Identity and Conflict: Cultural Heritage & the Re-construction of Identities after Conflict

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2012
Acknowledgments

I would like to thank the CERIS team for the coordination of interesting and thought-provoking lectures, seminars and visits.

I hereby express my gratitude to Dr. Willy Stevens, Former Belgian Ambassador, for his advice and guidance in the choice and definition of this dissertation subject. His reflections were essential to bring this work to a good end.

I am especially indebted to H.E. Pascal H. Grégoire, Head of Mission for the Belgian Diplomatic Services to Pristina, Kosovo and a longtime friend. His availability to answer questions and provide me with the latest (field) information were more than substantial to this work.
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"This book is not an urging to live in the past surrounded entirely by the architectural relics of earlier times, but with reminders that are freely chosen and with a plurality of these reminders in order positively to reflect heterogeneity within societies. Difference needs not to be otherness. Memories of past wrongs also need to be kept alive without chauvinism poisoning the hope of a shared future."  

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1. Introduction

Résumé and definitions
This paper aims to analyze the role and the importance of cultural heritage in nation building, especially in periods of reconstruction after conflict. My research is based on the underlying assumption that nations cannot simply be understood as ideology or form of politics but should be considered as cultural phenomena as well. In consequence national identity must be regarded as a collective multidimensional cultural phenomenon including language, sentiments and symbolism. These phenomena are rooted in common familial, territorial, class, religious, ethnic or gender backgrounds which may be modified or abolished. Nations have thus to be understood as dynamic and complex processes. Anthony D. Smith defines nation as "A named human population sharing an historic territory, common myths, and historical memories, a mass public culture, a common economy, and common legal rights and duties for all members". According to Anthony D. Smith, the collective cultural identity is fundamental to the nation. It offers a sense of continuity to the past, unity of the population, and notions about collective destiny. By providing repertories of shared values, symbols and tradition, cultural identity helps to define, locate and orientate the individual (nation) in the world. Hence Smith defines collective cultural identity as "a sense of continuity on the part of successive generations of a given cultural unit of population to shared memories of earlier events and periods in the history of that unit and to notions entertained by each generation about the collective destiny of that unit and its culture. Changes in cultural identity therefore refer to the degree to which traumatic developments disturb the basic patterning of cultural elements that make up the sense of continuity".

Indeed, continuity and development are important to the creation and sustaining of the national identity. Nations often refer to "golden ages", national symbols, traditions (religious, popular, political) in order to emphasize their strength and legitimacy. In consequence, at times of conflict, the national cultural identity suffers a lot. Direct and co-lateral damage are caused to this cultural identity on symbolic, material and psychological level. Nations dominate or collapse, symbols are imposed, usurped or destroyed and in both cases identity is disturbed. Cultural heritage suffers from deliberate destruction and / or misuse in order to raise hostilities and propagate different conflict ideologies. Cultural property, seen as a symbol of the identity of an ethnic group or nation, is endangered when one wants to deny its existence or prove its weakness. In the words of Leturcq: "heritage is affected in its essence as heritage - as a legacy belonging to the past of "the other", which one tries to damage or even deny".

Leturcq’s definition poses two problems. A first complexity is hidden in the definition of "the other". "The other" can be defined as another nation, but also as different factions with the population of a country or as the huge gap between the regime and its people. If heritage might be a powerful instrument in nation building,
its "boundaries" not necessarily coincide with the nation's ones. Nations and heritage can have divergent temporal, geographical, physical and even symbolical boundaries (e.g. displacement, political symbolism).

Secondly, Leturcq's definition questions the notion of heritage. Leturcq defines heritage as a legacy belonging to the past of the other. Hence he includes tangible and intangible forms of heritage. And while he does explicitly refer to the past he does not link the notion of heritage to inclusion on (world) heritage lists. Consequently, when addressing the issue of cultural heritage and the reconstruction of identities after conflict one should not only focus on monuments listed by the international community. Attention should also be paid to local customs and crafts.

Furthermore it is also important to re-consider the value of the cultural heritage in its actual post-conflict area. Questions of environment and conservation have to be raised. Possibilities of sustainable protection (mobs and vandalism) after the conflict are to be studied as well as the status of ruins kept in memory of the tragedy of war. If cultural heritage is more and more seen as an instrument for peace and reconciliation, its protection, conservation and restoration can play a key-role in rebuilding societies and overcoming the sense of displacement caused by conflict. 6 However, this is to be done with care and sufficient preparation. Firstly, cultural heritage has a heavy symbolical load. If it certainly can help to reconstruct a national identity after conflict, it can also keep the memory of the conflict alive and even cause tensions about religious and economic (returning pieces or rebuilding) issues. Secondly, the safety of the heritage (esp. museum collections) has to be guaranteed when returned to its original context. Environmental criteria, conservation, but also vandalism and robbery have to be taken care off. Thirdly, the international conventions on heritage protection in conflict need to be evaluated within the context of cultural heritage and the re-construction of identities after conflict. If it becomes an acceptance that cultural heritage can play a key role in peace and reconciliation as well as in rebuilding societies; it is fundamental to start with the preservation of this heritage. Regardless of international conventions and protocols UNESCO 1954a., UNESCO 1954b. and UNESCO1999. , cultural heritage is still a target in armed conflict, subject to looting and vandalism or exploited for economic survival. 7 Both the definitions of "heritage" and the means and conditions to preserve it have to be heavily reconsidered and adapted to the twenty-first century conflict situations which are more focused on civil wars and terrorism than ever before.

**Aims**

1. To evaluate the importance of cultural heritage in the building of national identity in post-conflict areas. Analysis of changes of attitude, symbolism etc. - case: Kosovo

2. Evaluation of the role of the national versus international community in preservation, conservation, restoration of cultural heritage - case: Kosovo

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3. Evaluation of "sustainability" of the heritage in post-conflict areas - esp. in regions with regular tensions and instability (political, social, economic) – case: Kosovo

4. Evaluation of the International Conventions regarding Heritage and Cultural preservations in times and areas of conflict, esp. with regard to civil wars, terrorism, and twenty-first century artillery.

Ex-cursus: "Prohibition of Funding for UNESCO passes U.S. Senate Committee with unanimous vote" or the role of the international community in cultural heritage as an instrument for peace and reconciliation.

**Facts**

“The rich plains of Kosovo, with their surrounding mountain ranges, the peaks of which reach an altitude of 2,500m, belong to the most beautiful areas of Europe and figure among the most fertile parts of the Balkans. A watershed divides the rivers that flow into the Black, Aegean and Adriatic Seas. Its central position in the Balkan Peninsula has determined the importance of Kosovo, which covers an area about 10,000 km² and is situated at the intersection of major roads heading seaward.”

This central position of Kosovo has led both to its richness and poverty. Over the centuries Kosovo has shared and contributed to variegated cultures at the intersection of the Eastern and Western Roman Empire, of the Austro-Hungarian and Ottoman empires, of the NATO and the Eastern Bloc and of various people with diverse histories and backgrounds. This rich cultural diversity has however also been at the origin of ethnic clashes which devastated the region. Ottomans and Christians, Albanians and Serbians have laid claims on the territory for ages, culminating in the 1999 war. If Kosovo already was the region most affected by poverty in the Former Republic of Yugoslavia, the events of the 1990’s conflict with Serbia worsened the situation. The growing power of Slobodan Milosevic in Serbia, ultimately lead to Kosovo’s loss of political independence and several embargos. The region became marginalized and isolated in less than a decennial. Today the headcount ratio at national poverty line (% of population) is of 34.5%, while the country’s economy is hardly viable. 45.3 % of the population is without work. According to the World Bank database, the average GDP is $6,446 billion (USD) for a population of 1.794 million. The GNI per capita is of $3,520 (USD).

According to the IMF “A key medium-term challenge is to build a competitive economy and develop a tradable sector, to reduce the economy’s dependence on transfers and create the conditions for durable, robust growth. Critical to this effort are initiatives to strengthen the institutional framework and business climate, as well as investments in infrastructure and education. More generally, Kosovo is a young country whose capital and social spending needs are large. Policymakers are under considerable and often understandable pressure to address these pressures rapidly. To prevent putting macroeconomic stability at risk, it is indispensable to carefully prioritize, cost, and sequence spending initiatives. Success requires broad political

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support.” This broad political support heavily depends on dialogue and stability between the different actors in Kosovo as well as on stable international relations with Serbia and the EU. The country’s stability and the establishment of durable international relations with its foreign partners heavily depend on the definitive conception and recognition of the Republic of Kosovo as a lawful partner and on the foundation of a sovereign democratic multi-ethnic country. Consequently the national identity of Kosovo including its variegated cultural background has to be accepted as a constituent element of the country’s formation. This “new” multi-cultural Kosovo identity should first of all be accepted by the Kosovar citizens themselves. Even if diversity and the protection of the rights of minorities are fundamental principles of the Kosovan Constitution of 2008, one should be aware of the fact that these values, were at first imposed by the international community. The acceptance of multi-ethnicity and multi-culturalism have indeed been put forward as conditions for the achievement of sustainable peace and stability in the region and advanced as a *conditio sine qua non* for a possible future accession of Kosovo to the European Union. However, one should be aware that a Kosovan national identity should primarily be based upon Kosovo’s present values, history, tradition and mores while stimulating the European core values. Culture and heritage can play an important role in retrieving an original and humanistic Kosovan identity shared by all citizens. The rich diversity of Kosovo’s heritage, built on a mix of Christian, Ottoman and Hellenistic cultures, could enable the population of Kosovo to reconsider multi-culturalism in a positive way. Such an approach would certainly reduce the nationalistic claims made upon heritage, which were used as an incentive for the 1999 conflict and offer possibilities for social and economic development. However, the reality is that 90% of the actual Kosovo populations consists out of Albanians. If it is a duty of Kosovo to protect the rights of the minorities, the question is what actually remains of the historic multi-ethnicity and multi-culturalism of Kosovo. Are these notions still of present value, or rather European projections based on a nostalgic idea of the Balkans’ “golden age” on the one hand and on ideals of the European Union on the other hand?!

**Historical overview of the Kosovo-Serbia relations**

Kosovo and Serbia live on long term historical tensions which have been crystalized in the "Myth of Kosovo". This myth, recalls the "defeat" of Lazard I, the Christian prince of Serbia against the Ottoman empire in the "Valley of the blackbirds" in 1389. In the myth the defeat of Lazard has been depicted as the victory of the martyr in eternal life and as the symbol of glorious Christianity. Lazard deliberately chose for defeat in the battlefield in order to gain glory and perpetual life in heaven.

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11 Kosovo in Serbian means the Blackbird’s nest: kos (blackbird) ovo (origin, nest). If the myth represents this battle as decisive, history is less radical. Neither Ottoman and Serbs could claim victory, as both parties knew many important losses during this confrontation. Serbia lost the majority of her cavalry and remained without aristocracy; the Ottoman lost their Sultan Murat I and his legal heir during the battle. This bloody status quo was only to be decided in the favour of the Ottoman, during the next century.
with God. In a single event the myth conceptualizes the historical sequence that gradually forced the Serbs under Ottoman dominance for several centuries. By the myth the domination becomes a deliberate choice for the glory of God and at the same time it elevates the Serbs to the status of "elected nation" by God. The sacrifice of the elected people in 1389 will be conjured by their resurrection.\textsuperscript{12} It should not surprise us than that this myth, which had lost its importance in the 19th century (liberation from the Ottomans, 1804), was highlighted again in the nationalistic discourses of Slobodan Milosevic in the 1980's.

Until the Yugoslavia Constitution (and in particular the 1966 and 1974 Constitutions) the Albanian majority in Kosovo had lived under the dominance of the Serb minority. In 1966 Tito granted Serbia's autonomous provinces equal voting privileges with republics at the federal level. This resulted in a greater participation of Kosovar Albanians in provincial administration. The new communist Albanian provincial representatives tended to act in retaliatory way towards the Serb minority and started to claim the elevation of Kosovo to a republic's status. After Tito's death in 1981 these nationalistic feelings led to Albanian demonstrations and riots which were responded to by the Serbian minority and ultimately led to Slobodan Milosevic's curtailing of Kosovo's autonomy in 1989.\textsuperscript{13}

Milosevic made the myth the symbol of Serb identity and emphasized the status of Kosovo in the Serbian origin. Kosovo was not only a mythic part of the Serbian principality under Lazar, historically it also housed the Patriarch of the Serbian Orthodox Church in Pec. Both myth and history placed Kosovo at the centre of the Serbian nation. By recalling this, Milosevic restored the collective memory of the Serbs which had been severely damaged by the instauration of the provinces of Kosovo and Vojvodina under the Yugoslavia Constitutions of 1946 - 1974. By the same gesture he also reassured the Serbian presence in Kosovo which had become insecure since the 1960's. But Milosevic also stigmatized Kosovo as the cradle of all Serbian economic, social and political problems, bearing the messianic promise of


Prior to 1989, there was a legal and factual similarity between Kosovo and the other Republics, deriving from the 1974 constitution. It was granted almost all the rights of a Republic. According to the constitution, 1) Kosovo was entitled to participate in the joint realization of the interests of the federation; 2) like the other republics, it was responsible for implementing, enforcing, and amending the Yugoslav Constitution, as well as the ratification of international agreements and the formulation of Yugoslav foreign policy. Kosovo, was also directly represented in the federal bodies such as the federal Parliament, Presidency Cabinet, Federal Court and Federal Constitutional Court. Being a constituent part of the federation, like the other republics, Kosovo was granted the right to have its own constitution, parliament and judiciary – including a constitutional court and supreme court, and to establish its own banking policy, within the common currency issue policy. See: D. D. Kumbaro, \textit{The Kosovo Crisis in an International Law Perspective: Self-Determination, Territorial Integrity and the NATO Intervention}, Final Report, Brussels, 2001.p. 37.
resurrection against the "Ottomans" embedded in the old myth.\textsuperscript{14} This "resurrection" took off on the 28th of June 1989, the day of the 600' anniversary of the mythic battle. Thousands of Serbs gathered on the spot bearing nationalistic symbols. The Serbian Church started to claim authority over the territory by making references to the Serb martyrs who were buried in Orthodox monasteries and by consequence literally made Kosovo part of the foundation of the Serbian nation. During the next decennium nationalistic and ethnic claims of both parties would feed the growing tensions ultimately leading to a cruel war (1999) which included severe crimes against humanity such as mass delocalization, voluntary destruction of cultural and historical artifacts and genocide. The dramatic deterioration of the situation on the ground prompted the intervention of the North Atlantic Treaty Organization (NATO), culminating in the adoption of resolution 1244 (1999) on 10 June 1999. The war ended on 10 June 1999 with the Serbian and Yugoslav governments signing the Kumanovo agreement which agreed to transfer governance of the province to the United Nations. A NATO-led Kosovo Force (KFOR) entered the province tasked with providing security to the UN Mission in Kosovo (UNMIK).

\textsuperscript{14}D. Dimitrijevic, \textit{Mémoire et Histoire dans la culture politique serbe}, IFRI,[onlineversion: http://www.ifri.org/files/CFA/Dimitrijevic_Memoire_et_histoire_dans_la_culture_politique_serbe.pdf, last view dd. 05/09/2012].
The international effort to find a comprehensive solution to the question of Kosovo’s status was started in 2005 under the auspices of the Former Finnish President and Special Envoy of the Secretary-General to Kosovo Martti Ahtisaari, but abruptly ended with Kosovo’s unilateral declaration of independence in 2008. Ahtisaari’s Comprehensive Proposal for the Kosovo Status Settlement (S/2007/168/Add.1) did not grant immediate full independence, neither sovereignty nor territoriality to Kosovo, while the Serbians could accept nothing but Kosovo’s autonomy within Serbia. Under the plan, the Kosovo entity would gain self-governance under the supervision of the European Union and become obligated to protect its minorities’ rights by means of a constitution and a representative government. Kosovo would be accorded its own national symbols and summoned to carry out border demarcation on the disputed Kosovo-Republic of Macedonia border. Even if the Albanian negotiators were willing to support the essence of the Ahtisaari plan and even if the plan gained the backing of the European Union and of the United States, Serbia and Russia rejected it outright, making no progress possible in the United Nations. Faced with stuck negotiations in sight, the Kosovars decided to unilaterally proclaim the Republic of Kosovo, however obligating themselves in the process to follow the Ahtisaari plan’s provisions. The declaration of independence was made by members of the Kosovo Assembly on the 17th of February 2008.

Since Kosovo’s unilateral declaration of independence, Serbia continued resistance to the integration of Kosovo in key regional and international institutions such as The Council of Europe, The European Bank for Reconstruction and Development or the United Nations. The government in Belgrade also keeps supporting “parallel structures” in Northern Kosovo in order to keep the Serbian majority there out of control of the Kosovo authorities in Pristina. This political impasse not only raises tensions in Northern Kosovo (threatening tensions especially arose in spring -summer 2011 and in spring 2012) but also undermines the creation of a Kosovan nation and state that becomes a fully-fledged partner in bi- and multilateral discussion. The institutionalizing of a Kosovar state where minorities are equally represented is also hindered by this process. Since its declaration of independence, Kosovo has been recognized as a Democratic Republic by 87 other states but remains unlawful to world actors as China, Russia and India. This lack of recognition can be interpreted as a questioning of Kosovo’s identity by the international community. This identity question is however precisely the core of the Kosovo - and by extension Balkan- conflict.
Balkan conflicts are since long date most often triggered by questions of identity and definitions of “the other”. Differences are emphasized in order to foster the perception of “otherness”, while the homogeneity of one’s own side and identity is reinforced. This process of division or opposition often goes hand in hand with the taxation of “the other” in more pejorative terms than “the self”. These false judgments lead to the non-acceptance and denial of “the other” which in periods of conflict give rise to forced submission or even worse to extermination. In Kosovo, Serbs and Albanians unhappily defined “the other” by legitimizing only themselves as the lawful inhabitants of the territory, consequently reducing “the other” to a subjugated minority.

Division combined with the proximity of “the other” also promotes heightened cultural self-definition. Hence, both Serbs and Albanian referred to their history, autochthony and religion to enforce their claim of territoriality and of racial superiority. In 1990 the Serbian Constitution was amended to eradicate the remaining vestiges of Kosovo’s autonomy. New laws were passed attacking the Kosovar Albanians’ civil rights, language and culture. The Serbian authorities intervened in all important spheres of life, in an attempt to “Serbianize” Kosovo, and to reverse the process of “Albanization” of Kosovo’s society after 1974. Hence, Kosovo, became the paradigm of a segregated society, where different ethnic groups lived entirely separated in “parallel” societies, with as little contact as possible. The Serbian regime systematically sharpened the division between Serbs and Albanians in Kosovo. It is exactly the emphasis on the difference between those within and those outside the group that leads to a devaluation - and even dehumanization - of the outsiders - “the others”- and their material patrimony and culture. Albanian mass media were banned, Albanian language schools and universities were closed, and more than 120 000 Albanians were dismissed from their jobs. Even the Kosovo Academy of Arts was closed. In the public domain and in state institutions the use of Albanian language was proscribed and civil and human rights were violated on a large scale and on a daily basis. The so-called “Program for the realization of Peace and Prosperity in Kosovo” laid down the creation of new municipalities for Serbs, the contracting of new investment in Serb-majority areas, the building of new houses for Serbs who returned to Kosovo, the introduction of family planning for Albanians, and the annulment, retrospectively of sales of property to Albanians by departing Serbs. The legal acts, mainly laws and “general decisions” entered into force by the Serbian Parliament during the period 1990-1992 and were indicative of intense attempts undertaken by the Serbian authorities to affect every aspect of the life of Kosovo Albanians with devastating consequences for their integrity, dignity, prosperity and life. By the end of the war, Albanian returned into force, accompanied by a feeling of international support. This ultimately lead to the violation of civil and human rights of the Serbian minority in Kosovo. Important aspects of the UNMIK mission were the return of Albanian

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15 J.-F. Gossiaux, [online edn. 15/01/2003, last view dd. 05/09/2012].
16 D. P. Hupchick, H. E Cox.
17 M. A. a Coppi Agostelli, Cultural Diplomacy and the Concept of the Other, paper delivered at The International Conference on Cultural Diplomacy and the UN, New York and Washington, February 21-24 2012.
18 R. Bevan, p. 13.
refugees to Kosovo and the implementation of rights for minorities (especially Serbs) in Kosovo. If the return of refugees is by now mostly accomplished, the protection of minorities is still followed-up, while the Serbian Orthodox Church continually claims for special protection due to an on-going feeling of threat especially in the Northern territories.

Through these territorial claims and the mutual threatening of integrity, origin and religion both communities subscribe to Smith's definition of a nation based on shared history, territory, and culture. According to this definition the collective cultural identity creates a sense of continuity on the part of successive generations of a given cultural unit of population. By consequence culture and heritage are put at the service of this legitimization process and become a symbol of nationalistic discourse. "History is the new material for nationalist, ethnic or fundamentalist ideologies, as poppies are the raw material for heroin addiction. ... If there is no suitable past, it can always be invented. The past legitimizes. The past gives a more glorious background to a present that does not have much to show for itself." 19 The 1998-1999 conflict was sanctioned by little else than recourse to culture and heritage. Albanians and Serbs handled competing versions of Kosovo's cultural identity in order to justify their claim on the territory. Culture and politics were entangled in the nationalistic claims and became one the conflict's constituent elements. After the war, culture remained an important argument for Kosovo’s claims for independence.

Cultural Heritage and identity
Culture is one of the essential components of the Right of Self Determination of People. The UN Covenant on de the Right of Self-Determination was fundamental to Kosovo’s unilateral declaration of independence in 2008. In accordance with the purposes and principles of the Charter of the United Nations, article 1 of the International Covenant on Civil and Political Rights recognizes that all peoples have the right of self-determination. "The right of self-determination is of particular importance because its realization is an essential condition for the effective guarantee and observance of individual human rights and for the promotion and strengthening of those rights."20 By virtue of that right people freely "determine their political status and freely pursue their economic, social and cultural development".21 As such, the right to self-determination encompasses political, economic, social and cultural aspects, each of which are being closely and indissolubly linked. The right to self-determination includes the ability of a group to collectively determine its political, economic and social destiny and system through democratic means. It involves the exercise of rights and duties without discrimination. The cultural aspects relate to the establishment of a cultural regime or system, which constitutes a very important element of the right to self-determination of all peoples. "It implies recognition of its right to regain, enjoy and

19 R. Bevan, p. 12.
enrich the cultural heritage, as well as the affirmation of the right of all its members to education and culture."22 Hence the right of self-determination is fundamental to the creation and development of a nation and state, even if it is a general acceptance that the right of self-determination will be exercised within the framework of existing sovereign states. This being said, though, there are indeed certain circumstances in which a right of secession may arise: "In addition to the traditionally accepted situations where a right to secession has been recognized – for peoples under colonial or alien domination or under racist regimes – many international lawyers are now advocating that a people finding itself completely blocked from the meaningful internal exercise of its right to self-determination are entitled, as a last resort, to exercise the right via external self-determination, or secession. The roots for the third construction arguably rest in the formal and/or factual inability of a people to determine its economic, political, social and cultural status within the framework of an existing State. The recent requirement of the Vienna Declaration according to which governments represent "the whole people belonging to the territory without distinction of any kind" lends credence to the assertion that such a complete blockage of the exercise of the right to self-determination (internally) may potentially give rise to an external exercise of that right, i.e. secession."23 In response of 22 July 2010 to a Request for Advisory Opinion, the International Court of Justice determined that "general international law contains no applicable prohibition of declarations of independence" and accordingly that Kosovo’s declaration of independence of 17 February 2008 did not violate general international law.24 Hence the role and importance of culture and heritage at the basis for nation-state formation. Culture is a constituent element of the collective self and the collective memory. Culture and heritage provide human beings with a sense of identity, a cultural belonging and a bond between the individual self and the community to which it belongs. As Hannah Arendt has argued "the reality and reliability of the human world rests primarily on the fact that we are surrounded by things more permanent than the activity by which they were produced"25 National cultural heritage is created, transformed and shaped into collective views of the state, its regions, constituents groups, values and ideas. According to UNESCO "culture includes not only the arts and letters, but also modes of life, the fundamental rights of human being, value systems, traditions and beliefs; that it is culture that gives man the ability to reflect upon himself; ...It is through culture that man expresses himself, becomes aware of himself, recognizes its incompleteness, questions his own achievements, seeks untiringly for new meanings and creates works through which he transcends his limitations".26 Hence the importance of cultural heritage.

22 D. Kumbaro, pp. 24,25.
23 D. Kumbaro, p. 28.
26 Definition of culture according to UNESCO, as quoted in: M. a. a Coppi Agostelli.
According to the French social historian Pierre Nora, collective culture and heritage have increasingly grown in importance, since history has "accelerated" through globalization. What needs to be remembered is beyond the scope of the individual. Cultural heritage, be it places, rituals, texts etc. forms the resonance of the collective memory. It encompasses witnesses of discussions and conflicts but also of expansion and socio-cultural ambition. Cultural heritage becomes "lieux de mémoires", pointing at the collective memory of a society or nation. Hence culture and heritage are tangible expressions of a society’s aims and achievements, and help to disseminate and improve (national) identity. Culture is thus about personal interaction and identity. Consequently, culture is major determinant of how people perceive each other and negotiate differences. But culture and heritage can also be agents of conflict, based upon supposed national interests and historic claims.

From the start of the Serb dominance over Kosovo in 1912 cultural heritage was used as an incentive to promote the Serbian claims over the territory. Three justifications were set out for the rule of Serbs over Kosovo and its people: 1. "the moral right of a more civilized people" 2. " the ethnographic right of a people who ‘originally’ constituted Kosovo’s majority population", 3. "the Serb’s historic right to the place which contained the Patriarchate buildings of the Serbian Orthodox Church".

This heavy charge of meaning upon heritage, also made heritage extremely vulnerable to deliberate destruction. Consequently, cultural heritage and especially historic architecture was massively targeted and destroyed. Culture and more specifically religious architecture was - and remains - the symbolic centerpiece of Serb Orthodox presence in the region. Kosovar Albanian heritage had been widely and purposely devastated during the 1998-1999 conflict in the Serbian attempt to "Albanize" Kosovo. In March 1998 Serb forces initiated a campaign against the Albanian population in Kosovo. Large numbers of Albanians were forcibly deported from their homes and the historic architecture associated with that population was systematically targeted for destruction. There were two reasons for this destruction.

Firstly, the massive destruction of the built environment would diminish the Albanians’ incentive to return “home” and secondly it was a means to remove all visible evidence of Kosovo’s deported Albanian community. The primary targets of the Serbian attacks on Albanian buildings were mosques. Approximately 207 out of 609 mosques in Kosovo sustained damaged or were entirely destroyed. Islamic religious schools, libraries, historic bazaars and kulla’s (traditional stone mansions associated with prominent Albanian families) were also favored targets. Seventy-five percent of the well pre-served Ottoman urban centers in Kosovar cities were also severely damaged with a great loss of historic architecture. In most cases the damage was not collateral but deliberate in order to erase Albanian presence and identity in Kosovo. A representative case is the deliberate destruction of the Kulla of Jashar Pasha in Pec. This Kulla dated back to 1809 and was an important Albanian landmark, as the Albanian League of Pec first met here in 1899. One century later it was burned down by local Serbs led by civilians. The destruction

took several days as the first attempts to set fire inside the building did not succeed. Men had to climb upon a ladder to set fire unto the roof, in order to have to building burned out. As this case exemplifies, the entire population as a culturally defined entity was targeted. Reciprocally immediately after the war and during the march 2004 upheavals, the Serb orthodox monasteries became the primary target of the Albanian mob. In the events after the war, more than seventy buildings were vandalized or destroyed in revenge-attacks. On the 17th of March 2004, serious unrests led to 19 deaths, and the destruction of a 35 Serbian Orthodox churches and monasteries, as Albanians started pogroms against the Serbs. Several thousand more Kosovo Serbs have left their homes to seek refuge in Serbia proper or in the Serb-dominated north of Kosovo. These post-1999 attacks on Serbian Orthodox heritage can be explained by two main factors. Firstly the religious Orthodox sites were generally perceived as "political statements" built or restored under Milosevic as part of the pro-Serbian propaganda seeking to secure full control by Serbia over Kosovo. Secondly, historical misinterpretations led to the false assumptions that the Serb Orthodox monasteries were originally Albanian Catholic before being colonized by force by the Serbians.

The Kosovo conflict - in parallel with the other Yugoslavian wars - thus subverted the notion of collective memory and common history into a radical nationalistic discourse. Art and architecture became a proxy by which other ideological, ethnic and nationalist conflicts were fought out. Hence art and architecture take on a totemic quality. A mosque or a church for instance no longer remain places of worship, but become to the enemies a the token of the presence of a community marked for erasure. Libraries or art galleries become a container of historic memory, evidence that a community's presence extends to the past and legitimize its presence and future existence. "Buildings are not political but are politicized by why and how they are built, regarded and destroyed". Hence the role of cultural diplomacy in the region's reconstruction: "the priority of international community's cultural diplomacy in the Western Balkans became the (re-) creation of the collective memory of common cultural past. The cultural policy of numerous international actors in the Balkans was marked by an increasing tendency towards, new interpretation of the common Yugoslavian (and Balkan) history through the concept of the region's multicultural past".

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28 A. Herscher , A. Riedlmayer, p. 118.
30 R. Bevan, p. 12.
31 Quoted from: Tonka Kostadinova, p. 3.
3. The Role of Culture and Heritage in Post-conflict reconciliation

Besides being a tool of propaganda, instrument of a governmental game, culture in politics can also become the means of exchange and cooperation between cultures, in order to achieve dialogue. This is the action field of cultural diplomacy. Culture and diplomacy find each other in cultural diplomacy. Cultural diplomacy is about human values, finding a common ground between and among cultures and about cultivating a richer understanding of the human condition. As defined in a paper of the ICD, "cultural diplomacy is the use of culture by diplomacy, as a way to reach understanding, conciliation and to obtain agreements with language teaching, educational exchanges and other forms of cultural contact."32 Changing thought-processes and attitudes of nations and people is not an easy task. Culture can act as a common ground or language that binds all of humanity, but it remains dependent on the readiness to recognize shared values and on the will of cultural assimilation between countries. International organizations and NGO's including UNESCO, Council of Europe (CoE) and Cultural Heritage Without Borders (CHWB) make cultural diplomacy their core business. Through cultural and heritage management programs they try to engage societies in dialogue and reconciliation. For these institutions, the protection and reconstruction of cultural heritage clearly is not an aim in itself, but can also serve the purpose of the re-establishment and maintenance of peaceful relations between different communities. Indeed, if cultural heritage can be the focus of extreme conflicts, it is also a domain where increased trust, understanding and collaboration between communities can be established. An emphasis on the common features of cultural heritage can help create a platform that is based on mutual respect. This idea rests on the assumption that public participation in restoration projects and cultural initiatives improves the chances of reconciliation between and within communities through the management of conflicting interpretation. Social justice and memory studies - the politics of remembering, forgetting and silences - represent the reflexive view on heritage as embodied by the "New Museology Movement". The recent focus on heritage and reconciliation is based upon the assumption that heritage is an important tool in forging and perceiving identity, including the identity of "the other". In cases of conflict or misunderstanding, heritage can be used as an object of reflection and dialogue which bridges the differences between cultures. Heritage takes part in human culture in general and in the collective memory of given people. Hence, the importance of heritage crosses national or ethic boundaries and heritage can act as a relatively neutral object of reflection between communities. Its importance for the collective memory of a people can at the same time trigger the interest and dialogue between cultures. Furthermore, research by Cultural Heritage without Borders, a Swedish NGO founded in 1995 to work in the spirit of the 1954 Hague Convention on the protection of cultural heritage in event of armed conflict,

has shown that people living in conditions where they feel home and secure are less prone to aggressiveness and conflict, especially after a war or a conflict based on ethnic wages. Working with cultural heritage helps victimized groups strengthen and regain their sense of pride. Restoration of heritage and development of cultural property can also help poverty reduction. However, in situations of economic and political crisis, culture is often of low priority. Government and citizens, in first case try to find solutions to provide in basic human needs. Culture is probably the one of the most distinguishing outputs human capacity. Since the industrial and technological society, people - and especially government- tend to care less about culture than about surviving in periods of extreme socio-economic uncertainty. The question is thus raised if culture and heritage are really allowed, by the given social and economical context, to play a role in post-conflict reconstruction and if so what strategies are fruitful.

After the cessation of the ethnic conflicts in Kosovo, it was obvious for the international community that the issues concerning cultural heritage needed to be given greater attention if a long-standing peace and reconciliation was to be achieved. Not only did the reminders that war-damaged monuments had to be care of, but also the intertwined cultural past of the Balkans. De-humanization of “the other” had played an important role in the killing of people and in the destruction of heritage. Now culture and heritage could start to play an equally important role in the considering of “the other” as an equal human being. While in period of conflict, variegated cultural heritage were used to emphasis differences; it could in periods of reconciliation symbolize the reality of co-existence and common past.

Outstanding architectural monuments going back to the Middle-ages and the Ottoman period attest to the historic continuity of life in Kosovo and to the exceptional artistic crafts of its inhabitants. This heritage includes 14th century churches and monasteries, mosques of a great stylistic perfection and many exceptional non-religious buildings which all testify of the dense multicultural artistic activity of the region. Indeed, Kosovo can be considered as a reduced-scale model of the Balkans. This richness and diversity consequently raises a challenge to the (international) community to help to bring about stability and continuity in the region.

Each ethnic group involved in the 1990’s Yugoslav -hence in the Kosovo - conflict sought to justify its existence and territorial claim by suppressing or destructing the identity of "the other". Culture as main bearer of "collective memory and identity" became the primary target and was used as an operation ethnic cleansing tool. The desecration of religious sites and buildings and the massive destruction of architectural heritage clearly aimed at wiping out the traces of a past shared by different communities in Kosovo and was clearly based on a “misunderstanding” and "denial" of “the other". Systematic abuse, violation, looting and vandalism of cultural heritage was noted until 2004 and remains an existing threat. Hence, the region which used to be known for its richness and diversity now carries the stigma of profanation and intentional destruction associated with violence and hatred. In

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order to re-establish dialogue and to create the possibility of peaceful co-habitation between the different communities it is necessary to equilibrate commitments and expectations. Heritage and culture could be an interesting point of departure. However, when the 2001 UNESCO report was drafted, the expectations of Kosovo Serbians and Albanians concerning heritage management differed quite heavily. While the Serbians feel personally concerned with the fate of the Orthodox Monasteries, the Albanians identify themselves less with the monuments dating from the Ottoman period than the Serbians usually tend to do. Hence the overriding significance of Serbian heritage as a unifying symbol for the Serbian Orthodox Church. This asymmetry should gradually make place for the awareness of the citizens of both communities that preserving culture and heritage inherited from the past is a common responsibility and duty towards the future generations and mankind in general. The CHWB project for the Balkans, explicitly mentions that cultural heritage is not only one of the pre-requisites for a peaceful and democratic development in the region but also and important political and economic asset: “Through the support given to cultural heritage, an increased administrative capacity and harmonization of legislation with the rest of Europe can be achieved. In addition to the democratic and environmental gains, work opportunities can be created for local artisans and small business.”

Consequently the emphasis on identity, culture, heritage and religion in Ahtisaari’s Comprehensive Proposal was not gratuitous. Ahtisaari’s plan recommended that Kosovo’s status should be independence to be supervised for an initial period by the international community. According to Ahtisaari "Uncertainty over its future status has become a major obstacle to Kosovo’s democratic development, accountability, economic recovery and inter-ethnic reconciliation." As since the end of the 1999 war, Kosovo and Serbia had been governed in complete separation by the establishment of UNMIK pursuant to resolution 1244 (1999), Serbia had no longer exercised any governing authority over Kosovo. Hence a return of Serbian rule over Kosovo was not acceptable to the majority of the people of Kosovo while Belgrade could not regain its authority without provoking violent opposition. Hence, the Comprehensive Proposal for the Kosovo Status Settlement envisaged the provisions necessary for a future Kosovo that was viable, sustainable and stable. It included detailed measures to ensure the promotion and protection of the rights of communities and their members including minorities and the preservation and protection of cultural and religious heritage in Kosovo, contributing to the development of a multi-ethnic, democratic Kosovo. The Settlement placed great emphasis upon ensuring the undisturbed existence of the Serbian Orthodox Church in Kosovo. Protective zones were to be created around more than 40 key religious and cultural sites regardless of their ownership. Specific restrictions were applied to activities within these zones to guarantee the peaceful existence and functioning of major religious and cultural sites. Athisaari recommended that Kosovo should have its own, distinct, national symbols; including a flag, seal and anthem, reflecting its multi-ethnic character and the principles of nondiscrimination and equal protection under the law. Athisaari’s thus clearly

34 K. Matsuura, p. 9.
commended the creation of a new Kosovar identity based on its diverse historical past and culture. Athisaari’s plan adopted by the UN explicitly mentioned in his Obligations for Kosovo that "2.1 Kosovo shall create appropriate conditions enabling Communities, and their members to preserve, protect and develop their identities. The Government shall in particular support cultural initiatives from Communities and their members, including through financial assistance. 2.2 Kosovo shall promote a spirit of tolerance, dialogue and support reconciliation between Communities and respect the standards set forth in the Council of Europe Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages."  

As we will see, social involvement and the superseding of the victim / aggressor binary are prerequisites for the establishment of dialogue and collaboration between communities by means of heritage. Restoration or reconstruction of heritage can of course be part of a process of "mea culpa" and forgiveness. However, culture and heritage should not be stigmatized with conflict discourse. They first of all need to include a rhetoric of remembrance of human culture, ideals and values nourishing reconstruction and harmony. Restoration work should however not be seen as a rescue mission for the saving of democracy, minority rights etc. Heritage is not something that is lost can be saved. Heritage is loaded with significance by its users. Hence, it is necessary to trigger the dialogue which is activated in heritage. Dialogue sessions can for instance use heritage as a starting point to discuss the importance of identity, origin and tradition. Without such a dialogue, heritage will remain inaccessible and silent to "the other" and even become ones more the object of a mini-crusade based on misconceptions and non-understanding. The role of culture and heritage as a unifying factor appears fragile as it is easily manipulated to serve nationalistic claims shifting culture from a unifying factor to a dividing force, especially in regions where different cultural groups are formed on religious and ethnic basis. The meanings and memories that are brought to (cultural) artifacts are created by human agency and remain there. Hence there are two sides at the coin of culture in post conflict reconstruction. The reconciliatory role of culture and heritage heavily depends on the will of the people to succeed in reconciliation. This involves exchanging the nationalist and separatist discourse in - which culture and heritage are often broadcasted - for a discourse of tolerance and unification based on multi-culturalism. Saying this, I point out some of the major problems regarding the status of culture and heritage in post-conflict Kosovo, leaving even behind hard-core heritage discussions on the authenticity of reconstruction.

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Firstly, A majority of the cultural and historical sites and initiatives have been politicized and subverted during the conflict in order to support nationalistic claims. The will to undo this discourse has been driven by the international community. Hence the danger exists for a repetition of the "failed" reconstruction of the Mostar-Bridge (Bosnia-Herzegovinia). "The continuing fragility of civilized society and decency is echoed in the fragility of its monuments." The pitfalls of reconstruction in circumstances where there has been an attempt to forced forgetting by destruction are particularly treacherous.

The very name "Mostar" means "bridgekeeper". The bridge unified the old Ottoman town centre at the East with the more heterodox West. The bridge was the symbol of what before the Bosnian war had most probably been the most cosmopolitan and multi-national city of the region. Before the conflict the city had the highest rate of mixed marriages between Serbs, Croats or Muslim. The destruction of the bridge during the war, actually was an attack on the multi-ethnic and cosmopolitan essence of the city. The longstanding bridges between the several communities were literally blown up. Mostar, as so many other Balkan cities was victim of "urbicide". The reconstruction of the bridge was finalized in 2004. Nevertheless, Mostar remains divided into a Catholic Croat West and a Muslim East. The bridge, however faithful to his original design, is now rather a symbol of hope in a less divided future than the symbol of present cosmopolitan unity as it used to be.

The same problem with the use of culture and heritage occurs in post-conflict Kosovo. It is raised by the fact that it is primarily the international community which opened the debates on the creation of a common cultural past emphasizing "traditional" multi-ethnicity and multi-culturalism of the Balkans and Kosovo. Many of the reconstructed Serb Orthodox churches and monasteries are surrounded by military zones of protection out of fear for Albanian attacks as in 2004. These protection zones prohibit free access to the sites and make daily life increasingly difficult for the surrounding community. The presence of police or military forces underline “the otherness” of the sites and are all but in favor of dialogue and contact between the communities. Furthermore, the Kosovo government recently gave to understand it was no longer willing to fund and participate in the restoration of the Serb Orthodox Churches which were left uncompleted by the Reconstruction Implementation Commission on Kosovo's territory.

In order to be successful heritage initiatives must be integrated in a regional development plan involving local men and women. Hence it can support the development of networks and co-operation between ethnic and religious groups and be a generator for economic development. The restoration project of the clock tower inn Rahovec is a success based upon the involvement of local people, development of networks and inter-ethnic cooperation. Several people from different backgrounds worked together on this restoration. This encouraged mutual respect, understanding and trust between them. The restoration of this historical

38 R. Bevan, p.9
39 R. Bevan, p. 177.
40 Information communicated by the Belgian Diplomatic Services in Pristina.
monument also empowered local entrepreneurs in traditional craft and material techniques.42

A similar case of interest could be the Orthodox Monastery Church of the Presentation of the Holy Virgin, Dolac. This church was founded in late 14th century and heavily restored in the 16th-17th centuries. It was built with the traditional technique that was used by Serbs and Albanians alike in this area, namely stone walls and roofs of thick slabs of slate. Albanians destroyed the church in 2004. The reconstruction however, could mean an act of co-operation between both Albanian and Serbs as the required traditional building techniques offer a mix of Albanian and Serbian know-how. Both communities could contribute to the rebuilding of a church that once was a symbol of inter-ethnic cultural exchange.

Another example of the involvement of heritage in the reconciliation program through development cooperation is given by Insertos. Insertos is an Italian NGO with considerable humanitarian experience in Kosovo. It decided to combine its civil society capacity building projects with its heritage restoration and management program. Insertos organized heritage tours, bringing together practitioners, stakeholders and common citizens of both Serbian and Albanian origin. These heritage tours were followed by dialogue sessions that used cultural heritage as a starting point of discussion between the communities. Emphasis was laid on identity, integrity and community. It is precisely in this “dialogue role” that culture and heritage can serve as peaceful identity-builders in war-affected societies. By means of intercultural dialogue Insertos tried to promote a return to normal living conditions, re-establish dialogue and strengthen peace, reconstruction and growth. If the first heritage tours did not involve mixed groups of Albanians, Serbs and other minorities nor the visit of “the others” heritage, the enthusiasm for the tours spread as well as the request for mixed visits of all possible sites. Initiatives as Insertos' have reduced the emphasis on the political and religious “burden” of heritage and encouraged a wider discussion on intangible aspects of heritage and its relationship to identity, past, present and future. Four central themes were brought to the surface: tolerance, seekers of peace, heritage as a cure, transformation. Tolerance requires mutual respect and the restoration of universal values regardless of religious conviction. Heritage can help to recall pre-conflict behavior and perception which were often conciliatory and based on tolerance for other faiths instead of on extreme nationalism. The continuous re-interpretation of the sites, monuments or other cultural artifacts include a change from negative meanings of sites of war to sites of reconciliation and respect. Hence, heritage and culture can help to remember how the different communities interacted in the past, thus transforming their role from the aggressor / victim binary to seekers of peace and mutual understanding.43

If progress has been made there is still a long way to go. The Serbian Orthodox Church and the Serbian Government still maintain some of their websites that charge NATO and Albanians with (deliberate) destruction of churches and monasteries during air raids. The website "www.kosovo.net" lists for instance all damaged caused to Serbian heritage during the 1999 conflict and the 2004 raids. It

43 For the evaluation of the project see: Sarah Wolferstan, p. 286-288.
literally questions ”Was the Goal of the NATO campaign in Kosovo to allow replacement of one repression with another?” Careful post-war research by Andrew Hersher and Andras Riedlmayer, experts on Islamic art and architecture with Harvard University’s Fine Arts Library and authors of Kosovo’s postwar cultural heritage survey, proved many of these accusations were false. Major damage to the Roman Catholic Church of St. Anthony in Gjakova, proved actually to have been committed by Serbian soldiers instead of NATO.

Secondly, rebuilding can be as symbolic as destruction. Construction can be used to "cement" the injuries of a past conflict or on the contrary to mask the past and erase all traces of violence. In both cases what is remembered, is partial and not necessarily accurate in an attempt to create a meaningful and coherent narrative and identity. Hence it is important to strengthen the role of local institutions in integrating cultural heritage in the spatial planning program of cities and regions under reconstruction – see for instance the CHWB “Integrated Conservation Assistance Support For Central and Local Institutions”. In absence of such coherent plans and regulations, reconstruction may come at a price. For instance some mosques are rebuilt with funding from Saudi sources. The richly decorated interiors which were characteristic of Balkan Islamic architecture give way to the austerity demanded by the Wahhabi Islam of the Saudi funders. Even worse, these new buildings thus offer a toehold for Islamic extremism in a fragile society where religious differences played an important role in war.

The Qater Lula mosque in the center of Pristina, four centuries old, was not damaged during the war but in disuse and disrepair. Rather than to attempt the complicated task of restoration, the Saudi Joint Committee for the Relief of Kosovo and Chechnya (SJRC) - the largest and most prominent Arab aid organization in Kosovo - had the old structure razed to the ground in 2000. In its place appeared a large, white mosque, wrapped with reflective windows. In that same year, another centuries-old mosque in the town of Rahovec, also undamaged during the war, was demolished and replaced with a new one. In projects where the old structure was retained, reconstruction made it sometimes almost unrecognizable as a historic object. For instance, the Hamam mosque in Peja was plastered over and the portico was enclosed in a glass and metal frame to make it more austere. In the case of at least one of these controversial projects, the impunity of the Saudi-backed construction crews was challenged. The Hadum mosque in Gjakova, a handsome stone structure with a large dome, was part of a historic complex in the center of the old town, which Serbian militias had badly damaged. Although its stated intention was to restore the complex, the SJRC had the remains of the abutting 16th-century library bulldozed to make room for a new Islamic center. After UNMIK’s Department of Culture (DOC) was notified, the works were stopped and the Saudis ordained to undo the damage they had done, using historically appropriate materials and techniques. The SJRC pulled its funding and left behind a demolished mosque and

44 See for instance www.kosovo.net with special attention for "Crucified Kosovo".
45 R. Bevan, p. 85.
47 R. Bevan, pp. 176, 190.
an empty lot. Some experts on Balkan architectural heritage have charged that alterations made to the Turkish-style mosques reflect the foreign financiers’ imposition of their own standards of Islamic architecture. Wahhabism, the Islamic sect of the Saudis, stresses austerity and prohibits the use of ornament and representational imagery. This is in sharp contrast with the "traditional" Balkan mosques, where imagery and ornament, moldings and elaborate interior frescoes are widely used. Besides heritage organizations, Kosovo’s head Imam, Sabri Bajgora, also expresses dissatisfaction with the way some of the reconstruction projects have been carried out: "We are also concerned that these were done improperly. They are our cultural heritage." However, the Saudi funders are not the only to blame. Andras Riedlmayer, is one of the most outspoken critics of foreign-sponsored reconstruction projects in the Balkans. But he points at a lack of appreciation for or identification with Kosovo’s Ottoman mosques, even among the local staff of the agencies charged with their protection. Their attitude reflects “the open hostility toward religion that was an absolute prerequisite for anyone who wanted to be seen as educated and ‘modern’ in communist Yugoslavia.”

Nevertheless, there is evidence that working with the conservation and development of cultural and historic environments can help to promote the process of reconciliation; strengthen self-belief and contribute towards growth and fight of poverty. The Council of Europe in collaboration with Cultural Heritage Without Borders, for instance works on a successful project in Peja. Several important kulla’s in the region are restored in co-operation with the Ministry of Youth, Culture and Sports, the municipality, local business and organizations and the School of Architecture from Pristina. The aim of the project is to highlight the region’s multicultural values and to contribute to reconciliation. The region’s rich and diverse cultural, religious and natural sites are promoted as touristic assets. If this works out, it can rise hopes that different groups and forces can continue to unite in working for this common cause. Until now, there is a massive involvement and appreciation shown by the people in the area giving way to dialogue and even social cohesion.

The event “Lessons from Kosovo – How post conflict society is dealing with planning and cultural heritage”- is a joint event organized by Cultural Heritage without Borders and UN Habitat Programs in Kosovo, which promotes the integration of heritage in Kosovo’s municipalities through spatial and urban planning and through the use of plans in guiding local development. The program aims at the creation of spatial order, the protection of the environment and of cultural heritage, reducing the risk of natural and manmade disasters and mitigating their consequences. Both organizations, the CHWB and the UN Habitat, are engaged in building municipal capacity for strategic planning, engaging civil society in the participatory planning. This approach has resulted in greater ownership and functionality, while lowering costs of the planning. In addition, the integration of cultural heritage into spatial planning promotes diversity and upholds the right of citizens to partake in culture. When cultural heritage is successfully integrated into municipal plans, it creates conditions for development and economic growth. This is

http://www.tol.org/client/article/10172-kosovo-heritage-or-sacrilege.html

of particular importance in Kosovo that continues to face challenges of post-conflict reconstruction.

Thirdly, when looking at museums, one should be aware that they are treated as instruments in defining the self and the nation. Museums represent and reflect society as they collect, preserve, research and educate about past, present and future. Since the beginning of the twentieth century, museums played an important role in the creation of national identity and in the promotion of national agendas. Museums can thus be places where people meet and heritage is shared, but they can also be manipulated and used as political weapons, representing a biased view on society. Hence they can be an inclusive vibrant force in society contributing to human rights and democracy acting as a place for discussion, debate and deliberation. But museums can also be exclusive, elitist, biased and proponents of narrow views. This latest scenario can be especially dangerous in regions which suffered from ideological and ethnic conflicts. Any case of armed conflict renders the functioning of museums particularly difficult. Besides the bad condition of the infrastructure, problems are often encountered with delocalization, destruction and loss of collections. After conflict it is necessary to provide good infrastructure and to set up programs which aim at restoring as much as possible from the initial collections. Trained, scientific staff is another prerequisite as museums are not "objective", but depend on the curator's choices in the selection of displays. If these displays are well organized they can unite various groups in a state, create mutual respect and a coherent view of heritage, society, values etc.

As demonstrated by Flora Kaplan in her book "Museums and the making of our self", museums play a fundamental role as social institutions. Kaplan's book clearly shows that museums can act as a potent force in forging self-consciousness within specific historical contexts and as part of a political democratization process. Museums, collections and exhibitions can thus be agents of social and political change. This is in line with the objective of the International committee for museology, "museology is concerned with the theoretical approach to any individual or collective human activity related to the preservation, interpretation and communication of our cultural and natural heritage, and with the social context in which a specific man/object relationship takes place." Studies on the social role of museums in former colonial territory have demonstrated that collections and displays can help in reducing conflict and unite culture based on the principle of richness and diversity of multi-culturalism in one nation. Museums become spaces where elites and competing social or ethnic groups can express their ideas and worlds views in a non-competing environment. Contrary to churches, temples, governmental buildings, noble residences etc. museums do not lay a claim on heriditarity, ordained monopoly of access or possession and display of instruments of power. They are thus very suitable to the accommodation of diverse contents and ideas and make possible cross-cultural comparison on national and international level.

Museums can also be a medium enabling the discussion on the conflict and scars it left on society. Adopting this heritage in reconciliation programs however requires once more commitment to change. But the benefits can be huge, especially when reaching out to people excluded or experiencing discrimination. Kosovo’s National Museum established in 1963 houses an extensive archaeological collection dating back to around 6,000 B.C.: from the Neolithic Period. Also housed here are exhibits illustrating what daily life was like for the people of the region during various periods: from Illyrian, to Dardanian, to Roman times. The museum collection clearly show the richness of the common cultural past of the Balkan region. However, just before the troubles in 1999 started, many important archeological artifacts have been forcibly moved to Serbia. Hundreds of archeological finds and ethnographic items have yet to be returned. The return of art, artifacts and archives from Serbia (Belgrade) to Kosovo could be a way to support dialogue and collaboration between the countries. The president of Serbia, in his inaugural speech for the United Nations in 2012, made it however clear, that Serbia is not prepared to and will not return artifacts which according to him clearly belong to Serbia in the same way as Kosovo remains Serbian territory. As a consequence of its "dilapidated" collections and of a lack of funds, the National Museum of Kosovo remains closed for the public until this day. In order to develop the capacity of museums and their potential for reconciliation in the Western Balkans, the Swedish NGO "Cultural Heritage Without Borders" has launched several programs in the region. A major achievement is the establishment of “The Western Balkan Regional Museum Network”. The Network’s objectives are: “To contribute to the understanding of cultural diversity and to reconciliation and EU integration of the countries in the Western Balkans and to promote understanding that the right to own one’s cultural heritage is an integral part of human rights.” A major objective is to reach out to the different national communities and “to make them understand and not just tolerate difference”. The network also establishes cross-border collaborations between museum professionals. Many problems are shared through discussions and common solutions found. The key strength of the network is the sense of being part of a group of similar concerns even though the situation and location might be different. Hence the museum directors are motivated to become creative leaders supporting change so that the museums becomes an actor in society. One of the network’s initiatives was the exhibition “1+1 Life Love” running in parallel in several museums of the Balkans. Through the simultaneous exhibition and the creation of the travelling exhibition several museums in the Western Balkan communicated across borders and were linked together in a cultural program in the same way as the history of the region was linked together. The eleven exhibitions which opened on the 11\textsuperscript{th} of march 2011 represented elements of local life, common history and relation to international life values. A bus tour accompanied the openings, bringing together the different partners to celebrate the outcome of the collaboration. Each museum was also asked to select a part of their exhibition to form part of a travelling exhibition for international touring. The national museum in Belgrade for instance selected films, photographs and sculptures representing...
the city and its young inhabitants, the city and the status of the museum. In Kosovo traditional costumes linked to the different geographic regions were selected for display.

Another successful NHWB project was “Tour de Culture 2010”. Being part of the European Mobility week and the European Heritage day, “Tour de Culture” promoted common cultural heritage through a cycling tour in Hoça e Madhe. Of the more than 400 participants 20% were Serbians.  

If the museums and cultural institutions of both Serbia and Kosovo show enthusiasm for collaboration and reconciliation through culture, both governments clearly show disinterest and even unwillingness. I have already referred to Kosovo’s withdrawn from the reconstruction project of Serbian Orthodox churches after the RIC. The Serbian government not only refuses to return artifacts to their original collections in Kosovo but even condemns this Kosovar request as "an effort flagrantly to falsify history, as a historical revisionism and obliteration of any trace of existence of the Serbian people in Kosovo and Metohija". Consequently, one has to admit that culture and heritage can certainly play a role in post-conflict reconciliation and in the creation of national identity. Nevertheless there are many prerequisites and conditions to fulfill in order to be successful and the traps are widely spread.

First of all a readiness for change in attitude and dialogue is required from both parties and on all levels. Not only specialists in culture and heritage have to feel concerned, but also the government in order to provide the necessary structure and funds and certainly the citizens who at the end have to be mobilized for participation in cultural and heritage programs. If there is not such a readiness, culture and heritage will remain easy agents for the promoters of segregation, nationalism and extremism. Hence it is necessary to include cultural and heritage initiatives in social development programs and not to be stuck within the past. Only then culture and heritage can play a fundamental role in re-establishing dialogue and reconciliation.

Secondly, the development of cultural and heritage programs are heavily dependent on income from the state and from international organizations. In a country with a huge financial deficit, bad infrastructure and a high rate of unemployment it is difficult to generate funding for culture. It is a known disorder that culture and heritage cannot be a priority as long as basic needs and healthy conditions for living are not fulfilled.

Thirdly, the financial dependence on international funding has "recuperation" and "propaganda" as implication. Even if most of the international partners are NGO’s or supra-national organizations, the will to please their agenda’s and accommodate their values can sometimes have perfidious and unwanted repercussions. Hence the creation of a multi-ethnic national identity in Kosovo (where 90% pct of the population is Albanian) and the cross-border projects with Serbia are of course also driven by the ambition to become part of the European Union. As Tomislav Nikolic summarizes "We are more and more frequently forced by the powerful and mighty...

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52 CHWB, 2010 [online version: www.chwbkosovo.org, latest view dd. 20/09/2012]  
to face a tough choice to give up Kosovo and Metohija or EU membership. What kind of choice is that? Am I to tell our citizens that they are going to live better if they abandon themselves?”. I have also pointed to a even more precarious situation in Kosovo where some mosques are rebuilt with Wahhabi funding and according to the strict Wahhabi Islam rules. Wahhabi Islam is not part of the Islamic culture of Kosovo, but its introduction in Kosovo could clear the way for the spread of religious extremism.

However, these arguments should not advocate for the dismissal of cultural and heritage programs in post-conflict situations. Respect based on mutual understanding is essential for peacekeeping and the establishment of bi- (multi) lateral relations and partnerships. Culture and heritage can than play an active role in re-establishing contacts, minimize the negative views on “the difference of the other”. Hence the importance of cultural diplomacy as a soft power mechanism.

The development of cultural heritage programs can generate socio-economic activities such as tourism, construction, education etc. and facilitate integration of a state on the international scene. Kosovo for instance developed heritage and conservation laws together with the international community. Consequently these laws and programs are in coherence with International conventions and up-t-date with international scientific programs.

Last but not least, I have pointed out that cultural heritage management is an essential tool in the creation of a collective memory and identity. Culture and heritage are the expressions of a people's thinking, values, memories, hopes and achievements. They are the collective memory of the existence and development of generations, people and nations. Hence, it is a collective duty to keep this memory alive for the present and future generations.
4. Assessment of international law and regulation on cultural artifacts during war-time

The notion of respect and safeguarding of monuments is an Enlightenment idea. However, the period of the enlightenment itself also witnessed massive destruction of monuments, eg. during the French Revolution with as major event the storming and demolition of the Bastille. The idea of 'respect' towards monuments evolved simultaneously with the their deliberate erasure for ideological reasons. The first pleas for the protection of monuments in war or conflict date from the 18th century. In 1758 Emmerich de Vattel wrote "Le droit des gens" including a paragraph that "for whatever cause a country be devastated, these buildings should be spared which are an honor to the human race and which do not add to the strength of the enemy, such as temples, tombs, public buildings and all edifices of remarkable beauty." The "Brussels Declaration of 1874 Regarding the Law and the Customs of War", was the first international attempt to protect historic monuments from 'willful damage'. Since the end of the 19th century the targeting of cultural artifacts during war-time is prohibited by international law and conventions. By its constitutional mandate UNESCO is bound to promote the protection and preservation of cultural heritage. Hereto a series of standard setting instruments such as the "1972 Convention concerning the Protection of World Cultural and Natural Heritage", "the 1899 and 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict with its two Protocols of 1954 and 1999", "the 1977 Additional Protocol I to the four 1949 Geneva Conventions for the protection of war victims" have been developed. The 1954 convention prohibits on attacking culturally important locations except where "military necessity imperatively requires such a waiver". The 1977 additional protocol to the "Geneva Conventions" and the 1999 additional protocol to the "The Hague Conventions" fairly restraints the "military necessity waiver" and prohibits all hostilities against historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of people. In pursuance of 31 C/Resolution 26 (Acts Constituting a "crime against the common heritage of humanity") adopted by the General Conference, UNESCO

54 E. de Vattel, Le droit des gens ou Principes de la loi naturelle appliqués à la conduite et aux affaires des nations et des souverains, Neuchâtel, 1758, Part II, Book III, Chapter 9, §168: "Pour quelque sujet que l'on ravage un pays, on doit épargner les Edifices qui font honneur à l'humanité, & qui ne contribuent point à rendre l'Ennemi plus puissant ; les Temples, les Tombeaux, les Bâtiments publics, tous les Ouvrages respectables par leur beauté."


The 1977 Protocol to the Geneva Convention even annuls the military waiver.
adopted the "Declaration Concerning the Intentional Destruction of Cultural Heritage" in 2003. Recalling the tragic destruction of the Buddhas of Bamiyan measures to combat the intentional destruction of cultural heritage were reinforced. The Declaration states that:"

1. States should take all appropriate measures to prevent, avoid, stop and suppress acts of intentional destruction of cultural heritage, wherever such heritage is located. 2. States should adopt the appropriate legislative, administrative, educational and technical measures, within the framework of their economic resources, to protect cultural heritage and should revise them periodically with a view to adapting them to the evolution of national and international cultural heritage protection standards. 3. States should endeavor, by all appropriate means, to ensure respect for cultural heritage in society, particularly through educational, awareness-raising and information programs. 4. States should: (a) become parties to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two 1954 and 1999 Protocols and the Additional Protocols I and II to the four 1949 Geneva Conventions, if they have not yet done so; (b) promote the elaboration and the adoption of legal instruments providing a higher standard of protection of cultural heritage, and (c) promote a coordinated application of existing and future instruments relevant to the protection of cultural heritage."\(^{57}\)

In reality however, the deliberate destruction of heritage in conflict has certainly not come to an end. According to Bevan, it even increased since in the 20th and 21st centuries the ideology of destruction goes hand by hand with the notion of heritage as a proxy by which ideological, ethnic and nationalistic conflicts are fought. The UNESCO 2003 Declaration expressed serious concern about the growing number of acts of intentional destruction of cultural heritage. As I will show, the protection of heritage during war, is confronted with similar problems as post-conflict heritage management.

Firstly, legal protection of cultural heritage as set forth in for instance the UNESCO 2003 Declaration, implies that states commit themselves to it and stop laying political claims cultural heritage so that war is no longer waged over questions and issues of culture. Events around the world, including the Balkans, but more recently the destruction of mosques and shrines in Timbuktu by Mali militants, or the nationalistic upheavals in Hungary show that the recruitment of cultural heritage in support of political claims and projects is still prevalent in heritage discourse.\(^{58}\) The ineffectiveness of international declarations and laws regarding heritage care, is the result of the growing number of non-state militants. Even if more and more states adhere to these laws and commitments, these engagements are without effect as long as the proliferation of outlaw and non-state militia continues. These groups fight in a "machiavellistic way" for the safeguarding or forced implementation of their ideologies, without respect for international laws on the protection of human rights and heritage. Cultural Heritage becomes more and


\(^{58}\) A. Herscher, A. Riedlmayer, p. 109.
more a favored target of terrorists. The destruction of national or international symbols - for instance the mosques in Timbuktu or the WTC towers in Manhattan - goes hand in hand with the destruction of shared memory and values. Hence, how cruel it might be, the destruction of national or international symbols is often much stronger in the collective memory than the killing of human lives. Consequently, regardless the amount of laws and declaration, the protection and safeguarding of cultural heritage is totally dependent on goodwill.

This does however not mean that laws and declarations are unnecessary and without impact. They remain important legal instruments that can be used in conflict prevention and in the prosecution of war criminals. The International Criminal Tribunal for the former Yugoslavia for instance, charged Slobodan Milosevic and four of his colleagues for actions in the province of Kosovo between January and June 1999: Crimes against humanity and Violations of the laws or customs of war. This latest included “a systematic campaign of destruction of property owned by Kosovo Albanian civilians accomplished by the widespread shelling of towns and villages; the burning and destruction of property, including homes, farms, businesses, cultural monuments and religious sites; as a result of these orchestrated actions, villages, towns, and entire regions were rendered uninhabitable for Kosovo Albanians.” This legal recognition of the destruction of cultural heritage as a war crime is also important for the victims. It will not only help them to overreach the trauma of the war, but also is a support for the international community who is helping with reconstruction. One must not forget that - contrary to the statements made in the Document on Authenticity (adopted in Nara, 1994) which call on respect for cultural diversity through the acknowledgment of the legitimacy of the cultural values of all parties - architectural heritage associated with Kosovo’s Albanians has been subjected to institutionalized disregard in the public management of Kosovo’s cultural heritage and during the 1998-1999 massive destructions.59 As I have pointed out by the start of the conflict, the majority of the Albanians had been dismissed from their government jobs, including heritage management and protection. This was part of the Serbian policy to “de-albanize” Kosovo in favor of the Serbian community. Consequently, by the time of the conflict, some 210 Serbian Orthodox Churches, monasteries and gravesites – including forty built between 1930-1990 - were listed as protected monuments in Kosovo whereas only fifteen out of more than 600 mosques – some dating from the Ottoman era – were considered as historic monument. The Institute for the Protection of Cultural Monuments of Kosovo, founded in 1952, had established far more restrictive criteria for considering Albanian architecture as monuments than for Serbian architecture since the 1990’s.60 Even the Albanian revenge-attacks on Serbian cultural heritage in 2004 have been appropriated by Serbian cultural institutions to deflect the attention and minimize the destruction of Albanian sites and buildings by Serbs. The only official Serbian acknowledgment of destruction of Albanian cultural heritage was made in the context of an assessment of NATO war crimes, which had ostensibly included the aerial

59 The Nara document was established by a meeting of experts in the midst of the Bosnian war. It recalled the fundamental principles of the Charter of Venice of 1964.
60 A. Herscher, A. Riedlmayer, pp. 110, 111.
bombardment of several Albanian historic sites and buildings. Furthermore, the initial UNESCO report on the state of cultural heritage in Kosovo after war, was primarily based on defective information supplied by the Serbian authorities.61 One must not forget that the destiny of buildings and art in war is often the evidence of crime against humanity, including genocide and ethnic cleansing. It is thus important to have clear and strict heritage laws in order to re-establish order and make sustainable peace possible.

A second problem, which is actually accounted for in the 2003 UNESCO declaration is the financial problem. According to the declaration, states are bound to provide preventive initiatives such as heritage awareness and education as well as heritage protect, BUT in accordance to their available economic resources. As I have argued in the chapter on "the role of heritage in post-conflict reconstruction", states who are liable for conflict or who are in conflict, often have no sufficient amount to provide in basic human needs, let alone heritage management or protection. Even the international community had conceived of its primary mission in Kosovo in humanitarian help for general refugees less than help for people with distinct and valuable cultural heritage. “The same ideology also underlays the bracketing-off of cultural heritage from what is called the ‘reconstruction of Kosovo’”.62 Equally, the international organizations which were established in order to implement the provisions of UNSC Resolution 1244 – UNMIK, KFOR, OSCE and others – have in first instance not addressed the issue of cultural heritage. They first concentrated on vital priorities such as security, economy and civil administration leaving the heritage care to respectively the PISG Ministry of Culture in Pristina and the Coordination Centre of Serbia and Montenegro and of the Republic of Serbia for Kosovo, as well as to several NGO's.63 It is thus important to keep on diffusing and increasing knowledge on heritage protection not only to experts, but also to states representatives and representatives of NATO, UN and national armies. Heritage protection and reconstruction should become an integral part of emergency relief programs and social development programs in conflict regions.

61 A.Herscher, A. Riedlmayer, p. 113.
62 Quoted from: A. Herscher, A.Riedlmayer, p. 113.
63 K. Matsuura, p. 6.
5. Conclusion

According to the research compiled in the Cultural Diplomacy Outlook of 2011, the role of culture and heritage is gaining much importance in modern, globalised society. Culture and heritage are important agencies in the field of cultural diplomacy. Culture and heritage act through different sectors in society, such as public, private and civil society; different geographical regions and within various field such as nation building and inter-religious dialogue. Hence they are fundamental to the fostering of international relationships that are based on mutual understanding and cultural exchange rather than on military action formal political agreements. There is also evidence to say that working with culture and heritage can help to promote the process of reconciliation, strengthen self-belief, contribute towards growth and fight poverty. Even if dialogue and social cohesion sometimes remain long-term achievements, the cultural heritage is certainly a development factor for society. This a consequence of culture’s characterization as a fluid and dynamic process. This “fluidity” of culture and heritage should help us to understand that the world equally is in a ever changing flow, thus creating the ability for progress. Furthermore, culture and heritage are not bound to a single place, but draw on local, regional and international links. This universality of culture and heritage make them appropriate agents when addressing world problems. Cultural heritage issues thus have their rightful place in state building and nation branding based on peace and human rights. Mutual respect for cultural heritage is a condition for a society’s peaceful development. Hence the importance to integrate cultural heritage management and culture programs into the normal emergency relief work and development co-operation.

However, there are several constraints. Firstly, this requires sufficient information and know-how of the Hague Convention on both a national level, the (UN) peace-keeping forces and humanitarian relief agencies. Affinity with local customs and popular culture is equally necessary in order to use culture and heritage as instruments for mutual respect and empathy. Secondly, the effectiveness of cultural diplomacy highly depends upon the willingness to create dialogue and change. Thirdly, the implementation of culture and heritage in international relations and social development requires a huge financial investment. Such investment is not always feasible for economically disadvantaged countries or countries recently affected by conflict. However, economically disadvantaged countries are often more liable for inter-ethnic or inter-regional conflicts and for the grip nationalism, religious extremism and dictatorship. Consequently, inter-cultural dialogue has an unmistakably important role to play in such regions, but is often not seen as an economic priority. Furthermore disadvantaged or post-conflict regions heavily depend on the international community to establish cultural and heritage programs within social development programs. Care is to be taken that all levels of society are concerned and that the cultural and heritage programs not only suit a “European”

64 ICD, Executive Summary of the ICD Cultural Diplomacy Outlook 2011, Berlin, 2011, p. 3.
"American" or "Islam" dominated view but also and firstly include local and regional aspirations. Dependence on international organizations - which are again dependent on funding countries - is also extremely fragile. Problems can not only occur with regard to the planning and execution of the "fieldwork", but also regarding the funding itself. UNESCO for instance, had to minimize its projects and cut down staff due to a withdrawal of U.S. funding because of U.S. animosities with Palestine. Such a situation does not only make the daily functioning of UNESCO extremely difficult; it also raises questions about the aims and credibility of international partners wishing to promote messages of tolerance, acceptance, cross-border collaboration etc. through institutions as UNESCO.

In Kosovo culture and heritage can play a fundamental role in the reconciliation process and in the forging of an inclusive national identity. Culture and heritage precisely tackle these objects of misunderstanding which have lead to the horrible conflict: multi-cultural society, religious backgrounds and mutual mistrust. As some initiatives show; the incorporation of cultural and social development programs can re-establish trust between the several ethnic groups through dialogue. Such programs demystify or rather re-humanize "the other". However, lots of work remains to be done. Mistrust and minority-problems are still existing within Kosovo, while Serbia does not recognize Kosovo as an autonomous Republic. Hence, Orthodox religious sites remain under strong protection, secluding them from society, while extreme Islam tries to gain power in a region which is still searching for its identity. Not all war lootings have been restored. Belgrade still owns many archeological artifacts from Kosovo's National History Museum, while Kosovo has not the financial ability to provide necessary infrastructure. The tension in the Northern (Serbian population) provinces remains high, while both Serbia and Kosovo try to adopt an identity and attitude forged on European values of multi-cultural acceptance. If this attitude solely remains a "fast-lane" to European integration, it is not certain to last nor to provide sustainable peace and collaborations. Multi-culturalism is indeed a fundamental element of the Western Balkans' history, however it cannot be imposed on modern society by "Brussels"; it has to be accepted and integrated through both countries' future generations. It is thus important to continue to integrate cultural projects in broader social and economic development programs.

A variegated approach which includes culture with politics, economics and social affairs, should actually have to be applied in non-conflict situations. People living in difficult political, social or economic circumstance are very liable to seek a "scapegoat" to project their problems on. Once the "scapegoat" is identified, ethnic violence are not far away. Cultural dialogue and initiatives should be more adopted in conflict-prevention or preventive diplomacy and not reduced to post-conflict reconstruction.
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