The Rape of Kuwait’s National Memory

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Abstract: In the August 1990 invasion of Kuwait, Iraqi forces prosecuted a mass campaign of pillage and destruction. Under the coordinated direction of Iraqi curators who were well acquainted with Kuwait’s cultural treasures, occupying Iraqi troops plundered thousands of cultural objects from museums, libraries, and archives. Among the pillaged cultural spoils were Kuwait’s national archives, comprising the emirate’s historical memory. Until recently, Iraq was beholden to UN sanctions demanding the return of missing persons and property, including Kuwait’s archives. Although the United Nations Security Council for many years has facilitated efforts to search for the lost archives, these efforts have proved futile. This article explores the plausibility of the two most likely scenarios surrounding the cold case of Kuwait’s missing archives: 1) that the current search for the archives has overlooked the possibility that they were unknowingly seized by US forces in the 2003 invasion of Iraq and are currently being held by the Pentagon; and 2) that the archives may have been intentionally destroyed as part of Saddam Hussein’s aim to obliterate Kuwait’s national identity and annex the emirate as Iraq’s nineteenth province.

INTRODUCTION?

In the August 1990 invasion of Kuwait, Iraqi forces prosecuted a mass campaign of pillage and destruction. Kuwait was once home to one of the largest and most valued collections of Islamic art in the world. Under the coordinated direction of Iraqi curators who were well acquainted with Kuwait’s cultural patrimony, occupying Iraqi troops plundered thousands of cultural treasures, burning what they could not cart off. They torched the cultural institutions that housed artifacts, libraries, and archives, including Kuwait’s National Museum and adjoining House of Islamic Arts.1 Like the Nazi plunder of Europe and Russia or the retributive

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Soviet trophy brigades that looted Germany and Eastern Europe after World War II, the Iraqis plundered the finest cultural objects and sent truckloads of loot back to Baghdad in violation of international law. The pillaged cultural spoils included Kuwait’s national archives, comprising the country’s official historical memory. The Kuwaiti national government, supported by UN Security Council resolutions, has repeatedly demanded the restitution of the archives. But more than 20 years later, it remains unreturned, along with other stolen property and missing persons.

Following Saddam Hussein’s ignominious defeat in the 1991 Gulf War, Iraq was compelled to airlift many of the pillaged treasures back to Kuwait under UN supervision in 1991, but the archives was not among them. It is unclear what has happened to Kuwait’s national archives—whether Iraq destroyed it with the greater aim of liquidating Kuwait’s national identity and annexing Kuwait as part of historic Iraq, or whether it was obliterated by allied aerial bombing of Iraq in 2003. Or, whether it was destroyed or dispersed in the rampage of looting of government property in the wake of either Operation Desert Storm (1991) or Operation Iraqi Freedom (2003), or was confiscated when coalition troops temporarily occupied southern Iraq after ousting Hussein’s armed forces from Kuwait in the first Gulf War, or maybe in the 1991 Shiite uprisings that followed. Or perhaps US forces unknowingly seized the archives in the 2003 invasion along with millions of Iraqi state documents in the frantic hunt for evidence of weapons of mass destruction and battlefield intelligence.

This article explores the plausibility of the two most likely scenarios regarding the fate of Kuwait’s missing archives. First, it argues that the search for the archives under UN auspices has overlooked the possibility that US forces may have unknowingly seized them in the 2003 invasion of Iraq along with the millions of captured Iraqi documents from Hussein’s government ministries. In the invasion, US forces seized Iraqi government records in the feverish hunt for evidence of weapons of mass destruction and other battlefield imperatives. This line of reasoning concurs with legal scholar and blogger Douglas Cox that the logical place to search for the archives is among these captured Iraqi materials, which remain in the hands of the Pentagon. Second, this article argues that it is also plausible, if not probable, that Saddam’s Iraq destroyed the archives in the rampage of murder and mayhem to liquidate Kuwait’s national identity and annex the emirate to seize its vast financial and economic wealth. After all, given Saddam’s war aims and historical claims over Kuwait, it must be asked why he would retain the most indelible and irrefutable written record of Kuwait’s legitimacy as a sovereign state. The motive of sole retribution also cannot be discounted especially as Saddam ordered his routed and retreating forces to lay waste to what was left of Kuwait and leave behind a permanently crippled land for the ruling al-Sabah family. These two scenarios are interconnected; if the missing archives do not exist among the captured Iraqi documents in US hands, the likelihood of their destruction is high.

If nothing else, the cold case surrounding the missing archives illustrates the common fate of historical documents during times of war, upheaval, and internal
rebellion; they may become targets of seizure, looting, or destruction, or displaced or perish altogether in the chaos of hostilities. Although much has been written on the plunder of cultural treasures in Iraq in the past 25 years, little attention has been devoted to examining the tragic losses of the written historical record that connects a nation’s people to its own narrative past and identity.

BACKGROUND

Following Hussein’s invasion of Kuwait on August 2, 1990, Iraqi forces immediately set to plundering and dismantling the wealthy emirate’s financial and economic assets. Saddam’s predatory invasion and occupation of Kuwait aimed to shore up his personal rule after his ruinous eight-year war with Iran, saddling Iraq with tens of billions of dollars in debt. But his plunder of the small emirate ventured beyond raiding its vast oil wealth to extinguishing it altogether as a historical and sovereign entity and absorbing it as part of greater Iraq. Saddam used more than 50 years of historical grievances and claims against Kuwait to justify his invasion. The “Iraqization” of Kuwait was intended to depopulate or transform the emirate and its demographic composition. Those who were not displaced, disappeared while in detention, or put to death through extrajudicial executions were compelled to become Iraqi citizens; Iraqis also were resettled in occupied Kuwaiti territory.5 Saddam’s war aims further involved seizing Kuwait’s rich cultural and historical treasures and documents to enrich Iraq’s own cultural institutions, if not private collections.

Hussein kept close watch over his plundering of Kuwait. To carry out his presidential will, Saddam chose his Head of Diwan, Ahmed Hussein, to prosecute the dismantling of the despised emirate. The Presidential Diwan organized the details of the pillaging campaign by the various Iraqi ministries and organizations. The tactics and strategies used to strip the country bare varied. Sometimes the Presidential Diwan issued orders regarding precisely what items and assets to plunder; on other occasions, it granted wider latitude to the ministries to pillage designated areas of the Kuwaiti economy. The despoiling of the emirate’s financial, economic, and cultural assets occurred under the thin veil of legality. Seizing the emirate’s assets was a primary goal. Iraq not only raided Kuwait’s financial assets, including those of the Royal family, but also dissolved and then merged the emirate’s corporations and public institutions with Iraqi corporations, dispersing their assets to Iraq’s ministries and departments.5 At the same time, reminiscent of Nazi Alfred Rosenberg’s Einsatzstab during World War II, special units of Iraqi curators who were conversant with the emirate’s cultural patrimony ransacked Kuwait’s museums, libraries, and archives to confiscate its most prized cultural treasures, burning and destroying what they could not take back. The ultimate goal was the total absorption of Kuwait as a sovereign state, to the point that the country would vanish altogether.
UN SANCTIONS: DEMAND FOR THE RETURN OF KUWAIT’S ARCHIVES

Saddam’s conquest of Kuwait, however, proved short-lived. Following Saddam’s devastating defeat in the 1991 war, Iraq was compelled under UN sanctions to compensate Kuwait for its economic ruination. Among other things, Iraq was expected to return missing Kuwaiti and third-party nationals or their remains, as well as looted Kuwaiti property, including the emirate’s archives. It was understandable that Kuwait placed importance on the return of the missing archives of its government ministries, which comprised substantial classified executive, diplomatic, intelligence, economic, and other sensitive information. Also of concern to Kuwait was the return of the archives of the Amiri Diwan, the Diwan of the Crown Prince, and the Diwan of the Prime Minister, important symbols of Kuwaiti sovereignty. The Amiri Diwan served as the headquarters and permanent center of the country’s rulers. At the behest of Sheik Jaber Al Ahmed Al Sabah, the Amiri Diwan also established a historical documentation center in 1984 to house archives defining the history of Kuwait, “its people, land and culture in particular and the history of the Arab Peninsula in general.”6 The archives of the Amiri Diwan included highly sensitive documents related to the Amiri’s meetings with heads of state, communications with Kings and presidents of other countries and official bodies of the state, as well as Amiri decrees and letters to the Amir from Kuwaiti citizens. The archives of the Diwan of the Crown Prince and the Council of Ministers also comprised sensitive diplomatic records regarding the Prime Minister’s meetings with heads of governments and correspondence with counterparts around the world, in addition to minutes of official meetings, resolutions, and statements of the Council of Ministers.7

Given the historical, administrative, and intelligence significance of these archives, Kuwait placed particular importance on their return. The Kuwaiti sentiment recalled the Federal Republic of Germany’s view of the Allied confiscation of Germany’s archives in World War II. Following the war, one of West Germany’s first resolutions in October 1949 was the demand for the return of all captured records and archives.8 The West German press protested in sometimes-nationalistic tones that the Allies had carried off German national history—a view similarly shared by Kuwait, which had been robbed of its own history by Iraq. The demand for the return of the missing archives was one manifestation of regaining political sovereignty after the Gulf War. Regaining this sovereignty was more than a matter of keeping consulates open abroad, resuming foreign trade, or repairing the vast damage done to its oil wells and production. Nor, aside from their symbolic value, was the search for the missing archives just another foreign policy issue for Kuwait. The archives constituted the history of a once-colonial land and its emergence as an internationally recognized sovereign state. Regaining these archives amounted to an effort to restore a disappeared past, as well its sense of nationhood, people, and achievement. The archives embodied Kuwait’s narrative version of history against Iraq’s own counter narrative that included more than a half-century of claims to Kuwaiti territory wrongfully stolen from Iraq through British imperialism.
In the immediate sense, the Kuwaiti emirate was concerned that Iraq might expose its diplomatic and other sensitive documents to its considerable detriment or embarrassment. This concern was expressed, for example, in a 2007 Wikileaks cable from a UN coordinator, the former Russian ambassador Yuri Vorontsov, who informed the US embassy in Kuwait that the “Kuwaitis [were] nervous that sensitive government records may still emerge in Iraq with the potential to cause embarrassment to Kuwait.” Indeed, the national archives represented a prize to be captured and exploited for intelligence and political gain, perhaps even destroyed in the effort to eliminate Kuwait’s historic identity to annex it as part of Iraq.

For Iraq, it not only confronted the burden of an economy that was devastated by the war with Iran, but it also was now under the strain of the UN sanctions regime. In the bloody internal uprisings, government buildings were destroyed and looted and anything symbolizing Saddam’s rule, “from public records centers to posters of the Iraqi leader was defaced or obliterated.” The devastation took a massive toll on Iraq’s infrastructure, including the country’s electricity generating stations, oil refining capacity, telecommunications network, and major bridges, roads, railways, and factories. The uprisings also spawned a rampage of looting of museums and other cultural sites in Iraq. It was perhaps a supreme irony that Iraq, which invaded and plundered the small Kuwaiti emirate, was itself plundered in turn. The looting of Iraq may have a bearing on Kuwait’s missing archives. Following the war, American and British archaeologists catalogued more than 2,000 stolen objects, which were presumed to have been traded away through a thriving international market in antiquities. The plunder fueled a global industry of scavengers, shippers, and traders, who funneled stolen items into the hands of private collectors overseas. Iraq had more than 10,000 identified archaeological sites that held relics of Sumerian, Babylonian, Assyrian, and other civilizations dating back at least ten millennia. In the final days of the 1991 Gulf War looters ransacked nine of thirteen museums. Professional thieves wasted little time in organizing a system for smuggling items to Amman, Jordan, and other major trafficking points and trading centers in Saudi Arabia, Turkey, Iran, and Syria. Amid the uprisings, it is conceivable that significant parts of Kuwait’s historical archives also were looted and sold or traded in the international market for stolen goods, especially if they had been housed, even temporarily, in any of the Shiite majority cities that fell to the rebellion. It is highly unlikely that these materials would have been transported northward to the Kurdish region, which also witnessed mass uprisings and brutal suppression after the war.

Since March 1991, when the UN Security Council passed Resolutions 686 and 687, the “return of all Kuwaiti property seized by Iraq”—including the national archives—represented one of the key issues blocking Iraq from rejoining the international community. In December 1999, the UN Security Council adopted Resolution 1284, repeating the demand that “Iraq return in the shortest possible
time all Kuwaiti property it had seized.” Further, the resolution requested that the Secretary General report to the Security Council every six months on the status of this matter, including the “archives, seized by Iraq,” as well as appoint a high-level coordinator for these issues.\textsuperscript{14} The UN subsequently appointed Ambassador Gennady Tarasov as the UN high-level coordinator for missing Kuwaiti and third country nationals and missing Kuwaiti property.

In 2002, with the prospect of war looming again between the United States and Iraq, Hussein’s years of ignoring Security Council resolutions, which demanded an accounting of Kuwait’s losses, assumed new significance. Eager to improve its image in the Arab world and in the United Nations, Iraq professed cooperation by beginning to return missing property to Kuwait, even though these were denounced as empty gestures.\textsuperscript{15} Abdul Hamid al-Awadhi, director of the Kuwait Foreign Ministry’s international organization department, which dealt with Iraq on missing people and property, said that Saddam’s gestures of cooperation were nothing but “propaganda, for the Arab masses, to show that they [Iraq] are innocents, to show that it is they who are going all out for peace. In reality, they are offering nothing.”\textsuperscript{16}

As a token of this alleged new spirit of cooperation, in October 2002, just months before the US-led invasion, Iraqi officials escorted a fleet of trucks to the demilitarized zone between Iraq and Kuwait and handed over under UN supervision 425 boxes and 1,158 bags of papers.\textsuperscript{17} Kuwait especially coveted the return of its most critically important documents, including international treaties and papers regarding Kuwait’s emergence from a Bedouin fief in the eighteenth century to an independent state in 1961. Saddam disputed the legitimacy of this history, basing his 1990 invasion partly on the claim that Kuwait was Iraq’s 19th province.\textsuperscript{18} The papers, among other things, comprised documents relating to state security and the ministries of foreign affairs and interior. A smaller cache of papers pertained to the ministries of oil and defense. Kuwaiti officials scoffed after an initial examination of documents from the ministries of interior and foreign affairs revealed only five files belonging to the Amiri Diwan and two files relating to the Council of Ministers.\textsuperscript{19} “What the Iraqis gave us was a confused mass of death certificates, old identity cards and daily correspondence,” said a Kuwaiti foreign ministry official.\textsuperscript{20}

There “was nothing at all from the Amiri Diwan,” he said. “Everything you might call the memory of the state was gone. This only goes to show that Iraq’s purpose is to show that Kuwait has no history, or that the only history that matters is Iraqi history showing Kuwait to be part of Iraq.”\textsuperscript{21}

On the eve of the March 20, 2003 invasion of Iraq, the George W. Bush administration accused Hussein of numerous violations of UN Security Council resolutions designed to ensure that Iraq no longer posed a threat to international peace and security. Among these resolutions, Iraq was required to allow international weapons inspectors to oversee the destruction of alleged weapons of mass destruction; avoid developing new weapons of mass destruction; destroy all ballistic missiles with a range greater than 150 kilometers; help account for missing Kuwaitis and
other individuals; bear financial liability for damage from the Gulf War; and return stolen Kuwaiti property, including Kuwait’s national archives.  

Even so, Hussein failed to heed the signs of the coming war, which destroyed his regime and unleashed the furies of Iraqi sectarianism. The American-led invasion and occupation also eclipsed the remaining concerns stemming from Saddam’s misadventure in Kuwait, including the fate of the emirate’s missing archives. Following the US transfer of sovereignty to the Iraqis on June 30, 2004, the new post-Saddam government struggled to liberate itself from UN sanctions remaining from the first Gulf War. The fledgling new government faced daunting circumstances that severely hampered its search for the archives, including a rising insurgency, sectarianism, political factionalism, collapsed civil institutions and infrastructure, and foreign military occupation. Iraq was required, among other things, to repatriate looted Kuwaiti cultural property and settle billions of dollars of UN-prescribed debts and compensation to private families. It was a burden that proved difficult for a brittle state still ravaged by war and chaos and deeply resentful that its post-Saddam government had to inherit and bear the responsibility for invading Kuwait.

Although priceless treasures had been returned to Kuwait in the bitter decades since the 1991 war, the whereabouts of many others remained unknown. Kuwaitis believed that many of these pieces formed the core of private collections in post-Saddam Iraq and around the Arab world. In 2010, the Guardian newspaper reported that a “plethora of irreplaceable pieces remain[ed] missing” from Kuwait’s National Museum, which had been ravaged by marauders who knew what they were looking for and took the items to Baghdad; the lost artifacts mainly dated from the Moghul dynasty. The lost archives and artifacts in some ways seemed to hold the key to establishing good will between the two countries after prolonged hostility.  

Despite confronting the catastrophic problems in post-Saddam Iraq, the country’s foreign ministry began returning books, documents, and other pillaged items to Kuwait in the years of the US occupation. In 2005, the ministry repatriated numerous books belonging to the Kuwaiti National Assembly library. In March 2009, the ministry handed over the Kuwaiti radio archives comprising 4,539 audio and video cassettes; four months later, in July, Iraq returned 22 wooden boxes and other materials containing silver coins, Kuwaiti postage stamps, and the sum of 2,121,166 Kuwaiti dinars in old-issue banknotes belonging to the Kuwaiti Central Bank. The Security Council welcomed these modest returns by Iraq as advancing the confidence-building process between the two countries.  

Further, three years later in 2012, after the last of American troops left Iraq, the Iraqi foreign affairs ministry handed over 136 microfilm cassettes containing the archives of Al-Kuwait Al-Yawm, the official government gazette; banknotes, coins, papers, and safe keys belonging to the Central Bank of Kuwait; 15 microfilm cassettes including the archives of the Kuwaiti newspaper Al-Anba; and 27 boxes relating to the Kuwait’s Office of the Prime Minister, comprising cassettes from
the archives of Radio Kuwait and two books belonging to Kuwait University.\textsuperscript{25} These fragmentary returns failed to satisfy the Kuwaitis who were particularly concerned about getting back the archives of the Amiri Diwan, the Diwan of the Crown Prince, and the Diwan of the Prime Minister.\textsuperscript{26}

At Ban Ki-moon’s urging, Iraq agreed to form an inter-ministerial committee to coordinate the search for the archives. The inter-ministerial committee comprised representatives from the Ministry of Foreign Affairs, the General Secretariat of the Council of Ministers, the Ministries of Defense, Interior, Finance, Justice, Higher Education and Scientific Research, and the Central Bank of Iraq. The committee’s high-level nature seemed to indicate Iraq’s commitment to finding the missing national archives with the aim of freeing itself from the UN sanctions. While welcoming these cooperative developments, the Secretary-General urged the Iraqi inter-ministerial committee to intensify efforts to clarify the fate of the archives.\textsuperscript{27} On May 1, 2013, Iraq’s permanent representative to the UN notified the Secretary-General that Iraq’s foreign affairs ministry would be returning to Kuwait another “57 tapes from the Kuwaiti Television Corporation, about 400 books, three albums with photographs of members of the Government of Kuwait and silverware stamped with the logo of the State of Kuwait.”\textsuperscript{28}

\textbf{UN SECURITY COUNCIL LIFTS SANCTIONS ON IRAQ}

These Iraqi efforts to fulfill its responsibilities under the UN sanctions regime convinced the Security Council to unshackle the post-Saddam government. For more than two decades, the sanctions against Iraq had remained in place, even after the 2003 US invasion and the ouster of Hussein and his regime. On June 27, 2013, two years after the last of the American troops left Iraq, the fifteen-member UN Security Council voted to free Iraq from these obligations under Chapter VII of the UN Charter. The unanimous vote welcomed Iraq’s progress in resolving outstanding issues surrounding the conflict and called on the post-Saddam government to continue searching for Kuwaiti nationals and property, including Kuwait’s missing national archives. Recognizing the improving relations between the two countries, the Council resolved that the issues of missing Kuwaiti people and property should be handled under Chapter VI rather than Chapter VII of the UN Charter.\textsuperscript{29} Chapter VI urges peaceful resolution of conflict between nation states, while Chapter VII authorizes measures such as sanctions or military intervention when countries fail to meet Security Council demands.

The Security Council also resolved to transfer the mandate formerly assigned to the High-Level Coordinator for Iraq-Kuwait Missing Persons and Property to the UN Assistance Mission in Iraq (UNAMI).\textsuperscript{30} Paragraph 14 of UN resolution 1284 (1999) resulted in the appointment of a High-Level Coordinator who was to report regularly to the Security Council regarding Iraq’s compliance with its obligations on the repatriation of missing people or their remains and the “return of all Kuwaiti property, including archives, seized by Iraq.”\textsuperscript{31} The new resolution
terminated this measure, instead calling on the head of UNAMI to facilitate the final conclusion of these matters. It reiterated the “need for continued efforts to locate and repatriate” Kuwait’s national archives through an Iraqi inter-ministerial committee established for this purpose.

The Security Council’s decision largely restored Iraq’s international standing and liberated it from more than two decades of UN sanctions spanning the two Gulf wars and subsequent occupation after the US-led invasion that toppled Hussein in 2003. The last major Chapter VII issues remaining from the first Gulf War included an arms ban and Iraq’s payment of $2 billion in compensation to Kuwait. In other words, the Security Council downgraded the matter of missing persons and property to bilateral diplomacy between Iraq and Kuwait to be facilitated by the UN.

Nonetheless, by June 2013, in his thirty-fifth report on the fate of missing persons and property, the Secretary-General still could report “no credible facts or possible leads” regarding the missing Kuwaiti national archives. Iraqi officials offered assurances that Iraq held no intention of keeping any Kuwaiti property or exploiting the archives for political ends. With the search failing to make progress one year later in 2014, Kuwaiti officials complained that the items found or returned so far were of “no significant sentimental or historical value.” They “stressed that the archives had been looted in an organized fashion, which might help the efforts to break the long impasse on the issue.”

In March 2014, Ban Ki-moon could only report on the inter-ministerial committee’s incremental progress in locating some additional missing items. The Iraqi Ministry of Foreign Affairs, for example, found two paintings with the seal of Kuwait and asked Kuwait for assistance in discerning its authenticity. The Ministry of Higher Education and Scientific Research reported recent findings of 100,000 books and scientific journals and 500 theses. Similarly, the Ministry of Tourism and Antiquities found 247 books, one copper plate, a painting, and publications; the Ministry of Culture also claimed to be in possession of a number of books and publications.

Altogether, given the scale of Iraq’s plunder of government ministries, universities, museums, libraries archives, and other cultural sites, Kuwaiti officials considered these and other finds of little value. Ban Ki-moon’s deputy special representative suggested searching the archives of the various Iraqi ministries, given that the “Kuwaiti national archives might have been disaggregated and stored in the archives of individual ministries.” Ban Ki-moon also urged the “Government of Iraq to bring innovative methods to their search.”

SEARCH ON THE WRONG TRACK

The search for clues to the missing archives under UN auspices conspicuously overlooked the realities of the 2003 war. In the invasion, US mobile collection teams confiscated millions of ministry records from Hussein’s regime in the frantic
hunt for evidence of weapons of mass destruction and battlefield intelligence. In 2012, Douglas Cox, blogger and legal scholar, suggested that the most plausible place to find new leads in the “cold case” of the missing national archives was in the records of Hussein’s government, which remain overwhelmingly in the hands of the Pentagon.37

The onset of hostilities also ignited mass looting of government ministry documents among the Iraqi populace; other records were burned by Baathist intelligence agents on orders from Baghdad, sold or traded in a thriving black market for Saddam documents, or destroyed in the aerial bombing campaign. At the same time, the Iraq Memory Foundation (IMF), a registered US military contractor that entered Iraq after the invasion to save the records of Hussein’s government, arranged for the removal of millions of pages of documents from the Baathist headquarters in Baghdad to US soil, where they were deposited at Stanford University’s Hoover Institution. In other words, the official government records and archives of Saddam’s various ministries were pillaged, destroyed, sold, taken or rescued, or captured in the 2003 war and subsequent occupation, making any investigation of Iraq’s government ministries for the missing archive highly problematic at best.

The quixotic search for the Kuwaiti archives on Iraqi soil missed the intervening events of the 2003 war and occupation. Of particular note, the adoption of Security Council Resolution 1483 on May 22, 2003 recognized the United States and United Kingdom as joint occupying powers and called on them to “continue efforts to locate, identify, and repatriate” the “Kuwaiti archives that the previous Iraqi regime failed to undertake.”38 Cox believes that this resolution signified a “crucial period in the search given that detained officials from Saddam’s government may have had fresh information about the missing archives.”39 But it is unclear whether US interrogators even questioned Baathist detainees about this matter, even though a UN official evidently urged the Americans to do so.40 Even so, next to the emergencies of the occupation—hunting for weapons of mass destruction, capturing Hussein and his senior leadership, securing the occupation against a rising insurgency, rebuilding Iraq’s economy, civil institutions, and military, revising its legal code, and other imperatives—the issue surrounding the missing archives likely seemed, if it was thought of at all, as an infinitely inconsequential issue left over from the first Gulf War.

Despite this missed opportunity, the millions of captured Iraqi documents currently in the hands of the US government hold the most promise for locating the missing archives or finding clues regarding its whereabouts or destruction. The United States seized the majority of these materials in the early days of the war and occupation, transferring them to a vast media processing center in Qatar for analysis. Despite the intense hunt for weapons of mass destruction and other battlefield imperatives, analysis of these materials proceeded slowly, even though by fall 2005 about a 1,000 personnel were sifting through tens of thousands of boxes of material seized by US maneuver units and mobile collection teams in Iraq.41
By 2006, analysts had gone through and roughly translated less than 15 percent of the captured materials. Since then, it is unclear what further progress has been made in analyzing the remaining records, especially after the departure of the last American troops from Iraq in December 2011, when the need for intelligence for security operations was no longer imperative. Given these factors, it is possible that the missing Kuwaiti archives is buried or scattered among the millions of still-unexamined documents in the Qatar facility. This prospect should lead the US government to search the Qatar facility for the missing archives or clues regarding its fate among the captured Iraqi documents.

However, it is also possible that Iraq concealed the archive in government buildings destroyed by coalition aerial bombing in 2003. According to a Wikileaks cable, for example, a UN official searching for the missing archives noted their probable loss to fire if they had been stored in the Iraqi Ministry of Foreign Affairs. The archives may have met the same fate if it had been housed in Iraq’s intelligence services headquarters in Baghdad during the 1993 US attacks on the facility in retaliation for Iraq’s attempted assassination of former President George H.W. Bush or in the 2003 US invasion when the intelligence complex, as well as other government ministries and buildings, again came under attack. Or, as noted earlier, parts of the Kuwaiti national archives could have perished in the looting and burning of government buildings in the 1991 Iraqi Shiite uprising or in the plunder and destruction of government property and ministries by Iraqi citizens during the 2003 American invasion.

Another Wikileaks cable released in 2011 suggests that the missing archives may be in US hands; it notes that some of the Kuwaiti documents were swept up in the mass US seizure of Iraqi records. The cable reports that the US Embassy in Kuwait had been authorized to repatriate two boxes of records, including top-secret Kuwaiti documents, to the Kuwaiti government. These documents evidently were discovered among the millions of captured Iraqi records at the mass processing center in Qatar. This find implies that Iraqi occupation authorities were interested in confiscating sensitive Kuwaiti documents for intelligence and possibly political exploitation; it is unknown, however, where in Iraq the United States seized them along with the masses of Iraqi government records.

Another cache of captured documents also may hold promise in the search for the missing Kuwaiti national archives; these comprise about 300 cubic feet of records seized in Operation Desert Storm in 1991. According to Cox, the potential relevance of these documents, captured as Iraqi forces fled Kuwait, is “even more compelling” given their approximate contemporaneous capture with Iraq’s seizure of Kuwait’s archives. Nonetheless, 300 cubic feet of captured Iraqi documents is exceedingly small to contain the entire Kuwaiti national archive, or even sizeable parts of it. Still, a National Archives and Records Administration review of these documents revealed Iraqi military inventories of some of the confiscated property and other files of potential interest in determining the fate of the missing archive. A thorough search of these Iraqi documents seized in the first Gulf War,
however, would have to be done digitally since the United States destroyed the original (physical) records in 2002 due to mold contamination.

What about the approximately seven million pages of documents taken by the Iraq Memory Foundation and deposited at the Hoover Institution at Stanford University? These documents were revealed to the IMF by a US soldier in 2003 in a warren of rooms in the basement of the Baath Party headquarters in Baghdad. With the approval first of the Coalition Provisional Authority and then of the Iraqi government after the June 2004 handoff of sovereignty, the IMF took custody of the files with the aim of constructing a memorial center in the heart of Baghdad to inform Iraqis of their authoritarian past. When these plans proved impossible because of the growing insurgency to the occupation and the rise of sectarian bloodletting, the IMF persuaded the Pentagon to transfer the documents to the United States for analysis to understand the Sunni insurgency. After the files were scanned by the US government, they were turned back over to the IMF, which placed them at Stanford University’s Hoover Institution with the understanding that they remain Iraqi patrimony.

The Hoover Institution has since digitized and done considerable work in cataloging the files to advance research on Iraq and Middle Eastern affairs during the Hussein era. According to the Hoover Library and Archives, however, these documents contain no trace of the missing Kuwaiti national archives, nor does their Kuwaiti dataset, which the IMF produced from declassified US State Department documents.  

A QUESTION OF DESTRUCTION OF THE KUWAITI NATIONAL ARCHIVES

The evidence also suggests that significant parts or most of the national archives were intentionally obliterated. Remarks by Kuwaiti officials and others in the halls of the UN during Iraq’s seven-month occupation of Kuwait note the destruction of official government archives, including official population registries and records. On November 27, 1990, for example, the Permanent Representative of Kuwait denounced the Iraqi goal to “wipe out the Kuwaiti identity by changing the demographic composition of the country.” This was obvious, he said, when Iraqi forces began “confiscating all Kuwaiti identification documents, including citizenship certificates, passports, and even drivers licenses and identity cards.” He reported that the Iraqis had burned the “archives of many ministries dealing with citizens’ affairs, including some departments of the Ministry of the Interior.”

Amnesty International added to these observations, reporting in December 1990 that an estimated 300,000 Kuwaitis had fled their country, as well as hundreds of thousands of foreign nationals working in Kuwait. Iraq had issued a series of regulations aimed at completing the “Iraqization” of Kuwait:

These regulations required Kuwaitis to take up Iraqi identity papers in lieu of existing Kuwaiti documents; to replace Kuwaiti car number plates with Iraqi ones; to change the clock to correspond to Iraqi time; and to
use Iraqi rather than Kuwaiti currency. . . A number of districts, streets and public buildings were renamed, particularly those which carried the names of members of the Kuwait’s al-Sabah family.47

To thwart Iraq’s destruction of the emirate’s population records, Kuwaiti officials smuggled out of the occupied country civil records documenting Kuwait’s total population up until August 1, 1990, the day before the invasion. The population registers had been stored in special computers; the computer disks were removed to guarded locations inside Kuwait before they were secreted out to New York and deposited with the UN Secretary-General as the “legal and official instrument to be relied on when Kuwait [was] liberated from the desecration of the invaders.”48

The plundering of the population records was part of a larger scheme, according to statements before the UN General Assembly, to “eradicate the national identity of the Kuwaiti people by destroying archaeological landmarks, plundering libraries and historical documents and destroying Kuwait’s achievements.”49 It seemed indicative of a larger ambition to liquidate Kuwait’s historical identity altogether. In a September 15, 1990 letter to the Secretary-General, the Kuwaiti representative wrote that in “its efforts to change the demographic structure of Kuwait and erase the very identity of the country,” Iraq had embarked on a “novel process of depopulating Kuwait from its own inhabitants, confiscating identification documents, and settling Iraqi families in Kuwaiti homes.”50 In an earlier letter to the UN, the Kuwaiti official indicated that Iraq’s “armed robbery” was so sweeping in scope that it reached every sector of Kuwaiti society.51

These claims were substantiated by the findings of a postwar UN mission that visited Kuwait from March 16 to April 4, 1991. The UN mission’s report detailed the vast devastation of Kuwait’s economy and infrastructure, as well as the orchestrated plunder of its cultural heritage. A society once characterized by a highly capitalized, urban infrastructure, lay in ruins; “no section of its population or its economy [remained] untouched.” Among the wreckage, “most official records” had been looted or destroyed.52 The government ministries of foreign affairs, interior, planning, education, higher education, finance, and planning, their subsidiary departments and agencies, as well as the national assembly had been pillaged, ransacked, damaged, or destroyed with the evident aim of eliminating state institutions. A second UN mission to Kuwait from March 23 to 27, 1991 confirmed that there could be “no doubt that a deliberate attempt was made to extinguish Kuwait, its national identity, the pride of its people in their history and achievements.”53

The question is to what extent the destruction of Kuwait’s national archives figured into Hussein’s plans to annex the emirate as the 19th province of Iraq. Independent accounts reported the destruction of many of Kuwait’s official government records and archives. Since Iraqi occupational authorities were intent on erasing the recorded evidence of Kuwaiti citizenship, they may have been equally intent on destroying the sovereign or national archives of the top levels of the Kuwaiti emirate. Obliterating these key historical and government archives
would have been an effective means of eradicating the country’s sense of identity and recorded history to make the country’s annexation irreversible.

When considering the wider historical context of Iraq’s invasion, desecration, and annexation of Kuwait, the plausibility that Hussein destroyed Kuwait’s national archives becomes more compelling. Saddam relied heavily on historical claims in justifying his annexation of Kuwait to seize its vast oil wealth, even though his immediate motivations were driven by economic and political survival after his eight-year war with Iran. The roots of these historical claims date to early-twentieth-century British colonialism in the fixing of the territorial borders of Iraq and Saudi Arabia with Kuwait placed between them. Before then, in the nineteenth century, Kuwait was within the Ottoman sphere, albeit largely as an autonomous entity. In 1875, it became part of the autonomous Ottoman province of Basra in southern Iraq, the basis for Hussein’s historical claim to Kuwait. The Sabah clan of rulers began gravitating toward the British sphere of influence at the turn of the twentieth century. In 1913, Britain and Turkey signed an agreement that recognized Kuwait as an autonomous region within the Ottoman realm but acknowledged British interests by assigning the islands of Warba and Bubiyan to Kuwait rather than to Iraq. By 1914, Kuwait broke from the Ottoman realm while receiving assurances of independent statehood under British protection.54

With the collapse of the Ottoman Empire after World War I, the British established dominion over the region. In 1922, Sir Percy Cox, the British High Commissioner, began drawing the territorial boundaries of Iraq, Kuwait, and what is now the territorial core of Saudi Arabia. The 1923 setting of the Iraq-Kuwait boundary was badly handled, with British officials losing track of precisely where and on what basis the Kuwaiti Political Agent had drawn the border.55 Along with the problems of clearly demarcating the Iraq-Kuwait border, the newly drawn map gave Iraq a narrow coastline and scarce access to the gulf waters, almost completely blocked by the adjoining Kuwaiti islands of Warba and Bubiyan.56 The drawing of the map also gave rise to a later dispute over the massive Rumaila oil field; since the border was never properly drawn, there was no telling whether it was completely in Iraq, or whether a small part of it was in Kuwait, as the Kuwaitis claimed.57 Saddam later claimed that Kuwait was stealing more than its fair share of the Rumaila oil field.

Following the end of the British mandate and the establishment of Iraqi independence in 1932, Iraq opposed resolving the border dispute with Kuwait unless it received control of the Warba and Bubiyan islands, which would provide greater access to the gulf. Kuwait refused to grant these concessions, and by the late 1930s Iraq officially called for the absorption of Kuwait, claiming that Kuwait had once been part of the Ottoman province of Basra—the same claim used by Hussein decades later in the first Gulf War. In 1961, after British rule in Iraq came to an end, General Abd alKarim Qasim made the first, albeit failed, attempt at annexing Kuwait. In 1963, Qasim was overthrown by a military coup, led by Lt. General Abd al-Salam Arif.58
As Iraq’s new self-proclaimed president, Arif recognized Kuwaiti independence and sovereignty in exchange for billions of dollars in interest-free loans, but the agreement was signed by his prime minister. The agreement failed to resolve the border dispute and “continued to poison relations between the two countries.”

Saddam would later claim this agreement invalid since it was not ratified by Iraq’s National Revolutionary Council. When Hussein assumed power in 1968 in another coup, periodic hostilities between the two countries erupted again. The outbreak of the Iran-Iraq war caused a radical change in relations as Kuwait, together with other Arab Gulf States, sustained Hussein through his eight-year Iranian war with tens of billions dollars in loans out of fear of Ayatollah Khomeini’s Iran.

But this alliance was temporary. Saddled with tens of billions of dollars in debt, Saddam turned on Kuwait, accusing the small emirate of stealing Iraqi oil and destroying Iraq’s economy by overproducing oil, thus driving down prices and crippling Iraq’s ability to reconstruct its economy. Under threat of invasion, Saddam demanded the return of stolen oil, the unilateral cut in oil production, and the forgiving of all war debts. Shortly following the invasion, on August 8, 1990, Iraq dismissed its short-lived transitional government of Kuwait and declared the emirate to be Iraq’s 19th province, with the border area with Iraq incorporated as an extension of the province of Basra.

Thus, for more than 50 years, an aggrieved Iraq made claims to Kuwaiti territory with remarkable consistency. The explosive legacy of these grievances over borders, the barrier islands, the Rumaila oil field, and a coastal outlet gave Saddam convenient justification to claim he was righting the wrongs of Western colonialism and rightfully reclaiming Kuwait as Iraq’s 19th province. If Saddam destroyed Kuwait’s national archives chronicling its emergence as an autonomous nation state, he may have subscribed to the Orwellian dictum: “He who controls the past controls the future. He who controls the present controls the past.”

Milan Kundera, in The Book of Laughter and Forgetting, wrote, “You begin to liquidate a people by taking away its memory. You destroy its books, its culture, its history. And then others write books for it, give another culture to it, invent another history for it. Then the people slowly begin to forget what it is and what it was. The world at large forgets it still faster.” Indeed, it is entirely plausible, if not probable, that Saddam destroyed the archives to wipe out Kuwait’s national identity and claim it as a lost Iraqi province as justification for his invasion to seize its vast financial and economic assets. This act of destruction would corroborate the observation of the March 1991 UN mission to Kuwait, which concluded there was “no doubt that a deliberate attempt was made to extinguish Kuwait, its national identity, the pride of its people in their history and achievements.”

Another factor adds plausibility to the conjecture of the archives’ purposeful destruction. In Operation Desert Storm, with the decimation of Iraqi forces by aerial bombing and the specter of an Allied ground invasion, Saddam ordered his forces to retreat. As his forces fell back, he directed the wholesale plunder and destruction of what was left of Kuwait—his final act of vengeance, or “kiss of death,”
to the emirate.64 “If he could not have Kuwait’s wealth, nobody else would.”65 Iraqi forces carried out a systematic campaign of murder and mayhem aimed at leaving a poisoned and crippled land to the ruling al-Sabah family. Iraq’s retreating forces cut electrical transmission lines, destroyed public records, and demolished or vandalized beyond repair buildings, power stations, oil refineries, communications facilities, and water desalination plants. They set ablaze hundreds of Kuwaiti oil wells; others were sabotaged, contaminating the desert with lakes and rivers of oil streaming toward the sea.66 With these mass acts of sabotage and destruction, Saddam also may have obliterated Kuwait’s national archives as part of his final act of vengeance.

LESSONS

Whether the Kuwaiti emirate’s archives remain buried in the millions of Iraqi documents seized by US forces in the 2003 war, or were destroyed by Iraqi forces in the 1991 hostilities or by other means, this case illustrates the common fate of the written record in times of war, rebellion, and upheaval. The history, memory, and past of a people are embodied not only in their buildings and monuments but also, and more so, in their archives. Beyond this, a nation’s archives comprise part of the world’s collective memory and heritage irrespective of origin.

The destruction of archives or written culture is nothing new in the annals of warfare. The Mongol destruction of Baghdad in 1258 obliterated medieval Islam’s greatest center of learning; its libraries, notably the House of Wisdom founded by the Caliph Harun al-Rashid in the eighth century, held an unrivaled collection of ancient books and manuscripts in the Islamic world. As the center of Islamic civilization, Baghdad preserved the most preeminent texts of the ancient civilizations of Greece, India, Persia, and Egypt, until its destruction by the army of Halagu.67 The sack of Baghdad and its libraries signified a major event in world history, marking the death of the classic Islamic period, which had kept learning, art, and culture alive for 600 years, while Europe remained in darkness.68 Muslim invaders in 1193 destroyed another extraordinary center of learning—the monastic Buddhist university of Nalanda and its vast and widely renowned library of ancient manuscripts and texts. Founded in fifth-century India, Nalanda in its heyday attracted thousands of students and scholars from as far away as Korea, Japan, China, Tibet, Persia, and Turkey.69 The history and language of the ancient Mayan civilization also perished with the mass burning of Mayan hieroglyphic codices and icons in the sixteenth century. Franciscan Priest Diego de Landa ordered the destruction with the aim of converting the Mayan to Catholicism and purging them of the evils of their pagan rituals, including human sacrifice.70

In the modern era, the scale of targeted destruction of archives and written texts with the aim of obliterating a people’s culture and history also has been catastrophic. Saddam’s pillage and eradication of Kuwait’s universities, public archives, manuscripts, libraries, and political and cultural institutions indicated that the
international treaties and protocols adopted to protect world heritage failed to curtail war crimes against written culture.\textsuperscript{71} If nothing else, the desecration of Kuwait revealed the unavailing futility of these treaties when confronting the extremes of fervent nationalism or ideological and religious fanaticism, or other motives in armed conflicts. In World War I, the 1907 Hague Convention failed to curb the damage and destruction of French and Belgium churches, cathedrals, museums, libraries, and historic sections of villages and towns. German forces plundered cultural treasures and both sides intentionally attacked culturally protected sites. The provisions of the 1907 Hague Convention governing the protection of cultural property failed to restrain the far greater cultural crimes of World War II. The indiscriminate destruction and plunder by German forces and the abandonment of the principles of military necessity by both Axis and Allied powers led to the annihilation of thousands of cultural sites in Europe. Animated by National Socialism and fanatical nationalism, Nazi Germany planned the destruction of Paris, obliterated Jewish monuments and destroyed and pillaged their archives and libraries, while despoiling the cultural heritage of continental Europe for the glory of the Third Reich. For their part, the Allies firebombed German cities, wreaking vast destruction on major population centers.

The devastation of World War II propelled the adoption of a series of treaties and protocols aimed specifically at safeguarding cultural property in wartime. These emanated primarily from the Nuremberg trials, which represented a landmark development in international law by defining acts of wartime plunder and wanton destruction or desecration of cultural heritage as a war crime. The indictments handed down by the Nuremberg Tribunal aptly describe some of the war crimes of Hussein in occupied Kuwait nearly fifty years later. In “further development of their plan of criminal exploitation,” the charges read, “they [Nazi Germany] destroyed industrial cities, cultural monuments, scientific institutions, and property of all types in the occupied territories.” Under the Nuremberg indictments, these acts “were contrary to international conventions, particularly Articles 46 to 56 inclusive of the Hague Regulations, 1907, the laws and customs of war, the general principles of criminal law as derived from the criminal laws of all civilized nations, the internal penal laws of the countries in which such crimes were committed and to Article 6(b) of the Charter.”\textsuperscript{72}

The Nuremberg trials inspired the adoption of subsequent wartime conventions and protocols in defining the wanton destruction, desecration, or appropriation of cultural property—not justified by military necessity—as a crime against humanity. The Fourth Geneva Convention of 1949, the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, the First Protocol to the 1954 Hague Convention, and the 1977 Additional Geneva Protocols I and II were adopted by the international community to bolster the protections of cultural heritage during armed hostilities.

Even so, like other signatory nations before it, Iraq scarcely heeded these agreements when pillaging and destroying the historical and cultural heritage of
occupied Kuwait. Iraq perverted the terms of the 1954 Hague Convention to justify the looting of thousands of cultural artifacts, special library collections, and the emirate’s archives, later invoking its responsibility under Article 4 in removing cultural property to protect it from possible destruction. But as indicated previously, Saddam’s Iraq may have considered Kuwait’s archives in a different class altogether, warranting destruction with the aim of erasing the emirate’s historical claim as a sovereign state and clearing the way for its annexation.

But although Iraq defied the cultural heritage provisions of the laws of war when invading and occupying Kuwait, the US-led coalition arrayed against Saddam opted to respect the international norms embedded in the 1954 Hague Convention, the First Hague Protocol, and Additional Geneva Protocol I. The United States and coalition forces avoided as much as possible the bombing of Iraqi cultural sites and compelled Iraq under UN supervision to return much of Kuwait’s looted cultural property following the 1991 war. Albeit these treaties failed to restrain Iraq’s war crimes against cultural heritage, they nevertheless served as the basis for imposing accountability on Hussein’s regime—mandating the location and return of missing cultural property, including the archives, as well as compelling billions in compensatory restitution for the destruction wreaked upon Kuwait’s economy and infrastructure. The persistent emphasis on recovering Kuwait’s national archives after the 1991 war under UN auspices also implicitly acknowledged both the perniciousness of plundering or destroying a nation’s history and the critical importance, if possible, of rescuing it to restore a people’s memory and past.

Nevertheless, the sanctions imposed on Iraq for defying its obligations did nothing to restrain the next paroxysm of cultural annihilation of archives, libraries, museums, and other sites in the Balkan wars of the 1990s. Knowing perhaps that the cultural identity of a people represents its survival in the future, the Balkan wars witnessed the targeted destruction of archives, libraries, historic sites, religious places of worship, museums, monuments, graveyards, and any symbol representing the historical and cultural patrimony of the adversary. The destruction of the Institute for Oriental Studies in Sarajevo, for example, resulted in the loss of its priceless collection of Arabic, Turkish, Persian, and Bosnian encyclopedias, as well as works of Islamic philosophy and Ottoman poets. Its archives contained more than 200,000 manuscripts, including the edicts of sixteenth-century sultans and land deeds for all Bosnia-Herzegovina, many of them works of art. Sarajevo’s Vijecnica, the nineteenth-century town hall that later became the National Library of Bosnia and Herzegovina with its hundreds of thousands of volumes of rare books, manuscripts, and precious documents, also perished in the war, deliberately targeted and destroyed by incendiary rockets.

The destruction of cultural heritage in the many conflicts at the end of the 1980s and the beginning of the 1990s—notably the invasion of Kuwait and the Balkan wars—induced the adoption of the Second Protocol to the 1954 Hague Convention
in 1999. The Second Protocol aims to provide enhanced protection to cultural property in armed conflicts by creating a new category of improved protection for cultural heritage, implementing legal protection at the national level, and specifying the sanctions to be imposed for serious violations. It also defines conditions under which individual criminal responsibility shall apply. The Protocol defines important “collections of books and archives” or buildings whose primary purpose is to preserve “large libraries and depositories of archives” as protected cultural heritage irrespective of origin or ownership. The UN Security Council’s creation of the International Criminal Tribunal for the Former Yugoslavia (ICTY) to prosecute war crimes and crimes against humanity also served to strengthen global norms aimed at protecting cultural property during armed hostilities—especially relating to non-international conflicts.

Despite these enhanced protections and norms regarding written culture, and cultural heritage in general, attacks on history continue unabated with similar purpose during armed hostilities—to eradicate a people’s written heritage, identity, and cultural expression. Saddam’s war aims to conquer Kuwait and obliterate its history differed little from the devastation wrecked by many invading armies of the past. Although the motivations behind the more recent attacks on written culture in the Middle East differ from Saddam’s in being mostly animated by religious extremism, the results are the same. The recent effort to torch tens of thousands of ancient manuscripts of Timbaktu’s Ahmed Baba Institute by al Qaeda militants in the Islamic Maghreb, the attempted burning of Tripoli’s largest library by Salafists, and the targeting of other archives, manuscripts, libraries, cultural artifacts, and historic sites across the region in Syria, Iraq, Afghanistan, and elsewhere by warring hardline Islamists recall a wider tradition of purging idol worship and superstition found in Islam, Christianity, and Judaism.

**CONCLUSION**

With the failure of UN efforts to solve the cold case surrounding Kuwait’s missing national archives, the United States should consider providing direct assistance. It is possible that US forces swept up the archives along with millions of documents that were captured from Saddam’s government ministries and other sites in the 2003 war and occupation. The Pentagon should search for the archives or clues regarding its destruction among the captured Iraqi documents at the media processing facility in Qatar—a search that only the Pentagon can perform. At the same time, the strong possibility should be acknowledged that Hussein destroyed the archives, or the most significant historical documents, with the wider aim of extinguishing Kuwait’s national and historical existence, annexing the emirate, and seizing its vast financial and economic wealth. There also are other scenarios under which the archives could have perished in the more than twenty years of internal rebellion, upheaval, and war. If the archives cannot be found among the captured
Iraqi documents in American hands, the likelihood that Saddam destroyed the materials seems more probable, albeit not definitive. In the end, the fate of Kuwait’s missing archives may have to be left to conjecture.

Beyond the specifics of this case, Saddam’s desecration of Kuwait largely indicates the failure of humanitarian law in restraining cultural war crimes in armed hostilities. If nothing else, Saddam’s probable eradication of Kuwait’s archives and other expressions of customs and traditions should be seen through the wider lens of the history of destroying written culture. Even though humanitarian law has achieved little progress in curbing the destruction of the world’s archival heritage when confronted with extremist states and movements, the international norms aimed at safeguarding cultural treasures seem to have achieved some success in holding rogue states and perpetrators accountable. It nevertheless seems certain that the archives of nations as well as collections of ancient and modern texts, manuscripts, libraries, and digital repositories will continue to be targets of annihilation by opposing armies and extremist movements; the loss of history will likely continue to be severe. Perhaps the only hope is persistence in strengthening international norms and jurisprudence in holding perpetrators accountable for these crimes whenever possible.

ENDNOTES

2. Ibid.
9. This concern for the return of the missing archives appears in a 2007 Wikileaks cable telling the U.S. Embassy in Kuwait that Kuwait remained “focused primarily on the return of missing Kuwaiti government archives” because the “Kuwaitis are nervous that sensitive government records may still emerge in Iraq with the potential to cause embarrassment to” Kuwait. See Cox 2012a.
11. Ibid.
16. Burns, “Threats and Responses.”
of state security records; 126 boxes, Ministry of Foreign Affairs; 196 boxes, Ministry of Interior; 2 boxes, Iraq-Kuwait border; 19 boxes, Ministry of Oil; 3 boxes, Ministry of Defense; 1,099 bags, Kuwait Department of Citizenship; 103 bags, Certificates of Kuwaiti Citizenship; 251 records, Records of Issuance of Kuwaiti Citizenship; 123 documents, Kuwait Department of Museums and Antiquities; and 2,806 microfilms belonging to Ministries of Information, Foreign Affairs, National Bank of Kuwait, and the Kuwaiti Press.

18. Burns, “Threats and Responses.”
21. Ibid.
24. Ibid., 8.
25. Ibid., 9.
28. Ibid.
30. Ibid.
35. Ibid.
36. Ibid.
37. Cox 2012b.
40. Ibid.
42. Cox 2012b.
43. Ibid.
44. Ibid.
45. Email from Hassan Mneimneh, former Executive Director of IMF, to Bruce P Montgomery, 7 May 2014.
49. Ibid.
50. Ibid., 270.
51. Ibid.

60. Ibid.

64. Karsh 1996, 754.
65. Ibid., 754–55.
66. Ibid.

74. Ibid.
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