

Protection and Preservation of Cultural Property in the Event of Armed Conflict: the journey of the Antoulas Collection ends in Dili

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The violent history of Timor-Leste has brought suffering and loss to the people of this nation on multiple levels. In the recent past, political unrest, social upheaval, and in some periods, overt violence, have been commonplace. In such circumstances, the recognition, let alone protection and preservation of objects of cultural significance can be overlooked, as more urgent matters of basic survival, of necessity, take precedence. This realisation was the catalyst behind the collection and preservation of eighty two East Timorese artefacts and ethnological objects dating back to the Portuguese presence, which reflect and symbolise various aspects of the Timorese cultural heritage.

The collection evolved over some ten years, with items sourced by Dr. Symeon Antoulas, who worked in an humanitarian capacity in Timor-Leste between 1993-1996, 1999 and in 2002, as well as (more recently), from several other locations including Bangkok, Bali, Hong Kong, Macau and Zurich. An awareness of the fragility and vulnerability of Timor-Leste at the time - which made issues such as limited freedom of movement, and destruction of property commonplace - led Dr. Antoulas to identify and preserve items and objects which appeared to be of cultural significance whenever he came across them in Timor, and to seek them out whilst travelling elsewhere.

In referring to this collection as the 'cultural heritage' of the East Timorese people, we acknowledge that in some understandings, we are applying that term loosely. However, given the circumstances of recent Timorese history, particularly the extent of destruction and loss which occurred in 1999, we deem it appropriate. The concept of 'cultural heritage' is an open one, reflecting living culture, every bit as much as that of the past. Objects which reflect cultural traditions and mythologies, which pass down through generations, are representative and illustrative of the influences within a nation. This can encompass pieces reflective of daily living (as in this case), as much as more sophisticated dramatic arts, languages and music. Of equal significance are the spiritual and philosophical systems upon which such items are based, in that they are the substance of the life of the community, its history and identity.

Throughout the years over which this collection was conceived, the challenges of daily survival in Timor-Leste allowed little priority to be given to the protection of these types of artefacts, some of which, in our understanding, are fundamental to the essential heritage of the East Timorese people. Within the country, pieces were sourced from many regions and towns, including outlying areas. All pieces sourced in-country were either received as gifts in good faith, or purchased from members of the local population who had offered them for sale - not an unusual occurrence for those who may have lost their homes, possessions and/or livelihoods. Some pieces were discovered abandoned in burnt-out houses, while others were unearthed from woodpiles in suburban backyards, destined to be used as firewood.

In order to ensure the preservation of what grew into a significant and diverse expression of the East Timorese cultural heritage, the decision was made to temporarily remove the collection from Timor-Leste, with the intention that as soon as practicable, it would be returned in its entirety to the rightful owners, the East Timorese people.

In the intervening period, several Museums were canvassed in a bid to find a transient home where the collection could be put on display. However, with no firm commitment ever forthcoming that would guarantee eventual East Timorese ownership and return to Timor-Leste, the collection was privately stored in Zurich. It has been exhibited in its entirety only once - between December 2001 and August 2002 in the International Red Cross and Red Crescent Museum (MICR) in Geneva, where until recently, it remained in storage.

The collection is diverse in composition and subject matter, with objects made of various combinations of wood, stone, buffalo horn, metal, bamboo and textile. Included are carved depictions of animal and human figures, decorative containers, amulets, and a variety of implements. Many pieces are undated - these include an ornately carved horn and leather whip, and a wooden weaving loom. The

smallest pieces measure only a few centimetres in length - typically amulets made of wood or buffalo horn which are considered as somewhat 'noble' materials in East-Timorese culture - worn to represent a cherished (usually deceased) relative.

Most of the human effigies are carved in wood, and are thought to represent deceased ancestors (*ai toos*, in Tetun). These are typically placed in a location that was exposed to the elements - the wind, rain and sun: the disintegration of the wood over the years is representative of the soul of the deceased gradually departing this world. The role of the effigy was thus to ensure a smooth transition of an ancestor to the realm of spirits, symbolised in the disintegration of the wood.

Among the more sizeable articles are two decorative wooden door panels (*odamatan*, in Tetun), the largest of which measures 138 x 35 x 6 cms. The panels are believed to have adorned the entrance to an *uma lulik* - a 'sacred house', built for the spirits of deceased ancestors which normally remains uninhabited. Only on special occasions, such as remembrance ceremonies and other feasts in honour of the dead, do the village elders have access to the *uma lulik* to perform appropriate rituals. Such pieces are the cornerstone of the East Timorese cultural heritage - to devalue or lose them is to devalue the rich history of this nation.

Not surprisingly, several pieces in the collection are decorated with, or take the form of a reptile - a lizard or crocodile - which is a dominant element in East Timorese mythology and culture. It is well known in East Timorese folk-lore - how a young boy took pains to care for a vulnerable crocodile which had been abandoned by its mother. When the reptile reached maturity, in a symbol of gratitude it took the boy on its back and travelled the world, thus fulfilling his wish to travel to other lands. The two became inseparable friends as they travelled the seas. The crocodile continued to grow in size until eventually, at the end of its life, it turned into a magnificent island. The boy became the island's first inhabitant and his descendants, the people of Timor. Several other indigenous cultures of the region - such as in Papua, Australia and the Philippines - also view the crocodile as a recurrent and iconic theme, which is suggestive of a collective mythology of the Peoples of this part of the world. Ensuring that pieces like this are protected and displayed within the future Timor-Leste National Museum not only celebrates the East Timorese culture, it serves to connect that culture to these neighbouring states.

The standout piece from the Antoulas collection in this category is a magnificent wooden crocodile sculpture almost a metre and a half in length. This piece was depicted in a commemorative stamp issued by the UN postal administration in 2002 - a symbolic acknowledgment of Timor-Leste's changing social and political landscape and independent status via the recognition and promotion of an important cultural icon

For nations recovering from prolonged periods of conflict and violence, preservation of cultural property such as the pieces in this collection provides a basis of identification which helps to rebuild broken communities, to re-establish identities and to link a Peoples' past with their present and future. This has particular relevance for the population of an emerging economy. In the post-conflict phase, cultural identification is a driving force of development, not only in respect of economic growth, but also as a pivotal element in individuals leading a more fulfilling intellectual, emotional, moral and spiritual life. For a country like Timor-Leste, where even today divisions remain evident, preserving and celebrating these pieces can provide the building blocks of inclusion and respect which are central to creating the fabric of the new nation.

International Instruments of Protection

The particular vulnerability of a nation's heritage during periods of violence and conflict has been recognised, and codified in some sense since 1863. In that year, the U.S. Army General *Lieber Code Orders Number 100* was an early example of a legal protection of cultural property which codified what was considered to be customary law at the time. These days, protection is administered by the UNESCO - the United Nations Education, Scientific and Cultural Organisation - and legalised in a range of international treaties, most prominently, in the Hague Convention. Yet military operations, together with a multitude of undeclared situations of violence and conflict which are ongoing in many international contexts today, continue to have a bearing on the loss and destruction of irreplaceable cultural property, despite a growing number of protective international treaties.

The carnage of the Second World War was the catalyst for the drafting of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. Protocol One (P1)

additional to that Convention, (which was created at the same time), covers cultural property during times of occupation. These instruments were drafted with the intention to create an international obligation binding in law.

A second Protocol (P2) adopted in 1999 created a category of 'enhanced protection' for objects deemed of 'specific importance' - such as the magnificent temples of Angkor Watt, in Cambodia. In addition to these instruments, the 1977 Protocols additional to the Geneva Conventions, also include protective provisions (CCP Protocol I, Art. 38, 53 and 85, and Protocol II, Art. 16 (http://www.savingantiquities.org/pdf/Cultural_property)).

Ratification of each of these treaties by individual nations following their adoption is essential to preserving cultural objects of infinite value - specifically to the nations involved. and more generally, to all humanity. Signatory states need to establish individual jurisdiction by implementing national legislation as a responsive legal mechanism establishing jurisdiction when an offence is committed on their territory, or by one of their nationals.

Of equal importance is the implementation and dissemination of the legal obligation at issue throughout the signatory state, so as to ensure an understanding and respect for the **basic rules** inherent in the protection of cultural property. This is of course particularly important for all members of the armed forces, but also has relevance for the general population. For Timor-Leste, this would be an important step in ensuring that the loss and destruction of the past is never repeated.

It should be added that even though Timor-Leste has been a member of UNESCO since 2003, it has not yet signed any of the international conventions for the protection of cultural heritage. The only legal existing framework to that end is the former Indonesian law on items of cultural property, dating from 1992 and not yet revoked.

At the time of writing, many nations, both large and small, have yet to adopt the Hague Convention, while a number of signatory states who have taken that step, have yet to put the necessary national legislation in place - suggesting their adoption of the treaty is somewhat of an empty gesture. Accordingly, the international demand for ethnological artefacts continues to grow, depriving individuals and nations of their cultural heritage, as well as important knowledge of their past. This is of particular consequence for a nation such as Timor-Leste, and for its people, seeking cultural affirmation as they come to grips with the social and political divisions of the past. This reality has also been a driving force in the preservation of the Antoulas Collection.

At the end of July 2009, the collection began its journey home. At the time of writing, all being well, these pieces will be back in East Timorese hands. They will be included within the country's National Collection, and preserved under the auspices of the Secretary of State for Culture, within the Ministry of Education, until Timor-Leste's planned National Museum takes form.

At the same time, with the international instruments outlined above generally silent in regard to individuals and institutions, (in that the responsibility of conformance is essentially placed on signatory states), we send out a challenge. During the chaotic years, it has been said that Timor could be likened to a 'wild west, with the legal, social and ethical boundaries which normally regulate social interaction routinely overlooked and/or ignored. In such an environment, and for a generally uninformed population, the very concept of 'preservation of cultural heritage' can have little substance in real terms. Throughout this period, even recognised heritage items were sought out and confiscated, or wantonly destroyed by opposing factions. Perhaps other pieces - less recognisable given the circumstances - were naively seen as little more than souvenirs of a memorable time in this beautiful island nation, and may have been taken out of the country by any of the thousands of international workers who came to the aid of the East Timorese people in their time of need. In fact even today, it is said that rare pieces can be sold to tourists in local markets, by those more interested in monetary gain than preserving a nation's cultural property. It's a familiar story...

Be that as it may, the end result is significant. At the time of writing, just 40% of the pre 1999 National Collection of Timor-Leste has survived intact. Now is the time to redress this situation. Should you be, as we have been, privileged to hold in trust a fragment or object which typifies, or reflects the culture or mythology of Timor-Leste and her people now is the time to return this property to its rightful owners. This country is finally in a position to safeguard its own cultural heritage, and its people ready to accept back what is rightfully theirs.

The purpose of this paper is to illustrate that in every situation where conflict and violence are dominant realities in peoples' lives, human pain and destruction can go well beyond physical injury,

multiple fatalities, and devastation of infrastructure. In the ensuing chaos, unique expressions of the culture and traditions that underpin social cohesion and interaction - as symbolised in ethnological artefacts and objects - can be vandalised, lost, or stolen. The extent of this loss is often not apparent until the post-conflict phase, the period when they are needed most. Objects which tell stories, which point to, and underscore valued diversities and particularities within social groups, are of incalculable value in the recovery and rehabilitation of a traumatised population, and are critical elements in bringing people together in the building of a new nation. The homecoming of the Antoulas Collection to Timor-Leste is therefore, a significant milestone for this new nation.

Bibliography

Convention for the Protection of Cultural Property in the Event of Armed Conflict - 1954 (**CCP**) (adopted at The Hague, 14 May 1954)

Protocol 2 Additional to the CCP (P2) - 1999

Protocols I & II additional to the Geneva Conventions - 1977,

http://www.savingantiquities.org/pdf/Cultural_property

<http://www.civilwarhome.com/liebercode.htm>