



ROUNDTABLE

Scholars and the Politics of International Art Restitution

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Almost every week brings news of another major European museum agreeing to return looted art. Since the 2000s we have grown somewhat accustomed to the headlines describing a ceremonial return to its original owners of a painting looted in the Holocaust, a process that took decades to develop and was initially met with considerable resistance in the art world and in the countries where this art was displayed.¹ In the past few years, however, building in part on the perceived success of Holocaust art restitution but also on the increased visibility and impact of national and global social movements demanding racial justice and institutional decolonisation, major international museums have come under ever stronger pressure to return art looted as part of colonial occupations. Perhaps the most organised of the current campaigns is the campaign to return the so-called ‘Benin Bronzes’ – a vast collection of various artifacts looted from the Kingdom of Benin (in today’s Nigeria) and dispersed across major international museums, most prominently the British Museum in London, the Ethnological Museum in Berlin, and the Musée du quai Branly in Paris, among others. Since 2020, a number of museums have pledged to return their holdings of Benin Bronzes and restitute them to Nigeria, where a major new museum is being built to display them in Benin City. All of this activity has also reenergised perhaps the most famous case for restitution – the movement to return the Parthenon ‘Elgin’ marbles from the British Museum to the Acropolis in Athens.

Much of this new momentum owes to the painstaking work developed by historians and art historians in determining the parameters of provenance and restitution in the context of looted Holocaust art. It is on the back of this work that the Washington (1998) and Terezin (2009) conferences on Holocaust era assets developed a fairly robust international regime that provided a normative and legal template for contemporary colonial-era restitution cases. And while this legal framework exists, the contemporary debates about restitution of colonial art, however, have brought about renewed attention to the resistance that former European colonial powers display in acknowledging the extensive crimes of colonial occupations, including crimes of genocide, as is the case of Germany’s atrocities against the Herero and Nama in today’s Namibia. The debates about art restitution, then, should be understood as proxy debates about the nature of the European colonial past and its enduring legacy.

This short essay deals with only a slice of this important debate. It explores the role scholars – historians, art historians, museum professionals, as well as genocide scholars – have played and continue to play in the contested field of international art restitution. After briefly outlining some major juncture points in the history of international art restitution after the Second World War and identifying a few (not nearly all or even most) key scholars involved, I conclude with a broader consideration of the role of the scholar and the ethics of international art restitution.

¹ For some of the more high profile recent cases, see Patricia Cohen and Tom Mashberg, ‘Family, “Not Willing to Forget”, Pursues Art It Lost to Nazis’, *The New York Times*, 26 Apr. 2013; Aurelien Breeden, ‘France to Return Klimt Painting to Rightful Heirs After Nazi-Era Sale’, *The New York Times*, 15 Mar. 2021; Cnaan Liphshiz, ‘Amsterdam to return Kandinsky painting to Jewish family following public outcry’, *Jewish Telegraphic Agency*, 27 Aug. 2021. For an interesting analysis of how Holocaust looted art became incorporated into the national cultural heritage of Western European museums, see Elizabeth Campbell, ‘Claiming National Heritage: State Appropriation of Nazi Art Plunder in Postwar Western Europe’, *Journal of Contemporary History*, 55, 4 (2020), 793–822.

Scholars and the Restitution of Holocaust Looted Art

Looting of objects and artifacts has been a permanent feature of war and conquest, but the mass scale of art plunder as a national strategy of removing art objects from conquered lands to populate national museums in the conquerors' countries is often considered to be a tactic systematically introduced by Napoleon. The mass removal of art as an integral part of occupation, disenfranchisement and, ultimately, cultural genocide was obviously a central feature of the Nazi Holocaust. The sheer extraordinary volume of the Nazi loot, followed by mass looting by the Soviet Red Army, relocated so many art objects all over Europe that one of the very early projects of European post-war reconstruction was art restitution.

The role of scholars in this process was complex. Many Germans, but also Austrian, French, Dutch, Belgian and art historians from other occupied countries, were implicated in Nazi art looting by providing false provenance papers, lowballing the value of artwork desperate Jews were trying to sell, and helping set up private collections for various Nazi officials, most of all for Hitler and Hermann Göring. But historians, art historians and museum scholars, of course, were also indispensable in the process of art restitution after the Second World War. This massive effort was of concern to major scholars of the era, such as Hannah Arendt, Gershom Scholem and Leo Baeck who were involved in the Jewish Cultural Reconstruction organisation, whose mandate was to manage and distribute heirless Jewish cultural property that had been plundered by the Nazis.

But restitution of looted Jewish art also owes much to the many lesser-known figures, such as the French art historian Rose Valland, who worked at the Jeu de Paume museum in Paris during the Nazi occupation and clandestinely documented the Nazi removal of art from France, often from prominent Jewish art collectors. It is mostly due to Valland's records that much – although not all – of Nazi looted art from France was returned to its owners. In the immediate aftermath of the Second World War, it is through the intense but short-lived work of the Monuments, Fine Arts, and Archives programme (the so-called Monuments Men) set up by the Allied forces after the war that much of the early restitution of Nazi looted art took place. Many of the Monuments Men were art historians and museum scholars and went on to have prominent careers in academia and the art world.

With the Washington Conference on Holocaust-Era Assets in 1998, the movement to restitute Holocaust looted art gained new momentum. Things started to happen quite fast, as the initial reluctance by museums and governments to return the looted art became untenable, legally as well as morally. Historians played a critical role in this changing restitution landscape. The pioneering work by Lynn Nicholas, *Rape of Europa*, was published in 1994 and was the first comprehensive account of Nazi art looting.² It also served as the basis for many consequent claims by heirs trying to get their art back. Hector Feliciano's 1997 *The Lost Museum* further filled in some of the holes and provided important clues for legal claims for restitution of Holocaust looted art.³ Prominent historians, however, also got implicated themselves in restitution cases, as when Jonathan Petropoulos, an expert on Nazi art dealers, became entangled in a complicated case of a looted Pissarro painting, with family heirs accusing the scholar of monetary benefit in his pursuit of restitution. While denying any monetary gain from his work on the Pissarro restitution, Petropoulos has since publicly regretted his decision to become involved and his case has served as a cautionary tale for historians getting too directly engaged with the actual process of restitution.⁴

Scholars and the Restitution of Colonial Looted Art

The momentum generated first by the Washington and then the Terezin conference on Holocaust looted assets also produced a legal and normative framework that contributed to the framing of

² Lynn H. Nicholas, *The Rape of Europa: The Fate of Europe's Treasures in the Third Reich and the Second World War* (New York: Vintage, 2009).

³ Hector Feliciano, *The Lost Museum: The Nazi Conspiracy to Steal the World's Greatest Works of Art* (New York: Basic Books, 1997).

⁴ Nina Siegal, 'How a Historian Got Close, Maybe Too Close, to a Nazi Thief', *The New York Times*, 17 Jan. 2021.

colonial looted art restitution claims. Here, the role of historians was also critical. For example, it is through the work of Bénédicte Savoy that we can trace the long history of African claims to return the art scattered across European museums. And it was Savoy who co-authored the landmark French government report in 2018 that argued for comprehensive restitution of African art from French museums, a report that opened up the gates for other European museums to do the same.⁵ In fact, Savoy's comprehensive work and activism on the matter of restitution of African art makes her a sort of restitution entrepreneur, a scholar who puts her expertise in service of an openly normative goal. This has brought her much international acclaim – as the leading scholar outlining the path towards ethical art restitution – but also criticism from those sceptical of the restitution project, such as Stéphane Martin, head of the Musée du quai Branly, where 70,000 of some 90,000 African art objects in France are kept, who dismissed Savoy as a scholar and instead referred to her as an 'engaged person' driven by ideology.

But Savoy's role as a restitution entrepreneur did not end with this momentous report calling for the comprehensive restitution of colonial art from France. Her scholarly ethics extends to excavating the history of African calls for restitution – therefore correcting for a common form of 'methodological nationalism' where only Western scholars and their expertise and contributions are remembered. In her 2021 book *Africa's Struggle for Its Art* (translated and published in English in 2022), Savoy painstakingly reconstructs the broad cultural movement that brought together many scholars, artists, politicians, and cultural figures from Africa since the 1960s for an ultimately failed project of bringing African art back to the continent.⁶ Her work, then, is both normatively infused – her position on the ethics of restitution is clear – but it also serves as a form of archaeology of knowledge and long overdue acknowledgement of the role African scholars and art experts played in the movement for restitution. The movement, in other words, did not start in European capitals. The contemporary restitution movement builds on the previous work done decades ago, work that has never gotten its due credit.⁷

Dan Hicks is another scholar whose activism regarding restitution of colonial-era art makes him a restitution entrepreneur. In his 2020 book *British Museums*, Hicks paints a devastating picture of major European museums and their implication in colonial crimes.⁸ He exposes the brutal history behind the European acquisition of Benin Bronzes for various museum collections and dispels the myth that these objects were taken in a peaceful cultural exchange. Hicks shows that, instead, the continuing presence of these and similarly acquired art objects in European museums is a daily material reminder of colonial oppression, subjugation and genocide. He understands his role as a scholar to both uncover the history of these objects and their placement in Europe, but also to advocate passionately for their return.

Erin L. Thompson, art historian and author of *Smashing Statues* (2022), is another engaged scholar who uses her research on public monuments in the United States to advocate for the rethinking of public memorialisation, including removal of some monuments and rebuilding of others.⁹ Her advocacy calls for a comprehensive reevaluation of how we represent the past in the public landscape, and for more ethical public memorialisation that avoids silencing minority voices and elevates previously suppressed narratives. As a public historian, she has also called out international museums, such as, for example, the Victoria & Albert Museum in London, for sanitising the manner in which some of the museum's objects came to the collection. In response to her public statements in 2022 about a particular collection from Tibet looted by British soldiers at the turn of the twentieth century, the

⁵ Felwine Sarr and Bénédicte Savoy, *The Restitution of African Cultural Heritage: Toward a New Relational Ethics*, Nov. 2018, French Ministry of Culture.

⁶ Bénédicte Savoy, *Africa's Struggle for Its Art: History of a Postcolonial Defeat* (Princeton, NJ: Princeton University Press, 2022).

⁷ Julian Lucas, 'The Forgotten Movement to Reclaim Africa's Stolen Art', *The New Yorker*, 14 Apr. 2022.

⁸ Dan Hicks, *The British Museums: The Benin Bronzes, Colonial Violence and Cultural Restitution* (London: Pluto Press, 2020).

⁹ Erin L. Thompson, *Smashing Statues: The Rise and Fall of America's Public Monuments* (New York: WW Norton, 2022).

Victoria & Albert Museum initiated an internal review to address how these displayed objects are described and represented in the museum exhibitions.

This scholarly activism, however, has its detractors. Most of the objections, not surprisingly, have come from museum directors who fear their collections will be emptied out. But more intellectual concerns have also come from fellow scholars. One serious critique levied at the maximalist arguments for restitution – such as those of Savoy and Hicks – is that it continues to perpetuate eurocentrism, in that, again, everything is about Europe and the West. Art historians such as, for example, Suzanne Preston Blier, have warned that maximalist restitution ‘intentionally or not casts the whole subject of African art and its scholarship into a morass of political ideology and debate which on its surface would appear to strongly limit these arts to colonial meaning and action, one more self-referential story about us (the West) rather than the arts themselves’.¹⁰ Historian Achille Mbembe worried that art restitution would replace the broader political fight for accountability for colonial crimes.¹¹ Other scholars complained that the blanket new restitution rules proposed would de facto delegitimise any African art prior to decolonisation in the 1960s, and in the process remove agency from African artists themselves who worked and created art before that period.¹² Yet others pointed to the diversity of opinion and vibrant debates within postcolonial countries themselves about what to do with looted art. These societies do not always speak with one voice and may have a variety of positions and solutions on restitution that go beyond bulk repatriation.¹³ The restitution debates have, unsurprisingly, been complex and often highly contentious.

Whose Responsibility? The Role of Scholars in Art Restitution

These brief examples of contemporary scholars researching and often advocating for art restitution bring up larger points about the role of scholars in this process. The question of art restitution has always been contentious, as there are competing arguments regarding provenance, ownership, and what constitutes ‘national heritage’. Scholars have often been at the centre of these debates, as even seemingly technical expertise such as, for example, determination of provenance, is often guided by a much broader normative context of how the scholar evaluates the nature of a past regime, the nature of military conquest, or the manner in which art objects were taken or displaced. In the contemporary political context, however, the role of the activist scholar is even more visible and, often, more necessary. We are living through a period of resurgent nativism, populism and xenophobia – foes to the process of addressing past historical wrongs, admitting responsibility for past crimes and making amends. The forces that are advocating for restitution – strengthened by the global movements for racial justice and decolonisation – are being pitted directly against conservative and reactionary forces that, often through an explicitly racist lens, see apologies for colonial occupations as weakness and restitution as brazen and unjustified.

We know from the history of art restitution, especially restitution for Holocaust looted assets, that scholars are indispensable in providing precise provenance research and developing a framework for ethical practices moving forward. This framework begins with careful provenance, but also includes comprehensive attribution of origin for artwork on display – who was the original owner, how the object came to be in a museum’s possession, under what circumstances did it get included in the collection, and what are the current steps taken to reconstitute the object if there are claims to ownership. This is what contemporary scholars of art restitution are trying to establish in the context of colonial

¹⁰ Quoted in Von Oswald, ‘The “Restitution Report”: First Reactions in Academia, Museums, and Politics’, *How to move on with Humboldt’s legacy? Rethinking ethnographic collections* (2018), https://blog.uni-koeln.de/gssc-humboldt/category/blog_de/ (last visited 2 Sept. 2022).

¹¹ *Ibid.*

¹² Jonathan Paquette, ‘France and the Restitution of Cultural Goods: The Sarr-Savoy Report and Its Reception’, *Cultural Trends*, 29, 4 (2020), 302–16.

¹³ Elizabeth Marlowe, ‘Review of Dan Hicks, *The British Museums: The Benin Bronzes, Colonial Violence and Cultural Restitution*. 345 pp. Pluto Press, 2020’, *International Journal of Cultural Property*, 28, 4 (2021), 575–86.

looted art. Their responsibility, then, is not only to the profession or even to the public but is to the very concept of post-conflict justice.

But these questions also speak to broader issues of giving back agency to the colonised and the dispossessed through restitution of not only looted objects but also of cultural identity that these objects helped construct. Part of the restitution movement should encompass the broader decolonisation of knowledge, which would include sustained collaboration with scholars in the Global South in setting up joint projects of provenance research, knowledge transfer, educational and expert exchange programmes, and so on. As historians strive to tell transnational stories, international art restitution can be another point where histories of very different places converge, opening up space for new research on global histories of restitution.

More broadly, scholars have been thrust into the debates about art restitution, removal or return of monuments, and renaming of streets and buildings, as the progressive movements for postcolonial justice and the conservative backlash against it have moved with lightning speed. Everything seems accelerated, partly due to the power of social media to replicate, reproduce and generate interest and activism, but also partly because the historical moment in which we live feels particularly fraught, tense and violent. It is simply becoming harder and harder for scholars to remain on the sidelines of public debates and pretend that what is going on in the public square – often the literal public streets and squares – is somehow below our paygrade. It is becoming harder for scholars to argue that there should be a separation of purely academic endeavours from public facing scholarship and scholarly activism. This is because the attacks against and challenges to scholarly authority, expertise, knowledge and methods are relentless and scholars choosing to ignore them and pretend that they don't exist are naïve at best. The tools we have at our disposal to fight nihilistic forces of nativism, populism and racism are our knowledge, expertise, skills and methods. The least we can do is use them in pursuit of a more ethical scholarly practice.