

# Three years after looting of Iraqi National Museum: an official whitewash of US crime

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7 April 2006

Three years have now passed since thieves looted the Iraqi National Museum in Baghdad following the American invasion. Nearly 15,000 objects of inestimable scientific and cultural value were stolen, although initial figures were over 10 times that number.

Iraq, called in ancient times Mesopotamia, the land between the two rivers, developed some of the world's first complex, class-divided societies. The early peoples of Iraq were among the first to build cities and to write. The National Museum contained many of the material remnants of these and later cultures and some of the greatest examples of their art.

There was an international outcry, and the United States military, groping to set right a public relations disaster, sent in Marine Reserve Col. Matthew Bogdanos, in civilian life a Manhattan assistant district attorney, to conduct an investigation. He was assisted by a team drawn from various military services as well as by the staff of the museum itself.

Bogdanos has published his findings in several journals and in his book, *Thieves of Baghdad*. [1] A more detailed account appeared in the prestigious *American Journal of Archaeology* (AJA) last summer. [2]

The results of his investigation are limited to what looters stole and how and when they probably stole it. When Bogdanos touches on the role of American forces in the area at the time, he raises more questions than he answers. Although he says the military could have done more to protect the museum, he fails to indicate how.

More significantly, Bogdanos defends the invasion. He is neither able nor inclined to investigate those responsible for putting the museum in jeopardy in the first place: the architects of the illegal assault on Iraq.

In fact, Bogdanos's findings serve as an attempt by the Bush administration to placate critics, particularly in academic circles. This, and the reclaiming of roughly 5,000 stolen objects through amnesties, raids and interdiction at borders, has provided, the administration hopes, a necessary dénouement to one of the great episodes of cultural vandalism of the twenty-first century.

In November, President Bush awarded Colonel Bogdanos a National Humanities Medal. Since then, he has become something of a public figure. He has gone on tour promoting his book in talks sponsored by various institutions and groups.

In December, he penned an op-ed in the *New York Times* deploring the sale of stolen antiquities, because the profits can be used to fund the Iraqi insurgency. Most recently, he has been made the chief of a special unit in the Manhattan DA's office to investigate art and antiquity theft.

Bogdanos's team, some of whom were policemen in civilian life, inspected administrative offices, restoration rooms, public galleries and storage rooms over five weeks after April 2003. The team concluded that there were three separate thefts from the museum on April 8-12 by three different groups.

Over 120 administrative offices were completely ransacked and their contents destroyed, as were the restoration rooms nearby. Across a long corridor lay the public galleries. Bogdanos remarks on the unusual restraint shown in the damage to the public galleries. Although most of the

display cases had been emptied by the staff prior to the American invasion, only 28 of the 451 display cases were damaged. Twenty-five objects were damaged, including the remains of the Golden Harp of Ur.

Nevertheless, over 40 objects of considerable value were stolen from the public galleries and from nearby restoration rooms. These were all removed selectively and required some knowledge of their importance: they included the Mask of Warka, the Lioness Killing the Nubian, and artifacts from the Royal Burials at Ur.

Two of the three aboveground storage rooms were looted. Their steel doors, Bogdanos notes, showed no signs of being forced; those who entered must have had access to the correct keys.

By the end of December 2003, Bogdanos's team had determined that over 3,000 items had been stolen from these rooms. Here the looting was indiscriminate. Almost of all of the items recovered during an amnesty came from this area of the museum.

The looting in a third area of the museum, the basement storage rooms, appears to have been an inside job. Bogdanos discovered that the steel doors here were also unlocked and again showed no sign of forced entry.

Three of the four rooms here were unplundered, but in the corner of the fourth, fishing-tackle boxes that had contained excavated jewelry, cylinder seals, beads and the like were emptied. Nearby boxes of less valuable material had not been touched. Bogdanos concluded that the thieves had some knowledge of the contents of this room.

It appears that the thieves came unprepared and had to depend on burning packing foam to see around the room. They dropped keys in the dark (electricity was not functioning), and thus missed, apparently, discovering cabinets containing silver and gold coins from the Greek, Roman and early Arab periods of Iraqi history as well as valuable cylinder seals.

The thieves, however, did make off with many other cylinder seals and other priceless objects. As Bogdanos observes, the cylinder seals (small clay cylinders used in the early class societies of Mesopotamia to mark ownership on goods sealed with clay) had come not from the open market, but from archaeological expeditions, where their context had been documented, enabling a much more rigorous scientific study of their dates and cultural origins.

The last published estimate has been that the thieves took over 5,000 cylinder seals and over 5,500 glass bottles, and pieces of jewelry.

People with some knowledge of the holdings committed two of the three thefts, one in the public galleries and one in the basement storage area. Most of these objects were intended for the international antiquities market. Some of the major pieces, such as the Vase of Warka, were returned. Iraqi, American or other international forces have seized some.

Of the third area, the aboveground storage areas robbed by ordinary Iraqis enraged at the Baathist regime, over 3,000 of the estimated 3,138 stolen objects have been returned.

From a political point of view, Bogdanos's AJA article and the final chapters of *Thieves of Baghdad* represent an apologia for the American

role in the looting.

He presents a selective sequence of events from April 8, after the American invasion of Baghdad, up until April 16, 2003, the day the museum was guarded by American troops. He asks if American troops in the area could have done more to protect the museum. He implies that the answer is no.

According to Bogdanos, on April 8 the staff left the premises of the museum at 11 a.m., when Iraqi troops took up positions. Donny George, a director of the museum, attempted to return there at 3 p.m., but was unable due to heavy fighting in the area.

On April 9, an American tank company, the 3rd Infantry Division Task Force 1-64, moved to within 500 meters and began taking fire from three of the four buildings in the museum compound.

The commander of the unit, Lt. Col. Eric Schwartz, estimated that 100-150 Iraqi soldiers were inside, armed with AK-47s and RPGs. Tanks fired a round at the 2nd floor storage room of the main museum building and at a position on the roof of one of the buildings. Bogdanos notes that Schwartz contacted his superiors before doing so.

Bogdanos defends the American action on the basis of international law. He cites not only Geneva Convention protocols but also those from the Hague Convention for the Preservation of Cultural Property in Time of War, which states that designated cultural property is to be immune from military conflict in time of war. The United States has never ratified the Hague Convention, but the Joint Chiefs of Staff unanimously recommended adherence in 1995.

From a technical point of view, Bogdanos is correct. Both the Geneva Conventions and the Hague Convention prohibit the use of cultural property by defenders in wartime.

But there is something ludicrous and grotesque in an American colonel speaking of the transgressions of the laws of war by a small, nearly defenseless nation during the illegal invasion by the world's leading military power.

Article 11 of this Hague convention is specific about the obligation of the aggressor in withdrawing immunity from a cultural area that has been occupied by enemy forces. "Wherever possible, [the attacker] shall first request the cessation of such violation within a reasonable amount of time" and "immunity shall be withdrawn from cultural property under special protection only in exceptional cases of unavoidable military necessity, and only for such time as that necessity continues. Such necessity can only be established by the officer commanding a force the equivalent of a division in size or larger. Whenever circumstances permit, the opposing party [in this case, the Iraqi military occupying the museum] shall be notified a reasonable time in advance, of the decision to withdraw immunity." [3]

Bogdanos produces no evidence that the American forces attempted to contact the Iraqi military, or any that Lt. Col Schwartz's superiors took the Hague Convention into consideration. In a *Wall Street Journal* interview on April 17, 2003 (cited by Bogdanos), Schwartz indicates that he stopped attacking positions at the museum on his own authority.

Bogdanos's analysis also fails to account for several factors, some of which were indicated in reports that he cites in his AJA article.

\* The *Guardian* of April 14, 2003 reports that Abdul Rehman Mugeer, a senior museum guard, told reporters that four American tanks was initially placed in front of the museum on Wednesday, April 9, and then withdrawn. Mugeer said that American tanks briefly returned on Friday April 11, causing the looters to flee. They returned once the Americans were gone

\* Bogdanos notes that a stationary tank in heavy fighting is a target, and so could not be placed in front of the museum. Does this mean that on April 10 the area near the museum was secure?

\* George, the museum director, said in an interview with the *Guardian* on May 2, 2003 that upon hearing about the looting on Saturday, April 12,

he went the next day to the Marine headquarters at the Palestine Hotel. He spoke to a Marine civil affairs officer, Col. P.A. Zarcone, who assured him that the museum would be protected and indicated that American forces might be there before George returned to the museum later that day. In fact, it was three days before American troops came to protect the museum.

"Frankly," Bogdanos says, "those who argue that US forces should have done more to protect the museum present a compelling argument." "Why then," he asks, "did US forces not protect [the museum] ... between the time it was arguably safe to do so (whether on the evening of the 10th or the forenoon of the 11th) and the time the staff returned on the afternoon of 12 April?" Bogdanos adds, "The more pointed question is why no unit before the battle had been given the specific mission of protecting the museum from looting after Baghdad was secure."

Bogdanos has some answers. He suggests that the speed of the battle "outstripped the ability of Coalition planners to plan for the security needs of a city the size of Baghdad." He also argues that the war's planners did not realize the danger of looting because of the museum's identification with the regime.

And yet, as his own investigation has pointed out, two of the three episodes of theft were not from those looters who identified the museum with Baathism, but from criminals motivated by profit.

In fact, the government was warned about the danger of looting to archaeological sites. In the *Washington Post* of April 14, 2003, archaeologist McGuire Gibson of the Oriental Institute in Chicago described discussions before the war with Pentagon officials: "We told them looting was the biggest danger, and I felt they understood that the National Museum was the most important archaeological site in the entire country. It has everything from every other site."

More recently, in a response to Mark Fisher, the former British arts minister, in the *Guardian* on January 25, Patrick Boylan, an emeritus professor of heritage policy at the City University of New York, noted that during the first Gulf War, Dick Cheney as defense secretary collected "detailed advice on the cultural heritage of Iraq and Kuwait from around 80 international experts and institutions." Included was information on the National Museum in Baghdad.

The military used this knowledge during operation Desert Storm in 1991, and, for the most part, did not damage any important sites. After a 1993 report to Congress, Boylan notes, "The Pentagon gave an assurance that 'similar steps will be taken by the United States in future conflicts.'"

Boylan continues, "It is simply inconceivable that, during the planning of the military action in 2002-03, the Pentagon did not turn up the detailed heritage-protection rules and maps applied so relatively successfully in the first Gulf War.... Someone or some group must have taken a positive decision to scrap the US's established protection policies and ignore the January 1993 assurance to Congress given by the defence department, still under Dick Cheney at that time."

There is evidence that this was the case. For example, *Washington Post* reporter Dana Priest said on April 11, 2003 on National Public Radio's "Washington Week in Review" that "the looting is not something they didn't predict. In fact, I've ... talked to officials who believe that really there needs to be a self-purging of the worst elements and that's what you're actually seeing. It's ... a conscious decision by the administration not to get involved in it ..." [4].

The looting of the Iraqi National Museum must be taken in the context of the cultural "policy" of the American invasion.

The burning of libraries and the looting of many other museums accompanied the thefts from the Iraqi National Museum. Manuscripts detailing the history of Iraq under Ottoman rule are gone forever as are precious ancient copies of the Koran.

Before and after the installation of a puppet Iraqi government, a great tragedy has unfolded in the looting of archaeological sites. The Iraqi

countryside in many places is covered by tells or mounds of accumulated refuse from thousands of years of human habitation. Looters, often using heavy equipment, are digging up these sites for artifacts that can be sold on the international antiquities market.

McGuire Gibson has observed, "Hundreds and hundreds of sites in the south are being looted, especially the Sumerian sites. Many of these are in isolated areas. Any site that is not near a town is probably being devastated.

"In May 2003, I was in an Army helicopter and flew down and examined the sites in the south. We saw 25 sites and landed at three. There were 250 looters at one, 300 at another, working during the day. At one site, the Army drove them off, but we know from reporters that they came back the next day." [5]

The former British arts minister, Mark Fisher, in his January 16 *Guardian* piece noted that "the [sites of] Sumerian city-states (Lagash, Uruk and Larsa) have been so badly damaged by looters that observers have described them as resembling devastated lunar landscapes, with craters 5m deep."

In March, over 200 objects from the National Museum were recovered in Najaf, but in a recent interview a former antiquities smuggler remarked, "There is an ocean of material coming from Iraq on a daily basis. This is the central point from where it is sold on." One collector in New York "has organized a complete system of looting archaeological sites in Iraq. He has thousands of pieces in his collection." [6]

The beleaguered city of Samarra, once the capitol of the Abbasid caliphate, was the home not only to the golden domed al-Askari mosque, whose destruction on February ignited a wave of sectarian killings, but also to archaeological excavations. The United States military has built a berm around the city that cuts through archaeological sites.

It has used the city's famous al-Malwiya (winding) minaret of the al-Jami mosque, featured on Iraqi currency, as a sniper position, in clear contravention of the Hague Convention. The mosque was built in 848-852. In retaliation, insurgents fired a missile last year and damaged the minaret.

Most ominously, post-invasion Iraq has seen the assassination of hundreds of Iraqi professionals and academics by pro-government death squads.

The recklessness of the Bush administration is not enough to explain the vast destruction of physical materials and human intellectual capital resulting from the US war and occupation of Iraq. Only one conclusion is possible: a sustained and deliberate war against Iraq's rich cultural heritage began with the invasion three years ago.

#### Notes:

[1] Matthew Bogdanos with William Patrick, *Thieves of Baghdad. One Marine's Passion for Ancient Civilizations and the Journey to Recover the World's Greatest Stolen Treasures*. New York: Bloomsbury, 2005. (Philip Kennicott in the January 22 *Washington Post* is accurate in saying that the voice of the book is "terribly strained" and that "those who question that [Iraq] war—and war in general—may find Bogdanos a repellent figure, symptomatic of a new hubris in certain military and political circles." There are "the faint rumblings of a military culture that goes beyond mere duty and includes a disturbing degree of entitlement—to bend rules, disdain criticism, and place oneself above the people one serves." And what is one to make of a narrative that not once but several times singles Ahmed Chalabi out for praise?)

[2] Mathew Bogdanos, "The Casualties of War: the Truth about the Iraq Museum." *American Journal of Archaeology*, 109 (July 2005), pp. 477-526.

[3] The text of the Hague Convention can be found at: <http://www.icomos.org/hague/>

[4] <http://www.pbs.org/weta/washingtonweek/transcripts/transcript030411.ht>

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[5] Interview for *Dig. The Archaeology Magazine for Kids*, August 24, 2004 <http://www.digonsite.com/grownups/Gibson.html>

[6] Richard Agnew, "The Insider" (interview with Michel Van Rijn) *ITP Business* December 18, 2005 <http://www.itp.net/business/features/details.php?id=3556>



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