the unexpected side effects of military activity, which could include the destruction of cultural property. The theory argues that collateral damage is justified as long as (a) the action carried the intention to produce good consequences, (b) the bad effects were not intended and (c) the good

⁵ O'Brien, William, *The Conduct of Just and Limited War*, (New York: Praeger, 1981), chapters 2-3.

of the war outweighs the damage done by it. Under this framework, the destruction of cultural property could potentially be justified if the aforementioned three criteria are met.

It was not until 1899, however, that cultural property was explicitly mentioned within the context of the LOAC. Protection of cultural property can be traced to the provisions of the 1899 Hague Convention II, which state:

“In sieges and bombardments all necessary steps must be taken to spare as far as possible, buildings dedicated to religion, art, science . . . historic monuments . . . provided they are not being used for military purposes.”

In addition to the 1899 Hague Convention, state practice has led to a gradual emergence of customary principles which have been incorporated in binding multilateral agreements. One example of this is the 1929 Washington Treaty on the Protection of Artistic and Scientific Institutions and Monuments, or commonly known as the Roerich Pact, which became the first treaty dedicated exclusively to the protection of cultural property. The Roerich Pact is named after Nicholas Roerich, a Russian painter and philosopher, who, from an early age, was enamored with cultural preservation. After experiencing the devastations of the First World War and the Russian Revolution, Roerich began an international effort to create a pact dedicated to the protection of cultural heritage, both during war and peace.⁶ Roerich’s “Banner of Peace” movement grew quickly in the 1930s with centers mushrooming in a number of countries around the world. The Pact itself declared the necessity for protection of the cultural product and activity of the world—both during war and peace—and prescribed a method by which all sites of cultural value would be declared neutral and protected, just as the Red Cross does with hospitals. Indeed, the Roerich Pact is often called The Red Cross of Culture. Just as the Red Cross is embodied in a protective sign and banner, so does the Roerich Pact also designate a symbol (see **Appendix D**)

⁶ <http://www.roerich.org/roerich-pact.php>

to be displayed on a banner, The Banner of Peace. This Banner, flown at all sites of cultural activity and historical value, would declare them neutral, independent of combatant forces.⁷

The Roerich Pact was ratified by nations of the Pan-American Union on April 15, 1935 and entered into force on August 26, 1935. Protection is granted to historic monuments, museums, and cultural institutions (Article 1), and to moveable items insofar as they are contained within the protected structures. The text, however, fails to explicitly prohibit looting and pillaging of cultural property. Unfortunately, nations protecting cultural property during wartime were widely ignored in the Second World War and continue to be today, despite the fact that the deliberate destruction of cultural property during wartime is regarded as a ‘war crime’ under the 1954 Hague Convention, whose groundwork was laid by the Roerich Pact.⁸

B. Defining Cultural Property

There is no agreed upon definition for the term “cultural property,” which is sometimes used instead of “cultural heritage.” The international community has attempted to come up with a universal definition, which have evolved over the years. The Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention 1954 (the 1954 Hague Convention) defines cultural property under Article 1 as⁹:

(a) movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above;

⁷ <http://www.roerich.org/roerich-pact.php>

⁸ 1977 Geneva Protocol I Additional to the Geneva Convention of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Additional Protocol 1), Article 85.5. This view was confirmed in the Nuremberg War Crimes Trials – The International Military Tribunal at Nuremberg 1946.

⁹ http://portal.unesco.org/en/ev.php-URL_ID=13637&URL_DO=DO_TOPIC&URL_SECTION=201.html

(b) buildings whose main and effective purpose is to preserve or exhibit the movable cultural property defined in sub-paragraph (a) such as museums, large libraries and depositories of archives, and refuges intended to shelter, in the event of armed conflict, the movable cultural property defined in sub-paragraph (a);

(c) centers containing a large amount of cultural property as defined in sub-paragraphs (a) and (b), to be known as ‘centers containing monuments.’

In contrast, the signatories to the 1972 World Heritage Convention defined “cultural heritage” in Article 1 as:

- monuments: architectural works, works of monumental scripture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science
- groups of separate or connected buildings that are of outstanding universal value from the point of view of history, art or science;
- sites: works of man [sic] or the combined works of nature and of man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological points of view.’

Although The Hague and World Heritage Conventions were explicit about the physical aspect of cultural property, Dr. Rouben Shougarian, first Armenian Ambassador to the U.S., brings in a human dimension to cultural property. He defines cultural property as “interconnected with ethnic identity...it is an indivisible part of it.”¹⁰ Dr. Hayk Damoyan, visiting scholar at Harvard University and director of the Armenian Genocide Memorial and Museum, expands on Shougarian’s definition, noting that he prefers the term “cultural heritage.” Damoyan explains that “cultural heritage is everything related to one group’s memory—could be an identity marker, monument, worshipping place, or cemetery. In total, [cultural heritage] becomes an important component of what is a national group’s identity. This property is an important part of self-

¹⁰ Interview with Ambassador Rouben Shougarian, March 29, 2018.

identification and differentiation of other groups.”¹¹ Dr. Christina Maranci, art historian at Tufts University, adds yet another dimension—time—to the definition. “For me it refers to monuments or artifacts that belong to a group of people to represent past or present.”¹² The multiple dimensions of understanding cultural property reflect the complexity of the concept and therefore the challenge of defining it in an international context.

The debate over the defining cultural property began when the concept first gained attention in conversations of international law. In a much debated article published in the *American Journal of International Law* in 1986, Stanford professor John Merryman, theorized that there are ‘two ways of thinking about cultural property.’ The first, he argued, is the nationalistic way, which conceives of cultural property as part of the nation, with the attendant desire of governments to jealously retain it within state boundaries and to limit its international circulation. The second is the international way, which views cultural property as the heritage of humankind and supports the broadest access and circulation to facilitate exchange and cultural understanding among different peoples of the world. Francesco Francioni criticized Merryman’s narrow definition, arguing that it neglected the human element.

In his 2011 article published in the *European Journal of International Law*, Francioni wrote there are more than just two ways of thinking about cultural property. According to Francioni, cultural property may be seen as part of national identity, especially in the post-colonial and post-communist context, but it can also be looked at as part of the ‘territory.’¹³ Francioni further argues cultural property can be seen as part of moveable artifacts susceptible to economic evaluation; as objects endowed with an intrinsic value as expressions of human

¹¹ Interview with Dr. Hayk Damoyan, March 30, 2018.

¹² Interview with Dr. Christina Maranci, March 30, 2018.

¹³ Francesco Francioni; The Human Dimension of International Cultural Heritage Law: An Introduction, *European Journal of International Law*, Volume 22, Issue 1, 1 February 2011, Pages 9–16, <https://doi.org/10.1093/ejil/chr018>

creativity and as part of a unique or very special tradition of human skill and craft; object of individual rights, property rights, but also as ‘communal property’; and an essential dimension of human rights, when it reflects the spiritual, religious and cultural specificity of minorities and groups. Another way of thinking about cultural property, writes Francioni, is to place it in the context of the evolving structure of the international law of armed conflict. “In this regard, cultural property has become an element for innovation and the progressive development of the law in at least three distinct directions: 1) the elevation of attacks against cultural property to the legal status of international crimes, especially war crimes and crimes against humanity; 2) the consolidation of the law of individual criminal responsibility under international law, not only under domestic law, for serious offences against cultural objects; 3) the progressive development of the law of state responsibility for the intentional destruction of cultural heritage.”¹⁴

As a result of the increasing pattern of destroying cultural property during armed conflict, cultural property was given legal protection, most notably with The Hague Convention of 1954, on the basis of its universal significance to mankind. Part of this trend was the growth of international humanitarian law that advanced more complex reasons for the protection of cultural property, among them a people’s right to enjoyment of their cultural heritage and recognition of the links between cultural heritage and identity. With its ground-breaking legal precedents, the ICTY has played a seminal role in the development of this trend. The inclusion of crimes relating to cultural and religious property in the ICTY’s Statute was an important addition to international legal instruments. However, the ICTY’s most distinctive contribution to the prosecution of crimes against cultural heritage has come through its landmark indictments and judgements

¹⁴ Francesco Francioni; The Human Dimension of International Cultural Heritage Law: An Introduction, *European Journal of International Law*, Volume 22, Issue 1, 1 February 2011, Pages 9–16, <https://doi.org/10.1093/ejil/chr018>

which, in case after case, have established that the destruction of structures that symbolized a group's identity during campaigns of ethnic cleansing were a manifestation of persecution and crimes against humanity.¹⁵

C. Why Cultural Property Is Destroyed

If culture is both a tangible and intangible part of a group's identity, one has to wonder why cultural property is destroyed. According to Fletcher professor of international law, Tom Dannenbaum, motives for destroying cultural property can be categorized in three ways.¹⁶

Dannenbaum noted that perpetrators destroy cultural property with one or more of the following intentions: eradicate, displace, or reframe a population. Each is described in detail below:

1. **Eradicate a population** – Perpetrator wants to eliminate an entire group from a territory through genocide or ethnic cleansing, in addition to destroying the group's affiliating cultural property such that there is no memory or remnants of that group's claim to territory. For example, during the Bosnian War between 1992 and 1995, Serb forces committed genocide of Bosniak ("Bosnian Muslim") population in a mass effort to expel them from the Srebrenica and Zepa regions. In addition to the genocide, Serbian forces destroyed historic Ottoman-style mosques, the Oriental Institute in Sarajevo which contained the world's richest collections of Oriental manuscripts, and the irreplaceable National and University Library of Bosnia and Herzegovina that contained centuries-old records and archives of Bosnia's past. (Case Study 1 – see Chapter 3)
2. **Displace a population** – Perpetrator wants to forcibly displace—often through genocide and massacres—an entire group from claimed territory, as well as destroy the group's

¹⁵ Francesco Francioni; The Human Dimension of International Cultural Heritage Law: An Introduction, *European Journal of International Law*, Volume 22, Issue 1, 1 February 2011, Pages 9–16, <https://doi.org/10.1093/ejil/chr018>

¹⁶ Interview with Tom Dannenbaum, November 8, 2017.

affiliating cultural property such that there is no memory or remnants of that group's history in the claimed territory. For example, the Ottoman government not only systematically exterminated 1.5 Armenians from within the Ottoman Empire territory (present-day Turkey) in 1915, but also destroyed Armenian heritage by targeting churches, monasteries, museums, schools, and libraries. (Case Study 1 – see Chapter 4)

3. **Reframe a population** – Perpetrator wants to neither kill nor displace a minority group, but, rather, destroy the group's affiliating cultural property such that there is no trace of the group's culture, heritage, or ideology. In its place, perpetrator wants to impose a different agenda or ideology on the population. This is the case in Mali, where Islamic militants destroyed fabled shrines of Timbuktu in an effort to radicalize the population to an extremist Islamist ideology.¹⁷ According to The Guardian, the militant was sentenced to nine years in prison and was prosecuted in The Hague. Moreover, the trial was the first at the international criminal court to focus solely on cultural destruction as a war crime.

Monica Toft, professor international politics at the Fletcher School, researches ethnic and religious violence, among other subjects. In a 2014 article titled “Territory and war,” Toft argues that “territory has been and will continue to be a core issue in explaining the escalation and onset of war and that territory has peculiar features that impact whether and how a conflict evolves and ends, and the nature of the peace that follows.”¹⁸ Three main theories have developed over the years that link territory to conflict escalation. The first theory be described as the ‘geostrategy school’ which argues the strategic worth of the territory itself, a value that does not vary among

¹⁷ Burke, Jason. “ICC ruling for Timbuktu destruction 'should be deterrent for others.’” <https://www.theguardian.com/world/2016/sep/27/timbuktu-shrines-icc-sentences-islamic-militant-nine-years-destruction-ahmad-al-faqi-al-mahdi>

¹⁸ Toft, Monica Duffy, Buhaug, Halvard, and Levy, Jack S. “Territory and War.” *Journal of Peace Research* 51, no. 2 (2014): p. 185.

actors, but extends directly from its geostrategic position and material value. Strategic worth includes the security value of a given piece of territory: access to water and major routes of communication, interstate borders, and natural barriers to defend from invasions from historical enemies. The second theory, intrinsic worth, focuses on wealth or resources that inhere in a territory. Intrinsic worth includes infrastructure, industry, mineral or natural resources that relate to the security or economic survival of an actor. Although not as robust in literature as the strategic or intrinsic worth camps, the third theory describes the symbolic worth of a territory in which actors attach some sort of historical or identity value to it. This notion of the perceived meaning or value of territory has recently become a dominant theme in literature that addresses bargaining failures and war,¹⁹ and lends itself to understanding why cultural property – which is often symbolic – holds so much personal meaning for the people to whom it belongs.

Laws of armed conflict, international human rights law and international humanitarian law all argue for the right to life during armed conflict. In some cases, this is interpreted as being more important than physical property—and it might be. However, the lack of understanding a property or territory’s symbolic worth could lead to group trauma that may continue years beyond the conflict. “In the maelstrom of destruction engendered by war, the conservation of cultural property may pale in significance when the lives of combatants and civilians are shattered in a nightmare of brutality,” writes Mark Driver. “However, some day the conflict will be over, refugees will return to their homes and somehow communities will be rebuilt. The preservation of cultural property aids the rebuilding process by facilitating the re-establishment of community identity by linking their past to their present and their future.”²⁰

¹⁹ Toft, Monica Duffy, Buhaug, Halvard, and Levy, Jack S. “Territory and War.” *Journal of Peace Research* 51, no. 2 (2014): p. 189.

²⁰ Driver, M. (2000). The Protection of Cultural Property During Wartime. *Review of European Community and International Environmental Law*, 9(1), p.1.

III. Memory Politics

Indeed, scholarship on “memory politics” aims to do exactly that: understand the present by exploring the remembered experiences of the past. Elizabeth Jelin writes, “Individuals, family groups, communities and nations narrate their pasts for themselves and for others who are willing to visit those pasts, to listen to and look at their icons and remnants, to inquire about and investigate them.”²¹ Furthermore, especially for oppressed, silenced, or discriminated groups—such as Bosnians and Armenians—the reference to a shared past often facilitates building feelings of self-respect and greater reliance in one-self and in the group. This “culture of memory” can invoke positive feelings of unity and confidence or negative feelings of group trauma or injustice that make it difficult to reconcile the present with the past. In fact, in some cases, memory politics can even fuel national politics.

The act of locating the meanings of the past unequivocally in the present and in relation to a desired future is complicated by the complexities of time. We are taught to conceptualize time in a linear or chronological manner: past, present, and future. However, as soon as human process and subjectivities are introduced into the picture, writes Jelin, the complexities involved with time come to light. In 1985, Reinhart Koselleck expressed, “historical time, if the concept has a specific meaning, is bound up with social and political actions, with concretely acting and suffering human beings and their institutions and organizations.” Within Koselleck’s definition, studying these concrete human beings, the sense of time and temporality are established in a different way: the present contains and constructs past experience and future expectations. As we will see in Bosnia and Armenia, memory politics about the destruction of human life *and* cultural property continues to inform present day identity and future expectations.

²¹ Jelin, Elizabeth. (2003) *Memory in the Contemporary World*. In *State Repression and the Labors of Memory* (p. 1). Minneapolis: University of Minnesota Press.

Chapter 3: Case Study - Bosnia

I: Conflict Background

The story of the Balkans War begins with Yugoslavia, a Socialist state created after German occupation in World War II and a bitter civil war. Yugoslavia was a federation of six republics, consisting of Serbs, Croats, Bosnian Muslims (Bosniaks), Albanians, Slovenes, and others.²² Under the leadership of Josip Broz Tito, tensions between these ethnic groups were suppressed; however, after his death in 1980, ethnic tensions complemented by nationalist sentiment, reemerged. By 1991, Yugoslavia was on its way to disintegration and conflict, leading to multiple bloody wars under the watch of the President of Serbia, Slobodan Milošević. The Bosnian armed conflict was an ethnically rooted war, lasting four years from 1992 to 1995 and killing over 10,000 people mainly through ethnic cleansing.

The war ended in 1995 after a NATO airstrike against the Bosnian Serbs. Western countries, with backing by the NATO, imposed a final cease-fire negotiated at Dayton, Ohio under the leadership of Richard Holbrooke. This U.S.-brokered peace agreement known as the Dayton Peace Accords divided Bosnia into two self-governing entities: a Bosnian Serb republic and a Muslim-Croat federation lightly bound by a central government. The Dayton Peace Accords, remembered as a triumph of American diplomacy, ended the bloodiest post-Cold War conflict on European soil.

The road to the Dayton Peace Accords was long, however. In fact, the Dayton agreement represents the last in a series of proposed peace settlements which began with the European Community's peace-making efforts in autumn 1991, many months before the outbreak of

²² "Balkans war: a brief guide." BBC. March 18, 2016.

hostilities in Bosnia.²³ The first attempt at peace was known as the EC Conference on Yugoslavia, which convened at The Hague on September 7, 1991 under the chairmanship of Lord Carrington. The conference aimed at achieving a comprehensive settlement for all of Yugoslavia; but this idea quickly became obsolete when EC decided to recognize the independence of the republics in December 1991. Carrington's approach had been predicated on the idea that recognition would be granted only in the framework of a general agreement, and while it was unlikely that an agreement among the six republics could have been achieved, the EC's actions nevertheless made it necessary to adopt a new approach. Interestingly, the EC chose *not* to extend recognition to Bosnia immediately and instead accepted the recommendation for a referendum be held to establish "the will of the peoples of Bosnia-Herzegovina to constitute as a sovereign and independent state" (Caplan, 215). The EC thought the referendum would buy more time for diplomacy, and it did.

The second attempt at peace was led by Portuguese diplomat Jose Cutilheiro (Portugal held the EC presidency at the time). On February 21, 1992, Cutilheiro organized negotiations among the three political parties representing the three principal national communities of Bosnia: Muslims, Serbs, and Croats. The negotiations resulted with the "Statement of Principles for New Constitutional Arrangements for Bosnia and Herzegovina," which was signed by the three parties on March 21, 1992; but this, too, failed because the agreement was repudiated by all three parties shortly afterward. The Cutilheiro negotiations did, however, introduce the "fundamental principle that was to be a central feature of all subsequent peace plans: the division of Bosnia into units defined in terms of ethnicity" (Caplan, 216). These "constituent units," or known

²³ Caplan, Richard. (2000) "Assessing the Dayton Accord: The structural weaknesses of the general framework agreement for peace in Bosnia and Herzegovina." *Diplomacy & Statecraft* 11:2, pages 213-232.

informally as cantons, would be comprised of those municipalities where the respective national community enjoyed an absolute or relative majority. Although Cutilheiro's 'constituent units' were not meant to be contiguous, there was a territorial dimension to them and this arguably gave them Bosnian Serb and Croat demands for a partition of the country along ethnic lines.

The third effort for peace negotiations in Bosnia was led by EU envoy David Owen and UN envoy Cyrus Vance. The Owen-Vance peace plan, presented in January 1993, envisioned the establishment of 10 largely self-governing provinces, again ethnically defined, although this time, there were provisions for the participation of minority nationalities within the government of each unit. This was met with skepticism because some worried that these ethnically-defined provinces would encourage military nationalists to cleanse "their" provinces of minorities, as was already prevalent in the Balkan Wars. The Owen-Vance peace plan was accepted "immediately by Croats, reluctantly by the Muslims, and not at all by the Serbs."²⁴

The fourth and final attempt for peace before the Dayton Accord was the Contact Group plan of mid-1994. In early April 1994, Bosnian Serb forces launched an offensive against Gorazde. Following the killing of a UNPROFOR soldier by Serbian artillery, NATO launched an air strike. In turn, Bosnian Serbs surrounded a contingent of UNPROFOR soldiers, and their commander, Ratko Mladic, threatened that none would survive if NATO repeated the air attacks. In the immediate aftermath, the United States led the formation of a Contact Group to spearhead policy toward the conflict. The Contact Group consisted of France, Germany, the United Kingdom, Russia, and the United States, aimed at achieving greater coordination among the major powers engaged in diplomacy in the region. The Contact Group proposed a confederal Bosnia which would be comprised of a Muslim-Croat federation (pleasing the proponents of an

²⁴ Caplan, Richard. (2000) "Assessing the Dayton Accord: The structural weaknesses of the general framework agreement for peace in Bosnia and Herzegovina." *Diplomacy & Statecraft* 11:2, pages 213-232.

independent state) and a Serb republic (pleasing the separatist minority). The powers envisioned self-governing entities united under a single state with a weak central government. Not surprisingly, this plan was rejected by the Bosnian Serbs. Still, this plan came closest to appeasing all parties, and in fact, formed the basis for the Dayton Accord negotiations in November 1995, which brought a formal end to the war in Bosnia.

A few years later in 1998, the Kosovo War would break out based on similar ethnic tensions. With the help of NATO once again, the war ended with Milošević backing down. According to some scholars, the multiple wars in the Balkans were a result of the “Greater Serbia” project driven by aggressive ethno-national exclusivism and a race for territory.

II: Destruction of Cultural Property

The massive intentional destruction of cultural and religious property in Bosnia-Herzegovina, Croatia and Kosovo during the 1991–1999 Wars of Yugoslav Succession was the greatest destruction of cultural heritage in Europe since World War Two.²⁵ The devastation—which took place almost entirely during violent campaigns of ethnic cleansing waged against civilians in an attempt to create ethnically homogenous territories—was one of the defining features of the conflicts. Bosnia-Herzegovina was most severely affected, particularly its Ottoman and Islamic heritage. Among the most iconic images of the wars were the burning of the National Library during the Siege of Sarajevo in August 1992 and the shelling of Mostar’s Old Bridge in November 1993.

By fall 1992, the Bosnian Serbs controlled 70 percent of the territory of Bosnia-Herzegovina and the targets of their ethnic cleansing operations were Bosnian Muslims/Bosniaks (because demographically they were the most numerous) as well as Bosnian Croats (who

²⁵ Targeting History and Memory Website. “The ICTY and the Investigation, Reconstruction and Prosecution of the Crimes against Cultural and Religious Heritage.” <http://www.heritage.sense-agency.com/>.

traditionally formed the majority in areas like the Bosanska Posavina along the south bank of the Sava River). Attacks on Islamic (Muslim) and Roman Catholic (Croat) sacral structures were frequently tied with the murders of clerics and parishioners, as well as other atrocities and human rights abuses. There were two main phases of deliberate cultural destruction during the Bosnian War: Sarajevo in 1992 and Mostar in 1993. The first phase was the 43-month siege of Bosnia's capital Sarajevo during which Bosnian Serb forces attacked city's major cultural institutions and historic monuments.²⁶ The most notorious destruction was the bombardment of the *Vijćnica*, Sarajevo's National Library. Some three million books and countless artifacts were destroyed in the burning of *Vijćnica* on the night from August 25 to 26, 1992. Burning of the library, which was in the 19th century under the Austro-Hungarian Empire, was a clear attack on the cultural identity of Bosnian people as well as the cohabitation of Muslims, Orthodox, Catholics, and Jews for centuries. The second phase of significant destruction of cultural property followed the announcement of the Vance-Owen Plan in January 1993 which proposed to divide the territory into mono-ethnic cantons, encouraging separatist Bosnian Croat forces to attack their Bosnian government allies in an attempt to secure greater territory for an ethnically 'pure' Croat para-state with Mostar as capital. Croat forces intentionally conducted a wide-scale devastation of Ottoman/Islamic and Orthodox/Serb religious and cultural heritage. The zenith of the so-called Croat-Muslim War was the devastation of the premeditated shelling of the *Stari Most* (Old Bridge) which collapsed into the Neretva River on November 9, 1993. The targeted destruction of Bosnian culture led to a new term to describe the tragedy: "culturcide."

The devastation provoked global condemnation from international organizations, national governments, cultural heritage bodies, individual professionals and members of the general

²⁶ Walasek, Helen. (2015) *Bosnia and the Destruction of Cultural Heritage*. Heritage, Culture, and Identity.

public.²⁷ Unfortunately, only attacks in urban settings reached international audiences when in fact it was towns and villages across wide swathes of ethnically-cleansed countryside where destruction was the worst. That destruction was almost never collateral, a side effect of military action. The vast majority of attacks on cultural and religious property were pre-meditated, systematic, and took place far from the frontlines—rarely in isolation, but rather, accompanied by multiple atrocities against the targeted groups.²⁸

András Riedlmayer is an expert on Islamic Heritage in Balkans and a bibliographer in Islamic Art and Architecture in Harvard Fine Arts Library. An Ottoman historian by training, Riedlmayer now works as a librarian at the documentation center at Harvard supporting a program in art history and museum studies. His position is part of an Aga Khan Trust for Culture Program which focuses on the physical, social, cultural and economic revitalization of communities in the developing world. He has always had an interest in collecting remains, even before the Balkan Wars broke out. “I thought it would be an interesting thing to gather some materials for a source book,” he said, recalling back to the early 1990s. When the Bosnian War broke out, Riedlmayer was already writing and giving talks about cultural property. According to Riedlmayer, majority of the cultural destruction in Bosnia was deliberate and not a byproduct of war bombings.

When the Bosnian War ended in 1995, Riedlmayer got involved in various projects in cultural reconstruction. Three years later, when conflict in Kosovo broke out, similar reports about cultural destruction came out. An organization called Physicians of Human Rights (PHR) used to be based in Boston. Riedlmayer recalled PHR conducting an “interesting project” which

²⁷ Walasek, Helen. (2015) *Bosnia and the Destruction of Cultural Heritage*. Heritage, Culture, and Identity.

²⁸ Targeting History and Memory Website. “The ICTY and the Investigation, Reconstruction and Prosecution of the Crimes against Cultural and Religious Heritage.” <http://www.heritage.sense-agency.com/>.

involved interviewing Kosovo Albanian refugees across the fleeing borders through a questionnaire that asked them when and why they left. Riedlmayer said that this data was used for a number of various things, including making a map of racial assessment of who left, when, and why. The survey proved that it was not the airstrikes but the Serbian troops that forced displacement. Moreover, what's intriguing about this questionnaire is that it included questions about whether respondents had seen schools or places of worship get destroyed; majority of them said yes. When the Kosovo War ended in 1999, UN was given the task to administer Kosovo. Riedlmayer said "I got furious" when UNESCO was not given the "cultural protection piece" to administer alongside the peacekeeping forces. "I got very upset basically because not only would anyone do anything about it, but no one would say anything about it."²⁹

Moreover, at the war's end, addressing the devastation to Bosnia's cultural heritage was considered so crucial to the success of the peace process that Annex 8 of the 11 Annexes to the Dayton Peace Agreement provided for the formation of a Commission to Preserve National Monuments. Concerted attacks on Bosnia's cultural heritage crystallized a more definitive discussion and recognition in international humanitarian law that destruction of a people's cultural heritage was an aspect of genocide and were to feature in indictments for war crimes issued by the International Criminal Tribunal for the former Yugoslavia (ICTY). According to the statute of the ICTY, such crimes include the "seizure of, destruction, or willful damage done to institutions dedicated to religion, charity, and education, the arts and sciences, historic monuments, and works of art and science."

In April 2002, following the presentation in ICTY of his expert report and testimony concerning the destruction of cultural and religious heritage in the Kosovo conflict, Riedlmayer

²⁹ Interview with András Riedlmayer, January 9, 2018.

was approached by the Office of the Prosecutor (OTP) about the possibility of also preparing a report on the destruction of cultural and religious heritage during the war in Bosnia-Herzegovina. On 16 May 2002, I was engaged by the OTP to prepare such a report, to be based on a field investigation in Bosnia-Herzegovina. The assignment was to document damage to cultural and religious sites of the Bosnian Muslim and Bosnian Croat (Roman Catholic) communities in at least fourteen municipalities specified by the OTP and in up to five additional municipalities, time permitting. He conducted field work in July 2002, documenting damage to 392 sites in 19 municipalities throughout Bosnia-Herzegovina.

According to Riedlmayer's findings, 92 percent of the 255 mosques surveyed were heavily damaged or destroyed. Islamic religious heritage sites in Bosnia-Herzegovina include mosques (*dzamija*, *mesdzid*), *tekkes* (dervish lodges of the Sufi lay brotherhoods), *turbes* (shrines marking the burial places of popular saints and martyrs), clock towers (*sahat kula*), *medresas* (Islamic theological schools), *mektebs* (schools for Qur'an readers), and Islamic libraries and religious archives. All of these appear to have been singled out for destruction during the 1992-1996 war, in particular mosques.³⁰

After the war, Bosnian Muslims attempted to rebuild life, but it was not easy given the massive, intentional destruction of the four-year bloody war. The population was left traumatized and vulnerable, yet some found strength to move forward while keeping the past close at heart. "In Bosnia, the most successful reconstruction projects were not those funded by UNESCO, but those that were ground up initiatives from communities affected in places where there was a return of refugees," said Riedlmayer. "The first thing they did was fix their schools and mosques because otherwise they didn't feel secure."

³⁰ Riedlmayer, András. (2002) "Destruction of Cultural Heritag in Bosnia-Herzegovina 1992-1996. A post-war Survey of Selected Municipalities." Cambridge, Massachusetts.

Today, Bosnians continue to remember and honor the past by building structures and monuments that symbolize significant aspects of their society. In so doing, they are exercising memory politics and reconstructing the past. In fact, there is a youth movement dedicated to solely to remembering the past and ensuring that no one else forgets what happened during the Balkans War. “Heritage is integral part of that [cultural property], physical embodiment of memory,” said Riedlmayer.

III. Conclusion

My thesis research asked three questions which are answered for the Bosnian case below:

1) What are perpetrators trying to achieve when they target cultural property? In the case of Bosnia, perpetrators (Serbs) were trying not only to expunge a particular group of people (Bosniak Muslims) through ethnic cleansing campaigns, but also destroy any remnants of their culture, particularly Ottoman/Islamic religious heritage.

2) Are perpetrators successful in achieving their goals? Unfortunately for the Bosnian Muslims, Serbs succeeded in achieving their goals by destroying mosques, tekkes, turbes, clock towers, burial places, libraries, and bridges. Unfortunately for Serbs, their massive, intentional devastation is considered a war crime under international humanitarian law, and they were, therefore, tried in the ICTY, where interviewee Riedlmayer gave an expert testimony about the massive, intentional destruction of Ottoman/Islamic property.

3) What are the consequences, if any, of destroying cultural property? The Bosnian War had two major consequences. Firstly, and most importantly, the destruction of cultural property

became recognized in international humanitarian law as a war crime. Secondly, the destruction of Ottoman/Islamic cultural property perpetuated memory politics for Bosnian Muslim who continue to restore old buildings, commemorate the genocide, and build new monuments and symbols to remember the past.

Through my research, I hope to demonstrate that while cultural property can be attacked, and in most cases, it can be destroyed forever, perpetrators cannot erase the intangibles: culture and identity. It is therefore, imperative to ask: *did Serbs succeed in erasing culture and identity?* I conclude that while the Serbs destroyed significant parts Islamic cultural heritage in Bosnia which was central to the practice of cultural and religious identity for Bosniak Muslims, they nevertheless failed to fully completely erase a Muslim identity from the territory. Moreover, while the intrinsic worth (infrastructure, industry, or natural resources) of Bosnian territory was collateral damage of the Bosnian War, the symbolic worth of territory (historical or identity value) was intentional and deliberate.

Today, Bosnia-Herzegovina is comprised of Bosniak Muslims, Bosnian Croats who identify with the Catholic Church, and Bosnian Serbs who identify with the Serbian Orthodox Church. Muslims constitute 46% while Christians constitute 51% of the population. It is still multiethnic as it was before the Bosnian War. The continued coexistence of these religious groups demonstrates that despite the savage devastation by the Serbs during the Bosnian War, culture and identity were retained and passed down through generations in permanent ways (restoration of older cultural property while building new monuments) and nonpermanent ways (values from parents, celebration of cultural traditions, and verbal stories).

Chapter 4: Case Study - Armenia

I: Conflict Background

Armenia is part of Oriental Orthodoxy, one of the most ancient Christian communities. Armenia was the first country to adopt Christianity as its official religion in the early 4th Century and today follows the Armenian Apostolic Church. Mass atrocities and genocide are often perpetrated within the context of war. The destruction of the Armenians was closely linked to the events of World War I. Fearing that invading enemy troops would induce Armenians to join them, in spring 1915 the Ottoman government began the deportation of the Armenian population from its northeastern border regions. In the months that followed, the Ottomans expanded deportations from almost all provinces regardless of distance from combat zones. On the eve of World War I, there were two million Armenians in the declining Ottoman Empire. By 1922, there were fewer than 400,000. The others, some 1.5 million, were killed in what historians consider a genocide.³¹

The origin of the term *genocide* and its codification in international law have their roots in the mass murder of Armenians in 1915–16. Lawyer Raphael Lemkin, the coiner of the word and later its champion at the United Nations, repeatedly stated that early exposure to newspaper stories about Ottoman crimes against Armenians was key to his beliefs about the need for legal protection of groups (a core element in the UN Genocide Convention of 1948).

US Ambassador to Constantinople Henry Morgenthau was deeply troubled by the atrocities committed against the Armenians and was among the first people who sought to rouse the world's conscience in response. The plight of the Armenians triggered an unprecedented public philanthropic response in the United States, involving President Woodrow Wilson,

³¹ <https://www.ushmm.org/wlc/en/article.php?ModuleId=10008187>

Hollywood celebrities, and thousands of Americans at the grassroots level who volunteered both domestically and abroad to raise over \$110 million (over \$1 billion adjusted for inflation today) to assist Armenian refugees and orphans. “The Armenian Diaspora is the direct consequence of that genocide,” said Ambassador Rouben Shougarian. “We have 1.5 Armenians in this country, most are decedents of genocide survivors.”

During and after World War I, many countries gained independence, including former Ottoman states of Azerbaijan and Armenia in 1918. However, because of the division into separate states, territorial disputes arose. Both Armenia and Azerbaijan laid claim to territory which they saw as historically and ethnically theirs and these territorial disputes led to the Armenian–Azerbaijani War between 1918 and 1920, a series of conflicts that ended only when both Armenia and Azerbaijan were annexed by the Soviet Union. Today, there are no diplomatic relations between Armenia and Azerbaijan primarily because of ongoing Nagorno-Karabakh conflict.

The eastern part of the current territory of the Republic of Turkey is part of the ancestral homeland of the Armenians. Cultural heritage was deliberately targeted for destruction by the Ottoman and Turkish government. Of the several thousand churches and monasteries (usually estimated from two to three thousand) in the Ottoman Empire in 1914, today only a few hundred are in still standing in some form, with most of these are in danger of collapse. Those that continue to function are mainly in Istanbul. Mancini has done a lot of research in Turkey and concluded that “Armenian churches in Turkey are Armenian cultural property.”

II: Destruction of Cultural Property

“When it comes to ethnic conflicts, cultural property becomes one of the first target of the opposing forces,” said Shougarian. “[Destruction of cultural property] is a blow to identity,

elimination of any evidence that this part of county had belonged to a different state.”

Shougarian continued that perpetrators target cultural property to prove to the international community and to their own people, that region or group of people claiming independence has absolutely no right to do that historically because there is no proof of their cultural presence. “It is a psychological thing, it’s a blow to identity fillings and national pride,” he said.

When asked why you think cultural property is targeted, Tufts art historian and Armenian-American Christina Maranci answered, “Because it can’t run away, it doesn’t have legs.” She is correct, cultural property is physical embodiment of nonphysical concepts and ideas. “I see this in Armenian churches in Turkey – they are reminders of a past that Turkey is not owning up to,” she said.

Dr. Hak Demayon prefers to use the term “cultural heritage” rather than cultural property. He defines cultural heritage as “everything related to one group’s memory that could be an identity marker; a monument, worshipping place, cemetery,” he said in an interview. “In total, this becomes an important component of what is a national group, identity. This property makes important part of self-identification and differentiation of other groups.” He went on to say that Armenians are one of the ancient civilizations to survive against all odds. They withstood the invasions from Babylonians Syrians, Romans, Medians, Assinates, Saljukians, Georgians, Soviets and still they have managed to keep their distinctive identity.”

Similar to the National Library in Sarajevo which was burned in 1992, Turks destroyed the Armenian books and libraries. “For Armenians, one of the most important parts of national identity,” said Shougarian. “Books were the most important element of compounded national identity. At time of worst persecution, not only lives were saved, the first thing that fleeing, deported Armenians were saving were books and manuscripts.” There is a unique depository of

manuscripts in Yerevan, biggest in the world. Most of the books were rescued by families that had to leave. The National Library of Armenia, also known as the Mirzoyan Library, located in the center of the capital Yerevan stands as a symbolic of the importance of books to Armenian identity. Books and manuscripts are so central to Armenian identity Armenia is the “only religious nation in world to have a special holy day designed for translators,” said Damayan. Maranci added that while manuscripts are certainly important to Armenians, monasteries and monuments are equally significant.

Turks also destroyed churches and monasteries that represented Christianity. Shougarian noted that “monasteries are much more than monasteries” for Armenians. “For centuries for state-less existence that Armenia has gone through, monasteries substituted these functions of state. They were not religious governance. There were no state institutions available to preserve national identity and cultural heritage, language, ties between people. Church took that function, it was associated with state. Moreover, Maranci noted that Armenian churches are unique in many ways. They are an expression of Armenian faith which is in itself unique theologically. They are visually and architecturally very unique in their planning: domed centralized church with pointy roofs. In addition, Armenian churches use refined stone masonry, are abundant, and easily identifiable. This uniqueness could be one reason, if not the primary reason, Turks wanted purposefully targeted churches because they wanted to erase Armenian identity from the territory which they perceived to be theirs.

What exactly is Armenian identity? Given that Armenians have always lived at the crossroads of major civilizations, one can argue Armenian identity an eclectic mixture of multiple different cultures while still having a distinct Armenian. Shougarian identified five major components of Armenian identity: (1) European identity which includes language (only

one in the south Caucasus that belongs to family of Indo-European languages) and the religion of Christianity; (2) Soviet identity (implanted by the Soviet system); (3) Middle Eastern identity (share so much with Iran and Arab countries including practices and cuisine); (4) Russian identity (cultural roots and commonalities); and (5) Transatlantic identity (concentrated in the United States). “All these components constitute national identity of Armenia,” said Shougarian. “It is not a mechanical addition that contributes to the integrity Armenian identity, but if we want to use the language of mathematics, it not an addition but rather and multiplication of these components. It comes from being for centuries at cross-roads of civilization.”

III. Conclusion

My thesis research asked three questions which are answered for the Bosnian case below:

1) What are perpetrators trying to achieve when they target cultural property? Like Bosnia, in the case of Armenian, perpetrators (Ottoman Turks) were trying not only to expunge a particular group of people (Armenians) through ethnic cleansing campaigns, but also destroy any remnants of their culture, particularly Christian religious heritage.

2) Are perpetrators successful in achieving their goals? Unfortunately for the Armenian Christians, Ottomans succeeded in achieving their goals by destroying churches, cemeteries, and libraries. Unfortunately for Turks, their massive, intentional devastation as well as genocide are documented and condemned under the UN Genocide Convention of 1948. Even today, Armenian-Turkish relations are strained as a result of this past. In fact, one of the reasons

prohibiting Turkey from gaining admission into the European Union is the lack of their recognition for the genocide against the Armenians.

3) What are the consequences, if any, of destroying cultural property? The Armenian Genocide of 1914 had two major consequences. Firstly, and most importantly, genocide became formally recognized and cemented in the UN Genocide Convention of 1948. Secondly, the destruction of Armenian Apostolic cultural property perpetuated memory politics for Armenians living in their homeland and the diaspora (primarily in the United States) who continue to restore old churches, conduct research and publish a new wave of scholarship, annually commemorate the genocide, and build new Armenian churches to cement the identity to their territory.

Through my research, I hope to demonstrate that while cultural property can be attacked, and in most cases, it can be destroyed forever, perpetrators cannot erase the intangibles: culture and identity. It is therefore, imperative to ask: ***did Ottomans succeed in erasing culture and identity?*** Again, like Bosnia, I conclude that while the Ottomans destroyed significant parts of Armenian Christian cultural heritage which was central to the practice of cultural and religious identity for Armenian Christians, they nevertheless failed to fully completely erase a Christian identity from the territory. Moreover, it is evident that the Ottoman destruction of symbolic worth of territory (historical or identity value) was intentional and deliberate.

Chapter 5: Relevance to Today & Conclusions

I: Relevance to Today

In early January 2017, non-state actor, the Islamic State of Iraq and the Syria (ISIS), deliberately attacked historically and culturally significant site of Palmyra, the ancient Semitic city in present-day Homs Governorate of Syria. Satellite images showed devastation to Tetrapylon and the Roman Theater. The jihadist group first seized control of Palmyra, a UNESCO World Heritage Site, in May 2015 and again in December 2016. “An oasis in the Syrian Desert, north-east of Damascus, Palmyra contains the monumental ruins of a great city that was one of the most important cultural centers of the ancient world,” notes the UNESCO website.³² Named as UNESCO’s world heritage site in 1980, Palmyra is one of the Middle East’s greatest archaeological sites, with findings dating back to the Neolithic period. The city changed hands between the Romans, Greeks, Persians, Arabs, and Turks, to name a few, making it a unique mixture of multiple cultures. “From the 1st to the 2nd Century, the art and architecture of Palmyra, standing at the crossroads of several civilizations, married Greco-Roman techniques with local traditions and Persian influences.” Indeed, the destruction of such a historical site is a tragedy not just for Syria, but all of humanity.

But destruction of cultural heritage is not just happening in war zones. On August 12, 2017, a white nationalist rally that turned violent in Charlottesville, Virginia, brought renewed attention to dozens of Confederate monuments around the United States. Many government officials, including Representative Nancy Pelosi of California, the House Democratic leader, have called to remove statues, markers and other monuments that celebrate controversial Civil

³² <https://en.unesco.org/about-us/introducing-unesco>

War era figures from public grounds.³³ Throughout cities like Annapolis, Austin, Brooklyn, Durham, Gainesville, New Orleans, Memphis, and even Boston, Confederate monuments, plaques, and statues were taken down or destroyed by local authorities, and Senator Cory Booker of New Jersey went so far as to propose a bill to remove Confederate statues from the U.S. Capitol building. The controversy around removing these monuments has split the American public. Blacks, liberals and historians viewed the monuments as symbols of white supremacy, hate, and racism while white Southerners argue statues and flags represent “heritage, not hate.”³⁴ At the core of this controversy is the question of whether history is part of culture, and vice versa. Is there a line to draw?

Throughout my travels overseas, I have seen the preservation of historical sites and monuments in an effort to preserve a cultural identity. My curiosity about cultural property led me to research why it is destroyed. From this research, it is clear that destruction of cultural property is a deliberate tactic of armed conflict—a ubiquitous pattern of 20th century that has continued into the 21st Century. One might even argue that it has become a common pattern of irregular warfare.

Perpetrators attack cultural property to eradicate, displace, or reframe a population. The targeted group often belongs to ethnic or religious minority, making the group vulnerable to mass atrocities such as genocide in Bosnia and Armenia. The construction of cultural property is an attempt to cement a group’s authority over a territory; in logical inverse, the destruction of cultural property therefore symbolizes the removal of that territorial claim.

³³ "Confederate Monuments Are Coming Down Across the United States. Here’s a List.” *The New York Times*. August 28, 2017. <https://www.nytimes.com/interactive/2017/08/16/us/confederate-monuments-removed.html>

³⁴ <https://www.nytimes.com/2017/08/18/us/confederate-monuments-southern-history.html>

II. Conclusions

In 1996, American political scientist Samuel Huntington argued for “clash of civilizations,” a hypothesis that people’s cultural and religious identities will be the primary source of conflict in the post-Cold War world. While the Bosnia case study demonstrates support for this hypothesis, the Armenia case demonstrates that the clash of civilizations was already occurring way before the Cold War. Therefore, I hypothesize that when it comes to the fear of securing territory, one of the most important assets and resources a state has, clashes over religious values that reflect a group identity are inevitable. Many ethnic and religious groups coexisted peacefully under the Ottoman Empire as well as in the Balkans before bloody wars broke out. It was not until there a state perceived a threat to its territory that it felt the need to take offensive action, a situation known as the “security dilemma,” a term coined by German scholar Robert Jervis. In the case of Armenia, two factors led to the mass violence: firstly, the wave of nationalism at the onset of World War I which encouraged ethnic groups to breakaway and form their own independent states and secondly, the build-up of military strength of neighboring states involved in the World War conflict. The first factor led to the disintegration of the once mighty Ottoman Empire while the second factor pulled the Ottoman Empire into the World War. Unfortunately, in both Bosnia and Armenia, the protection of territory came at the cost of genocide and massive destruction of cultural property.

This thesis explored why cultural property is destroyed during warfare or conflict. This thesis aims to answer three questions: (1) What are perpetrators trying to achieve when they target cultural property such as historical buildings, works of art, archaeological sites, libraries, museums, and places of worship in Bosnia and Armenia? (2) Are perpetrators successful in achieving their goals? (3) What are the consequences, if any, of destroying cultural property?

The research questions, my hypothesis, and conclusions from case studies in Bosnia and Armenia are summarized in the table below:

	What are perpetrators trying to achieve?	Were perpetrators successful in achieving goals?	What were the consequences?
Hypothesis	Deliberate tactic to expunge or dislocate a population to lose their claim to territory; attempt to eradicate a culture and erase an identity	Yes in destroying property, no in erasing culture and identity	Fueling memory politics and perpetuating national trauma
Bosnia	Expunge Bosniak Muslim through ethnic cleansing campaigns and destroy remnants of their Islamic culture	Yes in genocide, yes in destroying Ottoman/Islamic cultural heritage, no in erasing culture and identity	Recognition in international humanitarian law that destruction of cultural property is a war crime
Armenia	Expunge Armenian Christians through ethnic cleansing campaigns and destroy remnants of their Christian culture	Yes in genocide, yes in destroying Apostolic Christian cultural heritage, no in erasing culture and identity	Genocide formally prohibited under the UN Genocide Convention of 1948

III. Future Research

Given the unquestionable significance of culture as part of the human experience and human identity, it is vital to protect cultural property during armed conflict. While laws of armed conflict and some international law give legal protection to cultural property, more can be done to ensure cultural security. To avoid repeating what happened in Bosnia and Armenia, it is imperative that the international community adopt a comprehensive emergency intervention plan in the wake of armed conflict. Future researchers can explore the possibility of such a procedure, and whether is it feasible to gain international support, especially in the framework of the 1954 Hague Convention. Having such a protocol can more strictly hold perpetrators accountable while making an effort to preserve cultural heritage.

It would also be interesting to further explore patterns of peaceful coexistence of religious groups as was true in the Ottoman Empire and the Balkans region before wars broke out. If religious minorities have, can and do cohabit peacefully, specifically what factors spark conflict amongst them?

Lastly, in an increasingly globalized and connected world, surprising preservation of identity has heightened. Today, when forces like globalization, populism, and digitization are sweeping across the world, it would behoove scholars to study patterns of identity intensification. In what ways are ethnic or religious groups becoming more conservative, if at all, and how are they fighting the global forces to preserve their identity?

Appendices

Appendix A – Photos from Ephesus (Izmir, Turkey)



Appendix B – List of Interviewees (Original Research)

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Andr as Riedlemayer

Expert on Islamic Heritage in Balkans
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Ambassador Rouben Shougarian

Armenia's first Ambassador to the U.S. upon Armenia's independence from USSR
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Appendix C – Interview Questionnaire

Tell me a little bit about your background...

How do you define “Cultural Property”?

Why do you think cultural property is targeted during warfare/conflict?

Why is cultural property important to a group of people?

What type of property (libraries, places of worships, etc.) was important to Bosnians/Armenians?
Why?

How would you characterize the conflict in Bosnia/Armenia? Do you think it was a religious war? Why or why not?

How would you describe Bosnian/Armenian identity?

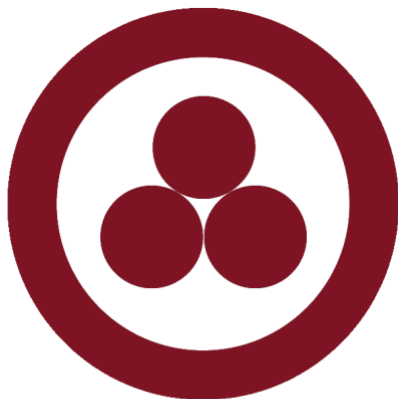
What does Bosnia/Armenia look like today? What does the group value?

How did the Soviet period impact religious practice in Bosnia/Armenia? How did this impact cultural property, if at all?

Are Bosnian/Armenian mosques/churches unique in architecture and style? How?

What is being done to preserve cultural property in Bosnia/Armenia today?

Appendix D – Pax Cultural Symbol



PAX CULTURA

Appendix E – About the Author

Mariya Ilyas is a candidate for Master of Arts in Law and Diplomacy from the Fletcher School, where she is studying international security, international business relations, and global maritime affairs. She previously worked as a business analyst for Liberty Mutual Insurance in Boston, served at The White House and the U.S. Department of State, taught journalism in Pakistan as a Davis Projects for Peace Grantee and taught English in Turkey as a Fulbright Scholar. As a 2015 Pickering Graduate Fellow, Mariya will join the U.S. Foreign Service in July 2018 and speaks Urdu, Turkish and rudimentary Spanish. She received a Bachelor of Arts in Mathematics from Bowdoin College.



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