

The Dark Side of Cultural Heritage Protection

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Abstract

This article introduces the concept of the dark side of cultural heritage protection. The existence of strict legal protection with burdensome sanctions is expected to provide a sense of security for a country to protect its cultural heritage from threats from other countries or communities. However, it is an unavoidable fact that the efforts of a country that wants to protect its culture led to conflict and the threat of war between countries. This article shows how many and most of the excessive efforts of an organization to protect cultural heritage from the dangers of war and conflict contribute and have the potential to make cultural heritage vulnerable or even lead to its destruction. The more we talk about cultural heritage and the values it contains and the importance of protecting it, the more attractive it becomes for some groups, organizations, and even countries to target it because it has extraordinary cultural values. For some, efforts to protect and save cultural heritage have been considered as part of the war against terrorism. They destroy a cultural heritage on purpose to kill profitable tourism. This causes the owner community to lose their rights and



even leads to revenge until a war occurs between communities, organizations, or countries. Art and culture have moved to the forefront of war, both as additional damage and direct targets for belligerents who use cultural destruction as a means to encourage more violence, hatred, and revenge. This article argues that states, international organizations, and cultural heritage communities need to recognize these negative side effects and make sure to consider them in future action.

KEYWORDS *Conflict, Cultural Heritage, The Dark Side, Legal Protection*

Introduction

Protection of cultural heritage presents a dilemma for any attempt to protect it. In an age of conflict and identity wars, cultural heritage that forms group identity has become a major potential conflict and focus of international protection initiatives. Cultural heritage reflects people's lives, history, and identity.¹ Preserving cultural heritage certainly helps rebuild

¹ UNESCO and the International Institute of Humanitarian Law. 2016. *Protection of Cultural Property*. Military Manual. Paris: United Nations Educational, Scientific, and Cultural Organization. p. 13. Even in the latest case, the conflict between Russia and Ukraine also has an impact on the threat of protecting cultural heritage. It was further emphasized that conflicts, political turmoil, and wars can damage or eliminate sites and objects of cultural and historical heritage. The same thing is feared to happen in Ukraine due to Russian military attacks. Ukraine has seven world heritages recognized by the United Nations Educational, Scientific and Cultural Organization (UNESCO). Some of them are the Cathedral of Santa Sofia and the monastery in Kiev, the Ancient City of Tauric Chersonese, and the Historical City of Lviv. A number of the national archives of Ukraine are also included in the UNESCO World List of Collective Memories, such as a collection of Jewish musical folklore and documents related to the events of Chernobyl. In addition, the cities of Odessa and Kharkiv are included in the UNESCO Creative Cities Network. UNESCO is concerned that the conflict between Russia and Ukraine will affect efforts to protect cultural heritage. *See also* Vecco, Marilena, and Andrej Srakar. "The unbearable sustainability of cultural heritage: An attempt to create an index of cultural heritage sustainability in conflict and war regions." *Journal of Cultural Heritage* 33 (2018): 293-302; Gomez, Eva. "Complexities In The Protection of Cultural Heritage In Non-International Armed Conflicts." *International Journal of Global Community* 1, no. 3 November (2018): 335-346; Soderland, Hilary A., and Ian A. Lilley. "The fusion of law and ethics in cultural heritage management: The 21st century confronts archaeology." In *Relevance and Application of Heritage in Contemporary Society*. (London: Routledge, 2018), pp. 160-185.

damaged communities, rebuild their identities, and connect their past with their present and future. Cultural heritage is seen as an instrument of peace and reconciliation, as its protection and preservation can play a key role in overcoming feelings of loss and displacement due to conflict.

The global era, besides playing an important role in the promotion of culture, also has an impact on conflicts and wars between cultural heritage identities which are a source of conflict that should be the focus of international government protection. In this case, scholars, academics, legal practitioners, and government institutions do not consider more deeply the effect of protection on cultural heritage which motivates international organizations or other parties to target and attack cultural heritage.² Lynn Meskel, an Australian-born archaeologist and anthropologist in her work at the United Nations Educational, Scientific, and Cultural Organization (UNESCO) where she shows how the meaning of protecting cultural heritage and the potential for protecting world heritage sites has brought with it the threat of cultural heritage conflict that until now has generally become targets as a means of angering local and international communities, as witnessed in the Balkans, and Bamiyan, Aleppo, and Palmyra.³ According to Charlotte Joy, heritage conservation in the State of Mali also demonstrates that the protection of cultural heritage has received international recognition as a driver of antagonism and destruction.⁴

² Meskell Lynn. 2015. Gridlock: UNESCO, Global Conflict and Failed Ambitions. *World Archaeology*. Vol. 47. No. 2. pp. 225–238.

³ Meskell Lynn. 2018. A Future in Ruins. UNESCO, *World Heritage, and the Dream of Peace*. New York: Oxford University Press. p. 12.

⁴ Joy Charlotte. 2016. *UNESCO Is What? World Heritage, Militant Islam and the Search for a Common Humanity in Mali.* In *World Heritage on the Ground: Ethnographic Perspectives*, edited by Christoph Brumann and David Berliner. London: Berghahn. p. 65. Furthermore, she argued that it is no coincidence that the first case the ICC has brought to justice involves a UNESCO World Heritage site. She charts the history of the relationship between Mali and UNESCO and the history of Islam in Mali. Through taking a historical perspective, current events can be seen as part of an ongoing 'conversation' about the future of the country. The ICC trial also has wider ramifications for the anthropological study of material culture and cultural heritage as it resists a plural understanding of people's entanglement with sites and objects and demands instead a return to certainty. See Joy, Charlotte. "Enchanting Town of Mud': Djenné, a World Heritage Site in Mali." *Reclaiming Heritage*. (London: Routledge, 2016), pp. 145-159; Joy, Charlotte Louise. "Crimes against cultural heritage in

An interesting discussion and concern have emerged in the cultural heritage literature that international heritage protection and safeguards can promote the growth of antagonism and the destruction of heritage during violent conflict. However, previous studies have not had a systematic focus on the “dark side of protecting cultural heritage”. Therefore, the purpose of this article is to explain more clearly how the protection of international heritage and advocacy to protect cultural property can sometimes have adverse effects and even lead to destruction. One of the main points of this article is that the increasing focus on international protection on the destructive effects of violent conflict on cultural heritage presents us with a major dilemma. The more we talk about the value of cultural heritage and the importance of protecting it, the more we emphasize how the destruction of cultural heritage means harm to humankind, increasingly attractive for some groups to destroy cultural heritage as a war strategy. Focus on Protection only contributes to drawing cultural heritage to the heart of the armed conflict.

The international community which consists of international organizations and professional circles including museums, academic experts, media, and civil society organizations all work in touch with world events. When faced with threats to cultural heritage, including world heritage sites, they naturally voiced strong concerns. Organizations mandated to protect heritage must act. However, communities and interest groups also need to take into account the possible adverse effects of their policies and actions. Therefore, we need critical thinking on the legal protection of cultural heritage and focus on the dark side of cultural heritage protection.

Over the past decade, culture has moved to the forefront of war, both as additional damage and a direct target for belligerents who use the

Timbuktu." *Anthropology Today* 34, no. 1 (2018): 15-17; Joy, Charlotte. *Heritage Justice*. (Mass: Cambridge University Press, 2020); Joy, Charlotte. "Heritage and Tourism: Contested Discourses in Djenné, A World Heritage Site in Mali." *Tourism, Power and Culture: Anthropological Insights*, Clevedon: Channel View Publications (2010): 47-63.

destruction of culture as a means to foster more violence, hatred, and revenge. This devastation strikes society in the long run, weakening the foundations of peace, hindering reconciliation when hostilities end. Recent conflicts in Mali, Libya, Yemen, Iraq, or Syria have shown that the protection of heritage cannot be separated from the protection of human life, as the destruction of artifacts has become an integral part of the global strategy of ethnic cleansing, which seeks to eliminate all shape difference.

This article aims to spark that debate by, first, examining three significant cases of legacy destruction in the recent conflict, namely the Taliban's destruction of Bamiyan Buddhism in Afghanistan in 2001, the destruction of Daesh in Palmyra in Syria in 2015–2017, and the Ansar. destroyed holy places in Mali in 2012. In all three cases, this article finds that the international community's efforts to protect cultural heritage. Second, this article outlines some concrete and theoretical observations about the dialectic between the protection of international heritage and the evolving role of heritage in armed conflict. Finally, a series of recommendations will be put forward to accommodate the identified challenges.

Method

The research method uses a qualitative approach with the type of sociological juridical research, with the data sources used are secondary data sources. Data collection techniques are library research techniques and documentation. Secondary data in this study relies on data obtained from library materials and regulations related to the topic of the problem which includes official documents, books, results of library research by conducting library research namely the collection of legal materials by reading laws and regulations, books, journals, and literature related to the discussion in this

study as secondary data.⁵ The documentation method is a technique of collecting data by studying written data through archives, including books on opinions, theories, principles, or legal books related to research.

Result and Discussions

A. Forms of Conflict for The Protection of Cultural Heritage

1. Afghanistan in 2001

The Taliban's destruction of the Bamiyan Buddha in Afghanistan in March 2001 provides us with another example of the destruction of an important and politicized legacy associated with contemporary conflict. Technically, the devastation occurred during peacetime, more than half a year before the international military intervention in Afghanistan, known as Operation Enduring Freedom, began on October 7th, 2001.⁶ The Taliban had expressed the idea of destroying the Bamiyan Buddha in 1997. However, in 1998, when a leader in the area took practical steps to achieve the goal of destruction, the Taliban leadership stopped him. In July 1999, the Taliban leadership issued a decree stating that Buddhas should not be destroyed but protected. The decree also emphasizes that Buddhists are not part of any religious practice in Afghanistan. After that, the Taliban targeted to destroy the Buddhas. Then, on February 26th, 2001, the Taliban issued a decree stating that:⁷

“Based on the verdict of the clergymen and the decision of the supreme court of the Islamic Emirate [the Taliban] all the statues around Afghanistan must be destroyed”

⁵ Muh. Ali Masnun. 2018. “Legal Protection from The Right to Indication from Origin in Indonesia”. *Journal of Private and Commercial Law*. Vol. 2. No. 2. p. 117.

⁶ Centlivres, Pierre. 2008. “The Controversy over the Buddhas of Bamiyan.” *South Asia Multidisciplinary Academic Journal*. (2). p. 7.

⁷ Rory McCarthy. 2010. *Taliban Order All Statues Destroyed*. The Guardian. p. 3.

Based on this explanation, it can be understood that the decision of the scholars and the decision of the supreme court of the Islamic Emirate in the Taliban stated that all statues around Afghanistan must be destroyed. The decree issued when an international delegation visited Kabul to examine the destruction of pre-Islamic artifacts by the Taliban at a national museum sparked international outrage.

UNESCO took the lead by initiating an international campaign to save the Bamiyan Buddha. UNESCO convened a meeting of member states in Paris and issued a joint declaration signed jointly by the Secretary-General of the United Nations (UN), the director-general of UNESCO issued a request to the Taliban to reconsider its decision to destroy all statues in the country. Besides, UNESCO succeeded in bringing together religious leaders from Egypt, Iraq, and Pakistan to issue a fatwa against the destruction. The International Council for Monuments and Sites and the International Council of Museums issued a call on March 1st, 2001 declaring that destroying Buddha would be a total cultural disaster. It will remain written in the pages of history alongside the most famous acts of barbarity.⁸

2. Suriah in 2015

In 2015, Syria's last global cultural heritage was destroyed, in particular the Ancient City of Palmyra and the Ancient City of Bosra. The Ancient City of Palmyra is a historic metropolis located within the Province of Homs. Palmyra is a historic metropolis filled with works of art and houses under the influence of the Greco-Roman style. Roman manages the metropolis of Palmyra and has become a solid metropolis. Palmyra also served as a turning point between the Roman Empire and Persia, India, and China. The historic city of Palmyra earned a reputation from UNESCO and

⁸ CNN World. 2001. *World Begg Taliban Not to 'Vandalize' History*, <http://edition.cnn.com/2001/WORLD/asiapcf/central/03/01/afghan.statue/>. Accessed on 22nd December 2021.

was included in the global cultural history list or World Heritage List in 1981. The inclusion of Palmyra in this list is because Palmyra meets 3 of the 10 standards required by UNESCO to be included in the global cultural history list. 3 standards that meet are standards (i) which states that the history of a global culture of the past must be a creative human-made work, (ii) the history of past global cultures must show the importance of human values from time to time, and (iii) past Global cultural history turns out to be an example of the kind of construction that describes the level of human history.⁹

Palmyra has many important locations of interest to tourists. Despite the ancient prices they contain, the creative value of this historic home structure in Palmyra is a major draw for visitors. The first factor is the colonnade. The pylons are rows of tall pillars over the metropolitan city. The colonnade life is an indicator of that metropolis when living in Rome. This row of pillars surrounds the metropolis and passes through the way to the traditional critical houses of Palmyra along with the Temple of Bel, the burial temple, the tetra pylon, and the Theatre. Throughout 2015, these rows of pillars are no longer the target of destruction, but around them, there has been minor damage. The 2d factor is Camp Diocletian which is an expansion of Roman energy in Palmyra. The cause of the development of this district was to emerge as an outpost of the Roman army. Diocletian's summons was changed to be taken from the emperor Diocletian which turned into energy at that time. In the Diocletian Camp area, there are ultimate houses, most notably the Temple of Standards on the western hill which serves as a weapons garage area, a troop residence and residence for the entire metropolis, and the Temple of Allat in the Japanese part.¹⁰

Furthermore, the most important building in Palmyra is the Arc de Triomphe. This arched building is the interface between the colonnade and the Temple of Bel. The floral decorations and geometric motifs of the Arc de

⁹ World Heritage Centre. *Site of Palmyra*. 2013. <http://whc.unesco.org/en/list/23>, accessed on 22nd December 2021.

¹⁰ *Ibid.*

Triomphe have become well known as features of the Arc de Triomphe. In October 2015, the Arc de Triomphe incident was confirmed by the Directorate General of the Museum of Ancient Syrian Art (DGAM). The way to further destroy this triumphal arch is to place explosives around it a few weeks before it explodes. It was reported that the explosion destroyed the central and southern parts of the gate and the northern part of the gate looks fine.¹¹

3. Mali in 2012

The last example of the destruction of holy sites in Mali was in 2012. In late March 2012, a group of Malian soldiers called themselves the National Committee for the Restoration of Democracy and the State overthrew the Malian government. Furthermore, they allied themselves with Ansar Dine who had close ties to Al-Qaida. Ansar Dine, aiming to impose strict Sharia law across Mali, immediately began warring with its allies. By June, the group captured Gao, Timbuktu, and Kidal. Just days later, Ansar Dine began destroying temples that were part of an important pilgrimage site for Sufis in the region and beyond and which hold UNESCO world heritage status. Ansar Dine stated that it would destroy all the temples because of their pagan character. The protection of international cultural heritage has created antagonism around heritage issues in Mali. In Mali, Refuge of the West has for many years been closely linked to cultural heritage, as Charlotte Joy so well describes. According to Joy the Protection of Cultural Heritage Management in Mali through UNESCO intervention has politicized heritage in Mali.

To see our three cases in a broader context, we need to recognize how the idea of cultural heritage has served as the global backdrop for the devastation in Palmyra, Bamiyan, and Timbuktu. The idea that such “our common heritage” places have significance for people and groups around

¹¹ The Recapture of Palmyra. *Cultural Heritage Initiatives*. Maret 2016. <http://www.asor-syrianheritage.org/4290-2/>, accessed on 22nd December 2021.

the world is relatively new. This has prompted global awareness, where people may feel emotionally hurt by the destruction of old ruins in some remote desert in the Middle East. This is a relatively recent global consciousness, fostered by the development of twentieth-century norms, rules, and institutions related to cultural heritage at national and international levels. As one scholar put it, heritage is increasingly being promoted as a force of good.¹²

The maturing of national and international norms, laws, and institutions related to cultural heritage, combined with the rise of identity conflicts, asymmetry, urbanization, and globalization, has easily changed the fate and role of cultural heritage in conflicts. By functioning as reference material and physical infrastructure (for example artifacts, memorials, monuments, historical buildings, churches, mosques) cultural (for example ethnicity, race, religion, nationality), cultural heritage occurs, primarily, as a marker of identity for parties in conflict and, increasingly, as objects of an armed attack, misappropriation, manipulation, or initiatives and displays of protection. And digital technology and global social media play an important role in supporting the exploitation of the power of cultural heritage for strategic communication.¹³

4. Indonesia in 2001

In 2001, the Sampit Tragedy conflict occurred which involved members of the Dayak ethnic community and the Madurese ethnic community. The Sampit tragedy occurred because of the assumption that ethnic Dayak people were jealous of ethnic Madurese people who tended to be successful and successful in trading activities. However, according to a statement from one of the Dayak ethnic community leaders whose initials are HC said that: "It must be admitted that people of Madurese ethnicity

¹² Swenson, Astrid. 2013. *The Rise of Heritage*. Cambridge, MA: Cambridge University Press. p. 152.

¹³ Rosén, Frederik. Forthcoming. 2018. *In The Preservation of Art and Culture in Times of War*, edited by Frederik Rosén, Claire Finkelstein, and Derek Gilman. New York: Oxford University Press. p. 79.

tend to be successful and successful in trading activities. However, that is not the background for the Sampit Tragedy. It can even be said that people of Chinese ethnicity are far more successful and successful in trading activities than people of Madurese ethnicity. However, why are people of Chinese ethnicity not opposed by people of Dayak ethnicity?”. Furthermore, the ethnic Dayak community leader with the initials HC explained that: “The real background of the Sampit Tragedy is the existence of a cultural clash between Dayak culture and Madurese culture, not because of social jealousy in trading activities. Where ethnic Madurese people who live in ethnic Dayak communities do not want to understand, practice, and live Dayak culture in their daily lives. People who are ethnically Madurese should understand and understand the proverb which reads: 'Where the sky is upheld there the earth is stepped on' which means that ethnic Madurese people must respect local customs and culture of people of Dayak ethnicity. as a native of Central Kalimantan Province.”

The Sampit tragedy occurred in Kotawaringin Timur Regency, which is located in Central Kalimantan, with the largest population coming from ethnics Madurese. Before the Sampit Tragedy, it was estimated that around 75.000.000 ethnics Madurese were living in the area. Because the majority of the East Kotawaringin Regency is inhabited and controlled by Madurese ethnic people, the Madurese people want to control Sampit which is the capital of East Kotawaringin Regency. In fact, on 18-19 February 2002, ethnic Madurese marched around carrying banners that read: ‘Welcome to Sampang II’ and sharp weapons in the form of sickles to show the strength of these ethnic Madurese. Besides, the Madurese also set fire to and murdered Dayak ethnic people who live in East Kotawaringin Regency. With the Sampit Tragedy, people of the Dayak ethnicity began to fight by burning and killing people of the Madurese ethnicity who resided in Central Kalimantan Province.

The conflicts that occurred between the Dayak ethnic community and the Madurese ethnic community and as a result of the conflict that caused

people to die had often occurred before 2001. However, before 2001, law enforcement and security forces had not implemented efforts strict law enforcement against Tragedi Sampit. This is because before 2001 there were still many problems and obstacles that occurred in the effort to implement fair and good law enforcement, starting from the indications of bribery in resolving the Sampit Tragedy conflict, the existence of a system of alignments in resolving the Sampit Tragedy conflict, the number of law enforcers. and very limited security forces, and inadequate equipment for law enforcement and security forces.¹⁴

B. Factors Causing Cultural Heritage Conflict

Several factors contributed to the destruction of historic sites, but the most frequent components of these causes may have military, economic, and symbolic nature. In particular, military motivations could be the cause of the destruction due to the overlap between military targets and historical cultural heritage and religious buildings:

a) Military Motivation

Often the urgency of war has always taken precedence over the preservation of cultural property, but the norms and sentiments that have emerged within the community have signaled a growing desire on the part of the state to preserve, for posterity, the cultural heritage of mankind. Thus, the critical question becomes: how? States balance these seemingly irreconcilable goals, and the extent to which the current state of international legal regimes is capable of facilitating an adequate response to the protection of cultural property during armed conflict.¹⁵

War and conflict always involve the destruction or destruction of cultural goods, either because the building or artifact is an ideological and

¹⁴ Abdul Rachman Patji. 2003. "Tragedi Sampit 2001 dan Imbasnya ke Palangka Raya (Dari Konflik Menuju Rekonstruksi)". *Jurnal Masyarakat dan Budaya*. Vol. 5. No. 2. pp. 16-17.

¹⁵ Ashlyn Milligan. 2008. Targeting Cultural Property: *The Role of International Law*. Vol. 3. No. (8) p. 91.

economic object, or more often, because it may coincide with a military target. This means that cultural property can be targeted as a target when one of the parties to the conflict intentionally operates from within or from proximity to buildings or sites designated as having cultural or historical significance.¹⁶

The motivation behind military action can be to ignore the boundaries established by international law on armed conflict, thereby rendering humanitarian norms ineffective. As was the case during the First World War, when relying on the presumptuous principle of military necessity, the belligerents demanded or destroyed neutral goods, despite the rules for their special protection. Military necessity can never justify the killing of civilians and the destruction of villages and towns, as well as the destruction of cultural treasures. But the dilemma still exists for the following reasons: first, military necessity generates imperatives; secondly, imperatives that arise from military necessity must conflict with imperatives that originate from humanity; and third, all rules of international law embody military-humanitarian interactions in the process of creating their norms.¹⁷

b) Symbolic Motivation

The motivation for the destruction of cultural wealth is ultimately exclusively symbolic, driven by the ideological, social, religious, and political beliefs of groups of individuals, who have used their power to humiliate the cultural identities of others for centuries. When the Romans razed Carthage (2nd century BC), no temple or tomb survived their ferocity, not even salt was sprinkled on the ruins to prevent grass from growing again. This kind of motivation could also explain the demolition of the Jewish Holy Temple by the Babylonian king Nebuchadnezzar in 586BC, the destruction of an icon in Byzantium by the Lion Emperor III called The

¹⁶ Claudio Maria Polidori. 2002. Military Necessity. *Informazioni della Difesa*. No. 5. pp. 40-41.

¹⁷ Craig J. S. Forrest. 2007. The Doctrine of Military Necessity and the Protection of Cultural Property during Armed Conflicts. *California Western International Law Journal*. Vol. 37. No. (2) p. 178.

Isaurico, or more recently the destruction of two magnificent Buddha statues by the Taliban in 2001.¹⁸

The locals completely forget that they are Buddhist figures, but the Taliban wants to destroy that cultural heritage to affect the strategic advantage of the Taliban in targeting cultural symbols where a distinct social identity cannot be developed. In 2003, this event prompted UNESCO to adopt the Declaration on the Deliberate Destruction of Cultural Heritage, which reaffirms the same concept stated in 1954 which stipulates that states must take all appropriate measures to prevent, avoid, stop and suppress acts of destruction of cultural heritage. intentional, wherever the cultural heritage is.

These acts of destruction and destruction carried out on cultural heritage present a new challenge to the international community, due to their ideological nature and, although the 1999 Second Protocol provides these sites with equal protection during internal conflicts as well as during international conflicts, it can do a great job. little against groups that refuse to comply with international law.¹⁹

C. The Dark Side of Cultural Heritage Protection

The international community has created safeguards in response to destruction, but it does not serve to protect cultural heritage during armed conflict. But, as the three cases above demonstrate, the question of responsibility on the part of the international community for increased destruction seems like an elephant in the room. As Daesh began to move towards the city of Palmyra, the lessons learned from the Bamiyan Buddhist case as well as in Timbuktu demonstrate the possible detrimental effect of

¹⁸ *Ibid*, p. 179.

¹⁹ Almad Hoteit and Issam Ali Khalifeh. The Protection of Cultural Property during Peacetime and in the Event of Armed Conflict: A Historic Overview and a Case Study, The Plundering of Lebanon's Cultural Heritage. *Journal The Cultural Property*. Vol. 3. No. (4). p. 24.

international cultural heritage protection on the motivation of radical groups to destroy cultural heritage.²⁰

According to UNESCO, the protection of cultural heritage must be included in the “Responsibility to Protect” (R2P) framework.²¹ R2P is an international policy agreement that provides for the protection and moral responsibility of the international community to intervene in situations where a state is unable or unwilling to protect its population from genocide, war crimes, crimes against humanity, and ethnic crimes. The idea lives on in policy and among academics and legal and cultural practitioners. Places the destruction of cultural heritage among the most serious international crimes in terms of global security but also forms its dark side as a target for conflict.

The question is whether we can prevent or limit the destruction by preventing problems. Based on the 3 conflicts requires a closer examination of whether or how international organizations and forums have considered the possible negative side effects of their safeguards and policies related to cultural heritage in conflict. It also requires reflection on the competence and capacity regarding conflict and security management of organizations dealing with issues related to cultural heritage in conflict.²²

The existence of protection of cultural heritage creates a special attraction that will cause negative impacts to become the target of dangerous organizations because cultural heritage has a high value. Cultural heritage destruction and illicit trade do offer significant income for terrorist groups as far as that is concerned. This is because the protection and recognition of cultural heritage in the international arena can certainly become an attractive object for tourists and can improve the welfare of a culture.

²⁰ *Op. Cit.*, Meskell. p. 203.

²¹ Weiss Thomas G., and Nina Connelly. 2019. Protecting Cultural Heritage in War Zones. *Third World Quarterly*. Vol. 40 No. (1). p. 6.

²² *Op. Cit.*, Meskell. p. 72.

The focus on heritage protection on the other hand has failed to provide a sense of security and promote cultural heritage in the international arena. Overall, the dynamics of cultural heritage protection between heritage communities struggling to increase recognition and protection has become a dilemma for the dark side. The discourse on protecting cultural heritage in the international arena about heritage and armed conflict is in contrast to cultural heritage as a target for non-state actors and terrorists.

According to the researcher's analysis of the dark side of protecting cultural heritage, it is not to cause concern and debate. The researcher's analysis of the negative impacts of cultural heritage protection is not to underestimate the many cultural heritage protection and preservation initiatives. On the other hand, the researcher aims to open insight and increase the power of critical thinking.

The dark side of cultural protection has an unfavorable impact on the current policies and practices of protecting cultural heritage. The concept of the dark side of cultural heritage protection seeks to capture the sociological dynamics of how cultural heritage protection initiatives sometimes produce an image of cultural heritage as something that can be used as a target to launch a blow against their enemies. This is of course a paradox to hold protection for cultural heritage. The value of cultural heritage and the importance of protecting these values will be overshadowed by threats that are increasingly attracting attention to armed groups, terrorists, and sometimes states that are also targeting attacks.

The stakeholder community must be careful in promoting its cultural heritage so as not to offend interested parties. In practice, when international organizations and states adopt policies and the protection of cultural heritage that are aimed at conflict or when they initiate protection activities during a conflict, stakeholders must remain humble. If cultural holders guard through overprotection, being too proud to protect humankind's cultural heritage to display high morals, the enemy may seek

to challenge and cause social jealousy by destroying the cultural heritage. Bamiyan, Timbuktu, and Palmyra provide paradigmatic examples of this dynamic. Inheritance protection can make international organizations and states and other organizations and entities look morally good, but it can easily lead to unwanted and uncontrollable situations and dilemmas.

Prevention of the dark side of cultural heritage protection is carried out by providing understanding to each country and international organization to deal with the threat of cultural heritage conflict which can be pursued by adjusting policies and legal practices of cultural heritage protection. On the one hand, the existence of cultural heritage protection can prevent claims by other parties. This idea is interesting for relevant institutions and experts to be considered in realizing protection against cultural heritage. The International Community should create an extensive communication, strategy, and risk assessment for cultural heritage, to consider the steps that can be taken.

Conclusion

Protection of cultural heritage is an issue that is quite important and interesting to discuss. The existence of protection for cultural heritage is initially expected to keep the existence of culture alive, providing a sense of security for a country to protect its cultural heritage from threats from other countries or communities. However, it is an unavoidable fact that the efforts of a country that wants to protect its culture will cause unwanted negative impacts as well as the threat of conflict and the threat of war between countries that lead to the destruction of cultural heritage. The more valuable a culture and the stricter its protection, the more attractive it is for some groups, organizations, and even countries to target it because it has extraordinary cultural values. For some, efforts to protect and save cultural heritage have been considered as part of the war against terrorism. They destroy a cultural heritage intentionally to kill tourism that is profitable for

a particular country which can cause resentment and prolonged conflict between interested parties. Therefore, it can be considered by the state in carrying out a policy and protection of cultural heritage. Besides, countries, international organizations, and cultural heritage communities need to recognize these negative side effects and make sure to consider them in future actions.

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