

## PalArch's Journal of Archaeology of Egypt / Egyptology

### CONFLICTS, POLITICAL INSTABILITY, AND ILLEGAL TRADE OF ANTIQUITIES IN DISTRICT DIR LOWER KHYBER PAKHTUNKHWA: AN ANALYSIS OF PUBLIC PERCEPTION

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**Nangyalay Khan, Dr. Faisal Khan, Dr. Syed Zafar Ullah Bakhshali, Bakht Ullah, Prof. Dr. Arab Naz. Conflicts, Political Instability, And Illegal Trade Of Antiquities In District Dir Lower Khyber Pakhtunkhwa: An Analysis Of Public Perception -- PalArch's Journal Of Archaeology Of Egypt/Egyptology 20(1), 1046-1057. ISSN 1567-214x**

**Keywords: Illegal Trade, Antiquities, Political Instability, Artifacts, Preservations Etc.**

#### **ABSTRACT**

Conflicts, Political Instability, and Illegal Trade of Antiquities have posed significant challenges to the protection and preservation of archaeological sites. Archaeological sites hold immense historical and cultural significance, however, during periods of conflict, political instability, unrest, and non-state armed groups' actions, the archaeological sites as well as antiquities illegal trade remain dominant. District Dir Lower, rich in cultural heritage, has been adversely affected by conflicts, leading to the destruction and damage of valuable historical landmarks and artifacts. The absence of stable governance and inadequate resource allocation for preservation worsens the problem. Additionally, this also has contributed to illegal trade of antiquities due to the region's strategic location and insufficient law enforcement during time

of conflict. This research thus explores the perception of community about the impact of conflicts on archaeological sites and the role of law in mitigating destruction, and the measures for restoration of the archeological sites during post-conflict era. It further analyzes the effectiveness of international and national legal frameworks and identifies perceptions of illegal trade and looting of the sites. The study aims to contribute to strategies that protect and restore archaeological heritage, ensuring its preservation for future generations.

## RESEARCH BACKGROUND

Archaeological sites hold immense historical and cultural significance, representing the tangible remnants of our past. However, the protection of these sites becomes particularly challenging in regions affected by conflict, where destruction and looting often occur due to various factors such as warfare, civil unrest, and the actions of non-state armed groups. Similarly, District Dir Lower, located in the Khyber Pakhtunkhwa province of Pakistan, is a region rich in cultural heritage and historical significance (Khan et al, 2014, Isa et al, 2018). However, it has also experienced a series of challenges related to conflicts, political instability, and illegal trade of antiquities (Ahmad, A., & Rehman, T. 2018). These issues have had a profound impact on the district, threatening its cultural identity and heritage. District Dir Lower has been affected by various conflicts over the years, including sectarian violence, militant activities, and clashes between different ethnic and tribal groups. These conflicts have led to the destruction and damage of cultural sites and artifacts. Historical landmarks and archaeological sites have been targeted, resulting in the loss of valuable heritage. The conflict-driven destruction has not only eroded the cultural identity of the district but has also hindered efforts to preserve and protect its antiquities (The Express Tribune, 2018, Yusoff, Khan et al, 2013). Frequent changes in government administrations and political unrest have resulted in a lack of consistent policies and inadequate allocation of resources for the preservation of antiquities. This has created an environment of neglect, where proper measures to safeguard cultural heritage are often overlooked due to competing priorities. The absence of stable governance has allowed the illegal trade of antiquities to thrive, further endangering the district's heritage (Journal of Policy Modeling, 2019, Khan, et al, 2017, Isa et al, 2019).

Furthermore, District Dir Lower has become a hotspot for the illegal trade of antiquities due to its strategic location and lack of effective law enforcement. The demand for ancient artifacts in the international black market has fueled the illicit trade, leading to the looting and smuggling of valuable antiquities. The profits generated from these illegal activities often fund criminal networks and further perpetuate the cycle of instability and destruction. The illegal trade not only robs the district of its cultural heritage but also contributes to the loss of valuable historical information. (UNESCO, 2018, Isa et al, 2020).

### *Understanding Conflict and its Impact on Archaeological Sites*

To comprehend the gravity of the issue, it is crucial to explore the nature of conflict in Lower Dir and its historical context. Lower Dir, situated in the Khyber Pakhtunkhwa province of Pakistan, has experienced significant conflict and political instability over the years, primarily due to the presence of militant groups and ongoing regional conflicts (Khan, A. A. 2016, Naz et al, 2019). Such

conflict situations often result in deliberate targeting of archaeological sites, leading to the loss of irreplaceable cultural heritage (Al Zubaidi, L., & Bénard, E. 2017, Rehman, et al, 2019). Understanding the historical background and specific conflicts in the region will provide a contextual foundation for assessing the impact on archaeological sites.

### ***The Role of Law in Protecting Archaeological Sites***

International legal frameworks play a vital role in protecting cultural heritage, even in times of conflict. The United Nations Educational, Scientific and Cultural Organization (UNESCO) and its 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, along with The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, are key instruments for safeguarding archaeological sites during conflicts (UNESCO. 1970). Additionally, national laws and regulations in Pakistan, such as the Antiquities Act and the Pakistan Environmental Protection Act, provide legal mechanisms for the protection of archaeological sites (Ali, J. (2017, Khan et al, 2020). Examining these legal frameworks and their implementation in Lower Dir will allow for a comprehensive assessment of their role in mitigating destruction and ensuring restoration.

### ***Mitigating Destruction of Archaeological Sites during Conflict***

Mitigating the destruction of archaeological sites during conflict requires a multifaceted approach. Preemptive measures, such as conducting risk assessments and comprehensive site documentation, are crucial in identifying vulnerable sites and prioritizing protection efforts (Watkinson, D., & Wilson, L. (2015)). Additionally, strategies for safeguarding sites during conflict, such as establishing protective perimeters, deploying security personnel, and employing advanced surveillance technologies, can help deter looting and vandalism (Scarre, C. (2012)). Collaborative efforts involving local communities, archaeologists, law enforcement agencies, and international organizations are also essential in devising effective protection strategies (Watkinson, D., & Wilson, L. (2015)). Assessing the effectiveness of these measures in Lower Dir will provide valuable insights into mitigating destruction during conflicts.

### ***The Study Rationale***

Conflict poses a significant threat to the preservation and integrity of archaeological sites in Lower Dir, Pakistan. The region's historical significance and cultural heritage are marred by the destructive impact of ongoing conflicts and political instability. As a result, archaeological sites are subject to deliberate targeting, looting, and vandalism, leading to irreparable damage and loss of valuable cultural heritage. The problem lies in the detrimental effects of conflict on archaeological sites and the urgent need to address this destruction. Similarly the destruction of archaeological sites not only erases valuable historical evidence but also undermines the cultural identity and heritage of the local community. Additionally, the loss of archaeological sites hampers scholarly

research, inhibits tourism potential, and restricts opportunities for socio-economic development (Shabbir, A., & Waseem, M. 2017).

The destruction of archaeological sites during conflicts in Lower Dir raises crucial questions about the effectiveness of existing measures for protection, preservation, and restoration. It necessitates an assessment of the role of law in mitigating the destruction of archaeological sites and ensuring their restoration in post-conflict scenarios. Understanding the challenges and limitations faced in implementing and enforcing legal frameworks is essential for formulating strategies that safeguard these invaluable cultural resources (Zaidi, S. A. 2016). Therefore, this research paper aims to judge the perception of community about the impact of conflict on archaeological sites in Lower Dir, assess the role of law in mitigating destruction, and explore measures for ensuring restoration in post-conflict scenarios. By analyzing the effectiveness of existing legal frameworks and identifying potential gaps, this study seeks to contribute to the development of comprehensive strategies that protect and restore archaeological sites, ensuring their preservation for future generations. By addressing the problem of conflict-induced destruction of archaeological sites in Lower Dir and evaluating the role of law in mitigating this destruction, this research aims to provide insights and recommendations that can guide policymakers, archaeologists, and local communities in protecting and restoring the cultural heritage of the region.

### ***Research Objectives:***

The main objective of this study is judge the perception of people about the impact of conflict, political instability and unrest on the archaeological sites and the role of law in mitigating the destruction of archaeological sites, ensuring the proper restoration in the context of conflict in Lower Dir, Pakistan. The research aims to achieve the following specific objectives:

1. To judge the perception of people about the impact of conflict on archaeological sites in the region i.e., perception about the extent of destruction, looting, and harming etc.
2. To assess the perception of people regarding the role of law, both at the international and national levels, in mitigating the destruction of archaeological sites during conflicts in the region.
3. To know about the perception of people about the effective measures and strategies for ensuring the restoration of damaged archaeological sites.

### **METHODS AND PROCEDURES**

This research has been conducted under the mixed method approach including both Qualitative and Quantities tools for data collection and interpretation. In the qualitative section, we have performed in-depth interviews with interview guide, observation, key informants and FGDs. The quantitative data was collected from 25 respondents including 05 archeologists, historians, anthropologists, and local educationists working with law enforcement agencies. Personal observations were also recorded during interview and visiting the sites. Along with this, services of the 02 key informant were utilized during interviews and visiting the sites. Similarly, 02 FGDs were conducted

with different community members including educationists, field workers, historians, archeologists and local people including 08-12 members in each FGD. This provides a cross checking of the information obtained during observations and interviews. All the information were recorded in personal diary, audio recording tools and other photographic mechanism with the consent of the respondents. However, in the quantitative part of the data, structured questionnaire has been used including questions and table's related to judge the perception of people about illegal trade, items, site looted, destructed as well as mismanaged during the conflicts and instability.

## DATA ANALYSIS AND INTERPRETATION OF INFORMATION

### *Demographic Information*

The field data was collected from 25 respondents consist of 23 males and 2 females. The age distribution of the respondents ranges from 30 and above including 9 respondents above the age of 50, 10 were between the ages of 40 and 50, whereas 6 were above the age of 30. This diverse demographic representation contributes to a comprehensive and inclusive exploration of the impact of conflicts on archaeological sites in the region encompassing a range of perspectives across different age groups and gender identities. Moreover, the respondents' diverse areas of expertise enrich the research findings. The study engaged with five professionals in the field of archaeology, history, anthropology, and local educationists working with law enforcement agencies, each contributing unique perspectives on the subject matter. Additionally, the insight gained from two key informants provided more valuable contextual information during interviews and site visits. The tabular data further analyses the information of the two focus group discussions (FGDs) which were conducted during the study, involving a total of approximately 16 to 24 community members in each FGD. The overall demographic data has been given in the following table including the information of the FGD as well.

**Table: 01:** Demographic Information

Demographic Information	Number of Respondents
<b>Total Respondents</b>	25
<b>Gender</b>	
Male	23
Female	2
<b>Age Group</b>	
Above 50 years	9
Between 40 and 50 years	10
Above 30 and below 40 years	6
<b>Expertise</b>	
Archaeologists	5
Historians	5
Anthropologists	5
Local Educationists (Law Enforcement)	5

Key Informants	2
Community Members in FGDs	Approximately 16-24

***Qualitative Theme-1:***

***Perceptions Regarding the Impact of Conflict About the Destruction of Archaeological Sites***

During political instability and particularly during conflicts in the region, archaeological sites have suffered extensive destruction. Ancient structures were targeted and deliberately destroyed, resulting in the loss of valuable cultural heritage as argued by people. The harrowing testimonies from the respondents paint a vivid picture of the devastating impact of conflicts on the archaeological treasures of the area. As violence raged through the region, ancient sites became battlegrounds as perceived by the respondents, with their architectural marvels reduced to rubble and their precious artifacts looted or destroyed. The ravaging effects of war on these cultural gems have severed the links between the past and the present, erasing tangible connections to the ancestors and their way of life and recorded by one of the respondents during interview and supported by the FGD.

Most of the respondents were so the view that the sites situated in the region were looted during the conflict and political instability. In this context, a respondent recorded his statement in discussion that "I have witnessed firsthand the devastating impact of conflict on archaeological sites in Lower Dir. There have been cases of looting and vandalism, where priceless artifacts have been stolen or destroyed. Respondent account adds a poignant and personal dimension to the data analysis, highlighting the gravity of the situation faced by archaeological sites in Lower Dir during conflicts. The testimony of this witness underscores the urgent need to address the rampant looting and vandalism that have befallen these invaluable cultural heritage sites (R-23)" The respondents' harrowing testimonies reveal the extensive destruction suffered by archaeological sites in the area during conflicts, with ancient structures deliberately targeted and precious artifacts looted or destroyed. The firsthand accounts emphasize the urgent need to address the devastating impact of looting and vandalism on the region's invaluable cultural heritage.

***Theme-2: Sociocultural Impact***

The information regarding sociocultural impacts was supported by the majority of the respondents. As perceived by respondents, multiple consequences were recorded from the field data. In this context, a respondent noted that "The impact of conflict on archaeological sites goes beyond physical destruction. It has significant sociocultural consequences, leading to the erasure of cultural practices and a loss of identity within the local community (R-16)". The profound insight offered by a respondent shed light on the far-reaching consequences of conflicts on archaeological sites in the area and it has been argued that the tangible physical destruction, the sociocultural ramifications run deep, leaving scars on the fabric of the local community and their cultural identity. Incorporating this perspective into the analysis further emphasizes the

urgency of addressing the impact of conflicts on these invaluable heritage sites (R-21)." The analysis of the data has also been supported by the narration obtained from an interview which states that "Communities in are locality have experienced a deep sense of loss due to the destruction of archaeological sites during conflicts and unrest (2007-08). It has affected their cultural heritage and disrupted the intergenerational transmission of knowledge. The emotional reflections of the impact of conflicts on archaeological sites during the insurgency, as recounted by Respondents, underscore the profound emotional toll and lasting consequences faced by communities in the area (R-4). The destruction of these historical sites reaches far beyond the physical, reverberating through the very core of the community's cultural heritage and knowledge transmission (R-4)". The respondents' insights and perception as well as FGD with observation brought from the key informants illuminate the extensive sociocultural consequences of conflicts on archaeological sites in the area, leading to the erasure of cultural practices and a loss of community identity. The emotional reflections on the destruction during the insurgency emphasize the profound emotional toll on the community's cultural heritage and knowledge transmission, highlighting the urgent need for preservation and understanding.

### ***Theme-3: Legal Frameworks/International Instruments***

The field data regarding legal framework and international instruments was supported by most of the respondents. They were of the opinion that during conflicts and political unrest, no such care has been taken for consideration the local, national and international legal treaties, conventions and rules. As stated by one of the respondents that "International legal frameworks, such as the UNESCO conventions, provide important guidelines for the protection of archaeological sites during conflicts. However, their effectiveness relies heavily on the commitment of member states to implement and enforce these measures (R-14)." Similarly, the views of a respondent regarding the given theme stated that "While international instruments exist, there are challenges in effectively implementing them during conflicts. Cooperation between nations and addressing issues of enforcement are essential for ensuring the protection of archaeological sites (R-12)". With special reference to national laws and its implementation, a respondent observes that "Pakistan has national laws, like the Antiquities Act, that aim to protect archaeological sites during conflicts. However, there is a need for stronger enforcement mechanisms and increased penalties for offenders to effectively deter destruction and looting (R-18)" while another respondent stated that "National legislation provides a legal basis for protecting archaeological sites, but it's important to ensure that these laws are effectively implemented and enforced at the local level to safeguard these valuable cultural resources (R-10)". The analysis of the field data obtained from personal interviews, FDGs, observations, as well key informants shows that international legal frameworks, including UNESCO conventions, offer crucial guidelines for protecting archaeological sites during conflicts, but their effectiveness hinges on the commitment of member states to implement and enforce these measures. Similarly, Pakistan's national legislation, such as the Antiquities Act, provides a legal basis for protection, but stronger enforcement

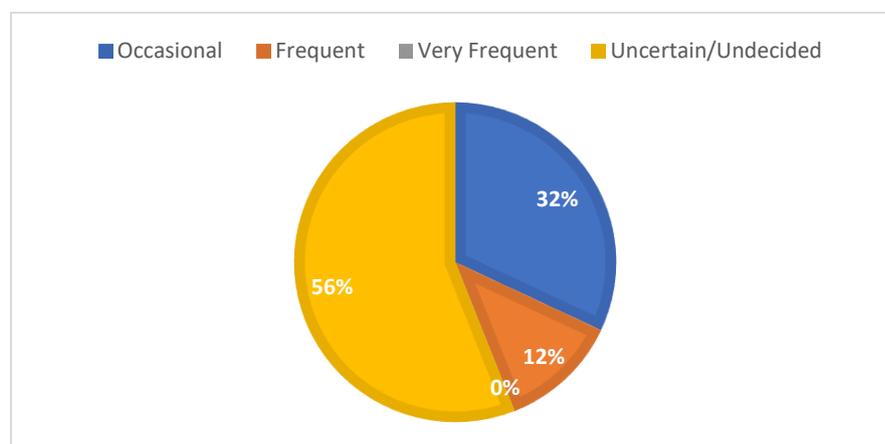
mechanisms and penalties are necessary at both international and local levels to deter destruction and safeguard these invaluable cultural resources.

***Quantitative Data Presentation***

***Illegal Trade, Looting of Archaeological Sites during Conflicts***

Based on the responses from received from 25 participants, the data indicates varying perceptions regarding the frequency of illegal trade and looting of archaeological sites during conflicts and instability in the area. Approximately 32% of the respondents reported observing occasional instances of illegal trade and looting. On the other hand, 12% of participants noted that such activities occurred frequently. Surprisingly, none of the respondents reported witnessing very frequent incidents of illegal trade and looting. However, majority, constituting 56% of the participants, expressed uncertainty about the extent of these practices. These findings highlight the diverse perspectives regarding the prevalence of illegal trade and looting, suggesting a need for further investigation and awareness to address the issue effectively. The data has been thus presented in the form of Pie Chart Below:

***Illegal Trade, Looting of Archaeological Sites during Conflicts***



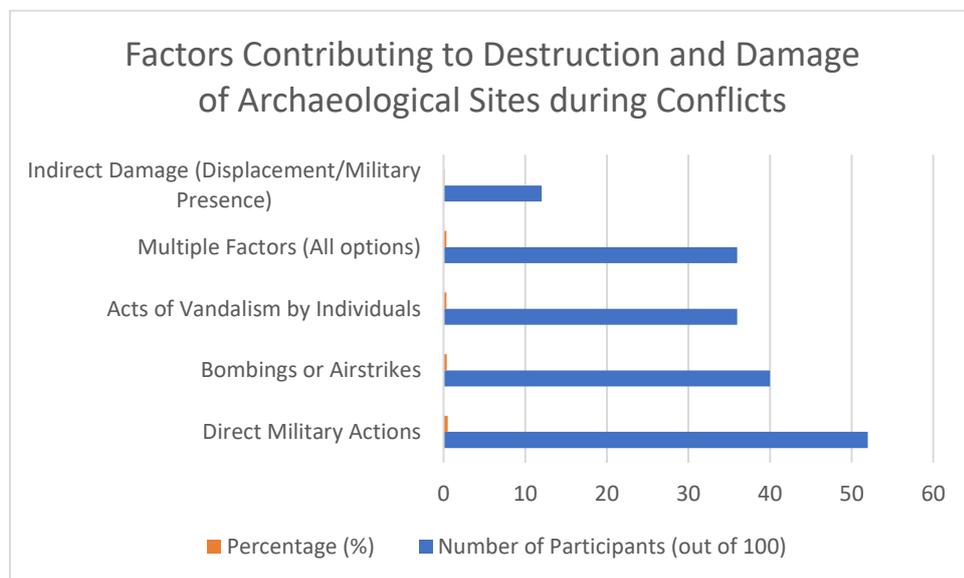
***Trading and Selling of Cultural Artifacts during Conflicts***

Regarding the methods of trading and selling cultural artifacts during conflicts and instability in Lower Dir, the data reflects distinct patterns. A significant majority, accounting for 84% of the respondents, reported that these artifacts were primarily traded or sold on the local black market. In contrast, a smaller group, comprising 16% of the participants, indicated that cultural artifacts found their way into the national black market. No respondents selected the option of the international black market as a primary means of trading or selling during this period of conflict. The dominance of the local black market suggests a concerning trend within the region, warranting further examination and action to protect the cultural heritage and prevent the illegal circulation of artifacts in the local market. The data has also been thus presented in the following bar chart.



***Causes of Destruction and Damage to Archaeological Sites during Conflicts***

The data indicates diverse factors contributing to the destruction and damage of archaeological sites during conflicts and instability in the area. A substantial 52% of respondents identified direct military actions as a primary cause of destruction. Additionally, 40% of participants attributed the damage to bombings or airstrikes during the period of conflict. Acts of vandalism by individuals were reported by 36% of respondents as another significant cause of destruction. Interestingly, 36% of the participants marked all options, indicating that multiple factors played a role in the damage to archaeological sites. Furthermore, 12% of respondents specified indirect damage due to displacement or military presence as a contributing factor. These findings underscore the complex nature of the challenges faced in preserving archaeological heritage during times of conflict, necessitating a comprehensive approach to mitigate the impact of various causal factors. The bar chart shows the analysis of the field information.



The table presents the responses of 100 participants regarding the factors contributing to the destruction and damage of archaeological sites during conflicts and instability in the area. The percentages represent the proportion of participants who attributed the destruction to each specific factor.

## **CONCLUSION**

Throughout this research paper, information was presented on the prospection of community and other relevant stakeholders on the critical issue of conflict and its impact on the protection and preservation of archaeological sites. From the onset of the conservation journey, it became evident that conflicts and periods of instability have profoundly affected the region's cultural heritage. The data gathered through interviews, questionnaires, observations and FGDs and the analysis shed light on the extent of destruction, looting, and mismanagement faced by these invaluable sites during times of turmoil. The findings revealed that archaeological sites in Lower Dir have suffered significant destruction, with ancient structures deliberately targeted and reduced to ruins. Acts of looting and vandalism have further contributed to the loss of priceless artifacts, eroding the rich cultural tapestry of the region. Mismanagement and inadequate protection during conflicts have compounded the challenges in safeguarding these historical treasures.

International and national legal frameworks were identified as vital tools in mitigating destruction and facilitating restoration. While international conventions provided guidelines for protection, effective implementation remained contingent on the commitment of member states. Additionally, national legislation required stronger enforcement mechanisms to deter further damage to archaeological sites.

Furthermore, the analysis unveiled diverse perspectives on the frequency and causes of destruction and looting during conflicts. The prevalence of the local black market as a primary avenue for trading cultural artifacts was particularly concerning, necessitating urgent attention and awareness.

In conclusion, safeguarding the archaeological heritage of Lower Dir demands an interdisciplinary approach involving collaboration between governments, local communities, archaeologists, law enforcement agencies, and international organizations. Comprehensive strategies are imperative to address the root causes of destruction, implement robust legal protections, and empower communities in preserving their cultural identity.

## **RECOMMENDATIONS:**

**Strengthen Law Enforcement:** Enhance the capacity and effectiveness of law enforcement agencies to combat illegal trade, looting, and vandalism of archaeological sites. This can be achieved through training, resources, and collaboration with international agencies.

**Implement International Conventions:** Ensure the full implementation and enforcement of international conventions such as the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, and The Hague

Convention for the Protection of Cultural Property in the Event of Armed Conflict.

**Create Protected Zones:** Establish protective perimeters around vulnerable archaeological sites during times of conflict to deter looters and vandals. Deploy security personnel to monitor and safeguard these zones.

**Conduct Risk Assessments:** Regularly conduct risk assessments of archaeological sites to identify potential threats and vulnerabilities. This will help in prioritizing protection efforts and allocating resources efficiently.

**Promote Public Awareness:** Raise awareness among local communities, tourists, and law enforcement personnel about the importance of preserving cultural heritage. Encourage a sense of ownership and responsibility among the public for safeguarding archaeological sites.

**Engage Local Communities:** Involve local communities in the protection and preservation of archaeological sites. Empower them to take an active role in managing and conserving their cultural heritage.

**Establish Conservation Plans:** Develop comprehensive conservation plans for each archaeological site, outlining strategies for protection, restoration, and sustainable management.

**Foster International Cooperation:** Promote cooperation and information sharing between Pakistan and other countries to combat the illicit trade of antiquities in the international black market.

**Secure Funding:** Allocate sufficient resources for the preservation of archaeological sites. Advocate for increased funding from government bodies, international organizations, and private donors.

**Public Awareness:** Launch public awareness campaigns about the detrimental effects of looting and illegal trade on cultural heritage. Involve media, educational institutions, and local NGOs to disseminate information about the value of archaeological sites and the legal consequences of engaging in the illicit trade of antiquities.

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