

BENIN EXHIBITION: SOME REFLECTIONS ON REPATRIATION OF STOLEN OR ILLEGALLY EXPORTED CULTURAL GOODS.

Africans illegally in Europe must leave.

African art objects illegally in Europe must stay.

According to a notice of the Museum für Völkerkunde, Vienna, on the occasion of the exhibition Benin-Kings and Rituals, Court Arts from Nigeria, an international symposium will be held on 9-10 May, 2007, at the Museum, to which experts from Nigeria and other countries have been invited.

I have no doubt that the Nigerian experts will speak in the interest of Nigeria and Africa on the question of the return of cultural objects which have been stolen or illegally taken away from their place of origin. This is a very important issue for Nigeria and the other African countries as well as for Asian and Latin American countries which have been victims of imperialist greed and aggression. I need not recall here the wholly unjustified British aggression against Benin which was the occasion for the plunder of some more than 4000 objects from the palace of the Oba of Benin in 1897. Less well-known is a similar punitive attack by the British in 1874 against Kumasi, Gold Coast (Ghana), where 6000 British soldiers ransacked the town and took everything in gold which they could find.

All African countries have been victims of similar aggressions and deprivations of their cultural objects at a time when the Europeans, including scholars like Leo Frobenius, were busy spreading their racist views that we were primitive and degenerate peoples. They called, and many still call, our art primitive art, with or without inverted commas. Others call

it, primary arts or in French, "arts premiers". Whatever the difference in terminology, they are all united in their determination not to return these objects to their rightful owners, the Africans. Seldom do we see with such transparent clarity illegality and immorality united in those who never tire of preaching the respect of human rights, laws and justice.

A group of directors of some eighteen major museums in Europe and the United States of America, including the British Museum, London, the Louvre, Paris, Guggenheim Museum, New York, State Museums Berlin, Prado Museum, Madrid and the Rijksmuseum, Amsterdam, signed on 10 December, 2002, a so-called "*Declaration on the Importance and Value of Universal Museums*". Assuming openly an extreme Eurocentric position, these directors arrogantly declared their museums "Universal Museums" and postulated that "*Over time, objects so acquired-whether by purchase, gift, or partage-have become part of the museums that have cared for them, and by extension part of the heritage of the nations which house them.*" Even in claiming a universal role, these museums cannot escape their narrow Eurocentric viewpoint. They measure their universality by the extent to which they have been able to influence the European appreciation of African art:

The universal admiration for ancient civilizations would not be so deeply established today were it not for the influence exercised by the artefacts of these cultures, widely available to an international public in major museums".

What is this "international public" consisting mainly of European and Americans and those who are allowed to enter without hassle the countries where these museums are located? And do we see any attempts by these museums to use any of our African languages which by their definitions are "primitive languages" of no importance?

The Declaration goes on to assert a universal role for these museums and to issue a warning to those claiming the return of stolen or looted cultural objects:

“Calls to repatriate objects that have belonged to museum collections for many years have become an important issue for museums. Although each case has to be judged individually, we should acknowledge that museums serve not just citizens of one nation but the people of every nation. Museums are agents in the development of culture, whose mission is to foster knowledge by a continuous process of reinterpretation. Each object contributes to that process. To narrow the focus of museums whose collections are diverse and multifaceted would therefore be a disservice to all.”

This extraordinary, self-serving and illegal declaration can only be regarded as an act of intimidation and dissuasion addressed to all African, Asian and Latin-American States with claims for the repatriation of stolen or illegally exported cultural objects. The logic of the directors is simply amazing. The cultural objects which have been taken illegally to Europe have become the property of the museums and part of the culture of the countries where they were taken. So for example, the Benin bronzes are now part of the English or British culture according to this line of reasoning. This means that the spirituality and religious symbolism of the Benin sculptures have become part of the English culture and the English have become believers in African religion and the traditional veneration of ancestors.

The Declaration attempts to establish immunity against all potential claims by asserting the ownership of these museums and the role they play. Any law student could have told the eminent directors that this attempt is bound to fail. The

assertions they make are plainly illegal and go against the objectives and spirit of UNESCO conventions on the issue and all recent attempts at instituting dialogues on the matter. The directors preferred obviously to place themselves in the olden days when the Europeans and the US Americans thought the world and all the persons and objects in it belonged to them; they could dispose of human beings as they wished(See slavery) and they could take whatever they wanted(See Benin and colonization). Moreover, the directors of these museums that are likely to be sued for the return of these objects cannot be judge and defendant in their own case. They cannot preempt future judicial or arbitration decisions on such claims. It can only be an attempt to intimidate future claimants. It is ironic that the museums are fighting to keep African art objects illegally brought to Europe at a time when Africans in Europe are being expelled and some even killed in the process of expulsion. Moreover, the Europeans have set up an army/police to guard their coasts and to ensure that no Africans enter Europe illegally. So much for the universality of the cultural functions of the self-styled “universal museums” and their provision of access to objects belonging to the “Heritage of Mankind” and “World culture”.

The Austrian answer, which is similar to that of the Germans and that of the U.S.A, to claims of illegal possession, as far as I can tell from the writings of those connected to the Museum fuer Voelkerkunde , is that the Benin pieces they have were all bought at the art market and therefore have been legitimately acquired. But as every first-year law student will tell you, purchases of stolen goods are not legitimate transactions unless the purchaser did not know they were stolen or that there was some doubt about the ownership of the seller. There must be bona fides on the part of the purchaser. At the time the Austrians bought most of their collection, it

was well-known that these objects had been stolen or looted by the British from Benin. Moreover, some of these purchases were at sales organized by the British Foreign Ministry or its agents and all those who took part in the sales were well aware of the British plunder in 1897. All those participating in such sales should be considered as accomplices after the fact. Franz Heger, who is credited to have organized the purchase of many pieces in the Museum, bought them from one English dealer, W.D. Webster. From the correspondence of the two in 1898-99, as related in BENIN-KUNST EINER KOENIGSKULTUR, by Armand Duchteau, (former Director of the African Section of the Museum), the origin of the objects was clear to both seller and purchaser. |Sales of stolen items, whether purchased directly from the perpetrator or indirectly from his agents remain null and void.

The Nigerian authorities and the people of Benin have expressed the wish to have these objects returned but with little success. Direct requests have gone to the British Government and the British Museum but with little success. Indeed, the British Museum has sold some of the Benin bronzes to the Nigerians! Imagine being obliged to buy from a thief goods stolen from you.

Many European and American museums have recently developed the practice of somehow associating African scholars and others with their exhibitions. This is no doubt good for the museums which thus benefit from the experience and knowledge of these scholars. Moreover this lessens the inherent difficulties of presenting the cultures of others in a situation of master and servant, superior and inferior, conqueror and conquered. But it should be understood by all that the participation of Africans in these activities does not in anyway affect the question of the illegality and the illegitimacy of the acquisition of these cultural objects. The participation of African-Americans and African-Brazilians in

the development of their respective countries has not made the issue of slavery irrelevant or the issue of the illegality and illegitimacy of slavery unimportant. On the contrary, the issue gains more significance with passing years.

My wish is that as many Nigerians and other Africans in Vienna and Austria attend this Exhibition and the events connected thereto. I have often heard the insulting argument that Africans are not interested in these objects which, it is insinuated, mean more to Europeans than to Africans and that those Africans who argue for their return, the elite, are in any case corrupt and one cannot be sure that they will not sell these objects for their personal profit! It reminds one of the argument the Swiss made when the Nigerians requested the repatriation of the millions Abacha and co had stored in Swiss banks; the Swiss said they were willing to repatriate these sums but were not sure that they would not end up in the wrong hands.

We should not make any mistake about the value of these cultural objects. Apart from their spiritual and cultural value they symbolize, they are now worth millions of dollars and there is no reason on earth or in heaven why we should let the Europeans keep them without any guilty conscience or qualms. Visit any museum in Europe or U.S.A. and you will understand what I am trying to convey. Take a virtual tour of these museums and you will be surprised at the millions of African cultural objects now in foreign hands. Just search in the internet for "STOLEN ART", "LOOTED ART," "RETURN OF CULTURAL OBJECTS" ETC.

Some Europeans and US Americans now argue that these objects now belong to "WORLD CULTURE" or "HUMANITY" and are best kept in Europe and in the USA

because African museums do not have adequate security. They think we are idiots not to see through this empty argument which sounds particularly hollow when you consider the problems Africans now have in entering Europe. Can you imagine a young Nigerian or Ghanaian going to a European embassy for visa for Vienna, London, Paris, Lisbon, Amsterdam, Berlin or Brussels or New York on the ground that he or she wants to visit one of the noble museums to see the African art objects there, including the Benin masks?

If Europeans and the U.S.A. are seriously concerned about the security of these objects, they could assist the African States in the construction of more secure museums. After all, they have derived financial benefits for hundreds of years from the tourists and other visitors to their museums. They could at least give the Africans part of these gains as a sign of atonement and reconciliation; as a desire to have this ignominious chapter of their history closed for ever and as an indication of a strong desire to start better relations based on mutual respect and cooperation. Alas! I see no sign of this in this or other areas. The arrogance of the museum directors in their infamous Declaration is representative of the present European attitude towards Africans in many areas.

Africans and all those who believe in cultural cooperation based on mutual respect and understanding of different identities and views, must register their presence and interest in these manifestations; we must support the campaign for the return of all cultural objects stolen or illegally obtained from our continent which are in public or private possession in the U.S.A. or in Europe.

Kwame Opoku