

REVISITING LOOTED NIGERIAN NOK TERRACOTTA SCULPTURES IN LOUVRE / MUSÉE DU QUAI BRANLY, PARIS

“His attitude is dishonourable. I regret that Nigeria was weak enough to accept to sign an agreement in order to give an appearance of legality to this acquisition. But above all, the fault lies with the French president who made the request. The responsible officials of the museum should be ashamed to have placed their Head of State and their own country in such a deplorable situation.”

Lord Renfrew (1)



Figure of a seated male. One of the looted Nigerian Nok terracotta bought by the French, now in the possession of the Musée du Quai Branly, Paris, France, with post factum Nigerian consent.

After reviewing the great Ekpo Eyo’s last book, *Masterpieces of Nigerian Art*

which included images of the looted Nok sculptures, I felt the need to revisit these remarkable pieces that the French were allowed to keep by the Nigerian government. (2)

Readers will no doubt recall the circumstances under which the French acquired three impressive Nok terracotta sculptures. Briefly, the French bought the three sculptures from a Belgian dealer in 1998 for 2.5 million francs even though they were fully aware that under Nigerian law no antiquities may be exported from the country without the permission of the [National Commission for Museums and Monuments](#) and that the three objects were on the [ICOM Red List](#) of items that are prohibited for export from Nigeria. It took the intervention of ICOM to bring the matter to discussion and to the embarrassment of the French who had bought the pieces in 1999 for the planned museum, Musée du Quai Branly. (3) Finally, the French acknowledged the ownership of Nigeria in those pieces and signed an agreement by which Nigeria loaned the pieces to France for a period of twenty-five years which was renewable. The agreement with France shocked those interested in the preservation of African heritage insofar as it sent a wrong message to looters and dampened attempts to prevent looting. Prof. Shyllon, a leading Nigerian expert, described the agreement as an “*unrighteous conclusion.*” (4)

It should be added though that the French may well have been under the impression that despite the provisions of the law forbidding such exports, there would be no objections from the Nigerian government. After all, at least one of the Nok sculptures had appeared in 1998 in an exhibition in Brussels entitled *The Birth of Art in Africa - Nok Statuary in Nigeria*, organized by the Banque Générale du Luxembourg. In the catalogue of the exhibition, the Chairman of the Board of Directors thanked the Nigerian government for its support: “*The government of Nigeria offered its support to our bank for the organization of this exhibition. We wish to thank their representatives for their precious help and their open-mindedness.*” (5) In the introduction to the catalogue, written by the Permanent Secretary, Federal Ministry of Information and Culture, Nigeria, we read: “*Therefore, let me, on behalf of my government and the business communities in Nigeria, register my sincere appreciation for organizing the exhibition.*” (6) There was here no objection from the government of a State from which some of the exhibited artefacts were considered to have been looted.



Terra cotta piece with figures in low-relief. One of the looted Nigerian Nok terracotta bought by the French, now in the possession of the Musée du Quai Branly/Louvre, Paris, France, with post factum Nigerian consent.

The text of the strange Franco-Nigerian agreement was never published but we know from discussion in ICOM that the organization recommended that “visitors should be clearly informed of the precise status of these objects and the way in which they were discovered.” (7)

We visited first the main building of the Musée du Quai Branly, Paris, where most of the looted African artworks are kept and then proceeded to the part of the Louvre Museum, called the Pavillon de Sessions where the looted Nigerian terracotta as well as other artefacts are to be found. The Pavillon des Sessions was inaugurated in April 2000 and was to be part of the future Musée du Quai Branly which was scheduled to open in 2006. The Pavillon is a wing of the Louvre which is dedicated to the arts of Africa, Oceania, Asia and America. This annex to the Musée du Quai Branly exhibits some 120 masterpieces from those continents. (8)

Unlike African artefacts in the main building at Quai Branly which are presented in semi-obscurity or dim light, we noted with satisfaction that the three objects were presented in a well-lit hall under the same conditions as objects from America, Asia and Oceania. (9) What surprised us though was that even though there are written notes indicating that the three objects came from Nigeria, there is no express mention that they were there by virtue of the consent of the Nigerian government to the French purchase. The history of the objects was also not recounted in such a way that the average museum visitor would know how these Nigerian sculptures came to the French museum. It is stated in a notice on

each of the three objects that it was “Deposit of the Federal Republic of Nigeria”. What can this mean to the average visitor? A museum visitor might think that Nigeria had deposited the object there for safekeeping because of fear of rampant burglary in Nigeria. Another visitor might consider the “Deposit” as some sort of security presented by Nigeria for a loan from France. There is no where a specific statement that these objects which France bought from the illegal market are acknowledged as property of Nigeria and the history of the purchase by France disappears. Nigeria has an embassy in Paris and several Nigerian officials visit Paris each month. We assume that some of them would have visited the Pavillon des sessions and would report back home on the observance or the non-observance of the agreement between France and Nigeria relating to the Nok sculptures. But how does one evaluate an agreement that was never published?

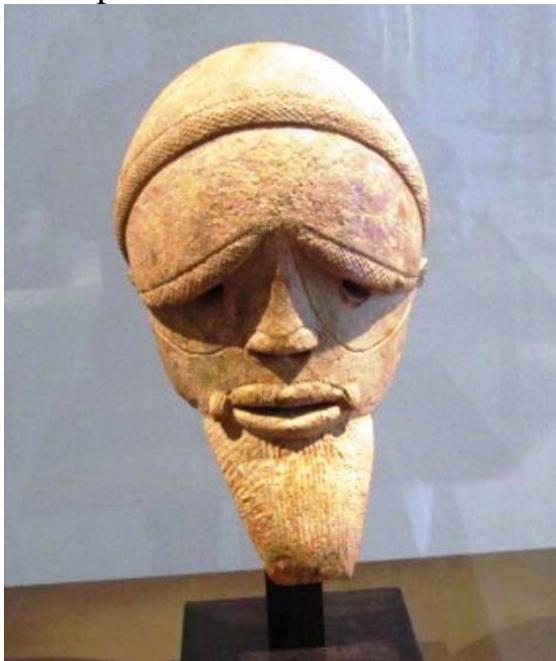


Figure of a bearded male. One of the looted Nigerian Nok terracotta bought by the French, now in the possession of the Musée du Quai Branly, Paris, France, with post factum Nigerian consent.

Did the recommendation of ICOM that “visitors should be clearly informed of the precise status of these objects and the way in which they were discovered” become part of the Franco-Nigerian agreement or did it remain a mere recommendation? We know from various statements and sources what items were dealt with in the agreement even though the text of the agreement was not published. For example, a statement from the French Culture Minister, Catherine Tasca, announced the signing of an agreement between France and Nigeria adding that an agreement on cooperation will be signed dealing with training, technical assistance, inventory of collections and research on dating of archaeological objects. <http://www.culture.gouv.fr>

The expiration of the twenty-five years term of the unpublished treaty would no doubt be occasion for Nigerians to consider various actions connected to the looted Nok artefacts and to renew or not to renew what Prof. Shyllon has rightly described as an “*unrighteous conclusion.*” Lord Renfrew and others quite correctly criticised sharply the French for buying objects they knew to have been looted. The main blame seems to have been put on the French. However, many accounts also underline the Nigerian role in the whole affair. (10)



Trophy Head, Benin, Nigeria, now in the Palais des Sessions, Paris, France. Part of the objects looted by the British in 1897 from Benin, Nigeria. This artefact was sold to the Musée du Quai Branly by Musée Barbier-Mueller.

Should Nigerians wait for the expiration of the 25 years term of the agreement before seeking the return of the looted Nok objects? Some might think that given the patently illegal manner in which the French procured these objects, the flagrant disrespect of Nigerian laws and all the circumstances surrounding these objects, the best thing will be to start now (what should have been done long ago) by telling the French to return them. The French knew perfectly well that it was illegal to export Nok objects from Nigeria. The pretence they sometimes make that they bought the objects in good faith from the free market should not be taken seriously. But the conduct of the Nigerian President Obasanjo in giving approval to the nefarious agreement also deserves clear condemnation. Nigerian

officials responsible for preserving the nation's cultural heritage had advised against approving such an arrangement with the French since it was a clear violation of Nigerian law but the President went ahead.



Warriors holding ceremonial swords, Benin, Nigeria, now at the Palais des Sessions, Louvre, Paris, France. Part of the objects looted by the British in 1897 from Benin, Nigeria. This artefact was sold to the Musée du Quai Branly by Musée Barbier-Mueller.

The present government of Nigeria, headed by President Jonathan Goodluck, has declared its intention of setting up a body that will have the mandate of bringing back to Nigeria the artefacts that have been looted/stolen from the country and are now outside. (11) Nok artefacts should be on the list of items that should return home. Nigeria should augment its list of artefacts she seeks to recover to include Nok artefacts. (12)

Nigeria should reclaim not only artefacts stolen/looted long ago but also those stolen recently and bought by States that should be discouraging looting of artefacts. A request for the return of the Nok objects given away by a former President and others in violation of the law will send the right message to the peoples of the world that Nigeria is serious about recovering her looted heritage. It would also demonstrate that everyone is subject to the law even if he is a high official or president. One of the basic rules of democracy is the observance of the law, starting with the constitutional law. African governments must not only subscribe to this principle but should enforce it and demonstrate its application

in all matters of the State, including cultural matters. The present government is not bound by acts done in clear violation of Nigerian law and International Law in circumstances where all concerned knew that their actions were in violation of well-established rules for the protection of the national heritage of Nigeria. In this connection, Nigeria should also formally ask Great Britain to return the Nigerian artefact that Yakubu Gowon, then military dictator of Nigeria, took to the British Queen on a visit to Britain in 1973. (13) It should not be accepted that Western countries encourage African dictators in their patent violations of laws, encouraging them to illegally transfer wealth of their countries and sometime later bomb them, as it were, back into democracy. A nation that prides itself of being democratic cannot encourage dictators in their violations of laws.

The actions of the two Nigerian presidents are so unconscionable that some might be tempted to assume they acted in ignorance of the serious violation of the law. However, they must have been advised by officials charged with preserving Nigeria's cultural heritage that these actions were wrong. In any case, do we need any specialists to advise that giving away national treasures is clearly a betrayal of national interest? But what about officials who write forewords or introductions to catalogues or books in which the stolen or looted Nigerian artefacts are proudly displayed? Should Nigerian scholars take part at all in an enterprise where the highlights are constituted by looted artefacts such as Nok sculptures? Can we assume that where a high official or scholar participates in such enterprise that consent had been given to export the artefacts discussed? (14) There is here a need for clear rules of guidance, at least for government officials, as to how Nigerians and other Africans should act in connection with projects that involve one way or other, looted/stolen national treasures. Dealing with stolen items cannot simply be left to individual conscience or to indifference.

In trying to secure the participation of African officials, scholars and others in exhibitions where the main highlights are constituted by stolen/looted artefacts from their countries, organizers seek to obtain some legitimacy for an enterprise that may be subject to legal and moral objections. The display of looted or stolen objects risks criticism from several quarters. To some extent, the participation of Africans in such exhibitions, for whatever reason, lends to the show some legitimacy even if the African official indicates that his participation does not imply approval or connivance at the earlier brutal invasion or other crime. In any case, the mere presence of African participants lessens the moral revulsion and objection that might otherwise arise. African collaboration also lessens the pressure on the Western holders of looted artefacts to return the objects or at least to seek some form of accommodation with those deprived of their cultural artefacts. African participation in major exhibitions organized in the last decades has not resulted in any restitution of looted objects or in any significant modifications in the attitude of the position of Western holders of looted African

artefacts. On the contrary, they have emboldened Western museums in their refusals and encouraged the conception that African artefacts do not belong to Africans alone but to the whole of mankind; that the relevant question is not who owns what but who can best look after the significant cultural artefacts of humankind. But nobody is discussing whether European artefacts belong to Europeans or to humankind. Britain and Greece are still disputing the ownership of the Parthenon/Elgin Marbles.

Our French and the British contemporaries could have been supporters of the recovery of African artefacts that had been looted/stolen in the colonial and post Independence periods. As inheritors to colonial loot, they are best informed about the state and status of cultural artefacts in the former colonies. Unfortunately, the acts and policies of French and British museums and authorities clearly indicate that they are not willing to help in matters of restitution. On the contrary, they are fighting to keep what the colonialists looted or carted away from the colonies as well as objects recently looted. In this process, they have managed to involve Africans, even if violations of the law have to be committed. Thus the case of the three looted Nok sculptures now in Paris can serve as a good example for the implications of restitution of cultural artefacts from the African continent and African complicity in the plundering of the cultural heritage of the continent.

“It is indeed unfortunate that so much Nok material has been looted over time to supply the international market. Properly excavated, such pieces might have shed valuable light on the Nok culture.” Ekpo Eyo. (15)

Kwame Opoku. 14 July. 2011



Among the impressive African objects in the Pavillon des Sessions is this sculpture of Gou, God of war that the French looted in 1892 from the former French colony, Dahomey, now Republic of Benin.

NOTES

1. Lord Renfrew in interview with Noce Vincent in *Liberation*, entitled, «L'attitude de Chirac est déshonorante» <http://www.liberation.fr>

« Je trouve son attitude déshonorante. Je regrette que le Nigeria ait eu la faiblesse d'accepter de signer un accord pour donner une apparence légale à cette acquisition. Mais, par-dessus tout, la faute en incombe au président français, qui en a fait la demande. Les responsables du musée devraient avoir honte d'avoir placé leur chef d'Etat et leur propre pays dans une position aussi déplorable.» Translation from the French by K.Opoku.

See the following articles in *Liberation*: “[Paris conforte l'archeo-traffic](http://www.liberation.fr)”.
<http://www.liberation.fr> “[Des pillages alignés sur le marché.](http://www.liberation.fr)”
<http://www.liberation.fr>

See also, John Henley, “Louvre hit by looted art row”, *The Observer*, April 23, 2000

<http://www.arcl.ed.ac.uk>

2. K. Opoku, “Excellence and Erudition: Ekpo Eyo’s Masterpieces of Nigerian Art”, www.modernghana.com

3. See the useful note of Ton Cremers and a report by Wandera Ojanji and Sue Williams www.museum-security.org reproduced in Annex I; Noce Vicent, “Pour Manus Brinkman, «l’Afrique risque de perdre son patrimoine». Ces pièces sont intouchables» .in the French newspaper, *Libération* ”<http://www.liberation.fr> Sally Price reports that Jean- Paul Barbier-Mueller “sold to the French State 276 Nigerian works of art for the sum of 40 million francs”. *Paris Primitive Jacques Chirac’s Museum on the Quai Branly*, University of Chicago Press, 2007, p. 75.

4. F.Shyllon. “Negotiations for the Return of Nok Sculptures from Nigeria - An unrighteous Conclusion.” <http://portal.unesco.org> See also the account of French purchase of the Nok sculptures in Sally Price, *op. cit pp .6780*

5. Bernard de Grunne, *The Birth of Art in Africa - Nok Statuary in Nigeria*, 1998, Editions Adam Biro, Paris, p.10.

6. *Ibid.* p.11

7. ICOM Press Releases; 5 March 2002.
Nigeria’s Ownership of Nok and Sokoto Objects Recognized.
<http://archives.icom.museum/press>

8. On the Pavillon des Sessions, see inter alia, Constantine Petridis, “Arts of Africa, Asia, Oceania, and the Americas - recent exhibitions”,
<http://findarticles.com>
The New York Times, “Chirac Exalts African Art, Legal and (Maybe) Illegal”,
<http://www.nytimes.com>
Raymond Corbey, “Arts premiers in the Louvre”, <http://www.google>.
Anthropology Today Vol 16 No 4, August 2000.

See also the excellent photos in Lessing Photo Archive,
<http://www.lessing-photo.com>
Wikimedia, <http://commons.wikimedia.org>

Also of great interest is the DVD, *Chefs-d’oeuvre et civilisations Arts Premiers au Louvre, Le Cd officiel.*

9. K. Opoku, “More Dogon in Musée du Quai Branly, Paris, than in National Museum, Bamako?” <http://www.modernghana.com>

10. The McDonald Institute for Archaeological Research

(<http://www.mcdonald.cam>, reported: “*Controversy continues concerning the Louvre's decision to exhibit two recently purchased Nok terracottas in their new gallery for art from Africa, Asia, Oceania and the Americas (see [In the News CWC Issue 6](#)), opened by President Chirac in April. The Art Newspaper (June) reports that, according to an unpublished account by an official in the Nigerian National Commission for Museums and Monuments, President Chirac first approached the then Nigerian president, seeking approval to buy the pieces (on sale in Brussels for a reported \$360,000 2 years ago). Approval was not forthcoming since the Commission believed such a deal would 'confer legality . . . and encourage further looting'. Apparently, in May 1999 President Chirac raised the matter again with the new Nigerian government; the National Commission's reservations were overturned and an agreement reached whereby the French would acquire the pieces (and one other Sokoto sculpture) with government blessing in return for technical assistance to Nigerian museums. The Nigerian president presented them personally when the deal was signed in February.*

However, in April, the Nigerian embassy in Paris issued a statement which referred to the Nok pieces in the Louvre, warned 'individuals or groups against the purchase, sale or export' of such items, explaining that sale, export or transfer violates various Nigerian laws and has been condemned by ICOM (see [In The New CWC Issue 6](#)). Following fresh controversy over the case, generated by archaeologist Lord Renfrew's comments that Chirac had displayed a 'dishonourable attitude', Nigeria's ambassador to Paris, Abiodun Aina, has denied that his government reached an agreement with France and called for the pieces to be repatriated. The case is now being investigated by art crime specialists in the French police. The Louvre has emphasized that it had no role in the acquisition of the contested statues”.

See also an interview of the Director of the Musée du Quai Branly who stated that Obasanjo came personally to the Pavillon des sessions and gave approval:

« Nous avons acheté ces statues nok dans des conditions parfaitement légales au regard de la législation française de l'époque. Notre prise de risque était éthique mais pas juridique. Nous avons demandé au gouvernement nigérian sa position. Le président Obasanjo est venu en personne au pavillon des sessions, avant que nous ayons acheté les objets, et nous a donné son aval pour l'acquisition de ces statues. Nous avons donc estimé que le risque valait la peine au regard du message que nous voulions faire passer.

Ces acquisitions ont déclenché une double protestation. D'une part, la

colère de l'ambassadeur du Nigeria en France, adversaire du président Obasanjo, qui n'appréciait pas d'avoir été tenu à l'écart de la décision. D'autre part, une protestation politique de la part de journalistes qui ont fait valoir, à juste titre d'ailleurs, que ces objets avaient été pillés au Nigeria et que nous n'aurions jamais dû les acheter même si nous étions juridiquement en droit de le faire.

Face à ce double mouvement de contestation - le président Obasanjo ayant été également critiqué au Nigeria -, nous avons décidé de faire machine arrière. Nous avons fait amende honorable et avons décidé de les restituer, de les offrir au Nigeria. Dans le cadre d'un accord, ce pays en est donc propriétaire mais il a accepté de laisser ces pièces en dépôt au musée du Louvre pour une durée de vingt-cinq ans renouvelables”.

<http://www.africultures.com>

11. K. Opoku, “Reflections on the Abortive Queen-Mother Idia Mask Auction: Tactical Withdrawal or Decision of Principle?” <http://www.modernghana.com>

12. K. Opoku, “Reflections on the Cairo Conference on Restitution: Encouraging Beginning”. <http://www.modernghana.com>

13. See, *inter alia*, *Sunday Times*, February, 2005, “President's priceless gift for Queen was national treasure”, <http://www.timesonline.co.uk/tol>

Reuben Abati. “Gowon, the Queen and the stolen bronze”, *The Guardian*, <http://news.biafranigeriaworld.com>

Stanley Nkwazema, 'Missing Artefact, Gift to Britain', *all Africa.com* <http://allafrica.com>

Louise Jury “Benin bronze given to Queen was taken from Nigerian museum.” *The Independent*, <http://www.independent.co.uk> *Modern Ghana. Com*, <http://www.modernghana..com-queen>

BBC News “Queen’s 'replica' bronze is real” <http://news.bbc.co.uk>

Nigel Reynolds, “President 'liberated' bronze for Queen from museum *The Telegraph*, <http://www.telegraph.co>

14. See preface in Gert Chesi and Gerhard Merzeder (Eds.) *The Nok Culture, Art in Nigeria 2,500 Years Ago*, 2006, Prestel Verlag. Munich. Berlin, London, New York.

15. Ekpo Eyo, *op. cit.* p.23. The preamble to ICOM Redlist Africa reads as follows: “The looting of archaeological items and the destruction of

archaeological sites in Africa are a cause of irreparable damage to African history and hence to the history of humankind. Whole sections of our history have been wiped out and can never be reconstituted. These objects cannot be understood once they have been removed from their archaeological context and divorced from the whole to which they belong. Only professional archaeological excavations can help recover their identity, their date and their location. But so long as there is demand from the international art market these objects will be looted and offered for sale.”

<http://archives.icom.museum/redlist>

For an impression of how much African terra cotta has gone to Western museums and private collectors, see for example, *African Terra Cottas*, 2008' in the Barbier-Mueller Museum Collections, edited by Floriane Morin and Boris Wastiau, Somogy Editions d'Art. See also, Peter R. Schmidt and Roderick J. McIntosh (Eds.), *Plundering Africa's Past*, Indiana University Press, 1996; K. Opoku, “Recovering Nigeria’s Terra Cotta,” Museum Security Network

<http://www.museum-security.org>

K.Opoku, “Let Others Loot for You: Looting of African Artefacts for Western Museums “, <http://www.modernghana.com>; Patrick J. Darling, “The Rape of Nok and Kwatakwas: the crisis in Nigerian Antiquities”

<http://www.mcdonald.cam>

ANNEX I

More on looted NOK statues from Nigeria. www.museum-security.org

Last week I informed the Museum Security Mailinglist about illicitly excavated and exported NOK statues presently in the Louvre museum, Paris. In newspaper reports the source of these statues supposedly was a Belgium dealer.

Michel van Rijn (<http://www.michelvanrijn.com/>) has been able to trace this /dealer via a Le Monde contact: Comte de Grune's son, who used to be with Sotheby's but now looks after the family business given the "grand age" of his father, was indeed involved in the deal leading to the sale of one of the Nok's pieces to the Louvre.

Mr. Van Rijn also was the one who discovered possibly looted NOK statues at

the European fine Art fair in Maastricht, The Netherlands (TEFAF). These statues were offered for sale by another Belgium dealer: Deletaille.

The following report: Out of Africa, gives insight in the consequences of the trade in looted African antiquities.

Ton Cremers

Out of Africa

"The looting of archaeological items and the destruction of archaeological sites in Africa are a cause of irreparable damage to African history and hence to the history of humankind. Whole sections of our history have been wiped out and can never be reconstituted." The introduction to the Red List of African archaeological and ethnological objects, published by the International Council of Museums (ICOM), should be sounding alarm bells everywhere. Unfortunately the trafficking in such goods is booming and Africa is being bled dry of its cultural heritage. In Mali and Burkina Faso, ICOM reports, "all the archaeological sites are systematically looted." This means that despite the large numbers of objects now available on the art market very little is known about the cultures which produced them. And their exact provenance and date will remain forever unknown. Items from the Côte d'Ivoire for example, "are identified as such only by chance discoveries made during illegal excavations and left in the Abidjan museum. Nothing is known about the societies that made these objects, and the current extent of looting gives every reason to fear that everything will be destroyed," reports ICOM. Those responsible are not only looting national treasures, they are violating that which is sacred to Africa's peoples. In the Wajir area of northern Kenya, collectors are contracting locals to dig up cemented graves for rare and unique antiques, antiques even the Kenya Museums had never encountered before. When George Abungu, the director of Kenya's National Museums last visited Wajir he found the excavated remains of the dead scattered over the ground. "And the Vigan-gus, the grave yards of the Mijikenda tribe at the Kenyan Coast, are no lon-ger found in that area, but easily found in museums all over Europe and Ame-rica," he adds. While unprotected archaeological sites are easy targets, Africa's museums have also suffered heavy losses in raids by often heavily armed bandits, who're ready to assault and even kill any guards who dare to oppose them. This is especially true in those countries hit by political turmoil. Nigeria's museums, for example, have been hit by "violence and robbery on a massive scale", reports ICOM. "The headquarters of the traffickers is reputed to be Bamako, the capital of Mali," says Professor Folarin Shyllon from the University of Ibadan in Nigeria. "There is also a thriving business in Cotonou (Benin Republic). Senegal and Côte d'Ivoire are staging posts from where goods are sent to Paris or sold to local dealers who ship them to the US and European art capitals." Objects from Uganda, Congo Brazzaville and Kenya are smuggled out of Kenya from the port of Mombasa, often concealed in containers transporting coffee. Dr Abungu

accuses financially powerful collectors, diplomats, and museums in Europe and America for promoting the trafficking by promising what seem to be fabulous sums to impoverished African communities and unscrupulous local middlemen. However, he adds, African governments are also very much to blame for the trade. They have not considered protection, conservation or preservation of cultural heritage a priority. Stopping, or even diminishing such traffic will require a massive effort: to make local populations aware of what is happening, to sensitise them to the need to conserve or preserve their heritage, and to provide them with alternative ways to make a decent living. However, dealers and collectors also need to make an effort. They need to be more vigilant, honest and aware of the terrible impact the loss of such objects can have on their traditional owners ... and their children, who may well only have access to their cultural heritage if they can afford a trip to Europe or the United States.

Wandera Ojanji in Nairobi with Sue Williams From:

<http://www.unescosources.org/>