



## Governing the souls and community: why do Islamists destroy world heritage sites?

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To cite this article: Oumar Ba (2020): Governing the souls and community: why do Islamists destroy world heritage sites?, Cambridge Review of International Affairs, DOI: [10.1080/09557571.2020.1784094](https://doi.org/10.1080/09557571.2020.1784094)

To link to this article: <https://doi.org/10.1080/09557571.2020.1784094>



Published online: 30 Jun 2020.



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# Governing the souls and community: why do Islamists destroy world heritage sites?

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**Abstract** *From Bamiyan to Timbuktu and Palmyra, Islamic fundamentalist groups have willfully destroyed cultural edifices which were listed as world heritage sites. Yet, beyond the criminal acts and their shock value, this article argues that attacks on cultural and religious sites may be viewed as actions embedded in a political project of gouvernement. In this regard, spectacular destruction of cultural heritage may not be simply a signal sent to the international community, but rather an action embedded in a broader political project of governing territory and its inhabitants, aimed at building a new political community based on a new ethos that includes the control of the economy of cultural heritage sites. This article uses the destruction of cultural heritage sites in Timbuktu in 2012 to show the ways in which they fit within the political project of the Ansar Dine jihadist group. Furthermore, the Islamic State's attacks on cultural sites in Syria and Iraq are also analyzed in light of a political project to govern the territory and communities. The broader implications of this study include the need to pay closer attention to perpetrators' claims and justifications and to take them seriously, by both international justice scholarship and policy circles. Doing so does not absolve the crimes or mitigate their gravity, but rather allows for better approaches to identify, protect or rebuild cultural heritage in conflict settings.*

## Introduction

The International Criminal Court (ICC) found Ahmad Al Faqi Al Mahdi guilty of war crime for having directed the June and July 2012 attacks against ten religious and historical sites in Timbuktu.<sup>1</sup> Nine of those edifices were listed as UNESCO World Heritage sites since 1988. The Al Mahdi case was the first instance of judgment for war crimes of *solely* destroying cultural heritage sites before the ICC—or any international court for that matter.<sup>2</sup> This was also the first instance of a jihadist standing trial at the ICC, thus, a watershed moment

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<sup>1</sup> For legal analyses of the Al Mahdi case and its implications for international justice, see Casaly (2016); Schabas (2017); de Hoon (2016); Badar and Higgins (2017); Sterio (2017); Capone (2018).

<sup>2</sup> International courts such as the International Military Tribunal (IMT) at Nuremberg and the International Criminal Tribunal for the former Yugoslavia (ICTY) have previously convicted perpetrators of the war crimes of destruction of cultural property. In all those instances however, the charges of destruction of cultural property were included within a broader set of charges of war crimes and crimes against humanity. For instance, Alfred Rosenberg was also charged and found guilty by the IMT of crimes against peace, war crimes and crimes against humanity (see International Military Tribunal (Nuremberg), Judgment of 1 October 1946, p. 115). In the aftermath of the Balkan Wars, Miodrag Jokić was also found guilty of the war crimes against cultural property, and crimes of unlawful attack on civilians, murder, and cruel treatment (see Judgement in the Case the Prosecutor v. Miodrag Jokić <https://www.icty.org/en/sid/8448>). Similarly, Pavle Strugar was also charged and found guilty of crimes against persons (murder,

in international criminal justice. On 27 September 2017, the ICC chamber sentenced him to nine years in prison and a year later, to pay 2.7 million euro to the victims as compensation. As a criminal court, the ICC put Al Mahdi on trial for the war crimes of destruction of the cultural and religious edifices for which he plead guilty. Beyond the legal proceedings however, the Al Mahdi case presents an opportunity to explore the political grounds underpinning his actions. This exploration does not mitigate the criminal acts—as consecrated by the guilty plea and the criminal conviction—nor is it an attempt to justify these acts. Yet, it is important to seriously consider what criminals say and how they legitimize their actions. As the international community is facing an ever-growing threat against cultural heritage both during conflict and peaceful times, understanding what motivates attacks against sites is vital.

It has been asked whether the destruction of the Sufi shrines in Timbuktu and the subsequent trial of Al Mahdi at the ICC represents “a clash of civilizations” (Kersten 2016). However, it is more interesting to ask which different political visions and projects emerge in the administration and control of the *economy* of cultural heritage artefacts.<sup>3</sup> Of course, the guilty plea and court conviction of Al Mahdi for the war crimes of destruction of cultural heritage attest to the criminal character of the destruction of cultural heritage sites. Yet, beyond the criminal acts, this article argues that attacks on such sites may be viewed as actions embedded in a political project of *gouvernement*—what Foucault (2001, 326) defined as “to control the possible field of action of others”, which involves “the government... of souls, of communities”. This highlights a gap in the literature: the analysis of destruction of cultural heritage as a political enterprise, one aimed at administering the locale under control of the governors-cum-perpetrators. The article is divided in five parts: the next section provides a survey of the motivations behind attacks against cultural heritage, while identifying a gap in the literature. I then put forward in the second section the argument for destruction of cultural heritage as *gouvernement*. In the third section, I present some preliminary thoughts that will be useful not only to put the Al Mahdi case into its historical context, but also to understand fully the fourth segment, which uses primary sources and statements from Al Mahdi and his defense team to show that the destruction of the sites in Timbuktu may be viewed in the broader context of governing and administering Timbuktu and its region. Finally, a brief analysis of the Islamic State’s destruction of cultural heritage in Syria and Iraq shows the ways in which such action too fits within a project of governing. However, it should be noticed that this way of acting and thinking is not just confined to terrorist groups.

### **What motivates attacks against cultural heritage?**

The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict defines cultural property broadly so as to include

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cruel treatment, attacks on civilians), and crimes against cultural property (see ICTY, Prosecutor v. Pavle Strugar, Judgment, 31 January 2005, Case No IT-01-42-T, 108-150).

<sup>3</sup> By economy, I mean here *gestion* (in the French meaning), the ways in which meanings and values of these artifacts are administered.

[M]ovable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art, manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above.<sup>4</sup>

This definition also includes examples of buildings, “such as museums, large libraries ... [and] centers containing a large amount of cultural property”.<sup>5</sup> Yet, cultural heritage encompasses a broader category than cultural property. More specifically, UNESCO (1989, 57) defines cultural heritage as “the entire corpus of material signs—either artistic or symbolic—handed on by the past to each culture and, therefore, to the whole of humankind”. This suggests that cultural heritage is a construct wherein symbolic values are projected onto objects or sites. Therefore, as Bennoune (2017, 4) writes, cultural heritage “[encompasses] the resources enabling the cultural identification and development processes of individuals and groups, which they, implicitly or explicitly, wish to transmit to future generations”. There is an increasing agreement about the need to protect cultural heritage both during peacetime and conflict, which has led to a greater codification of such protection into international law (UNESCO 1954; 2003; 2015a; Francioni and Lenzerini 2003; Gerstenblith 2005; van der Auwera 2011; Ellis 2017). Building upon the legacy of the Balkan Wars and the subsequent creation of the International Criminal Tribunal for the former Yugoslavia (ICTY), both international courts and hybrid tribunals included jurisdiction over the destruction of cultural property in their statute.<sup>6</sup>

In times of conflict, cultural heritage may be stolen (Brodie 2015; Brodie 2017; Brodie and Manivet 2017; Brodie and Sabrine 2018), or attacked and destroyed in an attempt to erase the cultural identity of a group during communal violence (Horowitz 2003), in campaigns of ethnic cleansing, or identity-bound wars (Brosché et al 2017; Bevan 2006; Coward 2009; van der Auwera 2012; Viejo-Rose 2013). More precisely, Stone (2015) has presented seven reasons why cultural property is *destroyed* during conflict: (1) its protection is not regarded as important enough to include in pre-conflict planning; (2) it is regarded as legitimate “spoils of war”; (3) it becomes collateral damage; (4) lack of military awareness; (5) looting; (6) enforced neglect; and (7) specific targeting. Regarding the specific targeting of cultural property, UNESCO (2003) defines such acts as intended “to destroy in whole or in part cultural heritage, thus compromising its integrity, in a manner which constitutes a violation of international law or an unjustifiable offence to the principles of humanity and dictates of public conscience”. Although our understanding of why cultural heritage may be destroyed in times of conflict has expanded, the explanation of what motivates *targeted attacks* against cultural heritage is still limited. As Brosché et al (2017) note, most studies in this area focus on the circumstances

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<sup>4</sup> Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention 1954, *adopted* 14 May 1954, UNESCO, art. 1(a) (*entered into force* 7 Aug. 1956).

<sup>5</sup> *Ibid.*, (b)-(c)

<sup>6</sup> Such courts include, for instance, the International Criminal Tribunal for Rwanda (ICTR), the Special Court for Sierra Leone (SCSL), the Extraordinary Chambers in the Courts of Cambodia (ECCC), and the International Criminal Court (ICC).

and extent of destruction of specific cases. It is certainly difficult to pinpoint the motives of intentional attacks against cultural heritage and provide a broader framework of analysis. The attacks in Timbuktu and the ISIS destruction of cultural heritage in Iraq and Syria offer opportunities for such exploration.

Peace and conflict research as well as insights from heritage studies can help us better understand the dynamics of attacks against cultural heritage, which can indeed be used as propaganda and subject to different interpretations regarding their motives. Brosché et al (2017, 1) identify four—not mutually exclusive—groups of motives for attacks against cultural heritage:

- (i) attacks related to *conflict goals*, in which cultural property is targeted because it is connected to the issue the warring parties are fighting over (ii), *military-strategic* attacks, in which the main motivation is to win tactical advantages in the conflict (iii), *signaling* attacks, in which cultural property is targeted as a low-risk target that signals the commitment of the aggressor, and (iv) *economic incentives* where cultural property provides funding for warring parties.

It appears that *prima facie*, the attacks against cultural heritage in Timbuktu fit within the first (conflict goals) and third (signaling) motives. In addition to that however, this article argues that the attacks against cultural heritage in Timbuktu constitute a political vision, a project of *gouvernement* that the Jihadists aimed at deploying, after having asserted their control over the city. It is clear that, from the very beginning, and following Al Mahdi's own defense at the ICC, the destruction of the Sufi shrines in Timbuktu was not a byproduct or collateral damage of a conflict. The destruction of the ten religious and cultural sites was central to the political vision of the jihadists and grounded on their religious views that were at odds with the cultural practice in Timbuktu. Nonetheless, this argument does not negate the fact that the attacks were also a signaling, both to the local populations, but more importantly, to the international community that the jihadists were in charge and driven to govern the lives of the residents. Indeed, the choice of the target—the jihadists occupied other cities in Northern Mali as well, but only Timbuktu was targeted for destruction of cultural heritage—and the filming and speeches that accompanied the act do attest to the attempt to send a signal to the international community,<sup>7</sup> as it was the case, in a similar way, for the ISIS destruction of cultural heritage. However, both these examples fit within the framework of rejection of the modern nation-state and are an attempt to assert governance over the territory and the populations under its control, rather than mere signals to the international community. Therefore, this article posits that destruction of cultural heritage in Timbuktu and elsewhere are embedded in acts of governing, which do not necessarily exclude other motivations. In a nutshell, attacks against cultural heritage in territories under Islamist control can be understood (but not exclusively) as acts of *gouvernement*.

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<sup>7</sup> Signaling is indeed prevalent in studies on terrorism and forms of targeting civilians during conflict (Crenshaw 1981; Kalyvas 2006). One may for instance signal its commitment to the cause by attacking symbolically charged targets (Brosché et al. 2017). The attacks in Timbuktu for instance sent strong signals to the international community although they were soft targets from the perspective of the jihadists given that they had already asserted their control over the region.

### Destruction of cultural heritage as *gouvernement*

This article builds upon the literature on rebel and insurgence governance, which shows for instance, that territories outside of state control are not necessarily anarchic. In fact, rebel and insurgent groups are capable of holding territory and implementing sophisticated systems of governance that include raising taxes and delivering public services such law and order, education and health-care (Mampilly 2011). Recent scholarship has also challenged the reductionist view of rebellion and insurgency as primarily driven by economic interests or personal gain. Indeed, civil conflicts not only destroy established political orders, but they do also shape and produce new ones (Kalyvas 2006), as rebel and insurgent groups govern their territory by establishing a new order, which is increasingly referred to in the political science literature as ‘rebel governance’ (Huang 2016; Mampilly 2011; Arjona, Kasfir and Mampilly 2015; Lidow 2016).

This article contributes to that literature by arguing that willful destruction of cultural heritage in Islamist-controlled territory can be understood as a project of *gouvernement*. The word *gouvernement* here draws from the etymology of the French verb *gouverner*, which is related to *administrer*, from which the noun administration is derived. Although political science has appropriated the concepts of governance and governmentality, this article contends rather that it is the concept of governing (or administering) that explains the Islamists’ actions once they had asserted their control over northern Mali. The acts of destruction of cultural heritage in this country may therefore be viewed not merely as ones of wanton destruction, but rather as actions aimed at asserting their rule over a territory and its people, or reconfiguring the relations of power, of administering the locale. The same framework applies to the Islamic State actions in Iraq and Syria.

In fact, *gouverner* originates from the Latin *gubernare* and has been attached to French institutions since the Middle Ages (Dupont-Ferrier 1938, 50). During medieval times, the usage of the verb *gouverner* related to the idea of “holding power to provide to the people—under the watch of God—security and justice” (ibid, 50).<sup>8</sup> In the Carolingian empire for instance, to govern was to be the lieutenant of God (ibid, 50). Moreover, in its etymology, to govern relates to operating the *gouvernail*—the boat’s rudder. Hence, in Ancient Egypt, to govern was the steer “the mighty Egypt’s ship” for which the pharaoh (or god) was the *gouvernail* (ibid, 51).

As claimed above, the concepts of government, governance, and governmentality have become prominent in the social sciences. As Foucault (2008, 2) defines it, governmentality represents the “rationalization of governmental practice in the exercise of political sovereignty”. Yet, while these days government is mostly associated with its political underpinning, until the 18th century at least, the concept of government was also discussed in philosophical, religious, medical and pedagogic texts (Lemke 2000, 2). For Foucault, government can be defined succinctly as the “conduct of conduct”, an attempt to shape the populace’s conduct by calculated means. Governing thus ranges from “governing the self” to “governing others”. As Foucault (2001, 326) writes,

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<sup>8</sup> “Gouverner, c’est avoir en main la force publique, pour donner aux hommes, sous le regard de Dieu, la sécurité et la justice” (Dupont-Ferrier 1938, 7). Author’s translation.

This word [government] must be allowed the very broad meaning it had in the sixteenth century. ‘Government’ did not refer only to political structures or to the management of states; rather, it designated the way in which the conduct of individuals or of groups might be directed—the government of children, of souls, of communities, of the sick ... *To govern, in this sense, is to control the possible field of action of others.* [emphasis added]

In the next section, evidence from statements made by Al Mahdi and his defense team is used in order to argue that the attacks on the cultural sites in Timbuktu may be viewed as part of a political project that involves “governing the self” and “governing others”, and “the government ... of souls, of communities” (Foucault 2001, 326). Moreover, it is shown that by attacking the cultural and religious monuments and destroying the Sufi mausoleums, the jihadist group Ansar Dine sought to reshape the populace’s conduct and religious practice, and “control its possible field of actions”.

The peace and conflict research and heritage studies literatures have missed the perspective of willful destruction of cultural heritage as a project of governance. Yet, it is by paying closer attention to the justifications provided by the perpetrators themselves that one might recognize how these explanations point to that direction. Given the tendency these days for Islamists—but not exclusively—to broadcast the destruction of cultural heritage to a global audience and to publicly justify their acts, there is ample evidence provided by their speeches that situate their actions within a project of administering the territories under their control. Once a political—or militant or insurgent—group is in control of a territory and is governing it, they may want to build a new political community, based on a new ethos. The destruction of cultural heritage may hence be perpetuated in the pursuit of such vision. In this regard, the attacks against cultural heritage in Timbuktu were not a mere signal sent to the international community. The willful destruction of the Sufi shrines fit within a broader project, based on the rejection of both local and universal values. By targeting the religious symbols of the community, the jihadists sought to establish a new state built upon their espoused interpretation of Islamic jurisprudence and culture.<sup>9</sup>

### **The Al Mahdi case and its context**

However, before discussing the evidence from the Al Mahdi case, I would like to present a brief overview of the 2012 Malian crisis. In January 2012, a newly formed Tuareg rebel group—the National Movement for the Liberation of Azawad (its French acronym, MNLA)—launched attacks against military garrisons in northern Mali, which set off a national crisis that culminated with a military coup in Bamako. An inept response from the Malian state allowed the MNLA to quickly control over 2/3 of the Malian territory and to declare the independence of the Republic of Azawad. The MNLA however, a secular independentist movement, would be subsequently displaced and sidelined by three major Islamist groups: Ansar Dine, Al Qaeda in the Islamic Maghreb (AQIM) and the Movement for the Unicity and Jihad in West Africa (its French acronym MUJAO). These groups took over the control of the Timbuktu and Gao

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<sup>9</sup> It is beyond the scope of this article to discuss the various Islamic schools of thought regarding tombs, mausoleums, and saints. For the case of Islamic practice and Sufism in Mali, see for instance Soares (2005, 2007, 2013); O’Dell (2013); Bell (2013); Thurston and Lebovich (2013).

regions, while the MNLA centered itself around the city of Kidal and sought to distance itself from the jihadist movements.<sup>10</sup>

A French-led military operation re-established the Malian state authority over the region in January 2013, after which, the government referred the situation to the ICC, invoking Article 14 of the Rome Statute.<sup>11</sup> The ICC issued a warrant for the arrest of Al Mahdi two years later, and he was transferred to the Court's custody, where he plead guilty (ICC 2016b) and was convicted for the war crime of destruction of protected objects under Article 8(2)(e)(iv) of the Rome Statute in conjunction with attacks on ten buildings "of a religious and historical character" which included nine mausoleums of saints and the door of the Sidi Yahia mosque.<sup>12</sup> These attacks occurred while Al Mahdi was the leader of the *Hesbah*, the morality police of the Ansar Dine jihadi group.<sup>13</sup>

It is important to address how the international community reacted to these acts of destruction, given that the Islamists' decision to target these sites was also a refusal to subscribe to the global community's discourse and value attached to them. During the Court's proceedings against Al Mahdi, Prosecutor Fatou Bensouda stated that "What is at stake here is not just walls and stones" (ICC 2016a). The charges against Al Mahdi, Bensouda asserted, "involve most serious crimes ... They are about a callous assault on the dignity and identity of entire populations ... To destroy the mausoleums is to erase this element of collective identity that the people of Timbuktu built through the ages" (ICC 2016a). Bensouda added that the criminal acts which Al Mahdi was accused of "mean the annihilation of a civilization's landmark and crucible" (ICC 2016a). To highlight the gravity of the Al Mahdi's case, the prosecution operated what Meskell (2018, 212) called a "spatiotemporal slippage", invoking the Taliban's destruction of the Buddhas of Bamiyan, the ISIS ransacking of Aleppo in 2015, and even the Balkan wars and the Rwandan genocide, although Al Mahdi's acts were aimed neither at the living nor at ethnic cleansing. Hence, the Al Mahdi case brings out many tensions and contradictions to the fore. The case and the conflict in Mali that underlined it call for an examination of the relationship between religious doctrine and material heritage. It calls also for a questioning of the nature and extent of "local injury versus international grievance" (Meskell 2018, 203). Indeed, it is clear that the destruction of the monuments of Timbuktu resonated to the international community much more as an offense and grievance that it did for the local communities.<sup>14</sup>

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<sup>10</sup> For an analysis of the 2012 conflict in Mali, see for instance, Wing (2013); Thurston and Lebovich (2013); Morgan (2012); Lecocq et al (2013); Bøås and Torheim (2013); Bleck and Michelitch (2015).

<sup>11</sup> See Mali referral letter to the ICC, <<https://www.icc-cpi.int/NR/rdonlyres/A245A47F-BFD1-45B6-891C-3BCB5B173F57/0/ReferralLetterMali130712.pdf>>

<sup>12</sup> Article 8(2)(e)(iv) of the Rome Statute refers to "Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives." See Rome Statute of the ICC, <[https://www.icc-cpi.int/nr/rdonlyres/ea9aef7-5752-4f84-be94-0a655eb30e16/0/rome\\_statute\\_english.pdf](https://www.icc-cpi.int/nr/rdonlyres/ea9aef7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf)>

<sup>13</sup> See *Prosecutor v. Al Mahdi*, Case No. ICC-01/12-01/15, Judgment, paras. 38-39 (27 September 2016).

<sup>14</sup> The author conducted fieldwork research in Mali (Timbuktu, Djenné, and Bamako) in December 2016 and interviewed many respondents who expressed frustration at what they perceived to be the sole focus of the ICC, UNESCO, and the international community: the destruction of cultural heritage. For instance, a retired Malian judge said, "Maliens are not very attached to these cultural artefacts... They ask, what about the soldiers who were killed in Aguelhok? Instead, the ICC goes after this little breaker of shrines [Al Mahdi]." See Ba (2020).



In fact, around the world, hostile acts towards monuments inscribed in the world heritage list have been elevated to the category of cultural cleansing, which raises concerns. In the Al Mahdi case, the ICC prosecutors often referenced the centrality of Timbuktu as a world heritage site not only for Africa, but also for humanity. In a continent where few such sites exist, even less so as urban centers, Timbuktu stands tall in the global imagination as a site that symbolizes the shared heritage of humanity. Yet, quite tellingly, the relative scarcity of World Heritage sites on the African continent<sup>15</sup> is not only due to the eurocentrism that underpins UNESCO listings (Askew 2010; Winter 2014; Meskell 2013), but also a result of the widespread devastation of other major African centers by the British, the French, and other European powers during the colonial conquest. Then, Timbuktu stands also for all that has been intentionally destroyed by successive groups—including European imperial forces—in a violent quest to impose their own ideologies (Meskell 2018, 205). The response to the destruction of the mausoleums in Timbuktu therefore, and how it was perceived by international institutions and the international community need to be replaced in this historical context, which then allows us to notice the incongruence of viewing Ansar Dine's actions as merely barbaric acts of wanton violence against cultural heritage.<sup>16</sup>

### **Evidence from the Al Mahdi case**

After these preliminary thoughts, it is now possible to move onto the analysis of the Al Mahdi case. The attacks against the cultural heritage sites in Timbuktu may therefore fit within a new project that sought to challenge the prevailing values attached to those sites at the moment, and redrawing a new map of political, social, religious, and cultural meanings. Drawing from primary sources, including Al Mahdi and his lawyer's statements during the Court's proceedings, and the interview that Al Mahdi granted to the *UNESCO Courier* from his prison cell in The Hague after his conviction, this article shows the ways in which the jihadists sought to establish an Islamic fundamentalist political project at odds with the dominant local practices, the Malian state, and the view of an international community based on the respect for and reverence towards the common cultural heritage of humanity. By targeting the cultural heritage sites in Timbuktu, the Islamists signaled to the international community their rejection of the very idea of importance of those sites as a common heritage to humanity. They rejected the value attached to those sites by UNESCO, the international community, and the Malian state. As one the jihadists leaders asserted at the time, "It's forbidden by Islam to pray on tombs and ask for blessings... We will not let the younger generation believe in

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<sup>15</sup> Only 8.5% of the UNESCO World Heritage sites are located on the African continent. See <http://whc.unesco.org/en/list/stat>

<sup>16</sup> It is worth noting also that crimes against cultural heritage have a long history in Mali – as in other places – including looting of archeological sites and the illicit market of artefacts. Also, jihad and counter-jihad movements over the past few centuries have featured destruction and rebuilding of mosques and other edifices, such as the fabled mosque of Djenné, for instance (Joy 2012, 2016). Therefore, the international attention that resulted from the 2012 attacks against cultural heritage sites must be viewed in the broader context of transnational jihadism and the global war on terror.

shrines as God, regardless of what the U.N., UNESCO, International Criminal Court or ECOWAS have to say. We do not recognize these organizations. The only thing we recognize is the court of God, *Sharia*" (Cavendish 2012). The destruction of the mausoleums therefore was a step towards the new reconfiguration of the society, a political project of "government... of souls, of communities" (Foucault 2001).

During the ICC preliminary hearing, Al Mahdi's defense counsel Jean-Louis Gilissen stated that Al Mahdi's actions were in line with his vision for a "a new possibility in Mali" (Maliti 2016). As Gilissen argues, "Fundamentalism is a political plan or project and, let's be clear on this, a *political project that is not a crime*" (Maliti 2016, emphasis added). Al Mahdi's defense strategy rested on the argument not that he was not involved in the acts of destruction of the ten sites in Timbuktu, but rather that his actions were political, not criminal. In fact, for the Al Mahdi defense team, it appears that the overwhelming evidence that the Prosecutor possessed rendered futile any attempt to argue that he did not commit those acts (Kersten 2016). Instead, his defense counsel "[seemed] more inclined to pit his radical, Islamic worldview against that which underpins the ICC" (ibid), and by doing so, turning the trial into "a battle over 'the definition of the divine'" (York 2016). In its initial phase, the legal battle was couched as a clash between two worldviews. Whereas prosecutors portrayed the attacks against the mausoleums as an attempt to annihilate a civilization, Al Mahdi, in the voice of his defense lawyer, asserted that his actions were in line with an alternative political vision.

Moreover, it was important to Al Mahdi's defense team to make it clear that no tombs were desecrated or destroyed in Timbuktu. They stressed rather, that the attacks targeted the edifices that covered the tombs—the mausoleums—and those actions were in line with Al Mahdi's Islamist views. The building of such edifices, in addition to the transforming of those sites into places of pilgrimage and prayer did not fit with the Wahhabi school to which Al Mahdi subscribed. This, Al Mahdi believed, constituted a heresy because the local populations were bestowing divine attributes upon the saints that were buried in those tombs. Explained from this perspective, the defense lawyer argued, Al Mahdi was "doing what is right" and "seeking the means to allow his conception of good over evil to prevail". This conception is fundamental to understand the destruction of the mausoleums in its broader context. According to Gilissen, Al Mahdi's destruction of the mausoleums was meant to "liberate them" and introduce a greater "purity" in the local religious practices (York 2016).

In 2017, the *UNESCO Courier* published an interview with Al Mahdi from the ICC Detention Centre, located in the Dutch prison complex of Scheveningen (Barrak 2017). Explaining his role in leading the attacks against the mausoleums, Al Mahdi concedes that he was "head of Hesba, one of the four command structures of the Ansar Dine group" (ibid). As the Islamist police, he explains,

It fell to Hesba—whose mission was to 'promote virtue and prevent vice'—to combat all acts that, in its eyes, contravened the precepts of Islam. Hesba considered the mausoleums of Timbuktu to be the incarnation of such acts for two reasons—first, because the way that the faithful prayed was judged to be impious; and second, because of the buildings that had been constructed over the tombs (ibid).

The ultimate goal of the destruction of the religious sites was therefore to transform the religious practices of the inhabitants of the Timbuktu area, which the Ansar Dine leadership thought not be in line with the precepts of Islam. As Al Mahdi acknowledges, “It was one of my duties to combat practices considered to be contrary to the precepts of Islam. With my soldiers, I personally scrutinized the behavior of the people. I regularly visited the mausoleums, giving explanations and advice. I also preached the teachings on local radio” (Barrak 2017). For instance, on 30 June 2012, at the site of the Al Kounti Mausoleum in the Sidi El Mokhtar Cemetery, Al Mahdi told journalists that “if a tomb is higher than the others, it must be leveled... we are going to rid the landscape of anything that is out of place” (ICC 2016d, 17).<sup>17</sup> The Ansar Dine’s interpretation of Sharia law is that construction of tombs above a certain height and the conversion of those sites to places of pilgrimage and prayer contravenes to the social order that they wish to create. Not desecrating the graves, the destruction only targeted the structures that were built above them, something akin to “ridding the landscape of all matters out of place” (Meskell 2018, 207). Moreover, the destruction of the mausoleums was carried out intermittently over several months, which suggests not a rushed endeavor, but rather a calculated and thoughtful enterprise. The Islamists did not destroy any mosque either, but they banned the annual replastering of the edifices because they deemed the accompanying rituals to be un-Islamic (De Jorio 2016, 125).<sup>18</sup>

Although Al Mahdi declares that he opposed the destruction of the sites because such action did not have a basis in Sharia law, he did not see any objection to taking action that would end the religious and cultural practices that surrounded the mausoleums. He believes that “we have a duty to visit cemeteries” but the problem, as he sees it, is “the questions of supplications” because people were going to these graves and “asking a dead person to intercede with God on [their] behalf” (Barrak 2017). Envisioning alternative religious practices was in line with Ansar Dine’s Wahhabi leanings. It is clear that even in prison, Al Mahdi did not renounce his political ideology based on his religious belief which is grounded on a political dimension of Islam. As he states, “I think that Muslim countries should be *governed* according to the precepts of Islam, which have both a religious and a political dimension” (ibid, emphasis added) although he does not seem to espouse a rigid interpretation of the Sharia, which he believes can be adapted to new contexts.<sup>19</sup>

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<sup>17</sup> As Beránek and Tupek (2018) assert, attacks targeting specifically Islamic funeral and burial sites are driven by the interpretation of the Salafi/Wahhabi tradition that graves and shrines have a high potential of tempting the believer towards polytheism.

<sup>18</sup> They did however destroy the door of the Sidi Yahia mosque. According to local beliefs, the door was supposed to remain closed until the day of the Last Judgment.

<sup>19</sup> It is important to quote at length his justification that although he was against the mausoleums, their destruction had no basis in Sharia Law. He states, “I was convinced that the destruction of the mausoleums had no legal basis in Sharia law. It’s true that, according to a fatwa recognized by all traditions of Islam, tombs must not be erected more than one *chibr* (about ten centimeters) above ground. But this fatwa only applies to new tombs and not to those that already exist. I wanted to leave the mausoleums intact... Sharia has never called on the faithful to stick rigidly to rules that were made in ancient times, or to transpose them to the letter, to another time and place” (Barrak 2017).

Moreover, as Al Mahdi explains, “Once the [Ansar Dine] leadership took the decision to destroy the mausoleums, I received the order to carry out the task, using troops placed under my command. I applied myself to the task rigorously, as with everything I do” (Barrak 2017). In line with the idea of carrying out the attack as an administrative task, Al Mahdi asserted at the trial that he had recommended to the Ansar Dine leadership not to destroy the mausoleums “at this stage ... because it might ... hurt people’s feelings” (ICC 2016c, 9). During the discussions with Ansar Dine leaders, he opposed the destruction of the mausoleums because “[he] thought such an action was not appropriate, since it could cause more harm than good” (Barrak 2017). He claims to have drawn this argument from “the Sharia ruling that says that no vice may be suppressed if its suppression leads to another equal or greater vice” (ibid). In retrospect, Al Mahdi claims to be a bureaucrat, a functionary in the Ansar Dine machinery, who carried out the task assigned to him. As Hannah Arendt (1976, 239) asserts, “(t)he essence of totalitarian government, and perhaps the nature of every bureaucracy, is to make functionaries and mere cogs in the administrative machinery out of men, and thus to dehumanize them”. Yet, regarding Adolf Eichmann, Arendt (1963) writes, “what he said was always the same, expressed in the same words. The longer one listened to him, the more obvious it became that his inability to speak was closely connected with an inability to think”. This is certainly not the case for Al Mahdi, whom his lawyer Gilissen described as “an intelligent man, a reasonable man, a learned intellectual” (York 2016), which again points out to the plan of destroying the cultural and religious sites as a thoughtful process of restructuring political life in the territory under the jihadists’ control.

### The Islamic State and destruction of cultural heritage

Much like the Taliban in Afghanistan<sup>20</sup> and Ansar Dine in Mali before them, the Islamic State too willfully attacked cultural heritage sites and broadcasted its iconoclasm for the world to see. They toppled statues at the Mosul Museum in northern Iraq and defaced monuments at Nineveh on the outskirts of Mosul. The Islamic State also detonated explosives at Nimrud and destroyed carvings at Hatra and blew up the 2,000-year-old temples in Palmyra. The attacks on cultural heritage can be understood as part of their project of *gouvernement*, once they had controlled vast swaths of territory in Iraq and Syria. The Islamic State was indeed a “pseudo-state led by a conventional army” (Cronin 2015),<sup>21</sup> with a territory, a population, financial

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<sup>20</sup> The Taliban’s destruction of the Buddhas of Bamiyan was also a political act carried out in response to changing international context for the Taliban regime and in pursuit of political ends. The Taliban registered their anger at the UN sanctions against their regime, and the refusal of most UN member-states to formally recognize their regime. The Taliban also expressed their anger at the international community’s preemptive efforts to save the statues, and the outrage that followed their destruction. This, in the eyes of the Taliban regime, showed that the international community was more concerned about the statues than the suffering of the Afghani population which resulted from both the UN sanctions and the isolation of the Taliban regime (Francioni and Lenzerini 2003; Faiser 2009; Chioyenda 2014).

<sup>21</sup> Although ISIS used terrorist tactics to administer its so-called Caliphate, it did not fit the conventional features of a terrorist organization at all, given that it boasted some 30,000 fighters, and maintained large military capabilities and financial assets. ISIS’ revenue from oil was estimated to be between \$1 million and \$3 million a day. And oil was just one source a revenue among a large portfolio of other revenues (Cronin 2015).

bureaucracy, and even service delivery such as picking up trash.<sup>22</sup> Yet, their spectacular acts of destruction are often portrayed as barbaric and devoid of any religious or political justification. For instance, following the destruction of Nimrud, UNESCO's Director General Irina Bokova stated that such attacks were underlined by "propaganda and hatred" (UNESCO 2015b). Bokova explained that "there is absolutely no political or religious justification for the destruction of humanity's cultural heritage" (UNESCO 2015c).

The Islamic State's acts of destruction of cultural heritage however, just like those of Ansar Dine in Timbuktu, are much more than mere propaganda devoid of political and religious objectives (Isakhan and Zarandona 2018). By analyzing ISIS media publications such as their online magazine *Dabiq* and the films released by their media center Al-Hayat, Isakhan and Zarandona (2018) show that these attacks on cultural edifices are deliberately underpinned by theological, historical, and political frameworks.<sup>23</sup> The political framework of the Islamic State justification of iconoclasm stems from a refutation of the prevailing state borders in the Middle East as a creation of westerners, and a rejection of institutions that promote secular and humanist views of world heritage, which are in conflict with the Islamic State project of creating a state-caliphate built around a different political ethos (Isakhan and Zarandona 2018). Indeed, iconoclasm represents a logical strategy to achieve political ends (Clapperton et al 2017, 1206), which include an attempt to reconstruct society into a new—totalitarian—vision of Islamic fundamentalism.<sup>24</sup>

The Islamic State destruction of antiquities fits within the group's rejection of the nation-state, which they believe, was advanced by the Baa'thist regimes of Iraq and Syria through the use of archaeology to promote national unity (Jones 2018). Therefore, attacks against the cultural sites were attacks on the very concept of the modern nation-state, which the Islamic State views as a form of *shirk*, a polytheism which includes allegiance to any institution which claims authority apart from God (Jones 2018, 32).<sup>25</sup> Moreover, the Islamic State views archaeology as "a foreign import that fans Iraqi nationalism" (Romey 2015). Indeed, as the Islamic State wrote in their online magazine *Dabiq*, "The

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<sup>22</sup> The *New York Times* unearthed thousands of internal documents that show how the Islamic State governed the territory and the populations under its control. For instance, these documents show that IS issued birth certificates and operated its own DMV, and offered services such as trash collection (Callimachi, Rukmini. 2018).

<sup>23</sup> For instance, to justify the destruction of the Mosul Museum and Niveveh, an Al Hayat video uses a theological justification, stating, "Oh Muslims, the remains that you see behind me are the idols of peoples of previous centuries, which were worshipped instead of Allah. The Assyrians, Akkadians, and others took for themselves gods of rain, of agriculture, and of war, and worshipped them along with Allah, and tried to appease them with all kinds of sacrifices... Since Allah commanded us to shatter and destroy these statues, idols, and remains, it is easy for us to obey, and we do not care [what people think], even if they are worth billions of dollars" (cited in Isakhan and Zarandona 2018).

<sup>24</sup> Other examples of iconoclasm for such ends include the Nazi destruction of cultural heritage in Warsaw in order to create the *neue deutsche Stadt Warschau*, and the Croats attempt to turn Mostar into the capital of "a newly formed statelet of Herceg-Bosna" (Clapperton et al. 2017, 1211).

<sup>25</sup> For ISIS, the modern-nation is a form of *shirk* because it requires from Muslim citizens obedience to its laws, which are not derived from God's laws, making the modern nation-state idolatrous, as Sayyid Qutb (1990, 47-50) argued (cited in Jones 2018, 43). ISIS leader al-Baghdadi criticized the Iraqi state for foregrounding Iraqi citizenship rather than Muslim identity, asserting that "our creed is that a Muslim is our brother even if he is a Filipino Asian and that the devil worshiper is our enemy even if he is definitely Iraqi" (cited in Jones 2018, 44).

kuffār [unbelievers] had unearthed these statues and ruins in recent generations and attempted to portray them as part of a cultural heritage and identity that the Muslims of Iraq should embrace and be proud of” (cited in Romey 2015). For the Islamic State, the cultural artefacts and the nationalist narratives that they conveyed, were an impediment to the project of dissolving the modern nation-states in the Middle East into a wider caliphate. Therefore, the destruction of the archaeological sites and museums were meant to serve the political project of rejecting the modern nation-state and building a caliphate in which membership was based on religious practice, rather than citizenship, ethnicity, or language.<sup>26</sup>

## Conclusion

Seeking out and analyzing the justifications provided by perpetrators of criminal acts—even those we may find the most reprehensible—is important if for no other reason than that it may help to anticipate and prevent the commission of such acts in the future. Such is the case with intentional destruction of cultural heritage. Over the past decade, this line of inquiry has made inroads in some areas in political science and international relations scholarship. For instance, by trying to make sense of women who commit torture, genocide or suicide bombings, Sjoberg and Gentry (2007, 2015) went beyond the comfort zone of feminist IR and security studies, and problematized the simple narratives that tended to view women political violence as *apolitical*.<sup>27</sup> Their research required a close examination of self-reports by politically violent women, derived from personal interviews, trial transcripts, and manifestos left by female suicide bombers, for instance (Sjoberg and Gentry 2007, 2015). Subsequently, a research program has taken root in (feminist) security and gender studies through the close examination of such primary sources and personal accounts of (would be) perpetrators (see among others, Brown 2014; Von Knop 2007; Jacques and Taylor 2009; Parashar 2009; Cohen 2013). I argue that a similar approach regarding the intentional destruction of cultural heritage—by Islamist militants or other actors—could open up a research program, leading us to rethink the politics, causes, consequences, and significations of such acts.

Moreover, this article problematizes the singular perspective of the international community—specifically UNESCO and the ICC in this case—regarding qualification, preservation, and management of what is deemed to be of value to humankind. Who gets to decide what is sacred and of outstanding value to humanity? How are such decisions challenged by various actors? Under what circumstances does various administrations of the *economy* of cultural heritage are deemed acceptable or reprehensible? Whereas all Islamists

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<sup>26</sup> In addition to these political ends, there is also a more pragmatic aspect of the Islamic State’s governance of the cultural artefacts, namely the looting and management of the illicit market of the antiquities as a source for revenues (Isakhan and Zarandona 2015; Taub 2015; Faucon et al 2017)

<sup>27</sup> As Sjoberg and Gentry (2015, 3) write, “Women, like men, are capable of violence. Women, like men, commit political violence for a variety of reasons, including strategy, ideological commitments, and for individual and social grievances. Women, like men, sometimes see violence as the best means to their political ends.”

groups have provided political and/or religious justifications for iconoclasm, their acts are still couched by the international community and policy circles as apolitical, only guided by barbarism and callousness.<sup>28</sup>

In any case, from a legal perspective, the trial and conviction of Al Mahdi has brought back the crime of destruction of cultural heritage to the forefront of international criminal jurisprudence. Yet, Sharia law and other legal traditions are not taken into account in ICC proceedings, although, as Meskell (2018, 208) asserts, the Court is obligated under the Rome Statute to apply general principles of law that are derived from other legal systems worldwide. To date, the ICC has relied purely upon western inspiration, further belying its claims to universality (Badar 2011, 411).<sup>29</sup> It is also important to note elsewhere around the world, similar destruction of Islamic cultural heritage has not warranted much outcry or criticism when carried out by states. The Saudi government for instance has bulldozed many cultural and religious sites over the past few decades (Howden 2006) in part through religious decrees, but also dictated by real estate investments (Power 2014). Yet, as Meskell (2018, 214) notes, such wholesale destruction of Islamic heritage in Saudi Arabia has been met with scant coverage or criticism unlike the instances of destruction of cultural heritage at the hands of Islamists groups, which in fact may be guided by the will to govern those spaces. Non-states actors as much as states may well continue to engage in such acts as their will to govern the “souls and ... communities” continue to guide their actions.

### Disclosure statement

No potential conflict of interest was reported by the author(s).

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### References

Arendt, Hannah (1963) ‘Eichmann in Jerusalem—I.’ *The New Yorker*, 8 February

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<sup>28</sup> On the other hand, modes of government can also be viewed through the preservation or rehabilitation of cultural sites and memory. Projects such as the Hebron Rehabilitation Committee and the Palestinian Museum in the West Bank are examples of such creative practices by non-state actors in the absence of a state. These practices point to modes of government through resistance and resourceful insurgency (De Cesari 2019).

<sup>29</sup> Badar (2011) argues that the principles of Islamic law are, for the most part, consistent with internationally recognized norms and standards, particularly those enshrined in the Rome Statute.

- Arendt, Hannah (1976) *Eichmann in Jerusalem: a report on the banality of evil* (New York, NY: Penguin)
- Arjona, Ana, Nelson Kasfir and Zachariah Mampilly (eds) (2015) *Rebel governance in civil war* (Cambridge, UK: Cambridge University Press)
- Askew, Mark (2010) 'The magic list of global status: UNESCO, world heritage and the agenda of states' in Sophia Labadi and Colin Long (eds) *Heritage and globalization* (London, UK: Routledge), 19–44
- Ba, Oumar (2020) 'Contested meanings: Timbuktu and the prosecution of destruction of cultural heritage as war crimes', *African Studies Review*, [forthcoming]
- Badar, Mohamed Elewa (2011) 'Islamic law (Shari'a) and the jurisdiction of the International Criminal Court', *Leiden Journal of International Law*, 24:2, 411–33
- Badar, Mohamed Elewa, and Noelle Higgins (2017) 'Discussion interrupted: the destruction and protection of cultural property under international law and Islamic law - the case of Prosecutor v. Al Mahdi', *International Criminal Law Review*, 17:3, 486–516
- Barrak, Anissa (2017) 'Ahmad Al Faqi Al Mahdi: "I plead guilty"', UNESCO Courier, October-December, <<https://en.unesco.org/courier/2017-october-december/ahmad-al-faqi-al-mahdi-i-plead-guilty?language=zh>>, accessed 18 November 2018
- Bell, Dianna (2013) 'Understanding currents of Islam in Mali', *Cultural Anthropology*, 10 June
- Bennoune, Karima (2017) 'Brief: Expert appointed by the International Criminal Court in the case of The Prosecutor v. Ahmad Al Faqi Al Mahdi. Reparation Phase.' ICC-01/12-01/15. 27 April, <[https://www.icc-cpi.int/RelatedRecords/CR2017\\_05022.pdf](https://www.icc-cpi.int/RelatedRecords/CR2017_05022.pdf)>
- Beránek, Ondrej, and Pavel Tupek (2018) *The temptation of graves in Salafi Islam: iconoclasm, destruction and idolatry* (Edinburgh, UK: Edinburgh University Press)
- Bevan, Robert (2006) *The destruction of memory: architecture at war* (London, UK: Reaktion Books)
- Bleck, Jaimie, and Kristin Michelitch (2015) 'The 2012 crisis in Mali: ongoing empirical state failure', *African Affairs*, 114:457, 598–623
- Bøås, Morten, and Liv Elin Torheim (2013) 'The trouble in Mali—corruption, collusion, resistance', *Third World Quarterly*, 34:7, 1279–92
- Brodie, Neil (2015) 'Syria and its regional neighbors: a case of cultural property protection policy failure?', *International Journal of Cultural Property*, 22:2–3, 317–335
- Brodie, Neil (2017) 'The role of conservators in facilitating the theft and trafficking of cultural objects: the case of a seized Libyan statue', *Libyan Studies*, 48, 117–23
- Brodie, Neil, and Palmyre Manivet (2017) 'Cylinder seal sales at Sotheby's and Christie's (1985–2013)', *Journal of Art Crime*, 17, 3–16
- Brodie, Neil, and Isber Sabrine (2018) 'The illegal excavation and trade of Syrian cultural objects: a view from the ground', *Journal of Field Archaeology*, 43:1, 74–84
- Brosché, Johan, Mattias Legné, Joakim Kreutz, and Akram Ijla (2017) 'Heritage under attack: motives for targeting cultural property during armed conflict', *International Journal of Heritage Studies*, 23:3, 248–60
- Brown, Sara E (2014) 'Female perpetrators of the Rwandan genocide', *International Feminist Journal of Politics*, 16:3, 448–69
- Callimachi, Rukmini (2018) 'The ISIS files: when terrorists run City Hall', *The New York Times*, 4 April, <<https://www.nytimes.com/interactive/2018/04/04/world/middleeast/isis-documents-mosul-iraq.html>>
- Casaly, Paige (2016) 'Al Mahdi before the ICC: cultural property and world heritage in international criminal law', *Journal of International Criminal Justice*, 14:5, 1199–220
- Cavendish, Julius (2012) 'Destroying Timbuktu: the jihadist who inspires the demolition of the shrines', *Time*, 10 July
- Chiovenda, Melissa Kerr (2014) 'Sacred blasphemy: global and local views of the destruction of the Bamyán Buddha statues in Afghanistan', *Journal of Muslim Minority Affairs*, 34:4, 410–42
- Clapperton, Matthew, David Martin Jones, and M L R Smith (2017) 'Iconoclasm and strategic thought: Islamic State and cultural heritage in Iraq and Syria', *International Affairs*, 93:5, 1205–31



- Coward, Martin (2009) *Urbicide: the politics of urban destruction* (New York, NY: Routledge)
- Crenshaw, Martha (1981) 'The causes of terrorism', *Comparative Politics*, 13:4, 379–99
- Cohen, Dara Kay (2013) 'Female combatants and the perpetration of violence: wartime rape in the Sierra Leone civil war', *World Politics*, 65:3, 383–415
- Cronin, Audrey Kurth (2015) 'ISIS is not a terrorist group', *Foreign Affairs*, March/April, <<http://www.foreignaffairs.com/articles/143043/audrey-kurth-cronin/isis-is-not-a-terrorist-group>>
- De Cesari, Chiara (2019) *Heritage and the cultural struggle for Palestine* (Palo Alto, CA: Stanford University Press)
- De Jorio, Rosa (2016) *Cultural heritage in Mali in the neoliberal era* (Champaign, IL: University of Illinois Press)
- Dupont-Ferrier, Gustave (1938) 'Le mot «Gouverner» et ses dérivés dans les institutions françaises du Moyen Âge', *Journal Des Savants*, 2:1, 49–60
- Ellis, Mark S (2017) 'The ICC's role in combatting the destruction of cultural heritage', *Case Western Reserve Journal of International Law*, 49, 1
- Faiser, Michael (2009) 'The Bamiyan Buddhas, performative iconoclasm and the "image of heritage"', *Proceedings of the International Conference of the ICOMOS*, Florence, Italy, 157–169
- Faucou, Benoit, Georgi Kantchev, and Alistair MacDonald (2017) 'The men who trade ISIS loot', *Wall Street Journal*, 6 August
- Foucault, Michel (2001) *Power*. Edited by James D. Faubion. Translated by Robert Hurley (New York, NY: The New Press)
- Foucault, Michel (2008) *The Birth of Biopolitics: Lectures at the Collège de France, 1978–1979*. Trans. G. Burchell, (Basingstoke: Palgrave)
- Francioni, Francesco, and Frederico Lenzerini (2003) 'The destruction of the Buddhas of Bamiyan and international law', *European Journal of International Law*, 14:4, 619–51
- Gerstenblith, Patty (2005) 'From Bamiyan to Baghdad: warfare and the preservation of cultural heritage at the beginning of the 21st century', *Georgetown Journal of International Law*, 37, 245
- Hoon, Marieke de (2016) 'The ICC's Al Mahdi case is (also) a political trial, and that's fine!', *EJIL: Talk!*, 31 August
- Horowitz, Donald (2003) *The deadly ethnic riot* (Berkeley, CA: University of California Press)
- Howden, Daniel (2006) 'Shame of the house of the Saud: shadows over Mecca', *Independent*, 19 April
- Huang, Reyko (2016) *The wartime origins of democratization: civil war, rebel governance, and political regimes* (Cambridge, UK: Cambridge University Press)
- ICC (2016a) 'Statement of the Prosecutor of the International Criminal Court, Fatou Bensouda, at the opening of the confirmation of charges hearing in the case against Mr Ahmad Al-Faqi Al Mahdi', <<https://www.icc-cpi.int/Pages/item.aspx?name=otp-stat-01-03-16>>
- ICC (2016b) Trial Chamber VIII, 'Situation in the Republic of Mali in the case of the Prosecutor v. Ahmad Al Faqi Al Mahdi.' Transcript ICC-01/12-01/15, 22 August, <[https://www.icc-cpi.int/Transcripts/CR2016\\_05767.pdf](https://www.icc-cpi.int/Transcripts/CR2016_05767.pdf)>
- ICC (2016c) Transcript ICC-01/12-01/15 CR2016\_05772, <[https://www.icc-cpi.int/Transcripts/CR2016\\_05772.PDF](https://www.icc-cpi.int/Transcripts/CR2016_05772.PDF)>
- ICC (2016d) 'Agreement regarding admission of guilt.' ICC-01/12-01/15-78-ANX1-tENG-Red, <[https://www.icc-cpi.int/RelatedRecords/CR2016\\_06550.PDF](https://www.icc-cpi.int/RelatedRecords/CR2016_06550.PDF)>
- Isakhan, Benjamin, and José Antonio González Zarandona (2015) 'Funding the 'Islamic State': looting antiquities and the international black market', Research Report, <<http://dro.deakin.edu.au/view/DU:30088552>>
- Isakhan, Benjamin, and José Antonio González Zarandona (2018) 'Layers of religious and political iconoclasm under the Islamic State: symbolic sectarianism and premonotheistic iconoclasm', *International Journal of Heritage Studies*, 24:1, 1–16
- Jacques, Karen, and Paul J Taylor (2009) 'Female terrorism: a review', *Terrorism and Political Violence*, 21:3, 499–515

- Jones, Christopher W (2018) 'Understanding ISIS's destruction of antiquities as a rejection of nationalism', *Journal of Eastern Mediterranean Archaeology & Heritage Studies*, 6:1-2, 31–58
- Joy, Charlotte (2012) *The politics of heritage management in Mali from UNESCO to djenné* (California: Left Coast Press)
- Joy, Charlotte (2016) 'The Mali cultural destruction trial at the ICC posed a moral dilemma', *Apollo*, 6 September, <<https://www.apollo-magazine.com/the-mali-cultural-destruction-trial-at-the-icc-poses-a-moral-dilemma/>>
- Kalyvas, Stathis N (2006) *The logic of violence in civil war* (Cambridge, UK: Cambridge University Press)
- Kersten, Mark (2016) 'Prosecuting the destruction of shrines at the ICC—A clash of civilizations?', *Justice in Conflict*, 4 April <<https://justiceinconflict.org/2016/03/04/prosecuting-the-destruction-of-shrines-at-the-icc-a-clash-of-civilizations/>>
- Lecocq, Baz, Gregory Mann, Bruce Whitehouse, Dida Badi, Lotte Pelckmans, Nadia Belalimat, Bruce Hall, and Wolfram Lacher (2013) 'One hippopotamus and eight blind analysts: a multivocal analysis of the 2012 political crisis in the divided Republic of Mali', *Review of African Political Economy*, 40:137, 343–57
- Lemke, Thomas (2000) 'Foucault, governmentality, and critique', *Unpublished*, <<http://www.thomaslemkeweb.de/publikationen/Foucault,%20Governmentality,%20and%20Critique%20IV-2.pdf>>
- Lidow, Nicholai H (2016) *Violent order: understanding rebel governance through Liberia's civil war* (Cambridge, UK: Cambridge University Press)
- Maliti, Tom (2016) 'Al Faqi declines to make submissions in Northern Mali case', *International Justice Monitor*, 1 March <<https://www.ijmonitor.org/2016/03/al-faqi-declines-to-make-submissions-in-northern-mali-case/>>
- Mampilly, Zachariah (2011) *Rebel rulers: insurgent governance and civilian life during war* (Ithaca, NY: Cornell University Press)
- Meskill, Lynn (2013) 'UNESCO's World Heritage Convention at 40: challenging the economic and political order of international heritage conservation', *Current Anthropology*, 54:4, 483–94
- Meskill, Lynn (2018) *A future in ruins: UNESCO, world heritage, and the dream of peace* (Oxford, UK: Oxford University Press)
- Morgan, Andy (2012) 'The causes of the uprising in Northern Mali', *Think Africa Press*, 15 November, <<https://thinkafricapress.com/causes-uprising-northern-mali-tuareg/>>
- O'Dell, Emily Jane (2013) 'Waging war on the dead: the necropolitics of Sufi shrine destruction in Mali', *Archaeologies*, 9:3, 506–25
- Parashar, Swati (2009) 'Feminist international relations and women militants: case studies from Sri Lanka and Kashmir', *Cambridge Review of International Affairs*, 22:2, 235–56
- Power, Carla (2014) 'Saudi Arabia bulldozes over its heritage', *Time*, 14 November, <<http://time.com/3584585/saudi-arabia-bulldozes-over-its-heritage/>>
- Qutb, Sayyid (1990) *Milestones*. Trans. A. Z. Hammad (Indianapolis: American Trust Publishers)
- Romey, Kristin (2015) 'Why ISIS hates archaeology and blew up ancient Iraqi palace', *National Geographic*, 14 April <<https://news.nationalgeographic.com/2015/04/150414-why-islamic-state-destroyed-assyrian-palace-nimrud-iraq-video-isis-isil-archaeology/>>
- Schabas, William (2017) 'Al Mahdi has been convicted of a crime he did not commit', *Case Western Reserve Journal of International Law*, 49:1, 75–102
- Sjoberg, Laura, and Caron Gentry (2007) *Mothers, monsters, whores: women's violence in global politics* (London, UK: Zed Books)
- Sjoberg, Laura, and Caron Gentry (2015) *Beyond mothers, monsters, whores: thinking about women's violence in global politics* (London, UK: Zed Books)
- Soares, Benjamin (2005) *Islam and the prayer economy: history and authority in a Malian town* (Edinburgh, UK: Edinburgh University Press)
- Soares, Benjamin (2007) 'Saint and Sufi in contemporary Mali' in Martin van Bruinessen and Julia Day Howell (eds) *Sufism and the 'modern' in Islam* (London, UK: I.B. Taurus) 76–91

- Soares, Benjamin (2013) 'Islam in Mali since the 2012 coup', *Cultural Anthropology*, 10 June, <<https://culanth.org/fieldsights/321-islam-in-mali-since-the-2012-coup-2>>
- Sterio, Milena (2017) 'Individual criminal responsibility for the destruction of religious and historic buildings: the Al Mahdi case' *Case Western Reserve Journal of International Law*, 49:1, 63–73
- Stone, Peter G (2015) 'The challenge of protecting heritage in times of armed conflict', *Museum International*, 67:1–4, 40–54
- Taub, Ben (2015) 'The real value of ISIS antiquities trade', *The New Yorker*, 4 December
- Thurston, Alex and Andrew Lebovich (2013) 'A handbook on Mali's 2012-2013 crisis', Institute for the Study of Islamic Thought (ISITA)'s Working Paper series, No 13–001
- UNESCO (1954) 'The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict', 14 May 1954, <[http://portal.unesco.org/en/ev.php-URL\\_ID=13637&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13637&URL_DO=DO_TOPIC&URL_SECTION=201.html)>
- UNESCO (1989) 'Draft medium term plan 1990-1995', UNESCO, 25 C/4, <<https://unesdoc.unesco.org/ark:/48223/pf0000082539>>
- UNESCO (2003) 'Declaration concerning the intentional destruction of cultural heritage', 17 October, <[http://portal.unesco.org/en/ev.phpURL\\_ID=17718&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.phpURL_ID=17718&URL_DO=DO_TOPIC&URL_SECTION=201.html)>
- UNESCO (2015a) 'Reinforcement of UNESCO's action for the protection of culture and the promotion of cultural pluralism in the event of armed conflict', UNESCO Document 38 C/49, 2 November, <<http://unesdoc.unesco.org/images/0023/002351/235186e.pdf>>
- UNESCO (2015b) 'UNESCO Director-General condemns destruction at Nimrud', 13 April, <<https://en.unesco.org/news/unesco-director-general-condemns-destruction-nimrud>>
- UNESCO (2015c) 'UNESCO Director General condemns destruction of Nimrud in Iraq', 6 March, <<http://whc.unesco.org/en/news/1244/>>
- van der Auwera, Sigrid (2011) 'UNESCO and the protection of cultural property during armed conflict', *International Journal of Cultural Policy*, 19, 1, 1–19
- van der Auwera, Sigrid (2012) 'Contemporary conflict, nationalism, and the destruction of cultural property during armed conflict: a theoretical framework', *Journal of Conflict Archaeology*, 7:1, 49–65
- Viejo-Rose (2013) 'Reconstructing Heritage in the Aftermath of Civil War: Re-Visioning the Nation and the Implications of International Involvement', *Journal of Intervention and Statebuilding* 7:2, 125–148
- Von Knop, Katharina (2007) 'The female jihad: Al Qaeda's women', *Studies in Conflict & Terrorism*, 30:5, 397–414
- Wing, Susanna (2013) 'Making sense of Mali', *Foreign Affairs*, 25 November
- Winter, Tim (2014) 'Beyond Eurocentrism? Heritage conservation and the politics of difference', *International Journal of Heritage Studies*, 20:2, 123–37
- York, Geoffrey (2016) 'ICC Trial on destruction of Timbuktu shrines debates meaning of Islam', *The Globe and Mail*, 1 March 2016