

## Should the West return cultural artefacts to their former colonial territories?

In *Childe Harold's Pilgrimage*, Lord Byron accused 'British hands' of 'defacing' the Parthenon through the theft of the Elgin marbles. The controversy surrounding the status of art taken from former colonial territories seems hard to breach. Countless cultural artefacts, including the Benin Bronzes, the Maqdala Crown, and the Easter Island statues, fuel the debate. Despite occasional glimmers of hope, such as the Savoy-Sarr report that strongly recommended the French restitution of works to African nations<sup>1</sup>, the general response has been radio silence or outright denial<sup>2</sup>. Even Macron, his rhetorically brilliant promises notwithstanding, has not fulfilled his pledges to a great extent<sup>3</sup>. This raises three questions. First, who do these artefacts belong to and is there a moral obligation to return them? Second, is the reparation of these items good for the art and what could it look like? Third, would physical reparations maximise the benefit for people and what should we prioritise?

In order to consider the impacts of returning colonial art, we must define some key parameters. The West largely refers to colonial powers and therefore we should include empires and nations that have stolen and oppressed minority indigenous cultures. The cultural artefacts are items that have sentimental or cultural significance to the communities that have historic claims to them. Examples would include the Elgin Marbles and the Koh-i-Noor, taken by the British from Greece and India respectively. Returning these artefacts would include either physically repatriating them, as in the case of the restitution of Omar Tall's saber to Senegal<sup>4</sup>, or handing legal ownership of the items to their origin nations.

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<sup>1</sup> Sarr, F., Savoy, B., *The Restitution of African Cultural Heritage. Toward A New Relational Ethics*. Paris 2018, Retrieved from: <http://restitutionreport2018.com/> [Accessed 29 January 2021]

<sup>2</sup> The Times, 'Museum refuses to return tribal relics'. London 2020, Retrieved from: <https://www.thetimes.co.uk/article/museum-refuses-to-return-tribal-relics-x6vkr9g93#:~:text=A%20British%20museum%20is%20being,where%20they%20would%20be%20kept>. [Accessed 29 January 2021]

<sup>3</sup> The New York Times, 'France Vowed to Return Looted Treasures. But Few Are Heading Back'. New York 2019, Retrieved from: <https://www.nytimes.com/2019/11/22/arts/design/restitution-france-africa.html> [Accessed 29 January 2021]

<sup>4</sup> BBC, 'France returns Omar Tall's sword to Senegal'. London 2020, Retrieved from: <https://www.bbc.com/news/world-africa-50458081#:~:text=France%20has%20restored%20to%20Senegal,items%20of%20their%20cultural%20heritage.&text=%22This%20is%20an%20historic%20day%2C%22%20the%20Senegalese%20leader%20said>. [Accessed 29 January 2021]

Advocates of cultural repatriation claim that it is a part of a colonial reparational narrative. This is due to the harrowing effects that imperialism had in many nations. The British, for instance, committed severe atrocities in India, ramping up class divisions and letting millions starve in the Bengal famine. They also took away the Koh-i-Noor from the Kingdom of Punjab, robbing the people of a piece of their dignity and identity. Therefore, since there was considerable harm done in the past, and that harm still continues in the present as the Indian nation suffered the cost of not having its national treasure, the United Kingdom should pay back part of its moral obligation by repatriating the diamond. Most people would agree with this principle argument since it seems rather cold-hearted to deny somebody a precious item that was forcefully and illegitimately taken from them.

However, this example is at the centre of an ownership dispute, since India is not the only country that has laid claim to the Koh-i-Noor: Pakistan and Afghanistan also possessed the diamond historically and therefore lobby the British government to return it to them<sup>5</sup>. This places the British government in a dilemma as to whom they give it to. None of the countries has a direct claim to it, because the nation-states of India, Pakistan, and Afghanistan literally did not exist until the mid-20th century, let alone when the British took the jewel in 1849. The UK government insists that the transaction was 'completely legal' under the Treaty of Lahore<sup>6</sup>. Therefore, it is unclear how far the ownership rights should go. The British have a nominally legal claim, even if it is morally tenuous. The immediate origin of the Kingdom of Punjab might be satisfactory, but that region is literally divided between India and Pakistan. The Afghans claim that the diamond was transferred to the Indians illegitimately, giving them equal claim. Now, there is a four-way struggle for the Koh-i-Noor, with no party willing to make concessions.

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<sup>5</sup> The Times, 'Pakistan claims ownership of Koh-i-Noor diamond'. London 2016, Retrieved from: <https://www.thetimes.co.uk/article/pakistan-claims-koh-i-noor-diamond-kcnb5mgqx> [Accessed 29 January 2021]

<sup>6</sup> Dalrymple, W., *The Koh-i-Noor*, London 2017

It is hard to say that the British government has a rightful claim to the diamond. Its refusal to part with it is damaging and degrading to the cultures that it previously belonged to. However, it is also clear that repatriating the jewel without causing significant upsets would not be possible. The key to the moral issue is to treat each individual grievance caused by the illicit seizure of art uniquely instead of applying a blanket solution to all of them. Some are clear-cut, such as the case of the Elgin marbles, illegally taken from the Parthenon, whereas others, such as the matter of the Koh-i-Noor, may be more delicate.

There could be a practical consideration for the restoration and preservation of the art in each country. A common argument for keeping the Elgin marbles in the British Museum is the idea that their resources and care of the artefacts would be better. This is an unsound defence on two fronts: first, because the British 'restoration' actually has damaged many of the statues due to excessive and too frequent cleaning<sup>7</sup>, second, because the Greek government specifically built the Acropolis Museum to house and best preserve the Parthenon marbles. Even so, preservation is not a particularly strong argument in most situations. The Victoria and Albert museum was willing to 'long-term loan' the Maqdala crown to the Ethiopian government<sup>8</sup>, but not to relinquish the ownership rights. This seems to be a way in which Western institutions start to regard plunder as their own work. Ironically, if a nation accepts such offers, they would be recognising the museum's right to the work, which effectively means that the art is never loaned to their origin countries. The simplest solution would be to reverse the ownership rights. In the most extreme situations in which the repair or maintenance of an artefact is only achievable in Western institutions, the museum that holds it can just transfer the legal possession over to the post-colonial state, and keep the item on a long-term loan. The important part of the reparations is the acknowledgement that there was significant wrongdoing and that these artefacts were gained through illegitimate means. Therefore,

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<sup>7</sup> The Guardian, 'British damage to Elgin marbles "irreparable"'. London 1999, Retrieved from: <https://www.theguardian.com/uk/1999/nov/12/helenasmith> [Accessed 29 January 2021]

<sup>8</sup> The New York Times, 'U.K. Museum Offers Ethiopia Long-Term Loan of Looted Treasures'. New York 2018, Retrieved from: <https://www.nytimes.com/2018/04/04/arts/design/v-and-a-ethiopian-treasure.html> [Accessed 29 January 2021]

in situations where there is a strong and clear obligation to return a cultural artefact, there are means of achieving some reparation without involving physical repatriation.

The last point assesses the circumstances of physical repatriation and weighs up the viewership, since a major purpose of art or national treasures is to allow great exposure. This comes in the form of a trade-off. Some hold that the British Museum, which attracts nearly six million visitors a year<sup>9</sup>, can have more outreach than a smaller institution in a developing nation, due to factors of fame and resources. Therefore, more people will be able to experience this art when it is included within a museum setting, in context of other cultures and art. While this argument may at first be compelling, it seems less so when one examines the nature of large museums. Most large museums, where significant cultural assets are located, are often overcrowded and do not have enough display space. In fact, many of these items are actually just kept in storerooms and not put on exhibition<sup>10</sup>. Moreover, even if they make it into the limelight, they are overshadowed by the more 'impressive' work that is sourced from other regions. Thus, instead of enhancing the experience, the aggregate nature of the museum means that individual items of great cultural significance are neglected by the public.

Even if we assume that – in the best case scenario – more people may see this art, it is unclear to what extent this matters. There should be a greater emphasis on the quality of the interaction, which is what sets great masterpieces such as the Mona Lisa apart from regular art. The average American may find some emotional response to the wooden carving of Paikea in the American Museum of Natural History. However, this is nothing compared to the Maoris' feeling for and appreciation of the artefact, as it is for them an embodiment of their ancestor. Although it may be nice for a greater number of people to see it, we should value the deeper connection more.

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<sup>9</sup> British Museum, 'Reports and Accounts 2018-2019'. London 2019, Retrieved from: <https://www.britishmuseum.org/sites/default/files/2019-11/Report-and-accounts-2018-2019.pdf> [Accessed 29 January 2021]

<sup>10</sup> British Museum, 'Fact Sheet'. London 2019, Retrieved from: [https://www.britishmuseum.org/sites/default/files/2019-10/fact\\_sheet\\_bm\\_collection.pdf](https://www.britishmuseum.org/sites/default/files/2019-10/fact_sheet_bm_collection.pdf) [Accessed 29 January 2021]

Moreover, museums that house rare items are often immensely beneficial for local populations. They are able to attract tourism both locally and internationally, which not only increases the exposure of these artefacts, but also allows these communities to share other cultural assets that may have been overlooked.

Overall, the return of cultural artefacts can be made harder by their unique background and political significance. However, in the majority of instances, there is a more clear-cut relationship between metropole and former colony. In these cases, Western institutions could and should return these items physically and legally, protecting the art while paying due reparations for decades of lost culture. Moreover, the benefits of being able to showcase the art in its rightful place outweighed those brought by large centralised museums. David Cameron once postured that 'if you say yes to one, you suddenly find the British Museum would be empty'. To me, that says more about the illegitimacy of the collection than an impetus to keep stolen goods.

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