

In the Midst of a Response: Crafting Cultural Collaboration

*Investigating France's Sarr-Savoy Report and its
Repercussions on Art Repatriation Debates*

by

Elizabeth Sweeny

Submitted to the Board of Art History
School of Humanities
in partial fulfillment of the requirements
for the degree of Master of Arts

Purchase College
State University of New York

May 2020

Sponsor: Professor Sarah Warren

Second Reader: Professor Benjamin Young

In the Midst of a Response: Crafting Cultural Collaboration

Investigating France's Sarr-Savoy Report and its Repercussions on Art Repatriation Debates

ABSTRACT:

In November 2017, French President Emmanuel Macron promised, in a speech in Burkina Faso, that France would work to repatriate African cultural heritage within five years. One year later, "The Restitution of African Cultural Heritage. Toward a New Relational Ethics," known as the Sarr-Savoy Report, was published, providing criteria and guidelines to enable such restitutions.

Analyzing France's Sarr-Savoy Report and Macron's speech, this essay investigates the shifting trend towards increased action in resolving art restitution debates and assuring the repatriation of illegally and unethically removed works of art. The paper examines the violence involved in acquisitions such as the British Punitive Expedition of 1897, and studies three recent repatriation disputes involving African art: The University of Cambridge's removal from display of a metal cockerel sculpture taken during the British Punitive Expedition of 1897, The Boston Museum's decision to keep certain works of African art and repatriate others, and The Metropolitan Museum of Art's restitution of the *Coffin of Nedjemankh*. These instances are set in contrast to the British Museum's refusal to permanently return Greece's Parthenon Marbles to Athens. Evaluating these critical past decisions as well as the Sarr-Savoy Report's potential future implications for widespread government regulation and law revision, the paper delves into the following topics: who owns cultural heritage and whether it is inherently local or global, whether repatriations should be permanent or temporary, how law and morality factor into such decisions, and how works' changing contexts impact public perception. It also interrogates museums' roles and stakes in resolving cultural heritage disputes.

TABLE OF CONTENTS

Introduction	1
Chapter One:	
Macron’s Speech, The Sarr-Savoy Report & France’s Call to Action.....	5
Chapter Two:	
Examples of Selective Repatriation in Other Countries.....	18
Chapter Three:	
A Refusal to Repatriate: Britain vs. Greece in the Debate over the Parthenon Marbles.....	34
Chapter Four:	
Interrogating the Role of Museums.....	40
Chapter Five:	
Local vs. Global Heritage & Other Polarities of Restitution Disputes.....	52
Conclusion	63
Bibliography	65

INTRODUCTION:

From the Parthenon Marbles to the Benin Bronzes, artifacts have found their way out of the cultures that produced them, the countries in which they once lived, and exist now in Western encyclopedic or ethnographic museums. Art theft and looting has occurred for centuries.

Compounding that, the colonial era exacerbated the issue, resulting in even more works being forcibly removed from their communities of origin without those countries' consents.

Questions of legality and morality plague the removal of many such works, calling into question their fate, and resulting in heated debates. The Parthenon Marbles were removed by the British while Greece was under Ottoman Control, and the Benin Bronzes were removed following a violent invasion. Should artifacts removed unethically or illegally remain in Western Museums or should they be repatriated to their countries of origin?

Supporters of repatriation may cite the horrific conditions in which works were removed from their communities of origin, frequently via force, violence, colonial presence, looting, or theft, making a moral, or sometimes legal, plea that artifacts should be returned home. On the other hand, repatriation opponents might either defend works' removal as legal or propose focusing on the public benefit museums offer by publically displaying works instead of the detriment caused by the works' removal.

Scholarly research surrounding debates between supporters and opponents of restitution have occurred for decades—the focus of scholars such as John Henry Merryman, James Cuno, and Barbara T. Hoffman. John Henry Merryman, renowned art repatriation scholar, has summarized: “The nations of origin, supported by UNESCO, want these cultural treasures returned, while the museums unsurprisingly prefer to keep them. Public interest in the outcome

runs high.”¹ Merryman deemed Britain’s possession of Greece’s Parthenon Marbles to be opportunistic, but has defended it as legal. While he argued against repatriation of the Marbles on this basis, he recognized that “even though it may have been legal, aggressive art acquisition has long been deplored.”² Merryman identified the British Punitive Expedition as an example of “colonialist aggression linked with the plunder of art objects.”³

Art historian James Cuno also argues against art repatriation, expressing concerns that it might negatively impact universal museums.⁴ He has written a number of articles, including, “Culture War: The Case Against Repatriating Museum Artifacts” (2014).

Lawyer Barbara T. Hoffman explores the complexities of both sides of repatriation debates in the anthology she edited, *Art and Cultural Heritage: Law, Policy and Practice*. She explains: “the problem of looted ‘cultural goods’ that were plundered in wartime through acts of violence, confiscation, or apparently legal transaction, unfortunately remains part of human history even at the beginning of the twenty-first- century.”⁵

Cultural heritage controversies have garnered global attention—not only in news outlets and amongst art history scholars, but in mass media, and popular cinema—with Marvel’s 2018 box office hit, *Black Panther*, being one of the most notable examples of popular film addressing the issue. The now-famous scene shows an interaction between a curator in a European museum and the movie’s villain while they examine works of African Art. The curator remarks, “These

¹ John Henry Merryman, *Imperialism, Art and Restitution* (New York: Cambridge University Press, 2006), back cover copy.

² Merryman, *Imperialism, Art and Restitution*, 11.

³ Merryman, *Imperialism, Art and Restitution*, 6.

⁴ James Cuno, “Culture War: The Case Against Repatriating Museum Artifacts,” *Foreign Affairs*, vol. 93, no. 6 (Nov/Dec 2014), p. 119-124, 126-129; James Cuno, “The Responsibility to Protect the World’s Cultural Heritage,” *Brown Journal of World Affairs*, vol. 23, no. 1 (Fall/Winter 2016), p. 97-109.

⁵ Barbara T. Hoffman, ed, *Art and Cultural Heritage: Law, Policy and Practice* (Cambridge & New York: Cambridge University Press, 2006), 3.

items aren't for sale." The movie's villain responds, "How do you think your ancestors got these? Do you think they paid a fair price, or did they take it, like they took everything else?"

Although verbal debate and scholarly discussion have surrounded art repatriation, governments and institutions have just recently heightened their involvement in such controversies—opting to increasingly return some artifacts obtained under questionable circumstances, and enacting new regulations accordingly. Whatever the motivations may be—political, legal, moral or other—there is a noticeable changing trend in the world of art restitution. Conversation has turned into action, and now, more than ever, works of art and artifacts—representations and reminders of national cultural heritage—are returning home. France is a pioneer in this movement.

In November 2017, French President Emmanuel Macron made a speech in which he called for reform, tasking his country of France with repatriating African cultural heritage within five years.⁶ He then followed up his speech with an unprecedented directive; appointing Bénédicte Savoy and Felwine Sarr to write the report, "The Restitution of African Cultural Heritage. Toward a New Relational Ethics," commonly referred to as the Sarr-Savoy Report. The report, published in 2018, provides a history of looting, colonialism, and restitution efforts, and suggests conditions to be met in order for France to return sub-Saharan artifacts to Africa.⁷

⁶ Clara Cassan, "The Sarr-Savoy Report & Restituting Colonial Artifacts," *Center for Art Law*, 31 January 2019, <https://itsartlaw.org/2019/01/31/the-sarr-savoy-report/>.

⁷ Felwine Sarr and Bénédicte Savoy, "The Restitution of African Cultural Heritage. Toward a New Relational Ethics," Assisted by Isabelle Maréchal and Vincent Négri, Translated by Drew S. Burk, November 2018; Robin Scher, "Better Safe Than Sorry: American Museums Take Measures Mindful of Repatriation of African Art," *ArtNews*, vol. 118, no. 2 (Summer 2019), <http://www.artnews.com/2019/06/11/african-art-repatriation-american-museums/>, 4; Geraldine Kendal Adams, "Macron Report Advocates Permanent Return of Colonial-Era African Objects," *Museums Association*, 28 November 2018, <https://www.museumsassociation.org/museums-journal/news/28112018-macron-report-repatriation>.

It marks one of the first instances of Presidents getting involved in widespread legislation, attempting to alter national law for the sake of art repatriation.

As we will see, a few other museums have begun engaging in selective art repatriation, and some governments attempting to track down looted artifacts—however usually on a case by case basis. The Sarr-Savoy Report not only provides guidelines for museum restitutions, but also purports that Parliament should change French law to accommodate such repatriations on a permanent basis. It proposes French museums and African countries foster new collaborations and partnerships in seeking solutions for repatriation debates. This collaboration—if practiced on an international and widespread basis—just might be the key to attaining solutions acceptable to both parties of a wide range of cultural heritage disputes. Such diplomatic approaches are encouraging, particularly contrasted to the often-violent situations in which so many artifacts were originally removed from their countries of origin. The Sarr-Savoy Report will have long-lasting implications for the world—artistically, politically, and culturally.

This paper will examine France's countrywide call to repatriate works of art that were stolen, looted, or taken by colonial force and its unparalleled efforts to renovate federal law in order to return cultural heritage. The essay will analyze the Sarr-Savoy report, examine examples of museums in other countries engaging in selective art repatriation, and set them against the backdrop of museums who refuse to repatriate cultural heritage. Using a combination of existing theory and current news, the paper will investigate the often conflicting interests of universal or ethnographic museums and countries requesting repatriation of their cultural heritage, and reveal a series of dualities brought to light by such contrasts such as ethics versus law, temporary loans versus permanent repatriations, and national versus international cultural heritage.

CHAPTER ONE.

MACRON'S SPEECH, THE SARR-SAVOY REPORT & FRANCE'S CALL TO ACTION

Macron's November 2017 Speech at the University of Ouagadougou:

French President Emmanuel Macron's now famous speech occurred on November 28, 2017 at the University of Ouagadougou in Burkina Faso.⁸ In his almost two hour-long speech, Macron identified cultural heritage repatriation to be one of his "top priorities" and insisted that it is "unacceptable" for so much African heritage to exist in France instead of Africa.⁹ Macron acknowledged France and Africa's tumultuous past and expresses hope for a "shared future" and "friendship."¹⁰ He promised that within the next five years following his speech, he wanted to establish new conditions so that France can "either temporarily or permanently send African heritage to Africa."¹¹

This call to action is revolutionary. Macron wants French museums to repatriate African cultural heritage; however he faces a major legal barrier. Current French law prohibits state-owned museums from permanently de-accessioning works from their collections.¹² This would make permanent restitution near impossible. By calling for temporary restitution, Macron offers museums a legal, but not necessarily effective, approach. By teasing the idea of permanent restitution, he is diverging with current French law. Macron's promise is the first of its kind amongst world leaders speaking on cultural heritage repatriation, and it hints at the tension between law and ethics in repatriation debates. "President Macron has promised to see to

⁸ Emmanuel Macron, Speech at the University of Ouagadougou in Burkina Faso, 28 November 2017, Video (1:41:38) in News Wires, "Macron: 'I am of a Generation that Doesn't Tell Africans What to Do,'" *France 24*, 28 November 2017, Modified 30 November 2017, Accessed 27 April 2020, <https://www.france24.com/en/20171128-france-macron-burkina-faso-tour-africa>; Adams, "Macron Report Advocates Permanent Return."

⁹ Macron, Speech at the University of Ouagadougou, 1:21:50 – 1:24:30.

¹⁰ Macron, Speech at the University of Ouagadougou, 4:50 – 5:00.

¹¹ Macron, Speech at the University of Ouagadougou, 1:22:40 – 1:22:55.

¹² Adams, "Macron Report Advocates Permanent Return."

changing the legislation that has long considered such works the inalienable property of the French republic... Things are beginning to ‘shake’ just a bit and in unexpected ways.”¹³

The Sarr-Savoy Report’s Path to Permanent Repatriation:

Macron’s speech was just the first spark of France’s restitution initiative. Less than a year after his speech, in March 2018, Macron tasked Bénédicte Savoy and Felwine Sarr with drafting a cultural heritage repatriation plan by 2019.¹⁴ “The Restitution of African Cultural Heritage. Toward a New Relational Ethics,” commonly called the Sarr-Savoy Report, was published in November 2018.¹⁵ This 252 page long report contains a document of eighty-nine pages, plus annexes, figures, and inventories. The main document consists of four major sections as follows: Long Duration of Losses, To Restitute, Restitutions and Collections, and Accompanying the Returns.¹⁶ Drew S. Burk translated the report into English.

While Macron remained ambiguous, in his speech, as to whether France will ensure permanent restitution or rely instead on temporary loans, the Sarr-Savoy Report guarantees that returns will be permanent. “The present report explores and defends the path toward permanent restitution.”¹⁷ It defines temporary restitutions as a “transitory solution” that allows museums to begin returning artifacts now with the intention they ultimately remain permanent. Those returns would officially be referenced as temporary only until Parliament changes French law to allow

¹³ Allan F. Roberts, “Is Repatriation Inevitable?” *African Arts*, vol. 52, no. 1 (Spring 2019), 1.

¹⁴ Roberts, 1.

¹⁵ Sarr and Savoy, 4; Brigit Katz, “French Report Recommends the Full Restitution of Looted African Artworks,” *Smithsonian Magazine*, 21 November 2018, <https://www.smithsonianmag.com/smart-news/french-report-recommends-full-restitution-looted-african-artworks-180970872/>; Adams, “Macron Report Advocates Permanent Return;” Cassan, “The Sarr-Savoy Report.”

¹⁶ Sarr and Savoy, Table of Contents.

¹⁷ Sarr and Savoy 29.

for the “definitive return, without any other stipulations or conditions.”¹⁸ The Sarr-Savoy Report calls for new legislation to allow restitutions to be “irrevocable.”¹⁹ With the president of France calling for actions not yet in accordance with current law, and with the Sarr-Savoy Report requesting such law be amended, Parliament has a decision to make.

Aligning Law with Morality—The Moral Responsibility To Restitute:

Arguments for or against the repatriation of artifacts usually rely on either moral or legal arguments; typically opponents defend works’ removals from home countries as legal, while repatriation supporters deem the removals unethical and often savage.

Both President Macron and the Sarr-Savoy Report have asserted the authority of ethics over the law. Months before his 2017 speech at Burkina Faso’s University of Ouagadougou, President Macron visited Algiers and designated colonization to be “barbarism” and a “crime against humanity”²⁰ In so doing, Macron is suggesting a type of crime of immorality.

The Sarr-Savoy report appeals to people’s moral compasses. The writers interrogate the meaning of the term ‘restitution,’ arguing that to retribute is to “return an item to its legitimate owner.” The action requires a type of “moral responsibility.”²¹ Implicit in the term, the authors argue, is the idea that the current owners are able to ‘appropriate’ and ‘enjoy’ the works only because they were taken as the result of a “morally reprehensible act” in the first place.²²

Not only does the Sarr-Savoy Report defend the moral responsibility to retribute, but it also proposes that morals supersede the law. The Sarr-Savoy Report generally advocates for spoils of war to be repatriated. The report acknowledges that “military trophies” had “special

¹⁸ Sarr and Savoy 29.

¹⁹ Sarr and Savoy, 63.

²⁰ Sarr and Savoy, 1.

²¹ Sarr and Savoy 28.

²² Sarr and Savoy 29.

legal status” before the Hague Convention of 1899, but maintains that the spoils of war should be returned “despite the special legal status” they possessed before the Hague Convention. In other words, the report drafters are suggesting that this specific type of artwork should be returned due to moral principle and despite the law. The report is government regulation in the form of a moral appeal, but also symbolizes President’s Macron’s hope for changing French law.

Everlasting Impacts of Colonialism:

The report focuses on artifacts that were removed from sub-Saharan Africa during and surrounding the French colonial era, which began in 1885 after European forces divided up the African continent following the Berlin Conference, and ended in 1960.²³ Identifying colonialism as “one of Europe’s greatest challenges for the 21st century,”²⁴ Sarr and Savoy address the loss and detriment it caused, suggesting that looted nonwestern objects residing within Western museums represent the bi-fold effects of colonization: 1) the actual removal of the works, and 2) the subsequent control over the public narrative.²⁵ They tackle topics such as the long history of looting and pillaging, systems of procuring spoils of war, and the processes by which works taken under such circumstances ultimately found their way into Western museums.²⁶

Colonialism and invasion caused Africa to lose much of its cultural heritage, and Western museums to benefit, enormously expanding their collections. A number of works were removed from Africa in cases of war or armed conflict. Sarr and Savoy identify three specific “violent, painful, or tragic events” resulting in the removal of cultural heritage from their countries of origin: the ‘sacking of Benin City,’ (whose artwork is at the heart of many repatriation debates)

²³ Sarr and Savoy 47-50.

²⁴ Sarr and Savoy, 2.

²⁵ Sarr and Savoy, 38.

²⁶ Sarr and Savoy, 7-11.

the ‘end of the Abomey Kingdom,’ and the ‘battle of Adwa in Ethiopia.’²⁷ “Once the cultural spoils had made their way to Europe, the most spectacular of the objects were directly integrated into the national collections,” sold, or kept by military members.²⁸

According to the Sarr-Savoy Report, over 90% of sub-Saharan Africa’s physical cultural heritage remains in countries outside the African continent²⁹—largely a result of colonialism. At least 90,000 sub-Saharan works live in France’s public institutions—70,000 of them in the Musée du quai Branly-Jacques Chirac (herein referenced as the Quai Branly). The Quai Branly assisted Sarr and Savoy, complying with requests for the museum to put together an inventory of its works.³⁰ Museums in other countries also possess large numbers of sub-Saharan African artworks. Sarr and Savoy mention that Belgium’s Musée royal de l’Afrique Central has 180,000 and the British Museum—which is already under fire for refusing to permanently repatriate the Parthenon Marbles to Greece—possesses 69,000.³¹ The huge numbers of sub-Saharan African artworks living in France and other Western countries, largely the result of colonialism and invasion, has led to many calls for cultural heritage repatriation.

Dual Histories:

The Sarr-Savoy Report, while calling for repatriation, remains sensitive to artifacts’ complex histories and museums’ contributions to the artifacts’ wellbeing. Sarr and Savoy present one of the major conundrums of repatriation debates: Many artifacts currently reside in Western museums as a result of past immoral and perhaps illegal wrongs; however, these very Western museums have since nurtured and protected the objects.

²⁷ Sarr and Savoy, 31.

²⁸ Sarr and Savoy, 11.

²⁹ Sarr and Savoy, 3.

³⁰ Sarr and Savoy, 44.

³¹ Sarr and Savoy, 15.

Museums contribute to the preservation, maintenance, and safety of works of art within their care, providing public accessibility and education. According to the Sarr-Savoy report, “By interacting with [these objects], new generations create new things, actualize new ideas and shepherd new forms into the world that until then had not existed.”³² The artifacts in question are entwined amidst multiple cultures—created by and initially cared for by their African countries of origin, and maintained, preserved, and displayed since in museums outside of Africa. In addition to recognizing museums’ contributions to artworks, it is important to note that museums are sometimes removed from the original wrongdoing, purchasing works of art they believe to have been legally exported, only to later discover that the works were victims of illegal trafficking.

President Macron also recognized Western museums’ contributions, in his speech at the University of Ouagadougou, crediting European curators with saving the artifacts in question. Macron went so far as to suggest that in certain instances, African curators might have smuggled the works and European curators saved them³³—a controversial speculation on Macron’s part. Regardless of which parties are responsible for artifacts’ removal from Africa (and this likely differs from case to case), it is clear that museums’ care has benefitted artifacts. Nonetheless, museums are now tasked with the responsibility of evaluating repatriation decisions.

This dual nature ties in with the discussion of global versus local cultural heritage and also makes it difficult to enact cure-all, universal rules and regulations determining which works of art should be returned and which kept. However, the Sarr-Savoy Report attempts to draft such guidelines.

³² Sarr and Savoy, 44.

³³ Macron, Speech at the University of Ouagadougou, 1:23.

Establishing Guidelines & Creating Criteria

The Sarr-Savoy Report provides criteria for which works should be repatriated to Africa and which should remain in French museums. The report calls for the return of works secured during “brutal circumstances” such as the aforementioned battles in Benin City, the Abomey Kingdom and Adwa in Ethiopia. Certain of these violent encounters involved the French directly, as in the end of the Abomey Kingdom, while others did not, such as the 1897 British Punitive Expedition and “sacking of Benin City.”³⁴ Regardless of whether or not the French were directly involved, the Sarr-Savoy report deems these works to have been taken under “brutal circumstances” and recommends their return to African communities.³⁵

The report further recommends the return of works acquired as a result of “scientific expeditions” with the exception of cases where there is “explicit evidence” suggesting the original owners consented to the works’ removal.³⁶

The report suggests the return of works that the “colonial administration or their descendants” donated to French museums unless proof exists that the seller consented, as well as the return of objects of “illicit trade” obtained after 1960.³⁷

In addition to delineating which works of art French public museums should return to sub-Saharan African countries, the report also establishes three possible courses of action: 1) Restituting the works, with no supplementary research required, 2) Conducting supplementary research to ascertain more information, or 3) Keeping the works in French collections.

According to the Sarr-Savoy Report, works should be returned to Africa, with no further research necessary, if obtained as spoils of war or by military in Africa during the Colonial

³⁴ Sarr and Savoy, 31.

³⁵ Sarr and Savoy, 53.

³⁶ Sarr and Savoy, 57.

³⁷ Sarr and Savoy, 59-61.

Period (1885-1960), if obtained on a pre-1960 scientific expedition, or if the result of a temporary loan.³⁸

More research is necessary to determine the fate of works that France collected after 1960 as well as gifts the country received that it suspects left Africa before 1960.³⁹ The report also details many restrictions and exceptions.

Finally, works should remain in France if there is documentation of a consented transaction or if France abided by UNESCO Conventions by not “taking any ethical risks.”⁴⁰

Calls for Collaboration & Partnership – The Perfect Replacement for Arguments & Battles:

While the Sarr-Savoy Report presents guidelines to assist museums in prioritizing works for restitution, they are just that: guidelines. Acknowledging that there is a long-lasting history of African heritage being removed from Africa for France’s benefit, report drafters insist that “the French State must not impose its rhythm and political agenda onto the African States.”⁴¹ Rather, French museums are encouraged to work with each African nation to establish mutually agreed upon precedent and guidelines. Introducing the phrase, “a new relational ethics,” the Sarr-Savoy Report calls for a partnership and collaboration between African countries and non-African countries.⁴² Boasting “openness” and “cooperation,” they ponder: “Can we, then, envision the happy and consented restitution, motivated by the dual interest of both peoples and objects?”⁴³

³⁸ Sarr and Savoy, 61.

³⁹ Sarr and Savoy, 62.

⁴⁰ Sarr and Savoy, 62.

⁴¹ Sarr and Savoy, 62.

⁴² Sarr and Savoy, 39-40.

⁴³ Sarr and Savoy, 22.

Sarr and Savoy predict that their report will result in the return of some, but not all of the works in such collections. The report reads: “We must insist on this point, at the current time, the process of restitutions can only concern a portion of the objects in question.”⁴⁴ The word “insist” stresses the forcefulness and authoritativeness of the statement, and the statement serves to ward off potential criticism from repatriation opponents who fear the Sarr-Savoy Report’s call to repatriate risks emptying the collections of museums such as the Quai Branly. The Quai Branly Museum has about 300,000 objects, with only about 3,500 on view in its permanent display.⁴⁵ So to return a small portion of those works would not empty the entire museum.

Nonetheless, the exact number of works to be repatriated as a result of the Sarr-Savoy Report is still unknown, and some have expressed their concerns. New York Times writer Jason Farago interprets the Sarr-Savoy Report as calling for the “return of possibly thousands of works of art.”⁴⁶ However, report drafters have responded, defending the report and clarifying their stance. Felwine Sarr enumerated, ““Much more probable is that [the source countries] want some objects with high symbolic value—and these are not in the thousands, but a number probably less than a hundred.”⁴⁷ Sarr’s response, much like the Sarr-Savoy report, reiterates the importance of multicultural collaboration and teamwork in hopefully finding mutually acceptable solutions to all involved parties.

⁴⁴ Sarr and Savoy, 44.

⁴⁵ Musée Du Quai Branly Jacques Chirac, “Missions: A Bridge Between Cultures,” Missions and Operations, accessed 1 May 2020, <http://www.quaibrantly.fr/en/missions-and-operations/the-musee-du-quai-branly/>; James Clifford; “Quai Branly in Process,” *October*, vol. 120 (Spring 2007), 13.

⁴⁶ Jason, Farago. “Artwork Taken from Africa Returning to a Home Transformed,” *New York Times*, 3 January 2019, <https://www.nytimes.com/2019/01/03/arts/design/african-art-france-museums-restitution.html>.

⁴⁷ Kate Brown, “‘The Idea Is Not to Empty Museums’: Authors of France’s Blockbuster Restitution Report Say Their Work Has Been Misrepresented,” 24 January 2019, *Artnet News*, accessed 10 December 2020, <https://news.artnet.com/art-world/restitution-report-critics-1446934/amp-page>.

Not only does the Sarr-Savoy Report laud the benefits of partnership in determining which works of art are repatriated, but it also expresses hope that such collaboration can continue once works are sent back to their countries of origin. The writers remain optimistic that African curators receive repatriated works of art, they will circulate the works both across Africa and trans-continently. Sarr and Savoy also controversially argue that Western museums could replace any original artifacts they elect to repatriate with replicas or enhance visitor experiences with digital tools and machinery.⁴⁸ Critics' concerns that the Sarr-Savoy Report's strict guidelines might detrimentally impact museums such as the Quai Branly serve as a microcosm for repatriation opponents' broader concerns to be examined in Chapter Five of this paper.

France's Estimated Timeline:

The Sarr-Savoy Report's proposed timeline is as follows: The first phase, spanning from November 2018 to 2019, involved creating a "common establishment" of a "practical methodology for restitutions,"⁴⁹ and sending back certain works to their communities of origin. In order for works to be returned, the requesting country must have facilities ready to accommodate the returns—facilities that country deems to be substantially prepared.⁵⁰ This criterion that requesting countries have appropriate facilities holds countries of origin to high standards, and also provides them with more agency by placing the decision-making power in their hands.

⁴⁸ Sarr and Savoy, 39-40.

⁴⁹ Sarr and Savoy, 63.

⁵⁰ Sarr and Savoy, 63.

The second phase, predicted to begin in Spring 2019 and last through November 2022, requires inventorying, international collaboration and dialogue, (quite?), the sharing of digital files, and free online access to a number of digital media.⁵¹ It will also involve the creation of “joint commissions” between France and different African countries.⁵²

The third phase, scheduled to begin in November 2022 is open-ended regarding timeline, and envisions continual long-lasting relationships between France and African countries. Africa can request restitution, according to the report, not only during the “next five years” that Macron promised in his speech, but for the foreseeable future.⁵³

Following the Sarr-Savoy Report’s publication, President Macron announced France would be repatriating to the country of Benin twenty-six works of art from the Quai Branly that French Colonial forces took in 1892.⁵⁴

From Discussion to Action: A Shift in Global View:

Pillaging has occurred for centuries, and discussions have been ongoing for decades. However, the sudden surge in action, such as that proposed by France, is a recent development. The Sarr-Savoy Report is the start of countrywide efforts to repatriate cultural heritage—settling disputes through extensive and comprehensive reviewing and inventorying processes. What makes France’s announcement and recent repatriation news so noteworthy is its shift from discussion to action, and its focus on collaboration instead of argument.

⁵¹ Sarr and Savoy, 67.

⁵² Sarr and Savoy, 68.

⁵³ Sarr and Savoy, 69; Madeline Holcombe and Saskya Vandoorne, “France to Return 26 Stolen Artifacts to Benin,” *CNN*, 24 November 2018, accessed 11 May 2020. <https://www.cnn.com/style/article/france-benin-artifacts/index.html>.

⁵⁴ Farago, “Artwork Taken from Africa,” Cassan, “The Sarr-Savoy Report.” Farah Nayeri, “Return of African Artifacts Sets a Tricky Precedent for Europe’s Museums,” *The New York Times*, 27 November 2018, accessed 10 May 2020, <https://www.nytimes.com/2018/11/27/arts/design/macron-report-restitution-precedent.html>.

In the 1960s and early 1970s, few scholars or countries considered large-scale repatriation.⁵⁵ In the late 1970s, the issue of repatriation garnered global attention as Amadou-Mahtar M'Bow, then in charge of UNESCO, published his essay, "A Plea for the Return of an Irreplaceable Cultural Heritage to those who created it," in which he called for global cultural heritage to be "rebalanced."⁵⁶ Then, between the 1980s and 1990s, more frequent discussion emerged debating repatriation. This marks the first stage in a shift in global thinking regarding cultural heritage repatriation debates. Aaron Glass observed this international phenomenon in 2004, writing, "In the past two decades, there has been a marked growth in international discussion on the return of objects construed as heritage, patrimony or culture."⁵⁷ The increase in discussion coincided with an increase in contemplation. Scholar Marie Cornu observes in 2014 a "change in our thinking about the protection of cultural heritage over the past two decades."⁵⁸ There was, perhaps, a shift between the 1980s and early 2000s in hegemonic thinking about matters of cultural heritage ownership and possession. This first shift revolved around contemplation and discussion.

More is at stake than thinking, however, with France's new declaration. It marks an increase in action amongst government entities, cultural institutions like museums, and the general public. This sudden call to action, as marked by occurrences such as Macron's speech and the Sarr-Savoy Report, represents a second stage in the cultural shift in thinking about the repatriation of cultural heritage objects. I would argue that between 2010 and 2020, there has been a second shift, this one marking an increase in action and government involvement. In

⁵⁵ Sarr and Savoy 17-18.

⁵⁶ Sarr and Savoy 19.

⁵⁷ Aaron Glass, "Return to Sender: On the Politics of Cultural Property and the Proper Address of Art," *Journal of Material Culture*, vol. 9, no. 2 (2004), 115.

⁵⁸ Marie Cornu, "Safeguarding Heritage: From Legal Rights over Objects to Legal Rights for Individuals and Communities," in *Cultural Heritage Ethics: Between Theory and Practice*, edited by Constantine Sandis (Open Book Publishers, 2014), 198.

much the same way Cornu observed a “change in our thinking,” President Macron’s promise in conjunction with the accompanying Sarr-Savoy Report marks a change in our actions. And it has a global reach impacting not only France and Africa, but other countries across the globe.

CHAPTER TWO.

EXAMPLES OF SELECTIVE REPATRIATION IN OTHER COUNTRIES

There is no denying that the French President's efforts to enact regulations to enable, and even require, French museums to return looted works of art is pioneering at the government level. However, it is important to acknowledge that it does not mark the only instance of museum repatriation of artifacts. Nor is it the only instance of governments pressuring museums to repatriate objects. Rather, certain institutions have removed from display and returned select artifacts that were illegally or questionably exported, looted, stolen, or taken during colonial periods—sometimes under government pressure to do so.

The University of Cambridge's Repatriation of a Benin Kingdom Cockerel Statue:

A metal cockerel statue known as Okukor, which once sat in Jesus College's dining hall at the University of Cambridge has been under scrutiny in recent years, and is now a candidate for repatriation. British forces removed the work from Africa, along with many others, during the British Punitive Expedition of 1897. Expedition Member, and father of a Jesus College student, George William Neville, gave the cockerel statue to the school in the early twentieth century.⁵⁹ Cockerels are the symbol for Jesus College. The work remained on display in the college dining hall for approximately a century before undergoing intense scrutiny due to repatriation considerations.

⁵⁹ Tiffany Jenkins, "From Objects of Enlightenment to Objects of Apology: Why You Can't Make Amends for the Past by Plundering the Present," in *Dethroning Historical Reputations: Universities, Museums and the Commemoration of Benefactors*, edited by Jill Pellew and Lawrence Goldman, (School of Advanced Study, University of London, Institute of Historical Research, 2018), 81; "Cambridge University's Jesus College Bronze Cockerel to be Repatriated," *BBC News*, 27 November 2019, accessed 27 April 2020, <https://www.bbc.com/news/uk-england-cambridgeshire-50578780>.

In March 2016, students at a Jesus College Student Union meeting at the University of Cambridge drafted an eleven-page document arguing that the cockerel statue should be removed from the college's dining hall⁶⁰ because it represented moral wrongdoings of British imperialism. Students argued for the sculpture's removal on the basis of both the university's "global agenda" and the "contemporary political culture surrounding colonialism and social justice".⁶¹

That same year, the college removed the Okukor bronze cockerel statue from its place of prominent display in the Jesus College Dining Hall.⁶² The university, however, did not immediately return the work to Africa, but placed the work in storage while the matter was investigated. By November 2019, the school had officially decided to repatriate the cockerel statue to Nigeria. However, no dates or specific details of the return have yet been released.⁶³ College Master Sonita Alleyne stressed that the college's decision to repatriate the cockerel statue is not an attempt to "erase" history.⁶⁴ News writer, Estelle Shirbon, has predicted that Jesus College's decision to repatriate "will likely step up pressure on other institutions holding plunder from the historic Kingdom of Benin and other objects taken by British colonialists during the 19th century."⁶⁵

⁶⁰ Ben Panko, "European Summit to Discuss the Return of Looted West African Art (Treasures taken by a British invasion in 1897 could return to Nigeria as a permanent exhibition)." *Smithsonian Magazine*, 31 August, 2017, <https://www.smithsonianmag.com/smart-news/european-museums-discuss-returning-looted-african-art-180964555/>; Jenkins, "From Objects of Enlightenment," 81.

⁶¹ Jenkins, "From Objects of Enlightenment," 81.

⁶² Adebayo, "A Bronze Cockerel."

⁶³ Adebayo, "A Bronze Cockerel;" "Cambridge University's Jesus College Bronze Cockerel to be Repatriated," *BBC News*.

⁶⁴ Adebayo, "A Bronze Cockerel."

⁶⁵ Shirbon, "Cambridge College to Return Looted Benin Cockerel Statue to Nigeria."

The British Punitive Expedition:

As previously mentioned, the cockerel statue was taken from Benin City as part of the 1897 British Punitive Expedition—a British military expedition into the Benin Kingdom, and was gifted to the school directly by an expedition member. The events surrounding the infamous British Punitive Expedition of 1897 involved massacre and an explosion of violence.

Despite being warned not to enter the city by Benin Kingdom officials, Britain’s Acting Consul-General, James Phillips, led a group of British officials into Benin City in early January 1897.⁶⁶ The group was ambushed and massacred, leaving Phillips and much of his team dead.⁶⁷ The attacking Benin forces have been described as an “Edo force”⁶⁸ and a “war faction”⁶⁹ and most documentation suggests that the Oba, the Benin Kingdom’s King, neither ordered nor endorsed this attack. The British then conducted their own assault. Rear-Admiral Harry Rawson led the British military into Benin City on January 18th. They attacked the city, fought members of the Benin Kingdom, burned down the Palace, forced the Oba to flee, and removed, according to many accounts, thousands of works of art. This became known as the British Punitive Expedition of 1897.⁷⁰

⁶⁶ Joseph Nevadomsky, “Studies of Benin Art and Material Culture, 1897-1997,” *African Arts*, vol. 30, no. 3 (Special Issue: The Benin Centenary, Part 1) (Summer, 1997), 20; Marilyn Stockstad and Michael W. Cothren, *Art History*, Fifth Edition (New Jersey: Pearson Education, Inc., 2014), 417; The Art Institute of Chicago, “The British Conquest of Benin and the Oba’s Return.” Benin—Kings and Rituals: Court Arts from Nigeria, accessed 1 May 2020, <https://archive.artic.edu/benin/conquest/>.

⁶⁷ Visona Blackbum, Robin Poynor, and Herbert M. Cole, *A History of Art in Africa*, Second Edition (New Jersey: Pearson Education, Inc. Prentice Hall, 2008, 2001), 273; Panko, “European Summit to Discuss the Return of Looted West African Art,” Nevadmosky, 20; Ellen Otzen, Ellen. “The Man Who Returned His Grandfather’s Looted Art.” *BBC World Service*, 26 February 2015, accessed 18 April 2020, <https://www.bbc.com/news/magazine-31605284>.

⁶⁸ The Art Institute of Chicago. “The British Conquest of Benin.”

⁶⁹ Nevadmosky, 20.

⁷⁰ Alexis Akwagyiram, “Nigeria Could Borrow Back its Plundered Benin Bronzes – Governor,” *Reuters Africa*, 20 June 2018, accessed 11 May 2020, <https://af.reuters.com/article/worldNews/idAFKBN1JG0XH>; Blackmun, Poynor, and Cole, 273; Nevadmosky, 20; The Art Institute of Chicago. “The British Conquest of Benin.”

The British officials' first trip into Benin City under the direction of Acting Consul-General Phillips is laden with obscurity as to the group's intentions (and level of violence). Britain and the Benin Kingdom had conflicting interests, with Britain seeking to colonize, and the Benin Kingdom known for its expansive trading. Some speculate that Phillips' team remained peaceful, wanting to make trade arrangements⁷¹ while others speculate they had violent intentions to overthrow the Oba.⁷²

While the first British group's intentions remain ambiguous, the second group's trip was unequivocally violent. The British military "fired Maxim machine guns and rockets at their enemies," according to Herbert Walker, a member of the Expedition, who left a diary detailing his account of the events.⁷³

"After the killing came the looting," Walker recalled in his diary.⁷⁴ The British invaders removed and absconded with a number of the Benin Kingdom's famed artworks. Walker's diary describes other British officials "wandering round with chisel & hammer, knocking off brass figures & collecting all sorts of rubbish as loot."⁷⁵ This so-called rubbish constituted some of the Benin kingdom's most prized possessions.

Today, the works, which came to be known as the "Benin Bronzes" even though all are not made of bronze, are spread around the world. After the expedition, many works went to the British Foreign Office, before continuing on to the British Museum, where about 800 Benin works currently reside. The British sold others to help replenish the costs of the expedition.

⁷¹ Nevadmosky, 20.

⁷² Otzen, "The Man Who Returned His Grandfather's Looted Art;" Panko, "European Summit to Discuss the Return of Looted West African Art."

⁷³ Otzen, "The Man Who Returned His Grandfather's Looted Art."

⁷⁴ Otzen, "The Man Who Returned His Grandfather's Looted Art."

⁷⁵ Otzen, "The Man Who Returned His Grandfather's Looted Art."

Still other works were divided up amongst the members of the expedition themselves. Such was the case with the bronze cockerel statue that Expedition Member, George William Neville, gifted to Jesus College at the University of Cambridge. Herbert Walker, the early referenced expedition member who documented the events in his journal, also possessed certain of the artifacts, which his grandson Mark later acquired in 2013. Much like the University of Cambridge has decided to repatriate its bronze cockerel, Mark Walker opted to restitute two works to Benin City, traveling to Nigeria to personally return the works to the Oba, the great-grandson of Ovonramwen.⁷⁶ More recently, Walker has discovered two other works he is also seeking to return.⁷⁷ Walker's insistence on returning works proves that museums and institutions are not the only ones engaging in sudden repatriation campaigns, but private individuals are as well. This example in Britain proves that institutions in France are not the only ones practicing cultural heritage repatriation. It also demonstrates a growing emphasis on morality and global sentiment pushing for the return of works taken during violent conquests, wars, and invasions such as the British Punitive Expedition of 1897.

Perception:

As the direct recipient of the work from a member of the British Expedition, the college might be more culpable than museums that remain somewhat removed by obtaining works "in good faith" years after the initial offense. The reception of the work at its location in Britain was negative—students deemed the sculpture to be unacceptable; they felt it did not belong at the school and should not remain there. Within its context at the University of Cambridge, the

⁷⁶ Otzen, "The Man Who Returned His Grandfather's Looted Art."

⁷⁷ Lanre Bakare, "Soldier's Grandson to Return Items He Looted From Benin City," *The Guardian*, 17 December 2019, accessed 20 April 2020, <https://www.theguardian.com/uk-news/2019/dec/17/soldiers-grandson-to-return-items-looted-from-benin-city-nigeria>.

Okukor cockerel could not be appreciated for a work of art, but instead served as a reminder of violence. Thus, it was removed from display in the British university.

When the work is ultimately returned to Africa, we shall see how its change in context and geographical location alter its perception amongst viewers. Does it remain a painful reminder of past warfare and killings? Does it, instead, become a beacon of hope for new collaboration and fresh starts? Does it ever regain its original purpose and is it possible to lose its context as a spoil of war and serve only its original intended purpose?

Significance of Benin Kingdom Art:

Benin Kingdom artwork is widely celebrated across the globe—as much characterized by its artistic mastery as by its controversy surrounding the British Punitive Expedition.⁷⁸ The Edo peoples of the Benin Kingdom produced much royal art and held their kings, called Obas, in high, almost divine regard.⁷⁹ The Benin Kingdom is perhaps most famous for its brass plaques that adorned its royal palace and its ‘Head of an Oba’ sculptures. The brass plaques adorned palace walls, displaying impressive artistic detail and maintaining historical records of Benin Kingdom life and culture.

The “Head of an Oba’ statues were made of cast brass and typically depicted either Benin Obas or queen mothers.⁸⁰ They are symmetrical, and stylized, all featuring similar facial features—evidence that they likely were not intended to serve as exact likenesses of specific individuals. Rather, the sculptures, placed at shrines for deceased Obas, symbolized kingly

⁷⁸ Geoff Edgers, “MFA Receives Rare West African Art Pieces,” *Boston Globe*, 29 June 2012, <https://www.bostonglobe.com/arts/2012/06/28/museum-fine-arts-gets-prized-benin-bronzes-over-line-hed-here-for-two-arts-stories/KZnIxs0aGQbZPW0vaBwmWK/story.html>; The Metropolitan Museum of Art, “Head of an Oba, 16th Century, Edo Peoples,” Collection, (Accession Number 1979.206.86), accessed 1 May 2020, <https://www.metmuseum.org/art/collection/search/312290>; The University of Iowa, “Benin Kingdom,” Art & Life in Africa, accessed 9 May 2020, <https://africa.uima.uiowa.edu/peoples/show/Benin+Kingdom>.

⁷⁹ Stockstad and Cothren, 416.

⁸⁰ Visona, Poynor, and Cole, 281.

power and respect for Oba leaders.⁸¹ The ‘Head of an Oba’ sculptures often depicted coral beads and were constructed with holes in the top of the head to hold intricately carved ivory tusks.⁸² Coral was thought to symbolize an Oba’s extreme power, and ivory was a symbol of wealth. The choice to depict the head empowers the work further. The Benin Kingdom and a number of other African communities view the head as the very essence of one’s soul—the “symbolic center of a person’s intelligence, wisdom, and ability to succeed in this world or to communicate with spiritual forces in the ancestral world.”⁸³ The Metropolitan Museum of Art, which has a Head of an Oba on display in its collection, also attests to the head’s significance: “The Edo people considered the head to be the locus of a man’s character, knowledge, authority, success, and family leadership.”⁸⁴

The Benin Bronzes removed during the British Punitive Expedition of 1897 had strong symbolic and cultural value for the Benin Kingdom—now in modern-day Nigeria. They are at the center of many ongoing repatriation debates around the world, not just in Europe, and the Boston Museum proves a particularly fascinating case study.

The Boston Museum of Fine Art’s Complicated History with African Art:

The Boston Museum of Fine Art’s history regarding provenance and repatriation of African artifacts is complex to say the least. Leading comprehensive investigations vetting the provenance of its African artifacts, the museum has accepted certain works of African art that were initially removed from Africa unethically, even garnering support from Benin officials in

⁸¹ Smithsonian National Museum of African Art, “Museum Insights / The Kingdom of Benin,” accessed 28 April 2020, <https://africa.si.edu/exhibitions/current-exhibitions/visionary-viewpoints-on-africas-arts/the-kingdom-of-benin/>; The Metropolitan Museum of Art, “Head of an Oba;” Visona, Poynor, and Cole, 281.

⁸² Visona, Poynor, and Cole, 281.

⁸³ Stockstad and Cothren, 419.

⁸⁴ The Metropolitan Museum of Art, “Head of an Oba.”

its exhibition of the works. The museum has opted to restitute others. In 2012, Mr. Robert Lehman, a New York art collector, gifted thirty-four works to the museum.⁸⁵ That same year, Mr. William E. Teel died, having left over 300 works of African and Oceanic art to the museum in his will.⁸⁶ While the museum embraced Mr. Lehman's gift and collaborated with African communities to host related community events in 2012 and 2013, the museum restituted eight works from Mr. Teel's bequest in 2014. We can now examine both situations in more detail.

Robert Lehman's Gift – On Display in 2013:

Of the thirty-four works in Mr. Lehman's gift, thirty-two were from the Benin Kingdom (now part of Nigeria). The MFA believes that Lehman collected the artifacts during the 1970s and 1980s, but suspects the works were initially removed from Africa during the British Punitive Expedition in 1897.⁸⁷

The works went on display in 2013 and marked a "dramatic upgrade" to the museum's African art section.⁸⁸ Eager to expand its collection and showcase African Art, the museum

⁸⁵ Museum of Fine Arts Boston. "Museum of Fine Arts, Boston, Opens Benin Kingdom Gallery Showcasing Robert Owen Lehman Collection of Rare West African Art," News, accessed 1 May 2020, <https://www.mfa.org/news/benin-kingdom>.

⁸⁶ Museum of Fine Arts Boston, "Museum of Fine Arts, Boston Transfers Eight Antiquities to Nigeria," accessed 11 May 2020, <https://www.mfa.org/news/nigeria-transfer>; Museum of Fine Arts Boston, "Ownership Resolutions," Collections, Provenance, accessed 6 April 2020, <https://www.mfa.org/collections/provenance/ownership-resolutions>; Elizabeth Barber, "Boston Museum Returns Looted African Art to Nigeria," *Reuters*, 26 June 2014, <https://www.reuters.com/article/us-usa-boston-museum/boston-museum-returns-looted-african-art-to-nigeria-idUSKBN0F12G920140626>.

⁸⁷ Museum of Fine Arts Boston, "Robert Owen Lehman Collection," accessed 6 April 2020, <https://www.mfa.org/give/gifts-art/Lehman-Collection>; Museum of Fine Arts Boston, "Benin Kingdom Gallery," Gallery, accessed 6 April 2020, <https://www.mfa.org/collections/featured-galleries/benin-kingdom-gallery>; Kelly Crow, "Boston Museum Gets Major Gift of African Art from Lehman Heir (Rare sculptures from the historical kingdom of Benin in what is now southwestern Nigeria will go on view next fall)," *Wall Street Journal*, 28 June 2012, <https://www.wsj.com/articles/SB10001424052702303561504577495252283689104>; Edgers, "MFA Receives Rare West African Art Pieces."

⁸⁸ Edgers, "MFA Receives Rare West African Art Pieces."

designed a new gallery, the “Benin Kingdom Gallery,” Gallery 172, to house Lehman’s gift. Senior curator of African and Oceanic Art, Christraud Geary promised the exhibition would “bring out the historic context [and] aesthetic value” of the works, ensuring that the exhibition would be a permanent one.⁸⁹

Despite the works’ associations with the British Punitive Expedition, the museum collaborated with members of the present-day Benin Kingdom community—co-hosting its gallery opening reception on Wednesday September 25, 2013, with the Coalition of Committed Benin Community Organizations. Malcolm Rogers, the Museum Director at the time, and His Royal Highness Professor Gregory I. Akenzua, the brother of Oba Omo N’Oba N’edo Uku Akpolokpolo, Erediauwa, C.F.R. were both present at the event, along with palace chiefs and other representatives of the Benin Kingdom’s community. The opening featured dancing and other activities celebrating the culture.⁹⁰

Not only did the Boston Museum of Fine Arts, in this case, partner with the artifacts’ countries of origin, but it also addressed head-on, rather than shying away from, the works’ conflicted past. The museum’s website reveals an awareness of potential controversy and pushback. “Today, the ethics of collecting and displaying works removed from their places of origin during periods of European colonialism is a subject of debate among museums, local and national governments, collectors, and the public.” The museum, unaware of any related repatriation requests, has defended its decision to keep the works.⁹¹ Geary, explained, “We have looked at the legal situation here at the museum and we’ve come to the conclusion that the gift

⁸⁹ Edgers, “MFA Receives Rare West African Art Pieces.”

⁹⁰ Museum of Fine Arts Boston, “Museum of Fine Arts, Boston, Opens Benin Kingdom Gallery Showcasing Robert Owen Lehman Collection of Rare West African Art,” News, accessed 1 May 2020, <https://www.mfa.org/news/benin-kingdom>.

⁹¹ Museum of Fine Arts Boston, “Benin Kingdom Gallery;” Edgers, “MFA Receives Rare West African Art Pieces.”

meets all of our standards.”⁹² The museum “hope[s] to spark conversation about past conflict...” and defends its role in making the works publically accessible.⁹³

In addition to defending their acquisition on a legal basis, the museum has also cited its contributions to the public. Malcolm Rogers, Boston Museum’s Director at the time, identified the museum’s goal of “mov[ing] great cultural objects into the public domain” and presenting the “complex history” of such works.⁹⁴ He argued that in accepting the gift, the Boston Museum has helped to make public works of art that would have otherwise remained in private hands.

This stunning example proves how valuable the collaboration between Western museums and African communities can be. Even though the Boston Museum of Fine Arts opted against repatriation in this case, they managed to garner support from current Benin Kingdom members.

Mr. William Teel’s Bequest – Partially Repatriated in 2014:

While the Boston Museum elected to keep Mr. Lehman’s 2012 gift and seemingly garnered the support of the African Benin community—possibly because it was collected by Lehman prior to the 1990, the museum opted to repatriate eight Nigerian works of antiquity from Mr. Teel’s bequest of over 300 works from Africa and Oceania. Mr. Teel died in late 2012. The Boston Museum accessioned a number of those works in February 2014, while repatriating the eight selected works in June 2014.⁹⁵

Teel is thought to have purchased the works in good faith during the 1990s.

⁹² Edgers, “MFA Receives Rare West African Art Pieces.”

⁹³ Museum of Fine Arts Boston, “Art of the Benin Kingdom,” Collections, Africa and Oceania, accessed 6 April 2020, <https://www.mfa.org/collections/art-of-the-benin-kingdom>.

⁹⁴ Edgers, “MFA Receives Rare West African Art Pieces.”

⁹⁵ Museum of Fine Arts Boston, “Museum of Fine Arts, Boston Transfers Eight Antiquities to Nigeria;” Museum of Fine Arts Boston, “Ownership Resolutions,” Collections, Provenance;” Barber, “Boston Museum Returns Looted African Art to Nigeria.”

The museum maintained that Teel purchased the works in good faith during the 1990s. However, they suspected the eight Nigerian antiquities in question were originally the victims of theft or illegal trafficking. Victoria Reed, the museums' Curator of Provenance, concluded, "These objects have gaps where there shouldn't be gaps."⁹⁶ The Boston Museum believed that Nigeria's National Commission of Museums and Monuments' Act (chapter 242) of 1990 act would apply. The museum reached out to the commission, and following the museum's 18-month long investigation into the works' provenance, the museum repatriated the eight works,⁹⁷ three of which were from the Benin Kingdom.⁹⁸

In the case of Mr. Lehman's gift, the Boston Museum chose to keep Benin Kingdom artwork that it knew was likely plundered during the British Punitive Expedition. However, even in its decision to keep the work, the museum maintained open communication with the modern-day Benin Kingdom in Nigeria. Both parties, despite possible conflicting interests, worked together to create a collaborative opening exhibition at the museum for the public's benefit.

In the case of Mr. Teel's bequest, the Boston Museum, while electing to keep a large portion of the bequest, conducted thorough provenance investigations and repatriated eight artifacts to Nigeria. This is also a form of collaboration—this time in assuring the works' return to their countries of origin.

⁹⁶ Barber, "Boston Museum Returns Looted African Art to Nigeria."

⁹⁷ The Boston Museum has published a complete list of the eight works returned. They are as follows: 1) *Head*, c. 1750 from Edo peoples in Benin kingdom; 2) *Memorial screen* (duen fubara), late 19th century from Ijaw Kalabari peoples in Nigeria; 3) *Head*, c. 500 B.C. to 200 A.D. from Nok peoples in Nigeria; 4) *Head of an Oba*, 19th century from Edo peoples in Benin Kingdom; 5) *Male Figure*, c. 500 B.C. to 200 A.D. from Nok peoples in Nigeria; 6) *Portrait head*, 12th to 14th century from Yoruba peoples in Ife Kingdom; 7) *Oron Ancestral Figure* (Ekpu) from Oron peoples in Nigeria; and 8) *Altar figure* from Benin peoples.

⁹⁸ Museum of Fine Arts Boston, "Ownership Resolutions," Collections, Provenance, accessed 6 April 2020, <https://www.mfa.org/collections/provenance/ownership-resolutions>; Museum of Fine Arts Boston. "Museum of Fine Arts, Boston Transfers Eight Antiquities to Nigeria;" Barber, "Boston Museum Returns Looted African Art to Nigeria." Scher, 2.

Each case, despite the fact that one featured retention and the other repatriation, showcases collaboration between the Boston Museum and Nigeria, who worked together to ensure Benin Kingdom treasures were safe, celebrated, and benefitted the public.

Changing Perceptions:

The eight works the Boston Museum returned in 2014, like so many others at the center of repatriation disputes, have complex histories. They were created by and originally lived in Africa. Many were only removed from Africa by Colonial, often violent, force. Had it not been for such encounters, the works would still reside in their African countries in which they were created. However, as the Sarr-Savoy report reminds us, museums are often not the original aggressors and have contributed to the works' upkeep, maintenance, and educating the public about the work. As we move forward in our examinations of institutions that have engaged in selective repatriation, we should think about how the works' changing locations and contexts will alter public perception of the works. Can they ever re-acquire their original purposes or are they, from now on, forever art intended for museum settings?

The Metropolitan Museum of Art's Repatriation of the *Coffin of Nedjemankh*:

Like the Boston Museum, the Metropolitan Museum of Art (The Met) is another U.S. museum that has repatriated African art—this time a looted Egyptian coffin. In July 2017, the Metropolitan Museum of Art purchased the *Coffin of Nedjemankh* from a Paris art dealer. It paid 3.5 million euros for the work.⁹⁹ The Met thought the purchase to be legitimate, having viewed a

⁹⁹ “Met Museum Says It’s Returning Stolen Coffin to Egypt,” *NBC New York*, 16 Feb. 2019, <https://www.nbcnewyork.com/news/local/Met-Museum-Says-Its-Returning-Stolen-Coffin-to-Egypt-505934601.html>; Colin Moynihan, “Met Museum to Return Prize Artifact Because It Was Stolen,” *The New York Times*, 15 Feb. 2019, <https://www.nytimes.com/2019/02/15/arts/design/met-museum-stolen-coffin.html>.

document presented to them as a valid 1971 Egyptian export license. However, the Manhattan District Attorney's Office Antiquities Trafficking Unit learned that, unbeknownst to the MET, the export license and other provenance-related paperwork presented at the time of purchase were forgeries and that the coffin was stolen from Egypt in 2011, following the Egyptian Revolution, not exported in 1971 as the falsified documents suggested. Once the Antiquities Trafficking Unit uncovered the work's troubled provenance, along with evidence of forged paperwork, it immediately informed the MET, who provided the Manhattan District Attorney's Office with the *Coffin of Nedjemankh* for repatriation to the Egyptian government. The Manhattan D.A.'s office, which allows as how the MET was fully cooperative with investigations, reports that the D.A.'s Office, in conjunction with Homeland Security Investigations, presented a search warrant and "seized" the *Coffin of Nedjemankh* in February 2019.¹⁰⁰ There was a repatriation ceremony for the work in September 2019. Describing the work as part of "our common human heritage," Egyptian Minister of Foreign Affairs Sameh Hassan Shoukry, promised at the time that the work would be on display the following year.¹⁰¹

¹⁰⁰ "Met Museum Says It's Returning Stolen Coffin to Egypt," *NBC New York*; Moynihan, "Met Museum to Return Prize Artifact Because It Was Stolen;" The Metropolitan Museum of Art, "The Metropolitan Museum of Art Returns Coffin to Egypt," Press Release, 15 February 2019, <https://www.metmuseum.org/press/news/2019/metropolitan-museum-of-art-returns-coffin-to-egypt>; Peter Szekely, "After New York Visit, Looted Coffin of Ancient Egyptian Priest Goes Home." *Reuters*, 25 September 2019, accessed 29 April 2020, <https://www.reuters.com/article/us-usa-egypt-coffin/after-new-york-visit-looted-coffin-of-ancient-egyptian-priest-goes-home-idUSKBN1WA35K>; Jason Daley, "Manhattan DA Launches First Antiquities Trafficking Unit," *Smithsonian Magazine*, 22 Dec. 2017, <https://www.smithsonianmag.com/smart-news/manhattan-da-launches-first-antiquities-trafficking-unit-180967607/>; Manhattan District Attorney's Office, "Manhattan D.A.'s Office Returns Ancient Gold Coffin to Egypt," Press Release, 25 September 2019, <https://www.manhattanda.org/manhatta-das-office-returns-ancient-gold-coffin/>.

¹⁰¹ Szekely, "After New York Visit, Looted Coffin of Ancient Egyptian Priest Goes Home."

Significance of the Work:

Prior to its restitution, *The Coffin of Nedjemankh* served as the centerpiece of the MET’s exhibition entitled “Nedjemankh and His Gilded Coffin.” The other works in the collection all served to provide background context about Priest Nedjemankh. Opening July 20, 2018, the show was originally intended to run through April 21, 2019, but was closed early—in February 2019.¹⁰² Within the context of the Metropolitan Museum of Art, the work served to educate museum visitors about Priest Nedjemankh and his significance and role within Egyptian culture. Before being removed from Egypt, the coffin likely held extreme spiritual and religious importance. Nedjemankh was a “high-ranking priest of the ram-headed god Heryshef of Herakleopolis,” according to the MET’s exhibition overview.¹⁰³ His repatriated coffin is over two thousands years old—created in the first century B.C.E. It reflects the ancient Egyptians’ respect for Priest Nedjemankh and also illustrates the extreme importance of the afterlife in ancient Egyptian culture. The *Coffin of Nedjemankh* is an ancient Egyptian artifact; it is from a culture that, while widely celebrated today, does not exist in the same way it once did. Rather, contemporary Egyptian culture is substantially different from ancient Egyptian culture. Nonetheless, the work is clearly symbolic and important, valuable to Egypt—just as the Benin Bronzes are to Nigeria and as we will see shortly, the Parthenon Marbles are to Greece.

¹⁰² “Met Museum Says It’s Returning Stolen Coffin to Egypt,” *NBC New York*; Moynihan, “Met Museum to Return Prize Artifact Because It Was Stolen;” The Metropolitan Museum of Art, “Nedjemankh and His Gilded Coffin Exhibition Overview,” accessed 11 May 2020, <https://www.metmuseum.org/exhibitions/listings/2018/nedjemankh-gilded-coffin>.

¹⁰³ The Metropolitan Museum of Art, “Nedjemankh and His Gilded Coffin Exhibition Overview.”

Increased Government Involvement & What Makes France Unique:

The Metropolitan Museum of Art’s repatriation of the *Coffin of Nedjemankh*, when compared to the previously discussed Boston Museum or University of Cambridge repatriations is particularly notable for its elevated level of government involvement. This example—much like France’s Sarr-Savoy Report and Macron’s speech—signifies a growing trend for government involvement in art repatriation debates. While the museum was cooperative with the investigation and released the artifact voluntarily, it was under intense scrutiny and pressure from the D.A.’s office. New York District Attorney Cyrus Vance declares that “returning stolen cultural treasures to their countries of origin is at the core of our mission to stop the trafficking of stolen antiquities,”¹⁰⁴ warning that the future may bring “a few more significant seizures.”¹⁰⁵ The Federal Bureau of Investigation’s Art Crime Team serves a similar purpose, but on a “national scale” within the U.S.A.¹⁰⁶

The District Attorney’s Office’s involvement in the case of the *Coffin of Nedjemankh* is proof that as repatriation requests continue and draw increased attention across the world, government agencies have grown involved in restitution debates in other countries outside of France. However, there are a few key distinctions between government involvement in the case of the *Coffin of Nedjemankh* and that seen in France’s recent proposals. In New York, the Antiquities Trafficking Unit seems to utilize more of a case-by-case process of identifying problem artifacts, tracing their provenance, and seizing for repatriation. It does not mark an attempt at changing legislation, but instead an attempt at better enforcing already existing law. France’s approach, on the other hand, marks more of a countrywide approach—calling for

¹⁰⁴ Manhattan District Attorney’s Office, “Manhattan D.A.’s Office Returns Ancient Gold Coffin to Egypt.”

¹⁰⁵ Szekely, “After New York Visit, Looted Coffin of Ancient Egyptian Priest Goes Home.”

¹⁰⁶ Szekely, “After New York Visit, Looted Coffin of Ancient Egyptian Priest Goes Home.”

amendment of French law. Both instances reveal a need for museums to re-assess acquisitions policies and provenance research procedures.

It is important to note that the majority of U.S. museums are privately owned and run, while most French museums are public institutions—run by the state.¹⁰⁷ Because of this, private museums in the U.S. can perhaps more easily return works of art they deem suitable for repatriation, while public institutions in France are unable due to legal restrictions on collection de-accessions. This could be one reason why government agencies within the U.S. focus on enforcing already-existing trafficking laws, while France’s President is requesting France implements more repatriation laws.

¹⁰⁷ Scher, 5; Cassan, “The Sarr-Savoy Report & Restituting Colonial Artifacts.”

CHAPTER THREE.***A REFUSAL TO REPATRIATE: BRITAIN VS. GREECE IN THE DEBATE OVER THE PARTHENON MARBLES***

Despite the fact that so many museums are selectively repatriating certain artifacts, museums have retained most of the works within their collections. They are not returning all of the artifacts they possess from cultures other than their own, only certain ones deemed to be taken illegally, unethically, or by colonial force. And some museums are not eager to repatriate works at all. The British Museum refuses to return its Parthenon Marbles collection to Greece. While the British Museum has expressed a willingness to temporarily loan Parthenon Marbles to Greece, it consistently refuses to permanently restitute the works—despite Greece’s request for the works and its construction of the Acropolis Museum designed to hold and display all of the Parthenon Marbles. The arguments about Greece’s Parthenon Marbles and whether they should stay in Britain or return to Greece marks perhaps the most famous repatriation controversy. While it pertains to Greek artifacts rather than African artifacts, a review of the situation remains critical for a more thorough understanding of cultural heritage restitution. The fights and debates over who should own the Parthenon Marbles are quite possibly responsible for the development of the field of art repatriation theory today. Examining the Parthenon Marbles as a historical backdrop, we can see the importance of France’s actions in trying to establish government-enforced standards, holding museums accountable for repatriation.

The Parthenon Marbles refer to a number of metopes, frieze reliefs, portions of pediment sculptures, and other sculptural decorations once part of the Parthenon, dedicated to Greek Goddess Athena and located atop the Acropolis in Athens, Greece. Their immense importance to

Greek culture is undeniable, with the Parthenon being one of the most well-known and widely celebrated ancient Greek monuments today. Thomas Bruce, Seventh Earl of Elgin, commonly known as Lord Elgin, led a mission to remove a number of the decorations between 1801 and 1812.¹⁰⁸ While Lord Elgin received a firman—the exact nature of which is up for debate—from the Ottoman authorities occupying Greece at the time, Greece was never given a say in the fate of its cultural heritage.

The works, although referred to in the plural form today as the Parthenon Marbles, or Elgin Marbles, were once part of one cohesive work. They only become divided when Elgin and his crew removed the works, in many cases, by brutal force¹⁰⁹ and with seeming disregard for damage caused to the existing structure. Giovanni Battista Lusieri, in charge of overseeing Lord Elgin's removal of the marbles, documented the barbarity of the physical removal. "I have even been obliged to be a little barbarous," he recalls.¹¹⁰ He also describes, "I will also take [a Doric capital] from the Parthenon, but it is necessary to saw it in two."¹¹¹ Many of these works ended up in the British Museum. Elgin and his team's removal of so many sculptural elements left the remaining structure damaged.

The Greek government repeatedly requested the return of its Parthenon Marbles. Activist and actress, Melina Mercouri, who served as Greek Minister of Culture, is just one of the many who have vocally advocated for repatriation. In 2009, Greece opened its Acropolis Museum to house whatever sculptural detail remained onsite, and in 2012, the last metope was removed

¹⁰⁸ John Henry Merryman, "Thinking about the Elgin Marbles," *Michigan Law Review*, vol. 83, no. 8 (1985), 1882.

¹⁰⁹ Merryman, "Thinking about the Elgin Marbles," 1884.

¹¹⁰ Merryman, "Thinking about the Elgin Marbles," 1884.

¹¹¹ Philip Hunt and A. H. Smith, "Lord Elgin and His Collection," *The Journal of Hellenic Studies*, vol. 36 (1916), 233.

from the Parthenon for display in the museum.¹¹² This construction of such a museum would quash any arguments amongst repatriation opponents that countries of origin might not have appropriate facilities to house such works. Located right next to the Acropolis, where the Parthenon stands, the museum overlooks the artifact's original home, connecting with the intended context but still offering the artifacts protection from the artifacts and public accessibility in a monitored museum environment.

The British Museum concedes, “the Acropolis Museum allows the Parthenon sculptures in Athens to be appreciated against the backdrop of ancient Greek and Athenian history.”¹¹³ However, it remains steadfast in its decision to keep the Parthenon Marbles it currently possesses. “This display does not alter the view of the Trustees of the British Museum that the sculptures are part of everyone's shared heritage and transcend cultural boundaries.”¹¹⁴

The museum claims it was aware of repatriation requests from Greece dating as early as the 1980s. However, rejecting Greece's ongoing claims for the sculptures' repatriation, the British Museum maintains its stance, adamantly defending its right to retain the Parthenon Marbles that it refers to as the Elgin Marbles and emphasizing its free public display of the works. On its official website, the British Museum has a note from its trustees addressing the controversial decision to keep the marbles in Britain.¹¹⁵ In a section on its web page entitled, “What is the British Museum's Position,” the institution defends its role as a universal museum that showcases the world's history, “throughout the world,” and also “from the dawn of human

¹¹² Acropolis Museum, “Museum History,” accessed 30 April 2020, <https://www.theacropolismuseum.gr/en/content/museum-history>; Acropolis Museum, “The Adventures of the Parthenon Marbles in Modern Times,” accessed 30 April 2020, <https://www.theacropolismuseum.gr/en/content/adventures-parthenon-marbles-modern-times>.

¹¹³ The British Museum, “The Parthenon Sculptures in the British Museum,” accessed 30 April 2020, <https://www.britishmuseum.org/parthenon-sculptures-british-museum>.

¹¹⁴ The British Museum, “The Parthenon Sculptures in the British Museum.”

¹¹⁵ The British Museum, “The Parthenon Sculptures in the British Museum.”

history more than two million years ago until the present day.”¹¹⁶ To the British Museum’s credit, they do appear to follow through on their promise to offer free public accessibility to the works—currently offering free virtual tours online as well.¹¹⁷

The British Museum has refused to send the Parthenon Marbles back to Greece for years, and recently, their determination to keep the prized possessions in Britain has only grown stronger—as evidenced by a January 2019 interview in which Greek newspaper *Ta Nea* London correspondent Yannis Andritsopoulos interviewed British Museum Director, Hartwig Fischer.¹¹⁸ While Director Fischer expressed ‘admiration’ for the Parthenon, praised the Acropolis Museum, and allowed as how he understood why the Greeks want possession of the Parthenon Marbles, he almost seemed to defend Elgin’s aggressive removal of the works in the first place. “When you move cultural heritage into a museum, you move it out of context. Yet that displacement is also a creative act.”¹¹⁹ He clarifies that the ‘creative act’ of moving artifacts out of their original contexts and into museum settings applies not only to the British Museum, but the Acropolis Museum as well. This parallel drawn between both museums mirrors a shocking, one could say uncouth, suggestion on the British Museum’s website. The web page likens Greece’s recent removal of remaining Parthenon Marbles for its Acropolis Museum to Elgin’s original offense of removing works from the monument without Greece’s permission. The web page states that Greek authorities “have thus completed a process begun by Lord Elgin 200 years ago, and all the Parthenon sculptures have now become museum objects.”¹²⁰ While it is true that the works all

¹¹⁶ The British Museum, “The Parthenon Sculptures in the British Museum.”

¹¹⁷ The British Museum, “Greece: Parthenon, Room 18,” accessed 30 April 2020, <https://www.britishmuseum.org/collection/galleries/greece-parthenon>.

¹¹⁸ Yannis Andritsopoulos, “Exclusive: Parthenon Sculptures Will Not Return to Greece Permanently or on Indefinite Loan, Says British Museum Director Hartwig Fischer,” *LinkedIn* English Translation Reprint of *Ta Nea*, January 26, 2019, accessed 30 April 2020, <https://www.linkedin.com/pulse/exclusive-parthenon-sculptures-return-greece-loan-andritsopoulos/>.

¹¹⁹ Andritsopoulos, “Exclusive: Parthenon Sculptures.”

¹²⁰ The British Museum, “The Parthenon Sculptures in the British Museum.”

exist within museum contexts, the two museums offer quite different environments, and the conditions in which the works were removed by both parties was certainly not comparable.

Fischer proposed that the Parthenon's history has been "enriched" by the fact that some of its elements reside in London while others remain in Greece.¹²¹ He sounds as if simultaneously arguing that the works should remain divided amongst different countries and not be reunited as one cohesive work of art, and, contrarily, that the British Museum can't and won't return their particular collection of Parthenon Marbles because "the Trustees feel the obligation to preserve the collection in its entirety."¹²²

When asked if the British Museum and Greek Officials were engaged in conversation about a possible return, Director Fischer simply responded, "There are no active talks."¹²³ This decision remains one of the most controversial in the art world today. As the British Museum maintains its stance, it continues to receive criticism and pushback not only from Greece, but from individuals all over the world. One cultural property lawyer in Britain, Mark Stephens, offered his skepticism of the decision: "A passing knowledge of the history and theft of the Parthenon Marbles would make any institution wish to return stolen goods instead of pursuing and justifying a historic wrong."¹²⁴ Similarly, Katharine Conley, reflecting on the British Museum's retention of the Parthenon Marbles, suggested that the concept of the universal museum is inherently flawed and "justifies the continuation of highly problematic practices of acquisition."¹²⁵

¹²¹ Andritsopoulos, "Exclusive: Parthenon Sculptures."

¹²² Andritsopoulos, "Exclusive: Parthenon Sculptures."

¹²³ Andritsopoulos, "Exclusive: Parthenon Sculptures."

¹²⁴ Andritsopoulos, "Exclusive: Parthenon Sculptures."

¹²⁵ Katharine Conley, "Is Reconciliation Possible? Non-Western Objects at the Menil Collection and the Quai Branly Museum," *South Central Review*, vol. 27, no. 3 (Fall 2010), 37.

The British Museum is not the only museum to publically defend its status a protector of cultural heritage. The British Museum and a number of other famous encyclopedic museums drafted and signed the Declaration on the Importance and Value of Universal Museums in late 2002.¹²⁶ However, while the British Museum refuses to permanently repatriate the Parthenon Marbles, many of the other signatories to the document have defended their status while also repatriating those works of art they deem to have fallen victim to art crimes such as trafficking, theft, looting, and colonial conquest.

¹²⁶ The Declaration on the Importance and Value of Universal Museums is occasionally also reported as being published in 2003.

CHAPTER FOUR.

INTERROGATING THE ROLE OF MUSEUMS

The Declaration on the Importance and Value of Universal Museums:

Museums of all types—those who have repatriated a number of artifacts, and those who deny permanent repatriation requests—have banded together to defend themselves and reiterate their purpose, goals, and contributions as universal, encyclopedic museums across the globe. The Declaration on the Importance and Value of Universal Museums is a brief but powerful statement drafted, signed, and published in late 2002. Written collectively and signed by a number of well-known museums, the declaration defines universal museums as “agents in development of culture” and stresses the “importance of public collecting.”¹²⁷

According to this declaration, universal museums serve as protectors of the world’s heritage—objects they obtained through “purchase, gift, or partage.”¹²⁸ The co-authors of the declaration argue that since the museums have ‘cared for’ and maintained such objects, the artifacts have become “part of the heritage of the nations which house them.” This bold claim boils down to the essential issue in play in restitution debates: Whose heritage do artifacts belong to? The Declaration on the Importance and Value of Universal Museums suggests that works are not limited to the country of origin’s heritage, but rather, have become part of international heritage, and even perhaps part of the national heritage of the host museum’s country. To limit the diversity of the museum by de-accessioning large portions of artifacts would be a disservice

¹²⁷ “Declaration on the Importance and Value of Universal Museums,” December 2002, *International Council Of Museums (ICOM) News*, no. 1 (2004), p. 4.

¹²⁸ “Declaration on the Importance and Value of Universal Museums.”

to the public and to museum visitors.¹²⁹ However, not all would necessarily agree with this, and many source nations might argue that the works were created by their communities, properly owned by their communities, and never should have left, particularly if looted or stolen. Further supporting its claim that works of art belong to a global cultural heritage, the Declaration proclaims: “Although each case has to be judged individually, we should acknowledge that museums serve not just the citizens of one nation but the people of every nation.”¹³⁰

Additionally, the Declaration states that people would not have such deep respect for ancient civilizations had it not been for museums displaying and teaching about the artifacts. Museums do, in fact, protect, display, and conserve objects and educate the public. Thus, it could be argued that museums are the best location for artifacts—the location that best benefits the public. The question then remains of which museum, and in what country—a matter to be interrogated later in the paper.

Throughout the declaration, the museums defend their position as protectors of cultural heritage and as public educators. They also make sure, however to denounce illegal trafficking of artifacts. “The international museum community shares the conviction that illegal traffic in archaeological, artistic, and ethnic objects must be firmly discouraged.” This is reassuring to hear, and makes clear that the museums are against looting and “illegal traffic.” However, they merely write that such illegal behaviors are ‘discouraged’ and could have chosen a much more severe word to denounce such illegal and immoral activities. Furthermore, while they criticize illegal activities, they do not directly address immoral trafficking—which France’s Sarr-Savoy report appears to be targeting. Some repatriation advocates might even argue that by refusing to return looted works of art, museums themselves could be complicit in the crimes.

¹²⁹ “Declaration on the Importance and Value of Universal Museums.”

¹³⁰ “Declaration on the Importance and Value of Universal Museums.”

The signatories to the Declaration on the Importance and Value of Universal Museums include but are not limited to: The Art Institute of Chicago, the Louvre Museum in Paris, The Metropolitan Museum of Art in New York, the Boston Museum of Fine Arts in Boston, The Museum of Modern Art in New York, the Philadelphia Museum of Art in Philadelphia, and the British Museum in London.¹³¹

Colonialism: Calling into Question Ethnographic Museums:

Universal, encyclopedic museums are not the only museums worried about their future and defending their status as public educators and protectors of the world's precious heritage. Ethnographic museums, which the Sarr-Savoy Report refers to as “museums of ‘othering,’”¹³² are faced with similar, if not bigger concerns since so much of their collections likely stemmed from colonialism, and since the Sarr-Savoy report specifically targets works taken by colonial power as those to be returned without needing to conduct further research. As universal museums find themselves defending their roles and contributions to the public good, we must ask ourselves what, if any, the role of ethnographic museums is in today's contemporary society?

Debates surrounding repatriation often revolve around works taken during the colonial period—a time during which imperialism and invasions led to the removal of many nonwestern works of art from their countries of origin and their placement instead in both Western and encyclopedic museums—where many still remain to this day.¹³³ Such large-scale integration of African art into Western museum collections and exhibitions is credited with influencing the rise

¹³¹ “Declaration on the Importance and Value of Universal Museums.”

¹³² Sarr and Savoy, 37.

¹³³ Merryman, *Imperialism, Art and Restitution*, 1; Emma Jacobs, “Across Europe, Museums Rethink What to Do With Their African Art Collections,” edited by Tom Cole, *NPR*, August 12, 2019, <https://www.npr.org/2019/08/12/750549303/across-europe-museums-rethink-what-to-do-with-their-african-art-collections>.

of modernism and boosting tourism in Western countries.¹³⁴ However, it also raises concern about museums' possible culpabilities in perpetuating colonialist attitudes. Scholar Aaron Glass warns about when “the process of collection becomes a metaphor for the removal of freedoms, liberties, dignity, culture and even life.”¹³⁵ This global re-questioning of colonial history and desire to repatriate stolen or looted artifacts has put pressure on museums to reevaluate their collections.

The Quai-Branly Museum & Its Connection to Colonialism

The Musée du quai Branly-Jacques Chirac in Paris offers a fascinating case study. It is unique in that it at once receives backlash for its collection—much the result of colonialism, and can also be praised for inventorying its collections to assist with the drafting of the Sarr-Savoy Report. The Report states, “In Paris, we benefitted enormously from the constant support of the various teams... the museum’s president, Stéphane Martin.”¹³⁶

The Quai Branly is central to France’s recent restitution endeavors. It saw an increase in its collection during France’s colonial period, it cooperated with Sarr and Savoy by inventorying works, and some of its works have already been returned to Africa. In conjunction with the report’s release, President Macron announced the return of twenty-six of the museum’s artifacts to the country of Benin. This return, intended to be long-term, would have to be temporary until French law is amended.¹³⁷

¹³⁴ Cassan, “The Sarr-Savoy Report & Restituting Colonial Artifacts.”

¹³⁵ Glass, 125.

¹³⁶ Sarr and Savoy, 4.

¹³⁷ Farago, “Artwork Taken from Africa Returning to a Home Transformed;” Cassan, “The Sarr-Savoy Report & Restituting Colonial Artifacts.”

The Quai Branly is located near the Eiffel Tower on the banks of the River Seine.¹³⁸ Created in 2006, the museum was established from many of the works that previously lived in the Musée de l'Homme (Museum of Man), and before that the Musée d'Ethnographie du Trocadéro (Trocadéro Museum of Ethnography). Highlighting works from Africa, Oceania, Asia, and the Americas, the museum boasts its service as “a bridge between cultures.” The Quai Branly stores about 300,000 works, with its permanent collection displaying approximately 3,500 of those works. It holds about ten temporary exhibits each year.¹³⁹

The Quai Branly has garnered particular attention since the publication of the Sarr-Savoy Report—receiving both praise and criticism for its treatment of the collection. James Clifford has explained, “Quai Branly’s rich collection has been much praised—a *patrimoine* for all humanity.”¹⁴⁰ However, the museum seems to hold disproportionately high numbers of African art, while perhaps underrepresenting art from other areas such as Canada. While Canada feels underrepresented within the Quai Branly, many African nations lack sufficient examples of their own cultural heritage to display within Africa.¹⁴¹ Of the 80,000 to 90,000 sub-Saharan artifacts that France possesses, the Quai Branly possesses around 70,000.¹⁴² Clifford ultimately concludes that, “at this moment, Quai Branly appears to be more a part of the problem than of its solution.”¹⁴³ The Sarr-Savoy Report has provided details about the number of works the Quai Branly possesses from particular African countries. To name just a few, the Quai Branly has 9,296 objects from Chad, 7,838 from Cameroon, 7,590 from Madagascar, 6,910 from Mali, 3,951 from Ivory Coast, 3,157 from Benin, 2,593 from Republic of Congo, and 1,148 from

¹³⁸ Musée Du Quai Branly Jacques Chirac, “Missions: A Bridge Between Cultures.”

¹³⁹ Musée Du Quai Branly Jacques Chirac, “Missions: A Bridge Between Cultures.”

¹⁴⁰ Clifford, 19.

¹⁴¹ Clifford, 19.

¹⁴² Brown, “The Idea Is Not to Empty Museums;” Jacobs, “Across Europe, Museums Rethink What to Do With Their African Art Collections;” Katz, “French Report Recommends the Full Restitution of Looted African Artworks;” Cassan, “The Sarr-Savoy Report & Restituting Colonial Artifacts.”

¹⁴³ Clifford, 23.

Nigeria.¹⁴⁴ Although some might praise the museum for its protection of valuable cultural heritage and its maintenance of such a diverse collection, others might criticize it for perpetuating colonialist attitudes/tendencies. “Critiques of the Branly open up new ideas for how to improve upon current practices of display for the purposes of reconciliation.”¹⁴⁵

The Quai Branly museum is clearly vulnerable to criticism due to its vast numbers of works from a few particular cultures—largely resulting from colonialism. However, not only is it susceptible to criticism from others, but it has doled out its own criticism—of the Sarr-Savoy Report.

The Quai Branly’s Own Concerns:

Director of the Quai Branly Museum, Stéphane Martine, who, according to a number of sources, has vocally criticized the Sarr-Savoy report, declared, “Museums should not be the hostages of the unhappy history of colonialism.”¹⁴⁶ However, one must ask to which museums this statement applies. The unhappy history of colonialism to which Martine refers exists. It produced many violent invasions, and its existence can not be ignored. While we should attempt to mitigate colonialism’s residual, still-lasting negative effects, it would be impossible to eliminate its effects as if it did not occur. Rather, it seems some museums will suffer as a result of so many artifacts’ shady provenances and uncertain histories of conquest. Every original work can exist in only one location—in this case either France or Africa. Martine argues that western museums would suffer if the works are removed and sent to African countries. Won’t African museums suffer if works that were taken unethically or illegally are not returned to the African communities in which they were created and once resided? President Macron has defended

¹⁴⁴ Sarr and Savoy, 46.

¹⁴⁵ Conley, 39.

¹⁴⁶ Jacobs, “Across Europe, Museums Rethink What to Do With Their African Art Collections.”

Africa's right to cultural heritage in a November 28, 2017 twitter post, remarking, "Le patrimoine africain ne peut pas être prisonnier de musées européens."¹⁴⁷ In other words, African cultural heritage and patrimony can not be prisoner of European museums.

Not all museums can own and display the same artifacts. Some museum will indeed lose their abilities to display artifacts as a result of colonialism. The question remains: which museums? Whose museums?

Whose Museums—Examining Changing Contexts:

Should works of art and objects of cultural heritage stay in Western museums where many currently reside? Or should they be returned to their communities of origin?

When works were removed from their original countries, their context changed. It is important to remember that many works possessed intrinsic spiritual value to their origin communities, but not all were intended to be works of art available for public viewing. Whatever the works' original function—whether public or private, whether intended to be works of art, spiritual objects, or functional tools—the works acquired museum status once removed from their countries of origin and placed in Western museums. The question remains whether artifacts at the center of repatriation debates can or should regain their original context once returned to their countries of origin. The Sarr-Savoy Report also raises this question: "Is it possible to re-institute cultural artifacts back into their societal milieus of origin, to see them regain their proper

¹⁴⁷ Macron, Twitter Post URL: https://twitter.com/EmmanuelMacron/status/935488489663156226?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E935488489663156226&ref_url=https%3A%2F%2Fnews.artnet.com%2Fart-world%2Ffrench-president-promises-restitution-african-heritage-ouagadougou-university-speech-1162199.

function and use, after such a long absence?”¹⁴⁸ Not only is it possible, but is this what countries of origin want?

While countries request the return of their looted cultural heritage, they do not all necessarily want to return the works of art to their original, pre-removal contexts—if such an endeavor would even be possible. The King and community, of the Kuba culture in Congo, for example, have decided returned artifacts will retain their status as museum art objects. Sarah Van Beurden has observed, “Interestingly, these demands were not aimed at restoring objects to their former roles in Congolese life, but instead appropriated Western redefinitions of them as representatives of cultural heritage, ‘art,’ and museum objects.”¹⁴⁹

The Kuba culture is not the only country to view returned artifacts as museum-worthy works of art. Just as Greece constructed the Acropolis Museum in Athens, many African countries are in the process of constructing museums designed to display repatriated works of cultural heritage. It is important to recall that the Sarr-Savoy Report mandates that countries receiving restituted works must have sufficient facilities to hold the artifacts.¹⁵⁰ The report also makes clear that the country of origin, not France, will decide if the facilities are adequate.

The country of Benin (distinct from Kingdom of Benin) will receive a 20 million euro loan from the French Development Agency in order to design and construct a new royal museum “to show restituted heritage.”¹⁵¹ It will house the twenty-six artifacts that President Macron of France promised to return to the country of Benin following the release of the Sarr-Savoy

¹⁴⁸ Sarr and Savoy, 30.

¹⁴⁹ Sarah Van Beurden, “The Art of (Re)Possession: Heritage and the Cultural Politics of Congo’s Decolonization,” *Journal of African History*, vol. 56 (2015), 146.

¹⁵⁰ Sarr and Savoy, 33-34.

¹⁵¹ Victoria Stapley-Brown, “Benin gets €20m loan for new museum to show restituted heritage: France’s president pledged to return 26 items seized in the 19th century by the French military,” *The Art Newspaper*, 18 July, 2019, <https://www.theartnewspaper.com/news/benin-gets-eur20m-loan-for-new-museum-to-show-restituted-heritage>.

Report.¹⁵² This initiative to design new museums to display repatriated works of art is a novel idea. In the past, some ethnographic museums were designed to showcase works taken from colonized areas. Benin’s museum is the opposite—a country, once colonized, taking back agency to display its own works of art, its own cultural heritage. Expected to open in 2021, Benin’s new museum will be located within the city of Abomey on a 116-acre lot that once held the royal palaces of the Dahomeny Kingdom—now a designated UNESCO World Heritage Site.¹⁵³ The Sarr-Savoy report references the Kingdom of Dahomey as one of the sites that suffered from battle and the removal of spoils of war—similar to Benin City.

The country of Nigeria (which is home to the present-day Benin Kingdom) is also creating a new museum to hold repatriated artifacts. The new museum will be in Benin City, part of the Edo state in Nigeria. Nigeria gained its independence in 1960, and has since requested the return of its cultural heritage.¹⁵⁴ The three-floor building will be located near the Oba’s palace. It will be next to the site where the original Royal Palace once stood. The current Benin culture Oba is maintaining constant dialogue with museums across the globe¹⁵⁵—many of whom have offered loans for the new museum.

¹⁵² Stapley-Brown, “Benin gets €20m loan for new museum.”

¹⁵³ Stapley-Brown, “Benin gets €20m loan for new museum;” Yomi Kazeem, “The Return of Benin’s Looted Bronzes is About Restoring a Century’s Worth of Heritage—and Pride,” *Quartz Africa*, 30 November 2018, <https://qz.com/africa/1477656/british-museum-to-return-looted-benin-bronze-artifacts/>.

¹⁵⁴ Kieron Monks, “British Museum to Return Benin Bronzes to Nigeria.” *CNN*, 14 December 2018, <https://www.cnn.com/2018/11/26/africa/africa-uk-benin-bronze-return-intl/index.html>; Adebayo, “A Bronze Cockerel Stolen in the 19th Century to Be Returned to Nigeria.”

¹⁵⁵ Akwagyiram, “Nigeria Could Borrow Back its Plundered Benin Bronzes – Governor.”

Revisiting Temporary vs. Permanent Restitutions—*Are temporary restitutions sufficient?*

A number of European museums have promised to loan works to the new museum in Benin City, Nigeria once opened.¹⁵⁶ The British Dialogue Group, a committee of Nigeria's National Commission for Museums and Monuments, Edo's government, Benin's Royal Court, and Europe's museums, has stated that the British Museum will temporarily return some of the "most iconic" works in its collection to the soon-to-be-new Benin Royal Museum that is currently under construction.¹⁵⁷ A British Museum spokesperson described the British Dialogue Group's agenda to have "partners [who] can work together to establish a museum in Benin City with a rotation of Benin works of art from a consortium of European museums."¹⁵⁸ The British Museum's use of words and phrases such as "partner" and "work together" is encouraging, and more in line with France's call for cooperation and collaboration than with the British Museum's own sentiment towards Greece.

While this is a huge step for the British Museum, one can not ignore the fact that the loans it offers are only temporary, not permanent. To quote news writer, Kieron Monks, "Some of the Benin bronzes are heading back to Nigeria-with strings attached."¹⁵⁹ Are temporary loans enough? Or must countries fully repatriate works of cultural heritage to source countries? It depends who you ask.

In France, President Emmanuel Macron initially called for restitutions that were either temporary or permanent. The subsequent Sarr-Savoy Report clarified that such returns should,

¹⁵⁶ Aaron Ross and Marine Penner, "France Returns 26 Artworks to Benin as Report Urges Restitution," *Reuters*, 23 November 2018, <https://www.reuters.com/article/us-africa-france-art/france-returns-26-artworks-to-benin-as-report-urges-restitution-idUSKCN1NS1GH>.

¹⁵⁷ Monks, "British Museum to Return Benin Bronzes to Nigeria."

¹⁵⁸ Monks, "British Museum to Return Benin Bronzes to Nigeria."

¹⁵⁹ Monks, "British Museum to Return Benin Bronzes to Nigeria."

indeed, be permanent, explaining that the term ‘temporary’ is only relevant if need be until and if French law is amended.¹⁶⁰

In Britain, The British Museum has offered temporary loans to both Greece and Nigeria, boasting that it has “excellent relations” with Greece’s Acropolis Museum,¹⁶¹ and expressing its desire to “work together” with the new Benin City museum.¹⁶² However, the British Museum has a reputation for primarily offering short term, temporary loans in such instances, not indefinite or permanent loans. Alexis Akwagyiram, writing for Reuters, speculated, “London has often refused to return works, ‘citing legislation that bans its museums from permanently disposing of their collections.’”¹⁶³ When asked whether he would consider an “open-ended loan” of the Parthenon Marbles to Greece, Museum Director, Hartwig Fischer, responded with a two-fold answer: 1) “there are no indefinite loans,” and 2) “When we lend, we lend to those places where the ownership is acknowledged.”¹⁶⁴ Greece continues to defend its own rightful ownership of the Parthenon Marbles currently on display at the British Museum. Meanwhile, the British Museum believes it lawfully owns the works.

While many in Greece seek the permanent return of their artifacts, Nigeria might be willing to accept temporary loans of its cultural heritage. Edo’s governor, Godwin Obaseki, has remarked, “Whatever terms we can agree to have them back so that we can relate to our experience, relate to these works that are at the essence of who we are, we would be open to such conversations.”¹⁶⁵ The National Commission for Museums and Monuments concurs: “Nigeria is not adverse to loan of artefacts.”¹⁶⁶ The Edo Governor’s Special Adviser, Crusoe Osagie, has

¹⁶⁰ Sarr and Savoy, 28, 63.

¹⁶¹ Andritsopoulos, “Exclusive: Parthenon Sculptures.”

¹⁶² Monks, “British Museum to Return Benin Bronzes to Nigeria.”

¹⁶³ Akwagyiram, “Nigeria Could Borrow Back its Plundered Benin Bronzes – Governor.”

¹⁶⁴ Andritsopoulos, “Exclusive: Parthenon Sculptures.”

¹⁶⁵ Akwagyiram, “Nigeria Could Borrow Back its Plundered Benin Bronzes – Governor.”

¹⁶⁶ Akwagyiram, “Nigeria Could Borrow Back its Plundered Benin Bronzes – Governor.”

clarified, “A loan is not what we want or the best choice... But in the absence of another choice, we can start with that.”¹⁶⁷

As source countries prepare museums for the potential permanent return of their looted artifacts, some Western museums still offer only temporary loans. Discussions seeking to ascertain in whose museums works belong stem back to the framing question of to whom cultural heritage belongs.

¹⁶⁷ Kieron Monks, “Benin Bronzes: Will Britain return Nigeria’s Stolen Treasures?” *CNN*, 29 June 2018, accessed 8 May 2020. <https://www.cnn.com/2018/06/29/africa/nigerias-stolen-treasures/index.html>.

CHAPTER FIVE:

LOCAL VS. GLOBAL HERITAGE & OTHER POLARITIES OF RESTITUTION DISPUTES

Whose Heritage?

In any art repatriation debate, one must ask whether cultural heritage is inherently national (particular to local communities) or international (global and shared by all of humanity). The argument that artifacts belong to a particular community or culture, and thus possess intrinsic and irreplaceable value to that community, aligns with pro-repatriation attitudes, while, contrarily, the viewpoint that everyone shares a common culture, history, and heritage, regardless of geography, typically supports anti-repatriation rhetoric. John Henry Merryman, in his 1986 essay, “Two Ways of Thinking About Cultural Property,” had introduced such a dichotomy, observing that people could view cultural property in one of two ways: as part of a “common human culture... independent of property rights or national jurisdiction”¹⁶⁸ or as “part of national cultural heritage.”¹⁶⁹ At the time, Merryman compared the two opposing vantage points and examined their relationships to the 1954 Hague Convention and 1970 UNESCO conventions. He seemed skeptical of an overly national approach; however, he maintained “both ways of thinking about cultural property are in some measure valid.”¹⁷⁰ Scholars have been debating the issue ever since—with many Western museums adopting the role of protecting what they deem to be the global cultural heritage of humanity, and many countries requesting the return of precious artifacts that they created and deem to hold particular significance to their particular community. However, the Sarr-Savoy Report marks an intriguing example of the Western country—once a

¹⁶⁸ John Henry Merryman, “Two Ways of Thinking About Cultural Property,” *The American Journal of International Law*, vol. 80, no. 4 (October 1986), 831.

¹⁶⁹ Merryman, “Two Ways of Thinking,” 832.

¹⁷⁰ Merryman, “Two Ways of Thinking,” 852.

colonizing country—acknowledging the national significance of looted or forcefully and unethically removed artifacts to their countries of origin.

A closer look at President Macron’s 2017 speech at Burkina Faso’s University of Ouagadougou reveals the nuances of such tedious distinctions. Macron seemed conflicted about whether to reference the works solely as national heritage or as global heritage, but reassured his African audience that the works are first and foremost African. He then requested permission to refer to the works as shared heritage. In concluding his section on cultural heritage restitutions, Macron explained the importance of global partnership in protecting works of African art. He described the works as “your history, your heritage,” in other words, Africa’s history, Africa’s heritage, but then follows up: “our heritage if I may.”¹⁷¹

The Declaration on the Importance and Value of Universal Museums implies its support of the concept of global heritage, explaining its viewpoint that works of art become part of their museum’s nation’s heritage.¹⁷² This concept of a shared global heritage is echoed by the British Museum, one of the signatories to the Declaration. The British Museum has defended its right to keep the Parthenon marbles, partially on the basis that they “transcend cultural boundaries” and belong to “everyone’s shared heritage.”¹⁷³

The Benin peoples in modern-day Nigeria, on the other hand, express views more in line with the concept of local heritage. The Oba’s younger brother, Prince Edun Akenzua, insists, “Those things that were removed were chapters of our history book... We saw the removal as a grave injustice and we are hoping that someday people will see why we are asking for these things back.”¹⁷⁴ He has requested repatriation of Benin Bronzes removed during the British

¹⁷¹ Macron, Speech at the University of Ouagadougou, 1:24:10-1:24:20.

¹⁷² “Declaration on the Importance and Value of Universal Museums.”

¹⁷³ The British Museum. “The Parthenon Sculptures in the British Museum.”

¹⁷⁴ Otzen, “The Man Who Returned His Grandfather’s Looted Art.”

Punitive Expedition proposing Britain could instead display replicas – a suggestion the Sarr-Savoy Report proposed.

This culture-specific significance of works is also expressed by Mark Walker, the grandson of Herbert Walker, who was involved in the British Punitive Expedition. Mark Walker advocates for the return of the Benin ‘bronzes’ to Nigeria and the Benin culture, where they can be fully appreciated. He explains, “These objects are part of the cultural heritage of another people... to the people of Benin City, these objects are priceless.”¹⁷⁵

Can works of art be considered the national heritage of their host museum’s country?

Typically, those who support art repatriation cite national or local heritage, while opponents defer to theories of international or collective cultural heritage. However, there are a few exceptions. When accepting the repatriation of the *Coffin of Nedjemankh*, Sameh Hassan, Egyptian Minister of Foreign Affairs referenced the works as “our common human heritage”¹⁷⁶ This is unique in that it represents a country on the receiving end of repatriation considering returned artifacts to be part of a global shared heritage.

There are also instances of repatriation opponents arguing that works belong to the national cultural heritage of the host museum’s country. Tiffany Jenkins, a writer and broadcaster who has adamantly defended the British Museum’s insistence on keeping the Parthenon sculptures, seems to suggest the works are part of Britain’s national cultural heritage. “We might then ask,” she ponders “given that the Elgin Marbles have spent 200 years in the British Museum, what relationship do the visitors to the museum have to the Marbles, what relationship do the British have to the Elgin marbles?” Asserting that the works “have become

¹⁷⁵ Otzen, “The Man Who Returned His Grandfather’s Looted Art.”

¹⁷⁶ Szekely, “After New York Visit, Looted Coffin of Ancient Egyptian Priest Goes Home.”

part of the [British] nation's cultural life," Jenkins proposes, "Could one not argue that the Marbles belong to the people of London, or to the British, on the grounds that they have become part of their identity?"¹⁷⁷ This is an alarming and ironic statement. Jenkins's emotional appeal expresses sympathy for the British Museum. Where is such concern for Greece, who lost its artifacts—courtesy of British officials? Jenkins argues that the Parthenon sculptures in the British Museum have a history in Britain due to being housed and displayed there, and thus, the works should not be removed. However, by this line of thinking, the works should never have been removed from Greece. Greece unequivocally had a connection with the artifacts, which not only lived in Greece, but were created by the Greeks. While Jenkins speculates on whether the Parthenon Marbles "have become part of [Britain's] identity," it remains clear that the works are and have been part of Greece's identity. The works celebrate Greek culture, visually depicting particular events from their history, and showcasing the extreme and influential talents of their artists. Similarly, many of the Benin Bronzes adorned the Royal Palace and depicted scenes of their life and culture. If the criteria for where works of art belong is, as Jenkins proposes, where they are a part of a country's identity, then the Parthenon Marbles belong in Greece. And the Benin Bronzes in Nigeria.

It is fascinating to see how countries change their stances regarding the ownership of cultural heritage when discussing artworks produced by their own artists and when discussing works produced by cultures other than their own. Typically, countries of origin, in Africa and elsewhere, want their art returned, while many Western museums want to retain possession of the artifacts, defending their roles as public educators and protectors of global heritage.

¹⁷⁷ Tiffany Jenkins, *Keeping Their Marbles: How the Treasures of the Past Ended up in Museums... And Why They Should Stay There* (Oxford, United Kingdom: Oxford University Press, 2016).

However, what would happen if the situation were reversed—if African countries maintained European works of art, and the European countries wanted those works back?

We can gain a glimpse of the stakes involved in such situations by examining interactions between France and Algiers during the 1960s involving European works of art at the Musée des Beaux Arts in Algiers. Algeria was colonized in 1830. A hundred years later, on May 4, 1930, the Musée des Beaux Arts in Algiers opened.¹⁷⁸ In 1961, France “recognized the right” of Algeria to attain its independence,¹⁷⁹ and in March 1962, French and Algerian representatives met to draft documents and agreements, known as the Evian Accords, pertaining to Algeria’s soon-to-be independence.¹⁸⁰ Algiers officially gained independence in July 1962.¹⁸¹ A hundred years later,

On May 14, 1962, after the Evian Accords were drafted but before Algeria officially gained independence, French officials removed over 300 works of art by famous European artists such as Renoir, Degas, Monet, Pissarro, Courbet, and Delacroix from the Musée des Beaux Arts in Algiers.¹⁸² Such artists are each significant to French history and culture in much the same way African artifacts currently in France are significant items of cultural heritage for African communities. Seemingly viewing the works as their national cultural heritage, the French officials brought the works in eleven crates back to the Louvre in France, where they arrived on May 23rd.¹⁸³

¹⁷⁸ Andrew Bellisari, “The Art of Decolonization: The Battle for Algeria’s French Art, 1962-70,” *Journal of Contemporary History*, vol. 52, no. 3 (2017), 629.

¹⁷⁹ “Algeria: France-Algeria Independence Agreements (Evian Agreements),” *International Legal Materials*, vol. 1, no. 2 (October 1962), 214.

¹⁸⁰ “Evian Agreements,” Bellisari, 625-626.

¹⁸¹ Gitti Salami and Monica Blackmun Visonà, ed, *A Companion to Modern African Art*, Blackwell Companions to Art History, contributions by Dana Arnold (United Kingdom: John Wiley & Sons, Inc., 2013) Google Books, 199; Bellisari, 625-626.

¹⁸² Bellisari, 626.

¹⁸³ Bellisari, 625-626.

However, typical of art restitution debates, questions of ownership and rightful possession emerged. This work, through what Bellisari terms a “technicality”¹⁸⁴ pertaining to the Evian Accords, became Algerian property, and France had to repatriate the works. In December 1969, the French government made the decision to repatriate almost all of the works, following a seven-year period of political debates involving both governments and museums from Europe and Africa.

There are a striking a number of parallels and differences between this and current politics of repatriation and political debates between France and African countries. This debate in the 1960s is still between France and Africa—the very entities at the center of France’s new pro-repatriation movement. However, this 1960s example provides an instance of debate over the ownership and rightful possession of French art that was at the time living in Africa. Meanwhile, the Sarr-Savoy Report and many contemporary repatriation situations are about African art living in France, or other European and American museums. Today, European, U.S., and other Western museums typically prefer views of international cultural heritage, while in the 1960s example, France appeared to view works by the likes of Monet, Courbet, and Delacroix as their national cultural heritage. In both the 1960s example and in modern times, questions of whose heritage still pervade.

Presenting a Balanced Analysis & Responding to Opponents of Repatriation:

The constant debate surrounding whether cultural heritage is inherently local or global brings to light some of the major disagreements between repatriation supporters and opponents. It also ties in with the juxtaposition of ethics versus the law in determining the fate of cultural heritage. Opponents of repatriation often rely on claims that artifacts were removed legally, and

¹⁸⁴ Bellisari, 626.

argue they belong to the collective global community, while advocates for repatriation typically argue the works were removed immorally, and have unique and undeniable cultural significance to their countries of origin. It would behoove us now to examine and respond to two particular concerns amongst critics of repatriation.

The first can be called the slippery slope concern. Similar to criticism surrounding the Sarr-Savoy Report and its potential impact on the Quai Branly, critics are afraid that if museums start engaging in widespread and large-scale repatriation of cultural heritage, museums will be forced to empty their collections, setting a dangerous precedent that could result in the demise of the universal museum. James Cuno, one of the leading scholars in the field who opposes art repatriation and believes in an international heritage shared by the “global community,” has argued that the return of artifacts to their original owners and origin countries not only threatens the future of encyclopedic museums but also hinders ‘cultural exchange.’¹⁸⁵ If museums were to suddenly repatriate all works of art from cultures other than their own, then what would happen to encyclopedic and ethnographic museums? Would they cease to exist?

Opponents of art repatriation have also insinuated that restitution is too focused in the past, perhaps to the point of inhibiting museums’ and countries’ abilities to focus on the future. In one of his more recent articles, “Culture War: The Case Against Repatriating Museum Artifacts,” Cuno speculated that governments requesting repatriation “use ancient cultural objects to affirm continuity with a glorious and powerful past as a way of burnishing their modern political image.”¹⁸⁶ He explained that culture is constantly changing and presented his viewpoint that “modern governments present it as standing still in order to use cultural objects to

¹⁸⁵ Cuno, “Culture War,” 119-120.

¹⁸⁶ Cuno, “Culture War,” 120.

promote their own states' national identities."¹⁸⁷ Cuno's argument appears twofold: 1) that parties involved in repatriation debates remain too concerned with the past, and 2) that the cultures requesting works be returned might have substantially changed since the works were created.

The fact that many cultures have changed from the times countries' works were looted to now, however, does not invalidate those countries' claims for cultural heritage to be restituted. In cases of theft, looting, or blatantly immoral removal, the countries of origin have no less right to their artifacts than Western museums that currently possess them.

In response to the concern that sudden widespread art repatriation might yield the demise of the encyclopedic museum, no one is suggesting the mass large-scale, universal, repatriation of all artworks that originated in other countries. If museums were to suddenly return all art from cultures other than their own, even those works acquired legally and morally, then critics would be correct and universal museums would cease to exist; museums would be limited to presenting their own cultures. However, no one is proposing museums return all artwork from countries other than their own.

The concern that selective art repatriation will turn into widespread art repatriation and threaten the future of museums assumes that museums' collections consist solely, or at least primarily, of looted, stolen artworks and illegally trafficked artifacts. Not all works of art have been stolen, looted, or removed by aggressive colonial force, and thus not all works should be repatriated. Many works have been acquired through partnership, sale, or gift. Some even spotlight cross-continental collaboration. A perfect example of this is the Metropolitan Museum of Art's *Temple of Dendur*—an Egyptian monument built during the first century B.C.E. that Egypt gifted to the U.S. in the 1960s due to their generous financial assistance in times of need

¹⁸⁷ Cuno, "Culture War," 120.

and in order to save the temple from impending natural disaster. During the 1960s, Egypt was constructing the Aswan High Dam to help control the Nile River's annual flood patterns.¹⁸⁸ The construction of the dam resulted in Lake Nasser, which spanned over 2,000 square miles, covering Dendur. The lake would have flooded ancient treasures and monuments like the *Temple of Dendur*, had Egypt not gifted it to another country.¹⁸⁹ Various countries from around the world all contributed to assist Egypt in recording data about preexisting structures and attempting to relocate as many as possible. The United States of America had contributed sixteen million dollars, and in 1967, Egypt decided to send the monument to the U.S.¹⁹⁰ Within the U.S., a contest began, known as the "Dendur Derby," in which museums presented their case for receiving the prized Egyptian monument.¹⁹¹ On April 28, 1967, Lyndon B. Johnson, then President of the U.S.A., decided the *Temple of Dendur* would be entrusted to the MET to preserve and display.¹⁹² Today, it remains one of the highlights of the MET's Egyptian collection and serves to remind of the huge benefits the world can glean when countries work with, instead of against, one another. The *Temple of Dendur* is just one example of the many works of art museums legally (and morally) possess. Museums can and will flourish, even as the world reevaluates art repatriation. And they will do so by highlighting those works acquired legally and ethically.

Furthermore, there might even be ways for works of art once plundered by theft, illegal exportation, or savage acts of violence could remain on display in Western museums after

¹⁸⁸ Diana Craig Patch, "A Monumental Gift to the Met," *The Metropolitan Museum of Art*, accessed 11 May 2020, <https://www.metmuseum.org/about-the-met/curatorial-departments/egyptian-art/temple-of-dendur-50/gift-to-the-met>

¹⁸⁹ Patch, "A Monumental Gift."

¹⁹⁰ Malcolm N. Carter, "An Ancient Temple Rises at the Met," *The New York Times*, 6 July 1975, accessed 29 April 2020, <https://www.nytimes.com/1975/07/06/archives/an-ancient-temple-rises-at-the-met.html>.

¹⁹¹ Carter, "An Ancient Temple Rises at the Met."

¹⁹² The Metropolitan Museum of Art, "The Temple of Dendur: Celebrating 50 Years at the Met," accessed 30 April 2020, <https://www.metmuseum.org/about-the-met/curatorial-departments/egyptian-art/temple-of-dendur-50>.

productive conversation and collaboration with artifacts' communities of origin. The Boston Museum of Fine Arts' collaboration with members of the contemporary Benin Kingdom in the treatment of its 2012 Lehman gift offers a stunning example of this. Alternatively, perhaps, if museums currently possessing looted works agreed to return the works so they became the official legal property of their countries of origin, then such countries of origin might be more amenable to lending back certain works or possibly selling back certain works. While some countries of origin might insist on maintaining works within their own countries, others might be content with having official ownership of the works—releasing them for temporary display in other countries. Still others might allow Western museums to purchase and keep artifacts. This is not a guarantee, but it is a possibility—one more likely if we can work together as a global community to protect cultural heritage—whether it's considered national or international. If institutions and countries on conflicting sides of such debates could come together to establish mutually acceptable solutions, and each state their desires, goals, and fears, then the world might finally be moving in the right direction regarding cultural heritage.

Repatriation requests present opportunities for a new future—one characterized by global partnership, mutual respect, and collaborative productivity. They are not a mere re-visiting of the past.

For countries of origin, repatriation of unethically or illegally exported objects is not merely an attempt to reconcile what, in certain particular instances might be an irreconcilable wrong, but is rather an opportunity for source communities to re-discover their heritage and to begin cataloguing their past and creating their future. As the Sarr-Savoy report describes, African

countries who receive cultural heritage works will have a “twofold task of the reconstruction of their memories and one of self-reinvention.”¹⁹³

Museums also have a two-fold task in assessing repatriation requests: identifying plundered works of art for repatriation, and revising museum policy for the future. Likewise, governments can amend national law to enable museums the freedom to repatriate—as France’s Sarr-Savoy Report calls for—or enhance enforcement protocols to better prevent illegal trafficking—as illustrated by the *Coffin of Ndjemankh* example in New York.

Cultural heritage repatriation is not, as critics fear, a past-oriented field. It is, instead, an opportunity to drastically alter the future, hopefully paving the way for new cultural dynamics and more cross-continental collaborations. And the Sarr-Savoy Report’s call to action is a major step in the long process of reinvention and redesign, as we seek to create a future of collective collaboration.

¹⁹³ Sarr and Savoy, 32.

CONCLUSION:***Looking to the Future***

The field of art restitution is polarized—with some advocating strongly for and others strongly against restitution. However, it is important to seek concurrence amongst disagreement, and most would agree that collaboration is productive in finding solutions to repatriation disputes.

Opponents such as James Cuno, who finds repatriation requests too often “frivolous, if stubborn,”¹⁹⁴ admits there is a need for museums and “national authorities” to cooperate with one another in seeking solutions. He encourages encyclopedic museums to build “mutually beneficial relationships with museums everywhere in the world that share their cosmopolitan vision.”¹⁹⁵ Cuno believes the collaboration will promote the benefits of encyclopedic museums: namely openness, tolerance, inquiry, and a celebration of shared culture.¹⁹⁶

Countries requesting repatriation would certainly disagree with Cuno that such requests are “frivolous.” They, instead, mark countries’ attempts to reunite with their prized heritage. However, the countries of origin also recognize the importance of collaboration, and often compromise, some teaming with other countries to construct museums and some even willing to accept temporary loans if necessary.

Similarly, President Macron of France has adamantly advocated for increased restitution of African cultural heritage, viewing repatriation requests as a necessity, certainly not a ‘frivolous’ act. France’s Sarr-Savoy Report reiterates the importance of international communication, partnership, and action.

¹⁹⁴ Cuno, “Culture War,” 120.

¹⁹⁵ Cuno, “Culture War,” 120.

¹⁹⁶ Cuno, “Culture War,” 129.

We have seen a number of collaborations—ranging from Egypt’s gifting of the *Temple of Dendur* to the MET, to the Boston Museum’s collaboration with Benin Culture representatives, to the MET’s cooperation with the Manhattan DA’s Office in the handling of the *Coffin of Nedjemankh*. One represents how generosity, legal acquisition, and international partnership can avoid questions of repatriation altogether. One exemplifies a museum’s attempt at collaboration despite keeping artifacts, and one illustrates a museum and government’s partnership to insure the return of illegally trafficked artifacts. Each is different in scope and nature, but each exemplifies the benefits of collaboration.

We need collaboration, not just argument, and we need action, not just talk. With very little of Africa’s cultural heritage existing within the African continent, and with portions of figures from the Parthenon existing in Greece and the other pieces in Britain, there is clearly a problem with the distribution of cultural heritage in the world. Through action, through collaboration and partnership, we will work together, embracing both the things we share in common and our unique diversities—to protect, share, and showcase cultural heritage. We can help certain works that fell victim to art crimes and crimes of violence be returned to their rightful owners, while showcasing those works acquired through sale, gift, and teamwork. If museums and governments in different countries can form mutual, respectful relationships, then there is hope that repatriation debates can turn from debates into productive conversations into actions that yield beneficial solutions for all involved.

The field of cultural heritage ownership and art repatriation is under revision.

President Macron’s speech was the spark. The Sarr-Savoy Report was the call to action. And we are in the midst of a response.

Bibliography:

- Adams, Geraldine Kendal. "Macron Report Advocates Permanent Return of Colonial-Era African Objects." *Museums Association*. 28 November 2018.
<https://www.museumsassociation.org/museums-journal/news/28112018-macron-report-repatriation>.
- Adebayo, Bukola. "A Bronze Cockerel Stolen in the 19th Century to Be Returned to Nigeria." *CNN*. 28 November 2019. Accessed 27 April 2020.
<https://www.cnn.com/style/article/benin-cockerel-nigeria-return/index.html>.
- Acropolis Museum. "Museum History." Accessed 30 April 2020.
<https://www.theacropolismuseum.gr/en/content/museum-history>.
- Acropolis Museum. "The Adventures of the Parthenon Marbles in Modern Times." Accessed 30 April 2020. <https://www.theacropolismuseum.gr/en/content/adventures-parthenon-marbles-modern-times>.
- Akwagyiram, Alexis. "Nigeria Could Borrow Back its Plundered Benin Bronzes – Governor." *Reuters Africa*. 20 June 2018. Accessed 11 May 2020.
<https://af.reuters.com/article/worldNews/idAFKBN1JG0XH>.
- "Algeria: France-Algeria Independence Agreements (Evian Agreements)." *International Legal Materials*, vol. 1, no. 2 (October 1962), p. 214-230.
- Andritsopoulos, Yannis. "Exclusive: Parthenon Sculptures Will Not Return to Greece Permanently or on Indefinite Loan, Says British Museum Director Hartwig Fischer." *LinkedIn English Translation Reprint of Ta Nea*, 26 January 2019. Accessed 30 April 2020.
<https://www.linkedin.com/pulse/exclusive-parthenon-sculptures-return-greece-loan-andritsopoulos/>.
- Antons, Christoph (editor) and William Logan (contributor). *Intellectual Property, Cultural Property and Intangible Cultural Heritage (Key Issues in Cultural Heritage)*. (Oxon, OX & New York, NY: Routledge, 2018).
- The Art Institute of Chicago. "The British Conquest of Benin and the Oba's Return." Benin—Kings and Rituals: Court Arts from Nigeria. Accessed 1 May 2020.
<https://archive.artic.edu/benin/conquest/>.
- Bakare, Lanre. "Soldier's Grandson to Return Items He Looted From Benin City." *The Guardian*, 17 December 2019. Accessed 20 April 2020.
<https://www.theguardian.com/uk-news/2019/dec/17/soldiers-grandson-to-return-items-looted-from-benin-city-nigeria>.

- Barber, Elizabeth. "Boston Museum Returns Looted African Art to Nigeria." *Reuters*. 26 June 2014. <https://www.reuters.com/article/us-usa-boston-museum/boston-museum-returns-looted-african-art-to-nigeria-idUSKBN0F12G920140626>.
- Bellisari, Andrew. "The Art of Decolonization: The Battle for Algeria's French Art, 1962-70." *Journal of Contemporary History*, vol. 52, no. 3 (2017), p. 625-645.
- Blackmun Visona, Robin Poynor, and Herbert M. Cole. *A History of Art in Africa*. Second Edition. New Jersey: Pearson Education, Inc. Prentice Hall, 2008, 2001.
- The British Museum. "Greece: Parthenon, Room 18." Accessed 30 April 2020. <https://www.britishmuseum.org/collection/galleries/greece-parthenon>.
- The British Museum. "The Parthenon Sculptures in the British Museum." Accessed 30 April 2020. <https://www.britishmuseum.org/parthenon-sculptures-british-museum>.
- Brown, Kate. "'The Idea Is Not to Empty Museums': Authors of France's Blockbuster Restitution Report Say Their Work Has Been Misrepresented." 24 January 2019. *Artnet News*. Accessed 10 December 2020. <https://news.artnet.com/art-world/restitution-report-critics-1446934/amp-page>.
- "Cambridge University's Jesus College Bronze Cockerel to be Repatriated." *BBC News*, 27 November 2019. Accessed 27 April 2020. <https://www.bbc.com/news/uk-england-cambridgeshire-50578780>.
- Carter, Malcolm N. "An Ancient Temple Rises at the Met." *The New York Times*, 6 July 1975. Accessed 29 April 2020. <https://www.nytimes.com/1975/07/06/archives/an-ancient-temple-rises-at-the-met.html>.
- Cassan, Clara. "The Sarr-Savoy Report & Restituting Colonial Artifacts." *Center for Art Law*. 31 January 2019. <https://itsartlaw.org/2019/01/31/the-sarr-savoy-report/>.
- Clifford, James. "Quai Branly in Process." *October*, vol. 120 (Spring 2007), p. 3-23.
- Conley, Katharine. "Is Reconciliation Possible? Non-Western Objects at the Menil Collection and the Quai Branly Museum." *South Central Review*, vol. 27, no. 3 (Fall 2010), p. 34-53.
- Cornu, Marie. "Safeguarding Heritage: From Legal Rights over Objects to Legal Rights for Individuals and Communities." In *Cultural Heritage Ethics: Between Theory and Practice*. Edited by Constantine Sandis (Open Book Publishers, 2014).

- Crow, Kelly. "Boston Museum Gets Major Gift of African Art from Lehman Heir (Rare sculptures from the historical kingdom of Benin in what is now southwestern Nigeria will go on view next fall)." *Wall Street Journal*. 28 June 2012.
<https://www.wsj.com/articles/SB10001424052702303561504577495252283689104>.
- Cuno, James. "Culture War: The Case Against Repatriating Museum Artifacts." *Foreign Affairs*, vol. 93, no. 6 (Nov/Dec 2014), p. 119-124, p. 126-129.
- Cuno, James. "The Responsibility to Protect the World's Cultural Heritage." *Brown Journal of World Affairs*, vol. 23, no. 1 (Fall/Winter 2016), p. 97-109.
- Daley, Jason. "Manhattan DA Launches First Antiquities Trafficking Unit." *Smithsonian Magazine*, 22 December 2017. <https://www.smithsonianmag.com/smart-news/manhattan-da-launches-first-antiquities-trafficking-unit-180967607/>.
- "Declaration on the Importance and Value of Universal Museums." December 2002.
International Council Of Museums (ICOM) News, no. 1 (2004), p. 4.
- Edgers, Geoff. "MFA Receives Rare West African Art Pieces." *Boston Globe*. 29 June 2012.
<https://www.bostonglobe.com/arts/2012/06/28/museum-fine-arts-gets-prized-benin-bronzes-over-line-hed-here-for-two-arts-stories/KZnIxs0aGQbZPW0vaBwmWK/story.html>.
- Farago, Jason. "Artwork Taken from Africa Returning to a Home Transformed." *New York Times*. 3 January 2019. <https://www.nytimes.com/2019/01/03/arts/design/african-art-france-museums-restitution.html>.
- Glass, Aaron. "Return to Sender: On the Politics of Cultural Property and the Proper Address of Art." *Journal of Material Culture*, vol. 9, no. 2 (2004), p. 115-139.
- Hoffman, Barbara T. ed. *Art and Cultural Heritage: Law, Policy and Practice*. Cambridge & New York: Cambridge University Press, 2006.
- Holcombe, Madeline and Saskya Vandoorne. "France to Return 26 Stolen Artifacts to Benin." *CNN*, 24 November 2018. Accessed May 11, 2020.
<https://www.cnn.com/style/article/france-benin-artifacts/index.html>.
- Hunt, Philip and A. H. Smith. "Lord Elgin and His Collection." *The Journal of Hellenic Studies*, vol. 36 (1916), p. 163 – 372.
- Jacobs, Emma. "Across Europe, Museums Rethink What to Do With Their African Art Collections." Edited by Tom Cole. *NPR*. August 12, 2019.
<https://www.npr.org/2019/08/12/750549303/across-europe-museums-rethink-what-to-do-with-their-african-art-collections>.

- Jenkins, Tiffany. "From Objects of Enlightenment to Objects of Apology: Why You Can't Make Amends for the Past by Plundering the Present." In *Dethroning Historical Reputations: Universities, Museums and the Commemoration of Benefactors*. Edited by Jill Pellew and Lawrence Goldman. (School of Advanced Study, University of London, Institute of Historical Research, 2018).
- Jenkins, Tiffany. *Keeping Their Marbles: How the Treasures of the Past Ended up in Museums... And Why They Should Stay There*. Oxford, United Kingdom: Oxford University Press, 2016.
- Johannot-Gradis, Christiane. "Protecting the Past for the Future: How Does Law Protect Tangible and Intangible Cultural Heritage in Armed Conflict?" *International Review of the Red Cross* (2015), 97 (900), p. 1253-1273. (add rest info).
- Katz, Brigit. "French Report Recommends the Full Restitution of Looted African Artworks." *Smithsonian Magazine*. 21 November 2018. <https://www.smithsonianmag.com/smart-news/french-report-recommends-full-restitution-looted-african-artworks-180970872/>.
- Kazeem, Yomi. "The Return of Benin's Looted Bronzes is About Restoring a Century's Worth of Heritage—and Pride." *Quartz Africa*. 30 November 2018. <https://qz.com/africa/1477656/british-museum-to-return-looted-benin-bronze-artifacts/>.
- Macron, Emmanuel. Speech at the University of Ouagadougou in Burkina Faso. 28 November 2017. Video (1:41:38) in News Wires. "Macron: 'I am of a Generation that Doesn't Tell Africans What to Do.'" *France 24*, 28 November 2017. Modified 30 November 2017. Accessed 27 April 2020. <https://www.france24.com/en/20171128-france-macron-burkina-faso-tour-africa>.
- Manhattan District Attorney's Office. "Manhattan D.A.'s Office Returns Ancient Gold Coffin to Egypt." Press Release. 25 September 2019. <https://www.manhattanda.org/manhatta-das-office-returns-ancient-gold-coffin/>.
- Matthes, Erich Hatala. "Who Owns Up to the Past? Heritage and Historical Injustice." *Journal of American Philosophical Association* (2018), p. 87-104.
- Merryman, John Henry. "Art and the Law, Part I: A Course in Art and the Law." *Art Journal*, vol. 34, no. 4 (Summer 1975), p. 332-334.
- Merryman, John Henry, ed. *Imperialism, Art and Restitution*. New York: Cambridge University Press, 2006.
- Merryman, John Henry. "Thinking about the Elgin Marbles." *Michigan Law Review*, vol. 83, no. 8 (1985). p. 1880 – 1923.
- Merryman, John Henry. "Two Ways of Thinking About Cultural Property." *The American Journal of International Law*, vol. 80, no. 4 (October 1986), p. 831-853.

- “Met Museum Says It’s Returning Stolen Coffin to Egypt.” *NBC New York*, 16 February 2019
<https://www.nbcnewyork.com/news/local/Met-Museum-Says-Its-Returning-Stolen-Coffin-to-Egypt-505934601.html>.
- The Metropolitan Museum of Art. “Head of an Oba, 16th Century, Edo Peoples.” Collection. (Accession Number 1979.206.86). Accessed 1 May 2020.
<https://www.metmuseum.org/art/collection/search/312290>.
- The Metropolitan Museum of Art. “Nedjemankh and His Gilded Coffin Exhibition Overview.” Accessed 11 May 2020.
<https://www.metmuseum.org/exhibitions/listings/2018/nedjemankh-gilded-coffin>.
- The Metropolitan Museum of Art. “The Metropolitan Museum of Art Returns Coffin to Egypt.” Press Release. 15 February 2019.
<https://www.metmuseum.org/press/news/2019/metropolitan-museum-of-art-returns-coffin-to-egypt>.
- The Metropolitan Museum of Art. “The Temple of Dendur: Celebrating 50 Years at the Met.” Accessed 30 April 2020. <https://www.metmuseum.org/about-the-met/curatorial-departments/egyptian-art/temple-of-dendur-50>.
- Monks, Kieron. “Benin Bronzes: Will Britain return Nigeria’s Stolen Treasures?” *CNN*, 29 June 2018. Accessed 8 May 2020. <https://www.cnn.com/2018/06/29/africa/nigerias-stolen-treasures/index.html>.
- Monks, Kieron, “British Museum to Return Benin Bronzes to Nigeria.” *CNN*. 14 December 2018. <https://www.cnn.com/2018/11/26/africa/africa-uk-benin-bronze-return-intl/index.html>.
- Moynihan, Colin. “Met Museum to Return Prize Artifact Because It Was Stolen.” *The New York Times*, 15 Feb. 2019. <https://www.nytimes.com/2019/02/15/arts/design/met-museum-stolen-coffin.html>.
- Musée Du Quai Branly Jacques Chirac. “Missions: A Bridge Between Cultures.” Missions and Operations. Accessed 1 May 2020. <http://www.quaibranly.fr/en/missions-and-operations/the-musee-du-quai-branly/>.
- Museum of Fine Arts Boston. “Art of the Benin Kingdom.” Collections. Africa and Oceania. Accessed 6 April 2020. <https://www.mfa.org/collections/art-of-the-benin-kingdom>.
- Museum of Fine Arts Boston. “Benin Kingdom Gallery.” Gallery. Accessed 6 April 2020. <https://www.mfa.org/collections/featured-galleries/benin-kingdom-gallery>.
- Museum of Fine Arts Boston. “Museum of Fine Arts, Boston, Opens Benin Kingdom Gallery Showcasing Robert Owen Lehman Collection of Rare West African Art.” News. Accessed 1 May 2020. <https://www.mfa.org/news/benin-kingdom>.

- Museum of Fine Arts Boston. "Museum of Fine Arts, Boston Transfers Eight Antiquities to Nigeria." Accessed 11 May 2020. <https://www.mfa.org/news/nigeria-transfer>.
- Museum of Fine Arts Boston. "Ownership Resolutions." Collections. Provenance. Accessed 6 April 2020. <https://www.mfa.org/collections/provenance/ownership-resolutions>.
- Museum of Fine Arts Boston. "Robert Owen Lehman Collection." Accessed 6 April 2020. <https://www.mfa.org/give/gifts-art/Lehman-Collection>.
- Nayeri, Farah. "Return of African Artifacts Sets a Tricky Precedent for Europe's Museums." *The New York Times*, 27 November 2018. Accessed 10 May 2020. <https://www.nytimes.com/2018/11/27/arts/design/macron-report-restitution-precedent.html>.
- Nevadomsky, Joseph. "Studies of Benin Art and Material Culture, 1897-1997." *African Arts*, vol. 30, no. 3 (Special Issue: The Benin Centenary, Part 1) (Summer, 1997); p. 18-27, 91-92.
- Niedzielski-Eichner, Nora. "Art Historians and Cultural Property Internationalism." *International Journal of Cultural Property*, vol. 12 (2005), p. 183-200. DOI: 10.1017/S0940739105050101.
- Nikolentzos, Kostas, Katerina Voutsas, and Christos Koutsothanasis. "What does it Take to Protect Cultural Property? some Aspects on the Fight Against Illegal Trade of Cultural Goods from the Greek Point of View." *International Journal of Cultural Property* vol. 24, no. 3 (August 2017): 351-376.
- Otzen, Ellen. "The Man Who Returned His Grandfather's Looted Art." *BBC World Service*, 26 February 2015. Accessed 18 February 2016. <https://www.bbc.com/news/magazine-31605284>.
- Panko, Ben. "European Summit to Discuss the Return of Looted West African Art (Treasures taken by a British invasion in 1897 could return to Nigeria as a permanent exhibition)." *Smithsonian Magazine*. 31 August 2017. <https://www.smithsonianmag.com/smart-news/european-museums-discuss-returning-looted-african-art-180964555/>.
- Patch, Diana Craig. "A Monumental Gift to the Met." *The Metropolitan Museum of Art*. Accessed 11 May 2020. <https://www.metmuseum.org/about-the-met/curatorial-departments/egyptian-art/temple-of-dendur-50/gift-to-the-met>
- Roberts, Allan F. "Is Repatriation Inevitable?" *African Arts*, vol. 52, no. 1 (Spring 2019); p. 1-6.
- Ross, Aaron and Marine Penner. "France Returns 26 Artworks to Benin as Report Urges Restitution." *Reuters*. 23 November 2018. <https://www.reuters.com/article/us-africa-france-art/france-returns-26-artworks-to-benin-as-report-urges-restitution-idUSKCN1NS1GH>.

- Sandis, Constantine. "Culture, Heritage, and Ethics." In *Cultural Heritage Ethics: Between Theory and Practice*. Edited by Constantine Sandis (Open Book Publishers, 2014), pp. 11-20.
- Salami, Gitti and Monica Blackmun Visonà, ed. *A Companion to Modern African Art*. Blackwell Companions to Art History. Contributions by Dana Arnold. United Kingdom: John Wiley & Sons, Inc., 2013. Google Books.
https://books.google.com/books?id=qZqsAQAAQBAJ&pg=PA199&lpg=PA199&dq=musee+des+beaux+arts+algeria+1962&source=bl&ots=CoV-O_X0o5&sig=ACfU3U3SAugJr2BebIs2XjnnngLodIw8pLg&hl=en&sa=X&ved=2ahUKEwicrqpjw6jpAhVCIXIEHRD4BFwQ6AEwCXoECBEQAQ#v=onepage&q=musee%20des%20beaux%20arts%20algeria%201962&f=false
- Sarr, Felwine and Bénédicte Savoy. "The Restitution of African Cultural Heritage. Toward a New Relational Ethics." Assisted by Isabelle Maréchal and Vincent Négri. Translated by Drew S. Burk. November 2018.
- Scher, Robin. "Better Safe Than Sorry: American Museums Take Measures Mindful of Repatriation of African Art." *ArtNews*, vol. 118, no. 2 (Summer 2019),
<http://www.artnews.com/2019/06/11/african-art-repatriation-american-museums/>.
- Shirbon, Estelle (*Reuters*). "Cambridge College to Return Looted Benin Cockerel Statue to Nigeria." *Business Insider*, 28 November 2019. Accessed 27 April 2020.
<https://www.businessinsider.com/cambridge-college-to-return-looted-benin-cockerel-statue-to-nigeria-2019-11>.
- Smithsonian National Museum of African Art. "Museum Insights / The Kingdom of Benin." Accessed 28 April 2020. <https://africa.si.edu/exhibitions/current-exhibitions/visionary-viewpoints-on-africas-arts/the-kingdom-of-benin/>.
- Stapley-Brown, Victoria. "Benin gets €20m loan for new museum to show restituted heritage: France's president pledged to return 26 items seized in the 19th century by the French military." *The Art Newspaper*. 18 July, 2019.
<https://www.theartnewspaper.com/news/benin-gets-eur20m-loan-for-new-museum-to-show-restituted-heritage>.
- Stockstad, Marilyn and Michael W. Cothren. *Art History*. Fifth Edition. New Jersey: Pearson Education, Inc., 2014.
- Szekely, Peter. "After New York Visit, Looted Coffin of Ancient Egyptian Priest Goes Home." *Reuters*, 25 September 2019. Accessed 29 April 2020.
<https://www.reuters.com/article/us-usa-egypt-coffin/after-new-york-visit-looted-coffin-of-ancient-egyptian-priest-goes-home-idUSKBN1WA35K>.
- The University of Iowa. "Benin Kingdom." *Art & Life in Africa*. Accessed 9 May 2020.
<https://africa.uima.uiowa.edu/peoples/show/Benin+Kingdom>.

Van Beurden, Sarah. "The Art of (Re)Possession: Heritage and the Cultural Politics of Congo's Decolonization." *Journal of African History*, vol. 56 (2015), p. 143-164. doi: 10.1017/S0021853714000681.

Vecco, Marilena and Andrej Srakar. "De Visitus Non Est Disputandum: How Visitors to Public Museums Cluster Towards Deaccessioning." *International Journal of Arts Management*, vol. 20, no. 2 (Winter 2018), p. 46-55.

Zolkos, Magdalena. "'The Return of Things as They Were': New Humanitarianism, Restitutive Desire and the Politics of Unrectifiable Loss." *Contemporary Political Theory*, vol. 16, no. 3 (August 2017): 321-341. DOI:10.1057/s41296-016-0010-1.