

From a ‘Clash of Civilisation’ to Reconciliation? A Response to Matthews

Sophia Labadi

Institute of Archaeology, UCL

Introduction

Whilst my area of expertise is not, *stricto sensu*, the Middle East or the wider ‘Arab region’, I believe that as a citizen of one of the Maghreb countries I have a duty to express my views on the subject. I also believe that some of the disjunctions detailed in Matthews’ paper can be resolved if analysed from the perspective of the international protection of cultural heritage; my particular area of expertise. Whilst this paper is critical of Matthews’ point of view, some of the remarks he made are very important and will be reiterated here.

Disasters and a ‘Clash of Civilisations’

Matthews believes that the current situation in Iraq is “a unique opportunity to start afresh our academic engagement”, “to turn our back on that past” and to “construct a new framework for the future”. It is easier for ‘us’, the Occidentals, to ‘turn our back on the past’ than for the Iraqi people who have lived, in the past few months, through tragic and traumatic events. Would it be possible for our Iraqi colleagues, for instance, to forget about the past when their own cultural heritage and identity have been destroyed and when they might have lost a cherished person or a member of their family? In fact, according to a recent Amnesty International report: “the March/April 2003 war on Iraq by US and UK forces *saw large numbers of Iraqi civilians killed*” (Amnesty International 2003, my emphasis).

In his article, Matthews develops the basis for a “manifesto for a new archaeology of Mesopotamia” to be implemented “in the years ahead”. This ‘manifesto’ requests, for instance, that archaeologists working in Iraq in the future speak Arabic and are familiar with and respectful of local customs. This ‘manifesto’ is somewhat utopic because Matthews ignores, consciously or unconsciously, the wider international political climate which opposes the Occidental and Oriental worlds (the latter understood as the Arab and/or Islamic world). In the past few years, ‘we’, the Occidentals, have been represented as symbolising ‘freedom’, ‘modernity’ and ‘democracy’. On the other hand, ‘they’, the Orientals, are mythically represented as ‘the axis of evil’, ‘threats to world peace’ and ‘dangers to civilisation’. This antagonistic discourse has had tangible repercussions in the Occidental world with increased publication of anti-Islamic propaganda and literature, which will not easily be forgotten (see Fallaci 2002 for an example of this literature; Said 2003 for condemnation of it). This antagonistic discourse has also had strong and long-lasting repercussions in the Oriental world which, in some cases, seems to distrust the Occidental world (Védrine 2003). Although very controversial, the footage of the Baghdad museum by Dan Cruikshank (BBC, 9th June 2003 *f.*) clearly demonstrates that the museum staff, quite understandably, did not trust and/or want to collaborate with the ‘occupying forces’.

From Disjunction to Reconciliation

One way to transcend the dualistic discourse presented above would be for governments and individuals to better support and be involved in the work of international organisations; in particular the United Nations Educational, Scientific and Cultural Organisation (UNESCO). UNESCO encourages peace, mutual respect and tolerance through, *inter alia*, the protection of cultural heritage of the whole world including the 'Arab States' (UNESCO identifies 'Arab States' as those States constituting the Maghreb and the Middle East).

Reflecting on the fact that Iraq only has two World Heritage Sites, Matthews concludes in his paper that "despite academic and public avowals of the importance of the Mesopotamian past in global terms there is evidence to suggest that this significance is not fully appreciated in quarters where it may matter greatly". Yet, he does not mention that nominations for inscriptions on the List are made by States Parties, countries signatories to the World Heritage Convention. States Parties can only nominate sites that are located within their own territories. In this context it is important to consider whether the absence of Iraqi sites on the List is due to the deferral by the World Heritage Committee of sites nominated by the Iraqi Government or whether this absence is due to the lack of nomination by the Iraqi Government.

An analysis of official UNESCO documents reveal that only four sites have ever been nominated by the Iraqi Government. Three of these sites, Babylon, Hatra and Ancient Samarra were presented to the World Heritage Committee in 1983 and subsequently deferred by this Committee. Hatra was then the only site re-nominated by the Iraqi Government and included on the World Heritage List in 1985. No other site was subsequently nominated by the Iraqi Government until the 2003 inscription of Ashur on the World Heritage List. This lack of national implementation of the Convention by Iraq can be extended to the other Arab States. With the exception of the years 1978-1979 and 1983, the annual rate of nominations sent to the World Heritage Centre for the whole of the Arab States has never been higher than five properties. In contrast, it is not unusual for a single European country to annually nominate five or even ten properties (UNESCO 1999).

Several interrelated reasons can explain this lack of participation. A 2000 UNESCO report on the implementation of the World Heritage Convention in the Arab States highlights, for instance, a lack of awareness and understanding of this international legal instrument (UNESCO 2000: 56).

A number of recent evolutions in the implementation of the World Heritage Convention can be briefly noted as having the potential to change this situation in the near future. In particular, the rules of procedure of the World Heritage Committee were amended in March 2003. It was decided, *inter alia*, to cover the costs of participation for those representatives from developing countries who are members of the Committee in attending its sessions and those of its Bureau. If financially possible, the World Heritage Committee would also support those representatives from developing States Parties who are not members of the Committee in attending its sessions and those of its Bureau. This

would certainly lead to a better understanding of the Convention by those responsible for the protection of cultural heritage in the Arab States (UNESCO 2003).

Sites nominated for World Heritage Status need to be 'properly' conserved and managed. Nonetheless, one of the basic guides explaining measures for the conservation and management of cultural heritage sites, *Management Guidelines for World Cultural Heritage Sites* (Feilden and Jokilehto 1998) has not yet been published in Arabic and there is no plan to do so (Killick, R. pers. comm.), although it has been translated into other languages. The absence of an Arabic version echoes Matthews' important comments on the lack of translations into Arabic. We should lobby for this translation to be undertaken as soon as possible.

Considering the current instability in both Iraq and its neighbouring countries, it is important to mention the 1954 UNESCO Hague Convention on the Protection of Cultural Heritage in the Event of Armed Conflict and its 1954 and 1999 Protocols. This is a very important legal instrument which applies not only to international conflict but also to internal armed conflict. Iraq has ratified the 1954 Convention and its 1954 Protocol, whilst neither the United States nor the United Kingdom have. The limits of the 1954 Convention and its 1954 Protocol have been demonstrated both theoretically (see Boylan 2002 for example) and practically, during the conflict in former Yugoslavia for instance (see Šulc 2001: 161-162). In particular, Article 4(2) of the 1954 Convention states that obligations to respect cultural property "may be waived...in cases where military necessity imperatively requires such a waiver". As highlighted by Merryman (1986: 838), "the concept of military necessity is so indefinite and the circumstances of its use in the field so fluid that 'necessity' too quickly and easily shades into 'convenience'".

The Second Protocol of the Hague Convention (1999) was drafted to clarify and strengthen the provisions of the 1954 Convention and its 1954 Protocol. In particular, this Second Protocol clearly delimits the cases when the concept of 'military necessity' can be claimed. It also established for the first time an intergovernmental Committee to better implement this Convention. Article 43 of the Second Protocol stresses that "it shall enter into force three months after twenty instruments of ratification, acceptance, approval or accession have been deposited". However, the Second Protocol has not yet entered into force since only 16 Parties have ratified it. In this context, it is important to note the lobbying by organisations in the United States and the United Kingdom to make their governments ratify the 1954 Convention and its two protocols. In June 2003, for instance, a resolution was adopted which called on "the (UK) Government to set up a clear timetable for ratification for the (1954) Convention and the First and Second protocols to coincide with the 50th anniversary of the Convention in 2004" (Taylor and Cole 2003: 4). These efforts reveal that respect for the cultural heritage of others should start in our own, western countries.

The promotion of cultural diversity, which is closely related to respect for the cultural heritage of others, should also start in our western countries rather than on fieldwork abroad. What better places for promoting cultural diversity than universities? The

Institute of Archaeology, UCL, for instance, has a mission to “provide archaeological opportunities of the highest quality to all, regardless of background” (Institute of Archaeology 2003) and provide opportunities to study world archaeology. Nonetheless, with one notable exception, all the lecturers and postdoctoral fellows lecturing on and researching the Middle East, the Maghreb and western Asia are from the western world. Of course, before drawing simplistic conclusions one should analyse the diverse and complex reasons why this situation has occurred. Nonetheless, greater cultural diversity among the staff of universities should be immediately encouraged.

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