



Ethics of Conflict Damage to Heritage

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HERITAGE IN WAR

AN AHRC-FUNDED PROJECT ON
PROTECTING CULTURAL HERITAGE IN WAR

Preliminaries

- It is possible that there are at least two sorts of case.
- (1) CPP as a 'Force Multiplier'
 - To the extent that not damaging X is an efficient way for you to achieve your military objectives while minimising loss of life, you should not damage X.
- X could be the water supply, the railway system and so on. It could also be cultural property.
- (2) Cases in which draw on the value of cultural property in particular.



CULTURAL PROPERTY PROTECTION AS A FORCE MULTIPLIER: IMPLEMENTATION FOR ALL PHASES OF A MILITARY OPERATION

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The 1954 Convention

- The 1954 Convention obliges warring parties to avoid damaging items of cultural property unless the property ‘has been made into a military objective’ and ‘there is no feasible alternative available to obtain a similar military advantage to that offered by directing an act of hostility against that objective’.
- Faced with a certain situation on the battlefield, a commander needs to decide between alternatives: the first will lead to the destruction of some cultural property, and the second will not.
- Unless he or she is very fortunate, adopting the second alternative will not be cost-free and such a cost will sometimes (or often) be a cost to human welfare.

The 'General Claim'

- Heritage is important to a culture and the way of life of people within that culture.
 - A version of 'the inseparability thesis'.
- However: Aside from very specific instances, the general claim provides no guidance as to what to do in the particular case.
 - The dieter.
 - The philanderer.

The particular claim

- In particular cases, the value of an item of heritage should have weight sufficient to stack up against other goods (such as welfare).
- However:
 - You cannot get from the general claim to the particular claim.
 - Furthermore, unless we can substantiate the particular claim we are in danger of undermining the general claim.

Conclusion

- The ‘inseparability thesis’ will not give us everything we need.
- We need an account of the non-instrumental value of cultural heritage.
- This will need to show that the value of cultural heritage can stack up against other values – in particular, welfare.
- Thank-you!