The Curse of the Mummy Snatchers: Protection of Cultural Property and the Prevention of Art and Artifact Looting in Conflict

A Monograph

by

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The Curse of the Mummy Snatchers: Protection of Cultural Property and the Prevention of Art and Artifact Looting in Conflict

There has been a change in the operating environment that permits artifact looting in war. Wars enable looting networks that process demand and provide cultural items to consumers that would not typically be available in peaceful conditions. Changes in international legal statutes regarding the protection of cultural property in armed conflict have made state-sponsored looting illegal. With the rise of international terrorist and criminal syndicates, globally connected economies, and greater digital connectivity, the demand for illicit cultural property is no longer from national governments. It appears to comes from structured private sales that are requesting specific items from regions where political instability and military conflict enable theft due to poor security and high levels of violence.

If complex networks can be defined, a solution may be tailored to identify potential looting sites, prevent theft, halt sales, and prosecute illicit networks benefitting from the illegal antiquities trade. Tactical commanders may also provide intelligence and feedback to locate artifacts already removed from a war zone and hold illegal sellers and purchasers accountable in criminal courts.

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Abstract


There has been a change in the operating environment that permits and causes artifact looting in war. Wars permit looting by enabling the formation of networks that process demands and provide cultural items to consumers that would not typically be available in peaceful conditions. State on state wars have resulted in looting that was driven by state demand. Changes in international legal statutes regarding the protection of cultural property in armed conflict have made state-sponsored looting illegal with the 1954 Hague Convention, as well as the additional 1977 and 1999 Protocols, and other internationally recognized guidelines and mutual agreements. With the rise of transnational threats, international terrorist organizations, global economies, and greater connectivity, the demand for illicit cultural property is no longer coming from nation states. It now appears to come from structured private sales that are requesting specific items from regions where political instability and military conflict enable theft due to poor security and high violence.

If the complex network can be defined, a solution may be tailored to identify potential looting sites, prevent theft, halt sales, and keep illicit networks from benefiting from the illegal antiquities trade. This may also provide local reconnaissance and feedback through tactical commanders that is usable by the international community to track artifacts already removed from a war zone and hold illegal purchasers accountable in criminal courts.
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Acronyms

ADP  Army Doctrine Publication
ALIU  Art Looting Investigative Unit
AMA  Art, Monuments, and Archives
AIA  American Institute of Archeology
ERR  Einsatzstab Reichsleiter Rosenberg
ICOM  International Community of Museums
INTERPOL  International Police
MFAA  Monuments, Fine Arts, and Archives
NATO  North Atlantic Treaty Organization
OIF  Operation Iraqi Freedom
UNESCO  United Nations Educational Scientific and Cultural Organization
UNIDROIT  International Institute for the Unification of Private Law (Institut International Pour L’unification du Droit Privé)
WHC  World Heritage Committee
WHS  World Heritage Site(s)
The Entrance to the Museum: Introduction

If, in time of peace, our museum and art galleries are important to the community, in time of war they are doubly valuable. For then, when the petty and the trivial fall away and we are face to face with final and lasting values, we… must summon to our defense all our intellectual and spiritual resources. We must guard jealously all we have inherited from a long past, all we are capable of creating in a trying present, and all we are determined to preserve in a foreseeable future. Art is the imperishable and dynamic expression of these aims. It is, and always has been, the visible evidence of the activity of minds…


Head of a Goddess. Probably from southern Italy, 4th BCE, Marble. The identity of the Goddess is unknown.

—Placard for a marble bust without origin data, Nelson-Atkins Museum of Art

It is a definitive statement in the history of painting. It shows the paradigm shift from the overly stylized religious triptychs of the Madonna and Child to a vision of realism, of faces seen in crowds on familiar streets. It is monumental in its depiction of a religious conviction so powerful that men have marched, killed, and died for the beliefs it represents. It was an important commission for a family of artists, giving them a prestige that remains today. It is Jan van Eyck’s Adoration of the Mystic Lamb, known as the Ghent Altarpiece of St. Bavo’s cathedral in the Belgian city of Ghent.

And it is the most frequently stolen artwork in the history of mankind.¹

¹ Noah Charney, Stealing the Mystic Lamb: the True Story of the World’s Most Coveted Masterpiece (New York: Public Affairs Press, 2010), iii. During an interview with Guy Raz of NPR Radio’s All Things Considered on December 23, 2010, Charney also stated that, “it’s the first great oil painting – it influenced oil painting for centuries to come… It’s the first great panel painting of the Renaissance, a forerunner to artistic realism. The monumentality of it and the complexity of it fascinated people from the moment it was painted.”
Looted by despots, coveted by regimes, smuggled by military cargo transports, carried by wagon trains guarded by Napoleonic troops, repatriated by nations, the altarpiece was an unfortunate casualty of diplomatic bargaining for post-war restitution. It has taken on a symbolic role of what it means to steal culture under the auspices of conflict. Culture is always a silent victim in war. Its destruction can be a harbinger of genocide, the methodical eradication of a civilization through its shared imagery and valued artifacts. Art, artifacts, archives, and monuments provide a physical representation of what it means to be a culture. Culture can be a statement, one made through a visually striking or powerful image or object. The art of a culture has value because that society values it for that very statement. When art is destroyed, the statement ends. When art is taken, the statement of a culture is stolen. When it is taken in war, art becomes a casualty of fighting just like the civilization that created it.

There has never been a war that did not include the theft of cultural items. Looting exploits gaps in national security and stability that can exist during periods of conflict to physically acquire items that would typically be unavailable in periods of peace, unless through approved sale and appropriately documented provenance. While the presence of looting remains constant, the ends, ways, and means have evolved. The purpose for looting has shifted. The participants in the process have changed, and the recipients and benefactors are different. Previously, acquisitions were led by statesmen and their military forces as part of wars of limited political aims. With the advent of international legislation on art theft and the looting prevention, nations now protect cultural material. Yet, art is still a victim of war. The appetite has remained, but the hungry crowds

have changed. Art and artifacts from war zones are taken by individuals with the financial means and specific interest, and trafficked through networks enabled by instability in conflict zones around the world.

Defining who loots art during war, the legal ramifications of conflict looting, and the physical network that permits trafficking demonstrates that there are changes in the fundamental nature of looting. In examining how war looting has changed, one may be able to determine the conditions that predict when looting may occur, as well as the factors that preclude it from happening in future conflicts. This definition and examination may also aid in the prosecution of illicit trade networks and private collectors that profiteer from art taken during war. Vitally, there may be a chance to provide tactical leaders and strategic planners with tools to prevent looting where possible and identify looting conditions. Ultimately this may aid in the prosecution of illicit networks and facilitate restitution and repatriation where possible.

The Map to the Collection: Research Methods

This study will examine the definition of looting in war and the legal framework that permits or prohibits it. By defining the ways that nation states and non-state actors approach art and artifacts taken from war zones through a common legal lexicon, this study will demonstrate a unique pivot from who looted in previous wars to who loots in current wars. By examining variations in looting through historical experiments, the hypothesis that war related art theft has changed should become evident. Two historical case studies will provide a lens for the evolution of international legal frameworks that protect culture from theft during conflict. These two case studies will also demonstrate how the actors and networks have changed to bypass these existing legal processes to acquire art and artifacts from war zones.
The first case study, an examination of the state-structured looting that occurred as part of the Second World War, will provide a history and context on how a nation state acquired cultural items in a systematic process through the German National Socialist Party’s Einsatzstab Reichsleiter Rosenberg (ERR). It will also provide an examination of a methodical approach to protecting and repatriating cultural objects before, during, and after war with multinational and interagency partnerships. By demonstrating how the ERR targeted art for theft, how a multinational coalition of military and academic advisors aided tactical organizations, as well as located, protected, and recovered stolen artworks in war-stricken Europe, this study will provide recommendations for further discussion of looting prevention in future conflicts. The second case study, an examination of the non-state sponsored looting that occurred as part of Operation Iraqi Freedom, will provide context for a new definition of war-related looting, focusing on the illicit global network and the private actors involved. Through the historical examination of the looting of the Iraqi National Museum, known colloquially as the Baghdad Museum, and the numerous associated provincial museums and archeological sites, the study will demonstrate how networks allowed looting to occur during the initial period of the American force invasion in 2003. This includes an examination of who purchased items, the legal ramifications were for multinational partners and the Iraqi people, and the impact of private collectors on the market.

There are limitations to these historical examples. The availability of primary source data for Operation Iraqi Freedom remains limited to newspaper articles and several published autobiographies from the conflict. Academic researchers most often refer to previous mapping of archeological sites from pre-war Iraq completed by the United Nations Educational, Scientific, and Cultural Organization (UNESCO) as well as the documented museum holdings of the Iraqi National Museum before and after the war. INTERPOL maintains records for seizure and
confiscation that provide data on recovered material looted from Iraq. Contributing to the historical discussion of Iraq’s cultural theft, the conflict memoirs of Lieutenant Colonel (Retired) Matthew Bogdanos of the United States Marine Corps are routinely cited by the academic community with regards to the events of 2003 directly following the occupation.

Between the legal definitions, historical examples, and recommendations, several assumptions are key to this study. First, as stated previously, looting will occur in all wars. No conflict zone, regardless of size, will escape with their cultural sites unscathed, whether these are previously documented sites that are unable to be protected during conflict or previously unknown sites that are exploited due to a lack of security for academic researchers to explore them.3 Secondly, all nation states that adhere to The Hague Convention on 1954 and associated protocols will prosecute illicit networks, and those who profit from black market trade of art from war zones, to the fullest extent.4 Without the mutual participation of nations in treaty and legal provisions that protect art and artifacts, and the gumption to prosecute theft, patrimonial protection laws would lack gravity. Third, the trafficking of art and artifacts require a network that provides systematically secure movement of items and payment. Today, exchange networks flourish through in a globally interconnected environment, which includes illicit trade. The more digital the war zone, the more targeted the looting, and the more effective the network for exchanging art and


money. Finally, and most crucially, profit from looting and traffic on illicit markets may be used for other illegal activities, such as arms, drugs, and sex trade, as well as terrorism. Money coming from art theft will remain illicit, funneling back into the dark network that generated the sale. Ultimately, these assumptions are critical to preparing a way-ahead for stemming the illicit trade of cultural property during war.

The Museum Guidebook: Definitions and Review of Literature

Several key terms and definitions provide a common lexicon in examining the phenomenon of looting in war. What is property, patrimony, and provenance? What is looting? What defines a protectable cultural item, and what laws govern their defense? Who prosecutes those who traffic in illicit art and who governs the architecture that repatriates the stolen culture that makes nations, private collections, and people whole again in the wake of conflict resolution? The common dialogue of the art world, and a legal framework for transparent acquisitions process, is necessary to understand how art looting has evolved in conflict and how the United States military should approach looting and illicit trade networks during war.

Cultural property has rudimentary definitions, but this study is more concerned with the legal definitions as they apply to warzones and international statutes. Under the universal definitions of the Hague Convention of 1954, which informs the UNESCO Articles of the World Heritage Convention Concerning the Protection of the World Cultural and Natural Heritage, as well


as the subsequent associated Protocols, cultural property is the “movable or immovable property of
great importance to the cultural heritage of every people, such as monuments of architecture, art or
history,” which also includes the centers containing that property, such as museums, collections,
and archeological sites. Patrimony is “property… which is capable of being inherited” exclusively
by an agent. Patrimony and cultural property are not mutually exclusive. Private collections can
be the cultural investment of an individual owner through legitimate sale and estate transfer, and
still have significant value to a greater citizenry. The legitimate process of purchase, transfer, or
bequeathing provides history to a piece of art or an artifact, whether it is publicly or privately
owned. This concept is known as provenance. Through a mutually understood idea of what it

7 The Hague Convention of 1954, I. The definition of cultural property of the Convention
for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the
Execution of the Convention of 1954. This definition provides the foundation for legal precedent of
individual nations as well as international organizations, such as UNESCO and INTERPOL. The
expanded definition includes how signatory states define cultural property regardless of origin and
ownership, and fully defines it as “(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; (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).”

8 John Bouvier, Bouvier's Law Dictionary (Boston: The Boston Book Company, 1897),
450. With regards to civil law, this is typically seen as an “estate” that a person would have
ownership of aggregate items though a descendant or lawful heir. This provides legal precedence
for private ownership of collections that are of significant cultural importance, but have a legal line
of ownership through legal purchase and sale.

word provenance derives from the French provenire meaning “to originate.” Although the term is
sometimes used synonymously with “provenience,” the latter is an archaeological term referring to
means to be an item of cultural value, with a legal history of ownership and transfer, it is easier to understand why items become the target of looters in time of war.

Looting is theft. By the most basic and universally understood definition in the Oxford English dictionary, looting is “private property taken from an enemy in war.”10 When aligning this with the concepts of illicit export of cultural property under the Second Protocol of The Hague Convention of 1954, the convention articles provide guidance on how a nation should approach “theft, pillage or misappropriation of, or acts of vandalism directed against cultural property” during conflict.11 It also provides guidance towards the jurisdiction, prosecution and extradition of parties involved in theft for The Hague Convention’s signatory nations.12 To date, 116 countries have signed, and fully ratified, the legal framework of initial The Hague Convention of 1954.13

an artifact’s excavation site or findspot. The provenance of a work of art is a historical record of its ownership, although a work’s provenance comprehends far more than its pedigree. The provenance is also an account of changing artistic tastes and collecting priorities, a record of social and political alliances, and an indicator of economic and market conditions influencing the sale or transfer of the work of art.”


11 The Hague Convention of 1954, Second Protocol to The Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict 1999. I.15. “Any person commits an offence within the meaning of this Protocol if that person intentionally and in violation of the Convention or this Protocol commits any of the following acts: (e). theft, pillage or misappropriation of, or acts of vandalism directed against cultural property protected under the Convention. Each Party shall adopt such measures as may be necessary to establish as criminal offences under its domestic law the offences set forth in this Article and to make such offences punishable by appropriate penalties. When doing so, Parties shall comply with general principles of law and international law, including the rules extending individual criminal responsibility to persons other than those who directly commit the act.”


Under this internationally agreed upon framework, civil and legal institutions have built additional provisions that guide the protection of cultural property, patrimony, and provide legal impetus to prosecute those who do not.

With The Hague Convention of 1954 as their foundation, UNESCO and the International Institute for the Unification of Private Law (UNIDROIT) established similar legislative models and provisions to prohibit traffic and trade in illicitly acquired cultural property. These institutions are foundations for civil agreements between signatory bodies. They are much like Hague, but they are focused on the specific arenas of world heritage preservation in private and commercial law, respectively. Under UNESCO, the additional 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property required signatory nations to take actions in three main fields: prevention, restitution and international cooperation framework. This built on the existing Hague Convention and First Protocol, providing the museums and similar academic institutions with legal guidance consistent with international laws and filled gaps where they existed in national legislation for signatory states.\textsuperscript{14} The functional responsibilities for UNESCO and the subordinate World Heritage Convention (WHC), provide preservation assistance through assessment reporting and conservation teams. Coordination of

\textsuperscript{14} UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (1970), VII. The convention requires signatory states to take actions in three main fields: prevention, restitution, and international cooperation framework, and with regards to illicit appropriations and trafficking. The article also requires States Parties to the Convention to undertake “the necessary measures, consistent with national legislation, to prevent museums and similar institutions within their territories from acquiring cultural property originating in another State Party which has been illegally exported after entry into force of this Convention, in the States concerned. Whenever possible, to inform a State of origin Party to this Convention of an offer of such cultural property illegally removed from that State after the entry into force of this Convention in both States”
limited funding and aid for conservation depends largely on the ability to conduct periodic assessments and ensure accurate and timely reporting by conservation specialists and professionals in the international museum community. Where conflict prevents access, UNESCO and the WHC are unable to secure a facility or assessment team. This stalls funding for conservation assistance. While over 131 member states of UNESCO have ratified the 1970 Convention, there is no existing security force to secure assessment teams for continual monitoring of museums and sites in war zones. Ultimately, the security of sites relies on the armed combatants facing off against each other.\footnote{UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property of 1970, VII. “To date, the 1970 Convention has been ratified by 131 Member States of UNESCO, including many culture-rich countries as well as former hubs of illicit traffic. However, given the spectacular globalization of illegal trade of cultural objects over the past decades, it is now more than ever essential that all countries join the ranks of States Parties to the Convention, to prevent further impoverishment of their own heritage, which also belongs to all of humanity.”}

In 2011, UNIDROIT created the Model Legislation on Provisions of State Ownership for Undiscovered Cultural Objects. This bolstered a crucial partnership for UNESCO, supplementing “relevant existing provisions to strengthen enforcement or to fill a gap. In the context of these Model Provisions, ‘national law’ or ‘domestic law’ are to be understood broadly, in the sense that they also include federal, regional or international law that is applicable to the State adopting the Model Provisions.”\footnote{UNIDROIT Model Legislation on Provisions on State Ownership of Undiscovered Cultural Objects of 2011, Introduction. A cooperative effort by UNDROIT and UNESCO, the “Model Provisions cannot answer all questions raised by the legal status of undiscovered cultural objects. They are designed to be applied, adapted and supplemented where necessary by the issuance of regulations providing further details. They can either supplement or replace the relevant existing provisions to strengthen enforcement or to fill a gap. In the context of these Model Provisions, “national law” or “domestic law” are to be understood broadly, in the sense that they}
Convention of Stolen or Illegally Exported Cultural Objects is known, are provided a common legal baseline for the restitution and return of cultural objects. Participation is voluntary, but the shared legal statutes provide common benefits for states undergoing the repatriation or restitution process.\textsuperscript{17}

There is no shortage of historical literature on the prevalence of looting in war. Where states look to be made whole again following conflict, academia often shoulders the responsibility for the documentation of what was lost, how, and what can be done in the future. With regards to the Second World War, the availability of primary source material from both the Allied forces and European Axis nations have generated both academic and popular histories on the efforts to identify, remove, protect, recover, and repatriate lost art from the European and North African theatres. From these foundational efforts regarding the Second World War, current academic writings from the museum and art communities on war related looting in Iraq have emerged. The literature exposes a gap between what was experienced in the Second World War and what occurred during Operation Iraqi Freedom in 2003. When states targeted and managed their

\textsuperscript{17} UNIDROIT Model Legislation on Provisions on State Ownership of Undiscovered Cultural Objects of 2011, Provision I. This built on the 1995 Convention of Stolen or Illegally Exported Cultural Objects, known as the Rome Convention, in order “to contribute effectively to the fight against illicit trade in cultural objects by taking the important step of establishing common, minimal legal rules for the restitution and return of cultural objects between Contracting States, with the objective of improving the preservation and protection of the cultural heritage in the interest of all.”
acquisitions as spoils of war, the result was a structured method of looting that was governed by national leaders with intent to grow museums and national collections.

Under the 1954 Hague Convention and Protocols, the UNESCO agreements, and other international legal frameworks ratified by partner nations, states no longer steal art and artifacts for their coffers, museums, and collections.18 Public enmity, noble intentions, and restitution laws further temper state-sponsored acquisitions, even encouraging nation states to repatriate items taken in previous wars. In examining measures taken by the United Kingdom to combat trade of antiquities following war, academic David Gaimter notes that an “occupying power must as far as possible support the competent national authorities of the occupied country in safeguarding and preserving its cultural property.”19 Professor Lawrence Rothfield states that, “while international law is the most explicit instrumentality for dealing with cultural heritage protection in the event of armed conflict, legislative bodies also have the power to take a number of steps independent of the specific regimens prescribed by international law.”20 This is accomplished under the architecture established in international conventions, like The Hague Convention and UNESCO’s articles. This

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also approaches war as a construct that exists between two nation states who formally declare war or occupy another belligerent nations, and will likely approach looting a state-sponsored event.

But Operation Iraqi Freedom, as well as conflict zones around the world, experienced a new form of structured looting that was publicly abhorred by states, but the looting still retained a type of structure that encouraged the flow of specific cultural property from those war zones. Fostered by the absence of security, the “plundering of archaeological sites became a sort of revenge against the system... at the same time they were making money. The antiquities market, as always, was there to take full advantage of people’s ignorance, hatred, and suffering,” as mentioned by author and historian Joanne Farchakh-Bajjaly in discussing the building of illicit networks and black markets.21 The demand of the market set conditions for who was digging and where they would sell found items. More alarmingly, Neil Brodie noted that “some demonstrably looted pieces were offered for sale privately” from Iraq in the decade following the coalition military Operation Desert Storm, “thus confirming the existence of a large ‘invisible’ market operating outside the confines of auction rooms, with dealers selling directly to clients.”22

Regardless of whether the literature approaches looting from the perspective of nations that loot in a structured way or from a perspective of an independent demand-driven market, all parties

21 Joanne Farchakh-Bajjaly, “Who are the Looters at Archaeological Sites in Iraq?” Antiquities Under Siege: Cultural Heritage Protection After the Iraq War, edited by Lawrence Rothfield (Plymouth, UK: AltaMira Press, 2008), 54-55.

22 Neil Brodie, “The Western Market in Iraqi Antiquities,” Antiquities Under Siege: Cultural Heritage Protection After the Iraq War, edited by Lawrence Rothfield (Plymouth, UK: AltaMira Press, 2008), 65. Brodie referred to the market as “invisible” because “unlike the auction market, there is no public record of sales.” This causes breaks in the documentation that provides artifacts and art with necessary provenance that proves a legal history of transfer and ownership.
involved wrestle with ideas on who shoulders the responsibility to protect and prosecute. Historian Ursula Kampmann, numismatic journalist and lobbyist for preservation of private coin collection legislation, notes that dealers depend on free trade for their livelihood, as well as calling for increased cooperation between dealers and scholars to “tackle the problem” of illegal trade in stolen objects.23 Her demand to closely examine imposed import restrictions on artifacts coming from Iraq in the post-war periods places a greater trust, and subsequent responsibility, on proving the validity of an item’s provenance with dealers and purchasers.24 This is not a view shared by all, especially those who have been directly involved in the protection and recovery process in Operation Iraqi Freedom. For Lieutenant Colonel (Retired) Matthew Bogdanos, author and Marine who provided security and recovery for the Iraqi National Museum in the wake of the 2003 occupation, responsibility for the prevention of looting is as widespread as the blame he assigned in his 2005 post-Iraq War memoirs, Thieves of Baghdad.

One of the unpleasant truths to emerge from Baghdad is that... nobody gets off scot-free—not the military, not the press, not law enforcement, not the archeologists, not the former regime, and not the staff. And in the sale of these stolen items, we find the same widespread distribution of guilt among scholars, museum directors, dealers, and private collectors.25

In the academic sphere of preventing looting during war, Bogdanos reinforces the sentiments he expressed previously, detailing cooperation as the key to providing comprehensive prevention and

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24 Ibid, 65.

prosecution of illicit trade networks in war. He acknowledges that “most governments have their hands full combating terrorism, with few resources left to spare for tracking stolen artifacts.” He looks to training, education for military leadership, and a thorough working relationship between military leaders, dealers, museum professionals, and academia as a solution.26 This provides the most viable argument for partnership: a military leader, with practical experience on the battlefield, who has seen and managed the fall-out of looting in Iraq.

Where does that leave the US military and its forces engaged in countries around the world where conflict looting exists? What remains to guide commanders and provide connective tissue between the acts of looting seen by tactical formations and the prosecution of illicit networks? Restitution and prosecution in civil courts require evidence, and ground forces provide the most advantageous source of intelligence and information. This partnership between academic, legal, and military leadership has existed in previous wars, leading to crucial arrests, seizures, and restitution of European art in the Second World War.

The Old Wings of the Museum
The Old Masters Collection: The Second World War

War looting in World War Two has joined the Hollywood war movie genre. The recent spate of feature length movies, television shows, and documentaries that highlight the history of the Second World War’s Monuments Men have become a cottage industry, captivating audiences with

famous artwork, familiar actors, and chipper big band-era tunes. While the tactical experiences of service members in the Monuments, Fine Arts, and Archives (MFAA) organizations are notable, the backstory is equally valuable to understanding how the European theater became so conducive for art theft, who stole, and why. From the MFAA’s understanding of the environment, problem, enemy, and targets, the process of protection and repatriation was developed and refined to provide necessary feedback. This also supported the prosecution of war criminals and profiteers following victory in Europe.

Understanding the operating environment of the MFAA upon arrival in Europe and North Africa with maneuver forces began with their understanding of the problem: where art and war collided. The American art establishment was familiar with the on-going protection efforts of its European counterparts, but had also been pre-occupied with the grim task of organizing for possible war on American soil following the December 7, 1941, Japanese attack on Pearl Harbor. With the American Committee on the Conservation of Cultural Resources built under the direction of the President Roosevelt and the National Resources Planning Board in 1941, the promotion of art and architectural protection measures focused on museums and collections within United States borders. Fearful of a London blitz on New York City or Washington, DC, national galleries followed the example of their European counterparts: shifting priceless collections to underground tunnels, remote private estates like Biltmore in Asheville, North Carolina, and even a disused

copper mine in upstate New York. Museum staffs even conducted evacuation drills, practicing the removal, packaging, and shipment of artifacts. George Stout, chief of conservation at the Fogg Museum and “the country’s greatest expert on the techniques of packing and evacuation,” provided advice on the potential damage that modern weaponry could inflict on medieval and renaissance era buildings and monuments from his personal experiences in Europe during World War One.

Joined by other leaders in the museum and art communities such as Francis H. Taylor of the Metropolitan Museum of Art, David Bruce of the National Gallery, Paul Sachs from the Fogg, and other members of the American Defense Harvard Group, the ranks of the War Department and the later Office of Strategic Services (OSS) began to swell with art analysts who were available for the war effort. Though the commission was formally chaired by Associate Justice Owen Roberts by appointment of President Roosevelt, it was Francis Taylor who championed placing experts overseas to provide accurate and timely reporting to the academic community, political leadership, and military planners on the status of monuments, archives, art collections, and historic buildings.

It was not until early 1943 that the War Department and the American Defense Harvard Group began formal dialogue, requesting the nearly-Sisyphean task of listing all items of cultural

28 David Finley to employees of the National Gallery of Art, memorandum, December 1941, File 17.

29 Lynn Nicholas, Rape of Europa (New York, NY: Random House, 1994), 207. The author is referring to a published pamphlet by George Stout, “Preservation of Paintings in Wartime,” that was released in January 1942. While the original work is no longer available in print, Stout’s further academic and technical writings on painting conservation refer to his previous writings on wartime protection, cataloguing, and recovery techniques.

significance with a brief description of their importance to the local populace to better inform field operations for Europe and North Africa, due to the War Department by July 1943. Further requests for technical manuals, training aids, and lectures for key leadership in each theatre followed. Parallel efforts sprung from the American Council of Learned Societies, preparing information and providing literature on the known German looting activities to members of Congress. With pressure mounting on the War Department from multiple sides of the museum and academic communities, additional hearings before the Foreign Relations Committee increased the demands to establish a “high-level government art-protection body.”

On June 23, 1943, President Franklin D. Roosevelt established the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, under the auspices of the newly minted Civil Affairs Division of the War Department. Armed with copies of the academic listings of theater-specific art and monuments for special consideration, the first Monuments Man, Army Captain Mason Hammond, was assigned to conduct assessment and provide feedback on protected monuments and art in North Africa during military operations. Not long after Hammond’s arrival, Operation HUSKY planners would request the same support for public monuments in Italy, including the future island battlefields of Sicily and Sardinia.

31 Nicholas, 220-221.

32 Memorandum by Cordell Hull to President Franklin D. Roosevelt on June 21, 1943, Washington DC, File 12, National Archives Records Group 239.

33 Memorandum of the Civil Affairs Division on July 1 and 6, 1943, Washington, DC, File 436, National Archives Records Group 165.
With only six months between initiating dialogue about protection to placing a pair of boots on the ground in direct support of protection efforts with a military division, the published directives for the organization were finally signed. By December 16, 1944, after sixteen more Monuments Men had arrived in the European theater following Operation OVERLORD and the D-Day invasion at Normandy, the Supreme Headquarters of the Allied Expeditionary Force, G-5 Operations Branch, published their “Problem of Movable Art Objects in Germany.”

Over a year’s worth of intelligence efforts by the MFAA in Europe, from Italy and throughout France, Belgium, the Netherlands, and Luxembourg, revealed the extent of the German looting problem. This reflected in the expanded definition of the operating environment of the G-5’s memorandum, with military forces “uncovering small caches of considerable numbers,” demonstrating the necessity for “safeguarding against theft and physical deterioration” despite facing “frequent movement and relief of such units as divisional Military Police and combat command posts which may be charged with the responsibility for safeguarding a cache. Arrangements made… are liable on short notice to be cancelled, and movement may occur without the knowledge of [military

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34 Published Order of the Supreme Headquarters Allied Expeditionary Force, G-5 Operations Branch, *Problem of Movable Art Objects in Germany*, on June 6, 1944, File 566. National Archives Records Group 239. According to Nicholas’ research and writing in Rape of Europa, George Stout and James Rorimer’s addition to the MTOE brought the MFAA team in Europe and North Africa to 17, but Stout’s request to the War Department to add ten more officers to the team was denied. Rorimer would join the US military’s campaign in time for OVERLORD, the former curator of the Cloisters collection in NYC, would remain solo for most of the fight across France and into Germany. When aligning the assigned officers and available billets listed in the organization tables proposed by the Roberts’ Commission to the War Department, the pool of available MFAA officers to each join an Army Group for the invasion was eight personnel. This accounts for the MFAA officers that would remain with maneuver formations or damaged sites, like Italy or Libya.
These statements demonstrate the significant problem faced by MFAA officers, US political and military leaders, and the European collections: a gap in accountability and continuity within the commands responsible for safeguarding found collections. This would potentially impact the process of repatriation and prevention of future looting in occupied territories.

This gap in accountability also impacted the refinement of intelligence on missing private collections that were suspected to be looted during the Nazi occupation. Crucial to this were the refined collection listings provided to the War Department and passed along to MFAA officers on location in Europe. The Operations Branch memorandum noted that the “correspondence and the accession list of the Museums since 1939 will be of very great importance in determining concealed loot.”

The partnership that had developed between American academia and military continued to expand with other Allied nations, where fellow curators reached out to European counterparts in Great Britain and France for refined collection statuses, and later included MFAA officers from these nations. Given the working knowledge of wartime collection security from the American home front and amount of intelligence received from the frontline, MFAA cooperation with Allied partners yielded “not only information about the destination of large scale consignments of confiscated works but individual addresses of private persons who have acquired works of art in occupied territories.”

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37 Ibid.
collections from previously occupied nations, but had been expected to hold the looters accountable for the theft.

With the knowledge that theft was occurring, it was crucial to define who the thieves were. Information coming from European markets indicated a structured system that was providing demand for art, artifacts, and archives, and began with a cadre of German art historians, collectors, and dealers working at the behest of the German Third Reich. By 1938, the Office of Jewish Emigration under the leadership of Karl Eichmann and units of the Waffen-SS, the armed wing of Germany’s paramilitary organization, had begun systematically liquidating Jewish properties and holdings throughout Germany and Austria.38 Incarceration and confiscation of private collections was initially oriented on wealthy Jewish families: the Rothschilds, Bloch-Bauers, Haas, Troschs, and Goldmans. Families who fled occupation left behind full households.39 Those who remained were required to register their properties with the Gestapo, providing the initial inventories that would be beneficial for later seizures by the SS. Liquidation of Jewish holdings was managed systematically, and ensured that appropriate legal documentation was present for auction sales and that accurate tax revenues were recorded.40 With a flood of art and artifacts from these seizures available for purchase through auction houses and dealers, private collections for certain members


40 Nicholas, 40.
of the German high command swelled. This also created a cadre of German and Austrian art dealers who catered specifically to the tastes of Adolf Hitler, both for his private collection and his future Linz Gemäldegalerie. The demands of the high command of the Nazi party and German military began to set expectations for what items were desirable, and the detailed records from seizures and registration requirements for private Jewish collections provided data to facilitate acquisitions.

By 1939, amid the wartime art trade in Europe, the German high command recognized that greater organization and structure was required to manage the safeguarding of confiscated artworks. Acting as lead for the German Four-Year Economic Plan, which allowed for the requisition and exploitation of occupied states for the improvement of the Reich, Reichsmarschall Hermann Goering appointed the former Austrian art commissioner Kajetan Mühlmann as the Special Commissioner for the Protection of Works of Art in the Occupied Territories, known in German as the Künstzchutz. This provided leadership to German looting during the occupation of Poland.

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42 Nicholas, 45-46, 48-49. Hans Posse, formerly the Director of the Gemäldegalerie of Dresden, became Hitler’s art dealer, focusing on his demand to create a “small but elegant collection that would reflect the tastes of the German people,” which included decidedly Germanic artists like Dürer, Holbein, and Grünewald. Posse’s connections to specific dealers and items, coupled with the disposable income of the German Third Reich, enabled him to acquire specific pieces that were planned for the Linz museum. Posse was also seeking to fill the German state’s gap in Vermeer and Van Eyck, painter of the Ghent altar piece. Consolidated Investigation Report No. 4, Linz: Hitler’s Museum and Library, December 15, 1945, File 77, National Archives Records Group 239.

43 Nicholas, 66.
and Czechoslovakia during the early months of the Eastern campaign. Under the umbrella of newly-formed Haupttreuhandstelle Ost (Central Trustees Office East), which formerly took over responsibility for movement control and storage of all confiscated property from the SS, Hitler and Goering enjoyed greater access to information about available art and collections.44

By May 1942, with the invasion of the Netherlands and the German occupation of most of France, French and Dutch unevacuated collections were under threat as well. With the occupations and the subsequent search for the historical precedence of German superiority, the Nazi party empowered archivists and historians to explore greater European collections for evidence of Aryan supremacy in national art holdings and archives, including private French and Dutch collections. Under the direction of Heinrich Himmler, the Germanic theorist, Alfred Rosenberg, formerly transitioned the ERR (Einsatzstab Reichleiter Rosenberg) to the task of searching libraries, archives, museums, and collections for items that were deemed to be valuable to Germanic history. With the arrival of Mühlmann to the western front from Poland, the “business” of profit through the collection and sale of confiscated “enemy property” from occupied territories provided a suitable foundation to identify public and private collections. This included the management of purchases for both Hitler and other high command officials of the Nazi government, and the collection of revenue from confiscated object sales, which included Rosenberg’s sales commission.

As German public and private collections grew, the Allied advances in 1944 and 1945 began to threaten the Reich’s vast new holdings. Along with new acquisitions, their original collections were being temporarily housed in storage facilities throughout Germany and Austria.

44 Report Prepared by the Monuments, Fine Arts, and Archives Section, OMGUS, under the direction of the Art Intelligence Coordination Officer, translation of the “Ahnenerbe” documents in Berlin, Germany, March 1, 1948, File 416, National Archives Records Group 260.
Bombing raids on Berlin in 1940 had nearly damaged the friezes of the Pergamon altar and the Trojan golden treasure of King Priam, and necessitated better and safer storage options for Berlin’s art.\textsuperscript{45} Beginning in January 1945, German museum evacuation commenced in earnest. The February fire-bombing of Dresden heightened efforts by the German Culture Ministry to seek secure locations according to the recently revealed Allied partition plans following the Yalta Conference.\textsuperscript{46} The art had to survive both bombs and potential occupation. Mines in places like Phillipsthal, Merkers, Lauffen, Siegen, and Alt Aussee provided sufficient storage conditions: constant temperature and humidity as well as remoteness from potential urban and industrial bombing targets. These locations held not only German public collections for Berlin, Vienna, and the future Linz museum, but also the illicitly grown private collections of the Reich. With the Soviet Army advancing on his estate north of Berlin in January 1945, “Goering too decided to send his family and his collections away from Carinhall. The Reichsmarschall did not at first wish to include any of the incriminating objects obtained from the ERR, but after a long argument… was persuaded.”\textsuperscript{47} The shipment was packed into train boxcars bound for Bavaria and included a treasured favorite: a Vermeer, \textit{Christ with the Woman Taken in Adultery}. Ironically, it turned out to be a fake.\textsuperscript{48} Along with protection for publicly and privately owned pieces, there was a desire to distance owners from their illicitly procured art collections.

\textsuperscript{45} Nicholas, 310.

\textsuperscript{46} Ibid, 311.


Maintaining constant presence with maneuvering forces and providing intelligence back to both the War Department and the members of the American art community was crucial to uncovering secret art repositories in Germany. In the United States, George Stout worked with the War Department to forward station the deployed MFAA officers and provide them with names and locations of German museum personnel who would be in the best position to reveal large deposits of art and artifacts he knew the advancing Allied forces were likely to encounter. 49 Despite resistance from military leadership on the western front, the constant pressure from civilians like Stout prevailed. Through a connection in Germany, an assistant to the former curator and art historian Count Franz Wolff-Metternich, Stout provided 109 potential art depositories for MFAA officers working with the Third Army headquarters advancing on Germany. 50 The true worth of the MFAA and the partnership of museum professionals and military leadership emerged from the town of Merkers and the Kaiseroda salt mine on April 6, 1945, where the bulk of Germany’s gold

315-316, 320, 347. Han Van Meegeren managed to fleece collectors in the German high command with several forged Vermeers, which also included The Selling of Christ at Emmaus and The Lacemaker, both of which passed expert inspection at the time of purchase. Emmaus’ equivalent sale price in today’s U.S. dollars would be about $3.9 million. Van Meegeren still faced The Hague criminal court on October 29, 1947, for profiteering, where he revealed the process by which he replicated Vermeer’s technique and the natural aging process for canvas, oil paint, and hardware. The trial lasted only a day according to articles in the Dutch newspapers and newsreel footage. He admitted to charges of obtaining money by fraud, and was sentenced to one year in prison. He suffered a heart attack and died in hospital prior to beginning his sentence in December of 1947. In the end, he never served a day behind bars.

49 Nicholas, 327.

reserves and thousands of paintings and sculptural works were housed. Among Merkers’ many visitors, Generals Bradley, Eisenhower, and Patton joined the guest list.\textsuperscript{51}

With each successful depository find, the work for MFAA officers increased. Refining information gathered by MFAA officers in Paris and employees from the Louvre and Jeu de Paume, refined searches led to German holdings in the Bavarian castles at Neuschwanstien and Füssen, where the records for the ERR holdings and acquisitions were also uncovered. This documentation contained over twenty thousand information cards on confiscated works throughout the course of the war, and also provided shipping documents, photographs, and subsequent storage locations for holdings at the Herrenchiemsee castle and the German town of Berchtesgaden. The ability to immediately react to intelligence from interrogations of Nazi officials, museum curators, and art dealers enabled MFAA officers to confirm or deny collection depositories and secret caches. The recovery of Goering’s private collection occurred from cooperation between French interrogation efforts and information shared with MFAA officers in Germany. The collection was ultimately secured by the 101st Airborne Division, who were conducting operations in Berchtesgaden to secure the town before moving on to Austria. Like Füssen, this seizure also included crucial documentation from which lists “had to be made of what was in American hands, and compared to other lists gleaned from interrogations and Goering’s records. Only then would the officers know what was missing.”\textsuperscript{52}

\textsuperscript{51} Moore, \textit{Bradley, Patton, and Eisenhower inspected artwork hidden in the Merkers salt mine, Germany}, April 12, 1945, US National Archives. File 463, National Archives Records Group 165. Of note, the guest list at the Kaiserotha mine included more than just distinguished General officers; it also included works by illustrator Albrecht Dürer, painter Hans Holbein, and the famous bust of the infamous Queen Nefertiti, now residing in the Berlin Gemäldegalerie.

\textsuperscript{52} Nicholas, 346.
The missing items were found as Third Army reached Alt Aussee, near Salzburg, Austria. This included

‘6,577 paintings, 2,300 drawings and watercolors, 954 prints, 137 pieces of sculpture, 129 pieces of arms and armor, 122 tapestries, 78 pieces of furniture…484 cases thought to be archives, 181 cases [of] books, 1,200-1,700 cases [of] apparently books or similar, 283 cases [which the] contents [were] completely unknown.’

Among the items recovered from the Alt Aussee mine were the panels of *The Adoration of the Mystic Lamb*, the Ghent Altarpiece.54

By recovering and securing of hundreds of depositories following the cessation of hostilities and the declaration of victory in Europe, the intelligence gathered by the MFAA officers and Allied forces provided the foundation to prosecute war criminals and profiteers engaged in art looting on behalf of the Third Reich as part of the Hague tribunals in 1946 and 1947. While art, artifacts, and archives were being transported from depositories to either their original collection locations, Allied forces opened collection points throughout Germany until repatriation or restitution could be assured. The OSS established the Art Looting Investigative Unit (ALIU) in


54 Charney, *Adoration of the Mystic Lamb*, 266. Eight panels of the altar piece were found in the initial inspection of the Alt Aussee mine complex under the 101st Airborne Division. The remainder were uncovered in subsequent inventories by MFAA officers in the six weeks following. The panels were returned to St. Bavo cathedral by military air transport, accompanied by an MFAA officer. Along with the altar piece, the famous Bruges *Madonna and Child* by Michelangelo, was also found in the Alt Aussee mine, originally stolen by German forces during their occupation of Bruges. Sharing a similar history with the Ghent Altarpiece, the *Madonna and Child* had also been a captive of France in Paris since the Wars of the First Coalition until Napoleon I’s defeat at Waterloo in 1815. The statue is the only Michelangelo sculpture to leave Italy in his lifetime. The sculpture has been a resident of the Church of Our Lady, in Bruges, with only two excursions outside Belgian borders: the French Revolutionary Wars and the Second World War. Both events were viewed by the acquiring nations as reparations for damages sustained in previous wars.
1945, consisting of military officers who were also art historians. Going beyond repatriation and restitution, their principle task was the investigation of war crimes associated with the theft of private collections from Jewish, Polish, Russian, and Romanian families by the Third Reich. Ten field representatives and analysts, most of whom had extensive experience in the fine arts and museum management as well as previous training in wartime investigation, worked through the central headquarters in Washington, DC, and maintained direct communication with the War Department’s Civil Affairs Division, the MFAA leadership in the field, the Captured Material and Personnel Branch of the Intelligence Division, the State Department, and the Treasury Department. Further direct liaisons with Allied military headquarters in Europe enabled timely transmittal of additional interrogation information to MFAA officers in the field. In return, Monuments Men provided intelligence from depository sites, found shipments (like Goering’s treasure-filled train cars), and dealers who had sold to Nazi Party members throughout the war.55

A catalogue of calculated theft emerged from the ALIU’s Final Report and investigation documentation submitted to the War Department on May 1, 1946. The detailed list of those involved in the German art looting process included individuals from Germany, Austria, France, and eight other European nations, as well as links to Nazi art exportation to Brazil and Argentina.56 Further intelligence derived from the ALIU’s investigations even suggested that there had been “movement from South America to the United States of looted works of art” and that further investigation “should be undertaken by the cognizant services,” referring to the US Treasury

55 Art Looting Investigation Unit Final Report, 6.

56 Ibid, 14.
The partnered investigation of the ALIU and the MFAA provided evidence for war crimes tribunals. One investigator, Lane Faison, even recommended that the specific efforts toward the Linz museum should be declared a “criminal organization.” To Faison, as an art historian, it differed from the looting encountered in previous wars as something “officially planned and expertly carried out.” The high degree of leadership involvement, specific planning, calculated targeting of collections, and the meticulous process of documenting demonstrated a state-run effort to steal culture wherever it went.

What remained for MFAA soldiers after Victory-Europe Day were vast collections of unaccounted for property from unknown collections in a nation that had been militarily defeated and politically divided by the occupying Allies. Under General Lucius Clay, the newly appointed Deputy Governor of Germany, the United States and British Armies were now responsible for categorizing, safekeeping, and returning works of art to public and private collections where possible. Lacking sufficient storage and guard forces, the items in collection points were under threat of loss, mishandling, damage, and mistaken identity. Items that were categorized as “readily identifiable” from public and private collections were slated for return to their owning nations for restitution. The items of unknown provenance stored at collection points in the U.S. zone of

57 Art Looting Investigation Unit Final Report, 14-15.


59 Correspondence between General L. Clay and H. Stimson prior to the Conference of Berlin, Art Objects in US Zone, July 15, 1945. Ardelia Hall Collection, National Archives Records Group 260. This is also referenced as part of the records of the Marburg, Munich, Offenbach, and Wiesbaden Central and Archival Collecting Points, facilitating recovery, transportation, and return of art held in Germany.
occupation became problematic. Despite closure and consolidation of US-led collection points, and potential discussion to move ownerless art state-side for investigation, international pressure to keep a bulk of the art found in Europe on European soil prevailed. Only about 200 pieces of art came to the United States for safekeeping while investigation continued. The requirement to safeguard, transport, and investigate Nazi thefts remained until 1952, when the final collection point was closed in Wiesbaden, Germany. The remaining ownerless and stateless art was handed to the German government as trustee. Currently, there are around 3,000 items that are cared for by German museums and other academic institutions, waiting for their owners to claim them.

The Contemporary Collection: Operation Iraqi Freedom

In January 2003, a special issue of the magazine for the Society of American Archeologists featured a letter to the editor signed by seventy-eight art scholars, professors, museum professionals, and Middle Eastern academics. They went “on the record as opposing the current threat by the Bush administration to wage war against Iraq.” Their belief that a US attack would “cost lives of innocent civilians” and “poses the gravest consequences, not only for the people of Iraq, but for the entire Middle East” underscored a rift between academia and the political environment surround the US military occupation that began in the spring of 2003. This was not the first evidence of enmity or academic debate that existed between archeologists, curators, and

60 Nicholas, 393-395, 408.


state officials regarding the chaos in Iraq. United Nations sanctions levied against Iraq following Operation Desert Storm in 1991 had prevented Western academics from conducting routine surveys and studies at the countless archeological sites throughout the heart of what had been ancient Mesopotamia, despite having previous open access from the Hussein government prior to Iraqi hostilities against Kuwait. Historian John Malcolm Russell, a professor of Art History and Archeology for the Massachusetts College of Art and author on the destruction associated with the 1991 war in Iraq, prophetically stated that “United Nations sanctions against Iraq have finally destroyed Sennacherib’s palace, finishing the work of the ancient Medes and Babylonians who sacked Ninevah in 612 BC.” Acknowledging that economic and political factors had influenced the sanctions, which included the political leadership of the victorious United States, he continued, “the fact remains that without the [1991] sanctions, this destruction would not have happened.”63 It appeared that US politics, the international art community, and another war in ancient Babylon did not make good bedfellows in 2003 either.

With two months before US forces crossed into Iraq in 2003, the 352nd Civil Affairs Command’s Arts, Monuments, and Archives officers were already experiencing friction. In post-war discussions with author and historian Lawrence Rothfield, two archeologists assigned to the 352nd, a Reserve command with its headquarters in Fort Meade, provided an account of their

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experience with the prewar planning process. The 352nd had been mobilized too late to provide
guidance on protection efforts as part of campaign planning. Despite having over eighteen hundred
troops mobilized for their deployment, the prioritization of forces and reallocation of experts
focused on displaced civilians.\(^64\) Army Major Chris Varhola, one of the two archeologists,
elaborated in Rothfield’s *The Rape of Mesopotamia* that “in most of these skill areas [of artifact
conservation and protection] people were not adequately trained… the Civil Affairs guys, some of
them didn’t even know they had a museum in their sector,” referring to assignments of districts for
support. McGuire Gibson, University of Chicago Professor of Archeology for the Oriental
Institute, elaborated further following his 2003 visit to Iraq, “you’ll hear people say, ‘I am in charge
of the Babylon district, and I’m supposed to protect the site. What am I supposed to be looking
for?’”\(^65\) The lack of synchronized planning and a gap in information about the condition and
location of public cultural property compounded the fissure between the known status of
archeological sites, museums, and collections and what looting might have been occurring. News
agencies filled that knowledge gap with a broad range of facts and falsehoods, even going as far as
to suggest that US troops had idly stood by while Iraqi mobs looted and destroyed artifacts.\(^66\)
Speculations about the number of items looted from the Baghdad museum also widely varied,

\(^{64}\) Rothfield, *Rape of Mesopotamia*, 35-36.

\(^{65}\) Ibid, 36.

\(^{66}\) Walter Sommerfeld, trans. by George Paxinos, “Plundering the Museums of Baghdad,”
*Counterpunch Online*, May 16, 2003, accessed on April 4, 2017,
http://www.counterpunch.org/2003/05/16/plundering-the-museums-of-baghdad/ . The author is a
Professor of Oriental Philology in Marburg, Germany, and had toured Iraq repeatedly in the two
decades preceding the occupation. He was not present for the initial assault, but arrived after the
war to conduct surveys.
posing that it only took 48 hours to empty 170,000 items from the facility.\textsuperscript{67} This figure would continue to circulate, despite being unconfirmed by the Iraqi National Museum curation staff and debunked by the investigation forces that arrived days later.\textsuperscript{68}

With the international attention from the looting prevalent in print and on broadcast news, leadership and members of UNESCO appealed to the UN Secretary General and the Security Council to pressure nations into prohibiting the importation of cultural items that had left Iraq, even providing recommendations for forces occupying Iraq to aid in the safeguarding, recovery, and return of items.\textsuperscript{69} By April 18, 2003, INTERPOL, the British Museum, the Federal Bureau of


\textsuperscript{68} Bogdanos, \textit{Thieves of Baghdad}, 136. Colonel (Retired) Matthew Bogdanos, a Marine Reservist who had been one of the first security and investigative forces on scene at the Baghdad Museum noted the inefficiency and incompleteness of the museum’s records at the time of occupation. “I soon discovered why [there was no records]: their record keeping was about on a par with the system the Sumerians used five thousand years ago” with manually entered records of holdings accounted for on handwritten index cards. Complicating matters, Bogdanos noted that the “undersourced and undertrained staffer were so far behind on their inventories that thousands of artifacts from recent digs had not yet been logged in from the excavation catalogues for each site.” Later, on May 7, 2003, Ronald Noble, the Secretary General of INTERPOL, would reduce the estimate, stating in a press conference that “it is very common for the first information following a crisis to be wrong, and when I say wrong, I mean wrong.”

\textsuperscript{69} Minutes of the “Experts’ meeting at UNESCO issues recommendations to safeguard Iraqi Cultural Heritage,” April, 17, 2003, accessed April 4, 2017, http://portal.unesco.org/en/ev.php-URL_ID=11416&URL_DO=DO_TOPIC&URL_SECTION=201.html. The meeting proposed recommendations “to those responsible for civil order in Iraq: (1) That all museums, libraries, archives, monuments and sites in Iraq be guarded and secured immediately by the forces in place, (2) That an immediate prohibition be placed on export of all antiques, antiquities, works of art, books, and archives from Iraq, (3) That an immediate ban be placed on the international trade in object of Iraqi cultural heritage, (4) That a call be made for the voluntary and immediate return of cultural objects stole or illicitly exported from Iraq, (5) That there be an immediate fact-finding mission under UNESCO coordination to assess the extent of damage and loss to cultural property in
Investigation, and UNESCO had all developed plans to send teams in support of the investigation at various cultural sites in Iraq. While civilian investigators and academics prepared to descend on Iraq’s museums and cultural institutions, coalition force soldiers were still fighting to seize control of Baghdad and the surrounding areas and sustaining casualties. On April 18th, reports emerged from Mosul that the regional museum in the city had been ransacked, which included items from the reign of the Assyrian ruler Sennacherib in the seventh century. Manhal Jabr, the Director of Antiquities and Heritage for the Ninevah regional governate, reported that some of the looters had understood what items had value, stating to a Baltimore Sun reporter that “[t]hey knew what they wanted.” Throughout the later weeks of April, McGuire Gibson’s Oriental Institute of the University of Chicago began building a reference website for the Baghdad museum’s known collection, complete with photographs and notes where they were available from previous research. More crucially, the International Community of Museums (ICOM) received the

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72 University of Chicago, “Lost Treasures from Iraq (Archived),” under “Archive,” accessed April 4, 2017, http://oi-archive.uchicago.edu/OI/IRAQ/iraq.html. The website was officially launched on April 15, 2003, and maintained continuous updates as information became available. The last official revision and update was conducted on April 10, 2008.
necessary funding from the US Department of State and their Bureau of Educational and Cultural Affairs to update and publish the emergency “red list” for Iraqi artifacts.\textsuperscript{73} Also, by the end of April, academics and leaders from the Archeological Institute of America were proposing cooperation among museums, private collectors, dealers, and auction houses to stem the flow of illicit items from Iraq and facilitate the return of items that had already left the country during the occupation.\textsuperscript{74}

While the academic community consolidated guidance and information on the situation throughout April and into May of 2003, leadership in the 352nd continued to receive prompting emails from Gibson related to the looting in Baghdad and other locations. Gibson wrote to Lt. Col. Kraig Kenworthy of the 352nd, as well as Civil Affairs Col. Gary Wager, and Col. David Undeland from CENTCOM, who had initially contacted Gibson regarding museum targeting prior to the occupation, “I am particularly concerned with the Iraq National Museum, which should have been taken… I am getting lots of questions about the museum and would like to stop speculation about it.”\textsuperscript{75} Once the occupation of Baghdad had begun, and the museum and surrounded Ministry offices

\textsuperscript{73} International Council of Museums, “Emergency Red List of Iraqi Antiquities at Risk, May 7, 2003,” under “Red Lists,” accessed April 6, 2017, http://icom.museum/resources/red-lists-database/red-list/iraq/. The ICOM “red list” describes general types of artifacts most often favored in the illicit markets. The 2003 Iraqi “red list” focused on objects from Iraq which were in particular risk and were likely to be stolen. While not meant to be all-inclusive, ICOM advised that “because of the tremendous variety of objects, styles, and periods, any antiquity from Iraq should be treated with suspicion.” The 2003 “red list” was developed by a consortium of 12 international antiquities and museum experts during a meeting at INTERPOL headquarters in Lyon, France, on May 7, 2003. Of note, since the arrival of Islamic State of Iraq and Syria to Iraq, the ICOM “red list” has been updated to reflect the 2015 illicit antiquities market.


\textsuperscript{75} Rothfield, \textit{Rape of Mesopotamia}, 85.
had been looted, Lt. Col. Kenworthy looked to Gibson for suggestions on immediate and temporary solutions that could facilitate recovery and eventual investigations. Offering rewards for looters to return items, communicated through local Shia religious leaders, was selected as possible course of action. Gibson was adamant in his email to Kenworthy that “it has to be done right away (not a week from now), because the stuff will be out of the country in a week.”

Subsidies for rewards initially came from British sources, as well as some private benefactors and museums. UNESCO, along with funding from the Italian government, was concentrating its efforts in assisting with location, seizure, and restoration of items taken from the museum, reaching back to their Intergovernmental Committee for Promoting the Return of Cultural Property or Restitution for information sharing and coordination. Despite international and interagency conversation, the availability of security forces from sources other than the British and US military forces fighting in Iraq were limited, as Rothfield noted, “one possible source of assistance was Joris Kila, a reservist in the Dutch civil-military cultural protection unit attached to NATO’s Civil-Military Co-operation group… He wished to be involved but needed an official request from the US or UK side.” The Italian Carabinieri’s specialized police unit, the Comando Carabinieri Titela Patrimonio Culturale, did not even begin local collaboration with the Iraqi police and populace until July of that year. In short, international assistance continued to be spasmodic throughout 2003.

76 Rothfield, Rape of Mesopotamia, 103.

77 Ibid, 126.

Local security forces at sites distributed around Iraq faced similar problems to the Baghdad Museum. They were undermanned, underequipped, underfunded, and even out-gunned by looters. With the collapse of the Iraqi central government, local guards at archeological sites were going unpaid.\(^{79}\) Iraq’s State Board of Antiquities was gutted of its previous Ba’athist leadership as part of the US policy of de-Ba’athification, breaking continuity and communication between Iraqi leadership and regional museum directors. The coalition force requirement for local Iraqis to surrender personally owned fire arms that were taken to public places prevented locally sourced guards from carrying rifles for site and personal security during guard duties.\(^{80}\) Looters also carried fire arms and engaged security forces at archeological sites, both American military forces and local security guards.\(^{81}\) The absence of funds to reinforce and secure sites, the lack of coordination from

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\(^{81}\) “Systematic Looting of antiquities in Iraq,” transcript from *The World Today, ABC Local Radio*, Australia, May 22, 2003, accessed April 6, 2017, http://www.abc.net.au/worldtoday/content/2003/s861573.htm. The interview between Grimm and Professor Daniel Potts, the Head of the Department of Archaeology at the University of Sydney, was focused on Potts’ return from the Baghdad National Museum earlier in the month. Following a question from the interviewer about the status of remote sites around Iraq, Potts stated that there were “definitely confirmed reports… that a whole group of sites south of Nasiriyah, centring [sic] on the Sumerian city of Umma are being systematically looted by a gang of over 300 men who are digging while they are guarded by about 40 men with Kalashnikovs.” Potts’ information was not unusual. Reporter Roger Atwood, who had been reporting from northern Iraq for *Archeology*, the official publication of the AIA, received reports of US security forces and looters exchanging gun fire at Nimrud, just south of Mosul in May 2003. He also received reports from armed guards in Hatra that armed looters had threatened reprisals against their families, preventing security guards from engaging thieves caught in the act at the site.
leadership for the limited resources that were available for security, and the presence of better-armed looters compounded the situation for coalition forces.

Mounting evidence from raids conducted throughout 2004, 2005, and 2006 pointed to links between Iraqi looters and the global illicit antiquities trade. In the case of the Baghdad National Museum, Colonel Bogdanos’ linked the evidence he found to what he believed was the likely scenario for a group of skilled and informed looters in April of 2003:

As for the underground storage area, individuals with an intimate insider’s knowledge of the museum and its storage practices breached a wall blocking entrance to the basement and walked part room upon room of tens of thousands of priceless antiquities until they got to the furthest corner of the farthest room in the more remote recesses of the sealed basement to steal- our best count to date- 5,144 cylinder seals, as well as 5,542 pins, glass bottles, beads, amulets, and other small items of jewelry. They knew how to get in, they knew where to find the keys, and they knew what they were looking for. 82

The greater demographic of Iraqi looters ranged from unskilled opportunists to organized and funded groups that appeared to be filling orders as well as funding terrorism. Following her repeated visits to the ancient site of Umma in 2003 and 2004, a Lebanese archeologist and journalist, Joanne Farchakh-Bajjaly, expanded on the cultural society and history of Iraqi looters, “in the eyes of looters, excavating an archeological site is not a crime.” 83 Farchakh-Bajjaly elaborated on the impact of tribal connections, strong familial ties, and the importance of religious leaders for those who physically dug up antiquities from sites during the occupation. Local shaykh

82 Matthew Bogdanos, “Thieves of Baghdad: The Looting of the Iraq Museum” in *Antiquities Under Siege: Cultural Heritage Protection after the Iraq War*, edited by Lawrence Rothfield (Lanham, MD: AltaMira Press, 2008), 43. This is a distilled and updated version of *Thieves of Baghdad.*

al mashyakhas, senior tribal religious leaders, guided decisions on the social acceptability of looting, as well as the legality of prosecuting looters when they were caught by local Iraqi law enforcement.84 During the occupation, regional instability exacerbated the existing culture that enabled looters.

This permissive acceptance of looting in 2003 was amplified the black-market trade of illicitly smuggled antiquities. The prohibition on overt export and purchase of cultural items from Iraq had not been removed, even with the lifting of trade sanctions against Iraq in May of 2003 with the United Nations Security Council Resolution (UNSCR) 1483. It specifically stated in Article VII that trade in any Iraqi cultural items was prohibited when a “reasonable suspicion exists that they have been illegally removed,” and that cultural items stolen from Iraq would be returned if they were found to be illegally acquired.85 In monitoring the illicit market for unprovenanced items from Iraq between 2004 and 2008, author Neil Brodie, a Senior Research Fellow with the University of Oxford, maintained accountability of auction sites in the United Kingdom. He found that, on December 5, 2006, fifty-five websites “were offering antiquities for sale and might be expected to sell Iraqi objects. In fact, twenty of these sites were offering for sale or had recently sold cylinder seals and/or cuneiform tablets. In total there were 78 cylinder seals and 147 cuneiform tablets listed.”86 By 2008, the number of websites had risen to seventy-two, and over 450

84 Farchakh-Bajjaly, Antiquities Under Siege, 52-53.


artifacts were available.\textsuperscript{87} While the number of available items increased, Brodie noted that dealers were using the word Iraq for a geographical identification of provenience less and less; he believed that “even if [dealers and purchasers] have no specific knowledge of illegal provenance they [were] well aware that many Iraqi objects [were] illegally on the market, and also realized that specifying a findspot other than Iraq helps to reassure potential customers and confound police action.”\textsuperscript{88} Traders were no longer even inventing provenance to facilitate sales.\textsuperscript{89} The world-wide web provided sufficient anonymity for sellers and buyers alike, unlike higher-profile physical auction houses that faced legal actions and public scrutiny for sales in Iraqi antiquities that lacked sufficient provenance.\textsuperscript{90}


\textsuperscript{88} Ibid, 124.

\textsuperscript{89} Ibid.

\textsuperscript{90} “ICE returns artifacts and antiquities to Iraq,” US Immigration and Customs Enforcement, announced on February 25, 2010, accessed April 6, 2017, https://www.ice.gov/factsheets/cultural-artifacts. The website announced that the “United States returned six Iraqi artifacts to the government of Iraq after investigation by ICE. The items ranged from Iraq’s ancient past to its recent political history. They included… neo-Assyrian gold earrings ca. 8-7th Century B.C.” These artifacts had been the source of dispute with Christie’s auction house in New York and the former Director General of the National Museum in Baghdad, Donny George. George informed a reporter from the New York Post on December 7, 2008, that the earrings had been part a collection that he had personally photographed and catalogued for the museum after their discovery in 1989 in Nimrud. The Christie’s catalogue listed them as “acquired by an unnamed owner before 1969.” This would have circumvented the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property.
Around the time that Colonel Bogdanos was arriving to the Baghdad Museum, hundreds of shallow ceramic bowls with hand written Aramaic inscriptions in ink were arriving to antiquities markets.91 Each spiral inscription from the center of the dish is a magical incantation to ward off malevolent spirits. These bowls were part of the popular religious beliefs for Jewish inhabitants in Sassanid Mesopotamia between the fifth and eight centuries AD.92 Before the first Gulf War, less than 1,000 Aramaic incantation bowls had been found.93 Following the commencement of hostilities and the occupation of Iraq in 2003, hundreds of previously unknown bowls arrived to antiquities markets and were purchased by private collectors.94 One of the most prevalent purchasers was Norwegian businessman and manuscript collector, Martin Schøyen. Neil Brodie, while conducting research on the shift of illicit trade from physical auction houses to dark web-based purchases, surmised that “many hundreds of the previously unknown incantation bowls acquired since 1991 must have been derived from illegal digging in Iraq after the 1991 Gulf War,” most likely while the 2003 Iraqi war was beginning.95 Schøyen had used instability associated with both Iraq wars to build his collection. As Schøyen’s collection grew, so did the collection of Jonathan Rosen. By the 2000s, the financier and collector of ancient Near East artifacts was


95 Ibid, 11.
described as “one of the world’s most important private collectors of Mesopotamian art.”

Around August and September of 2003, as a vehicle-borne improvised explosive device killed twenty-two people at the Canal Hotel in Baghdad and a car bomb left over 100 dead in Najaf, a report surfaced that Cornell’s Department of Near Eastern Studies received approximately 1,500 cuneiform tablets from Rosen, bringing the University’s collection to nearly 9,000 pieces. The demands of wealthy private collectors were guiding the illicit market for Iraqi antiquities during the war.

So, how did an artifact from the ancient kingdom of Mesopotamia, excavated from the middle of the Iraqi desert, go from being covered in sand to a collection during the Iraq war? In short, through diggers, looters, smugglers, and middlemen-facilitated auctions and sales. While


not all artifacts followed the same path from Iraq, there was a general pattern. To understand the route, the Sumerian King Entemena of Lagash provides an excellent guide. As a guide, King Entemena is unassuming; just shy of three feet tall, he tips the scales at approximately 300 pounds. He is weighty, but that is because he is carved from diorite, a hard, black stone native to the Middle East. The King is posed as a worshipper; his hands folded in front of him. The back of his arm sports the cuneiform tattoo “Entemena Whom the God Enlil Loves.” Even though he is headless, he is still a commanding presence. He also potentially shares a similar fate as The Adoration of the Mystic Lamb at St. Bavo: he too might have been a war trophy, taken from Lagash to Ur where he was excavated in the late 1920’s by an expedition for the British Museum and the University of Pennsylvania. Until April 2003, Entemena had called the Iraq National Museum home.

In early April 2003, King Entemena of Lagash was looted from the Baghdad Museum. While little is known about his time directly following the disappearance, he crossed the Syrian


100 Barry Meier and Glanz, James, “US Helps Recover Statue and Give It Back to Iraqis,” The New York Times, under “World” and “Middle East,” July 26, 2006, accessed April 9, 2017, http://www.nytimes.com/2006/07/26/world/middleeast/26antiquities.html. “The statue was found headless when originally excavated, and experts say its head might have been lopped off in ancient times to symbolize Ur’s emancipation from Lagash.” The experts are not specified. The article itself is purposefully vague on the process of the statue’s recovery. INTERPOL and the US Immigration and Customs Enforcement department of the Department of Homeland Security avoid providing detailed information to open sources and maintain a level of secrecy for investigations and raids in an attempt to stay ahead of black marketers.

border and was offered to a Lebanese antiquities dealer, Hicham Aboutaam, following several attempts to sell him prior to that event. According to New York Times journalists and antiquities researchers, Barry Meier and James Glanz, Aboutaam stated that he had been approached while visiting Lebanon, was shown a photograph of the King, and was offered the statue for sale. At that moment, King Entemena was being featured on the INTERPOL’s “Most Wanted Stolen Works of Art” poster. In 2005, federal investigators and prosecutors, in cooperation with European investigators in INTERPOL, received information regarding the King. Using existing contacts and Aboutaam, they began to track an Iraqi expatriate living in Europe who had travelled repeatedly between Iraq and Syria to negotiate for the purchase and transport of the statue. By May, King Entemena was recovered, and authenticated on June 5, 2005. Had he not been repatriated and eventually returned to the Iraqi government, he would have continued to travel between handlers in places like Jordan, Kuwait, or Syria until a sale could facilitate his onward movement to a private collection. From there, the King might have enjoyed a layover in Switzerland, where antiquities traders frequently use the network of seventeen “free ports” to store merchandise without paying

102 Meier and Glanz, “US Helps Recovery Statue and Gives It Back to Iraqis.”

103 INTERPOL, Most Wanted Stolen Works of Art, 2003, archived poster, Lyon, France.

104 Meier and Glanz, “US Helps Recovery Statue and Gives It Back to Iraqis.”


import duties.\textsuperscript{107} His travel perk would not have been an in-flight package of cocktail peanuts or a plastic cup of warm soda, but his physical entrance onto European soil without financial footprint would have given him a “European-looking provenance.”\textsuperscript{108} He could have remained at the Swiss free port indefinitely or until the King “left the building” for a new home in a private collection.\textsuperscript{109}

And so it goes with many Iraqi antiquities from the 2003 coalition occupation. To date, official estimates vary widely about what left Iraqi borders following the plundering of the museum, but when the museum officially reopened on Saturday, February 28, 2015, nearly 4,300 items had been returned.\textsuperscript{110} Recovery efforts continue all the same.\textsuperscript{111}

**Constructing a New Wing to the Museum: Findings**

The question of who loots in conflict and why is not easy to answer. The demand for art and artifacts changes with each conflict. Art served as plunder for Roman legions under Cicero,

\begin{itemize}
  \item \textsuperscript{108} Ibid.
\end{itemize}
Persians invading Greece under Darius and Xerxes, and Napoleon I’s forces in Egypt. From the need to eradicate a culture, seek reparations for previous military or political losses, or simply fill national museums, looting happens in wars. The recipients of looted art have evolved from nation states to actors who function and exploit the gaps between states and their legal architecture. With the advent of international legislation that prohibits the trafficking of art, artifacts, monuments, and archives, it is no longer advantageous for states to claim conflict-related reparations through cultural patrimony. In fact, more states are gaining legitimacy through restitution back to private collectors, making headlines wherever Jewish collections seized in the Holocaust are returned to their rightful heirs. The benefactors of looted art and artifacts are no longer nation states.

There are cases where individuals, including members of professional military forces, do champion the safeguarding and repatriation of items looted during conflict. In the case of Napoleon’s acquisitions from his European campaigns in Prussia, the Duke of Wellington appealed to Lord Castlereagh in September 1815, after the French defeat at Waterloo, to facilitate the return of items that Napoleon’s forces had taken as part of reparation for earlier theft in previous Prussian campaigns. A champion for restitution, he penned that the “Allies then, having the contents of the museum [The Louvre] justly in their power, could not do otherwise than restore them to the country from which… they had been torn during the disastrous period of the French revolution and the

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tyranny of Buonapart [sic].” 114 For every war with looting, there are military leaders who believe in the importance of protection and restitution.

In the case of the Second World War, close partnership with academia, museums, and government agencies enabled the War Department to place military members at the decisive points in each phase of the European and North African campaigns to provide guidance on defending and repatriating art, archives, and monuments. Programs like the American Committee on the Conservation and the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas were coordinated efforts, even if they encountered institutional friction associated in working with the War Department. 115 Men like James Rorimer volunteered for military service, despite being successful professionals in curation or museum management. Patriotism, a sense of national honor and duty, and an obligation to physically protect the world’s heritage encouraged Monuments Men to volunteer for service overseas. 116 It was the same for George Stout, Paul Sachs, David Finley, and others. 117 Positive professional relationships with European counterparts, a working understanding of safeguarding and restoring art during war, and


115 Nicholas, 213, 220-221.

116 Robert Edsel, The Monuments Men, 82. In a letter to his wife on June 6, 1944, James Rorimer wrote, “We are told that the invasion of Western Europe by overwhelming force is underway. I read the morning paper and was delighted to know that Rome has been spared. Now I am thinking of the combat troops and the task which is theirs. We older men are anxious on the one hand to help deal the death blow to tyranny… I have no idea what the future holds in store. I do hope that I can be useful.”

117 Ibid, 32-35.
recent experience in the previous World War provided background to facilitate protection without inhibiting battlefield progress. Successful recovery reinforced the relationship between the Civil Affairs Division, the MFAA leadership, and the Allied Armies in Europe.

In the case of Operation Iraqi Freedom in 2003, friction hindered communication and the greater political agenda of the war deterred academic and military partnerships from forming.\textsuperscript{118} In a meeting with State Department officials, archeology professors Arthur Houghton and McGuire Gibson stated that “what they wanted to get out of it… was the creation of some institutionalized mechanism that would have the issue acknowledged and dealt with.”\textsuperscript{119} Gibson did offer a listing of Iraqis and Iraqi Americans qualified to assist US officials and the military in safeguarding archeological sites. As a result of the events in 2003 and after, the Department of Defense has advanced several steps by including civilian advice and partnership in order to marry complementary resources to appropriate requirements. The US Joint Forces Command has become the lead organization, along with the Civil Affairs and Psychological Operations Command, for “exploring new methods for interacting with civilian agencies,” including nesting organizations into the Joint Interagency Coordination Group within a combatant command headquarters.\textsuperscript{120} Advocating for habitual working groups, Scott Feil of the Institute for Defense Analysis even proposed a working group to engage with the Department of Justice and the Office of Overseas

\begin{flushright} \textsuperscript{118} Rothfield, \textit{The Rape of Mesopotamia}, 56-61. \end{flushright}

\begin{flushright} \textsuperscript{119} Ibid, 56-61. \end{flushright}

\begin{flushright} \textsuperscript{120} Scott R. Feil, “Engaging Interagency Processes to Protect Cultural Sites,” in \textit{Antiquities Under Siege: Cultural Heritage Protection after the Iraq War}, edited by Lawrence Rothfield (Lanham, MD: AltaMira Press, 2008), 228-229. \end{flushright}
Prosecutorial Development Assistance and Training and the International Criminal Investigative Training and Assistance Program, both designed to provide foreign legal professionals and investigators with training in the context of international peacekeeping operations.  

Recent calls for reinstatement of the MFAA or expansion of the 352nd’s Art, Monuments, and Archives section have also been made in the wake of Iraq’s cultural losses. In the absence of a corps of professionals, trained in curation, restoration, and art history, the US Army’s current guidance is reflected in General Training Aid 41-01-002, the *Civil Affairs Arts, Monument, and Archives Guide*, meant to provide tactical leadership with simple guidelines on the necessary actions to protect cultural property and heritage sites when they are encountered. In the seams where professional communication between the military and the art community should occur is a vast chasm of little echo chambers, preventing civilian museum and art professionals and the Department of Defense from finding common ground and providing tactical organizations with the guidance and support needed to safeguard culture from looters while successfully conducting their operations.  


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124 Ronald Lee Fleming and Anthony Flint, “To Save World Heritage Sites from Destruction, the US Should Bring Back the Monuments Men,” *Global Post*, August 20, 1015, accessed April 11, 2017, https://www.pri.org/stories/2015-08-20/save-world-heritage-sites-destruction-us-should-bring-back-monuments-men. Global Post is a mostly left-leaning publicly funded news and editorial outlet with a largely younger European following. In the editorial, the authors fail to address the basic requirements for manning, equipping, and training of US forces necessary to negate conflict looting and damage to archeological sites, even mentioning the idea to
are currently no incentive programs for the direct hiring of experienced curators or art restoration professionals to the active duty Army.

The Gift Shop: Conclusion

Much like war, looting happens. It appears inescapable. Like bad wine served in plastic cups at a new art gallery show, modern militaries may feel forced to accept it. Defining who loots and why is crucial to understanding the environmental conditions that permit cultural theft during war. This also enables political, academic, and military leaders to plan where narrative and resources will be best suited to achieve results, as well as facilitating joint, interagency, and multinational cooperation in the investigation and prosecution of theft. While GTA 41-01-002 provides a foundation and checklist for tactical echelons to manage sites and prevent damage or theft in their areas of operation, it is not sufficient for combatant command leadership or planners for a theater. With the absence of detailed guidance or highly specialized training on the management of archeological sites and museums, there just are not enough modern-day Monuments Men to go around for each security or investigation demand in the theater. Individuals assigned to the 352nd Civil Affairs Command are not required to have formal training in curation, have worked in the museum community prior to joining the organization, or have previous experience in investigation of illicit antiquities markets. Identifying the appropriate individuals with ideal set of skills and professional contacts to reconstitute the MFAA or expand the AMA program should be considered for further study.

“send the Monuments Men into the field, perhaps protected by SEAL Team Six or the Delta Force, where they can secure key sites or to bring relief to shattered towns.”
Frequent positive communication with the academic art and museum communities is a crucial conduit for theater planning. Waiting until looters are reported to be carrying items from an unsecured museum or archeological site places joint planners at a disadvantage, and increases the work load on investigation teams from joint or multinational agencies to facilitate recovery. It also diminishes legitimacy and reliability to audiences outside the Department of Defense. Like the previously stated art gallery show, military leadership and planners may be forced to make awkward small talk with people who have a completely different view of the art on display. Standing with a grim smile, clutching a flimsy glass of lukewarm Chardonnay and soggy canape, they’ll mingle with art critics, museum professionals, art history professors, published authors, archeologists, and the odd studio artist, while they are lectured on the deeper context and meaning of a piece in an unfamiliar language and slightly condescending tone. Eventually, after a couple more mini puffy pastries, they might come across a friendly face with a familiar experience, and an artwork that genuinely resonates and gives meaning to the show. Frequent dialogue with familiar key actors in the museum and academic professions promotes effective information sharing prior to conflicts and garners reliable partnerships that can react to emergent problems. Additional study on the potential boards or working groups is required, to include agendas, routine inputs and outputs, and attendees, may prevent the generation of ad hoc solutions that divert resources and attention or stovepipe vital information during crisis.

Not every member of the military will be a James Rorimer or Matthew Bogdanos, but, in the course of the gallery show, they may find their own personal Ghent altarpiece or King Entemena, that lodestone which anchors their interest in cultural preservation during war. And on the drive home, they’ll be happy knowing that some art is not just the purview of one wealthy
owner or group of selfish enthusiasts. Especially in times of war, when meaning and purpose is most needed, some art belongs to the world, and “it belongs in a museum.”¹²⁵

¹²⁵ Henry W. Jones, Jr., “Introduction to Pre-Columbian History of the Americas” (lecture, Barnett College, Bedford, CT, October 1938).
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**Hague, UNESCO, UNIDROIT**


**National Archives Records Groups**

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