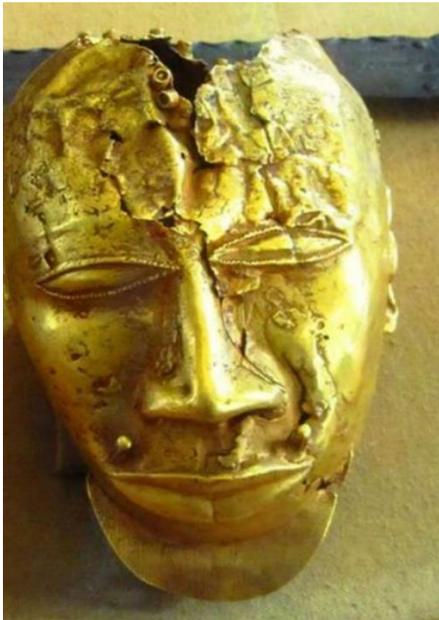


SOME HAVE WAITED FOR 100 YEARS; OTHERS ARE TIRED AFTER FEW MONTHS: TIME IN RESTITUTION MATTERS

“The British Museum takes its commitment to being a world museum seriously.” Statement by a British Museum spokeswoman in response to demand by Pokomo(Kenya) for the return of their looted ancestral drum.



Gold mask, 20 cm in height, weighing 1.36 kg of pure gold, seized by the British from Kumasi, Ghana, in 1874 and now in the Wallace Collection, London, United Kingdom.

Asante, Edo, Yoruba, Igbo, and many other African peoples have been waiting for more than 100 years to see the restitution of their cultural objects that European imperialists and colonialists looted with great violence and destruction during the heydays of Western imperialism. For decades, the demands for the restitution of Dahomean artefacts stolen by the French under General Alfred Amédée Dodds in 1892 at Abomey, the Benin bronzes that were stolen in the notorious invasion of Benin City by a British Army of 1,200 men under Admiral Sir Harry Rawson on 9 February, 1897 and the Ethiopian artefacts looted by the British Army under General Sir. Robert Napier on 13 May 1868 have been met with dead silence or other forms of negation.

When the present writer started two decades ago to argue for the restitution of looted African artefacts, many of the African peoples from whom these objects were violently wrenched were so discouraged, dejected and so tired that they

wondered whether we were not embarking on another fruitless and wasteful endeavour. Some said they did not want to start again in their old age, attempts made in their youth which had been totally without any success and on which the Western museums only appeared to pour scorn. This was more or less the general atmosphere until the famous speech by the French President Emmanuel Macron in 2017 at Ouagadougou, Burkina Faso, before a full amphitheatre of students. After this we had the ground-breaking report of Felwine Sarr and Bénédicte Savoy in 2018.



Members of the nefarious British Punitive Expedition of 1897 posing proudly with looted Benin artefacts.

The Sarr-Savoy report *The Restitution of African Cultural Heritage. Toward a New Relational Ethics*, set in motion many waves and activities that have not yet ended. The Germans quickly produced a set of guidelines for handling collections out of colonial contexts that was presented as Germany's answer to Macron's initiative. Within a year, the document was revised in view of general criticisms. German Culture Ministers met to agree on measures and principles to quicken restitution procedures that was followed by new decision to set up an agency to facilitate search of African artefacts reacting to the demand by a plea signed by German and international scholars and intellectuals to open up inventories and archives of German ethnological museums. Hectic German activities appear geared to avoid further objections to the 600million euro museum, Humboldt Forum, that is to open finally in November 2020 with display of looted African and Asian artefacts previously held by the Ethnology Museum, Berlin.

Some Dutch museums revised their rules regarding requests for restitution of artefacts looted in the colonial period and have been praised by many who obviously have not read the relevant texts.

The British Minister for Culture as well as the Director of the British Museum re-affirmed their well-known position not to entertain any demands for restitution despite vain hopes of others that the British may follow recent trends and accept restitution as a solution to the increasing demands for restitution of looted artefacts.



Queen-Mother Idia, Benin, Nigeria, now in British Museum ,London, United Kingdom.

The Sarr-Savoy report has been the subject of many debates and panel discussions in France as well as in United Kingdom, Germany and the Netherlands but has been generally accepted as the most important document on the issue of restitution. Many Africans, including the present writer, consider the report as the best thing that has happened in the area of restitution during the last 100 years. African museum directors and intellectuals have welcomed the report and its recommendations on restitution. Western museum directors and others who have been against restitution of looted African artefacts have been, as expected, less enthusiastic if not outright hostile. Art dealers have been shocked by the new proposals and see their trade and profits in danger.

Before the report had been officially submitted to President Macron and published, some were already calling it a controversial report and thus pre-empted the right of the public to read the report and make up its mind. Some of the criticism that followed the publication of the report revealed that many critics had not actually read the report or misunderstood the task entrusted to Felwine Sarr and Bénédicte Savoy. Many did not pay attention to the fact that the two academics had assembled a great number of scholars, experts and museum officials in their commission who are expressly named in the report.

The Director of the Musée du quai Branly-Jacques Chirac as well as officials from his museum participated in some of the consultations even though he later distanced himself from the recommendations of the report. Attempts therefore to present the report as the work of only two ‘radical’ scholars, expressing only their personal views without any consultations are totally wrong.

The impact of the Sarr-Savoy report eventually cannot be denied even by its worst critics who appear confounded by simple statements and proposals that should be familiar to all who have followed discussions on restitutions in the last few decades. Bénédicte Savoy and Felwine Sarr have been recently named as the sixth most influential persons in the art world in a list containing names of 100 prominent persons. We might see more honours coming their way when many African governments wake up, joining their efforts with Asian States and the full dimensions of their contributions are appreciated. People would realize the close connection between colonialism and restitution. The Nobel Prize for Peace might not seem too far. Many institutions, including wealthy foundations, appear ready to support African efforts in this area. We must be careful with those with money and question closely their recent interest in our efforts at restitution. Those who believe that discussions on restitution started only with the Ouagadougou Declaration by Emmanuel Macron or with the publication of the Sarr-Savoy report are of course entitled to their own views of history.



Royal statues, Dahomey, Republic of Benin, now in Musée du Quai Branly, Paris, France. Left, King Glélé, half-lion, half- man. Centre, King Ghézo, half-bird, half-man. Right, King Béhanzin, half-shark, half-man. To be returned soon to Republic of Benin.

The earth-shaking effects of this report, unique in many ways, have not ceased to trouble illegal holders of African artefacts, many Western museum directors and dealers in looted artefacts and their supporters.

A very remarkable criticism by those supporting the so-called universal museums who are, per definition, against restitution, is to turn around and point out that the French government has not been fast enough. They point out that not much has been done by France since the report was published in 2018. Some started complaining a few months after the publication of the report, saying that it was 8 months already since the report was issued and nothing had happened; others now say it is almost a year and the French seem to have lost steam. The irony is that those who say nothing has happened since the issuance of the report, cannot deny that there have been intensive debates in most countries; they cannot deny that most Western museums and governments are busy with talking about restitution and are discussing how restitution matters arising out of colonial robbery can be solved. Do the critics attach no importance at all to intellectual, academic, and popular discussions on matters of general public interest? We must, of course, ensure that these debates do not become substitutes for action i.e. the physical return of the looted objects. After all this is not the first time that museums and other institutions have been faced with demands for restitution. We have been writing on restitution for two decades and know that there were others before us pondering on the same issues. Time for action is now and a museum director should not be able to suggest that his new institution would serve as a place for discussing looted artefacts whilst the same museum proudly displays looted Benin items. Similarly, inviting young African scholars and museum officials to participate in debates in Europe and America is fine but it would be more interesting to return the looted artefacts to Africa and observe what young curators have done with the returned artefacts. Nor does commissioning of African artists in the African diaspora or in Africa to produce a piece of artwork for the museum, serve as substitute for restitution. Some museums pretend they are in a position to play go-between for the African States and Western States or are neutral in the issues of restitution when in fact they are an important part of the problem and the main beneficiaries of colonial loot. They cannot disassociate themselves from colonial subjugation, violence and loot.

Felwine Sarr and Bénédicte Savoy have been extremely busy and cannot deal with all the invitations they receive. They are solicited by all sorts of groups and have become something of intellectual stars. They have appeared often in television broadcasts. Macron appears to have been very lucky in his choice of commissioners who did not know each other before receiving this task and yet blend so well. He should support their efforts with more concrete actions.

Those who claim that not much has happened since the publication of the Sarr-Savoy report often furnish, perhaps unwittingly, explanations why such

restitution as proposed cannot take place so quickly. They explain the current status of the law, in this case of French Law, which with its centuries old principle of ‘ *inalienabilité* ’ prohibits the selling or transfer of objects registered in the domain of the State. Critics point out quite correctly that under the present dispensation of French law, most of the looted African artefacts are in the State domain and cannot simply be restituted to the African States. French Parliament would have to change radically current French Law. What the critics do not add, and here one begins to doubt whether they have read the report or simply did not understand it, is that the report itself states that changes in the law would be necessary in order to effect the restitutions recommended: *‘The procedure of restitution supposes a positive evolution of law, within the framework of a modification of the cultural heritage code, articulated in the principle of inalienability of public collections.’*

Felwine Sarr and Bénédicte Savoy, assisted by Vincent Negri and Isabelle Maréchal, have proposed modifications that would be necessary in French Law for the implementation of their recommendations. Negri and Maréchal, experts on their own, with Sarr and Savoy, consulted legal experts and members of the French Parliament before finishing their report. Yet many critics report that there would be need for changes in French Law and insinuate that Sarr and Savoy, the two academics, ignored the realities of French Law or were not aware of the legal obstacles. Some critics clearly present Sarr and Savoy as wholly ignorant of French Law of which the critics, some of them non-French and non-lawyers, are fully aware. What kind of intellectual honesty and mode are they trying to project?

Attempts to present Sarr and Savoy as some naïve academics, totally uninformed about museum problems and practices, are really unacceptable. Nowhere have the authors of the report suggested that their recommendations could be effected overnight. The authors of the report stated that

‘The translocation of cultural heritage that has affected Africa for the benefit and profit of France has taken place over a long period of time. In order for the restitutions to be considered as permanent and enduring so as not to cause any unnecessary risks to the objects in question—and to grant the proper time to all actors, on both continents, so as to establish a common “know-how” for the restitutions—the process of restitution itself must adhere and adapt to the rhythms and to the preparations of each nation-state concerned. Concerning these very sensitive cultural questions, the French State must not impose its rhythm and political agenda onto the African States.’



Throne of King Ghézo, Abomey, Dahomey, Republic of Benin, now in Musée du Quai Branly, Paris, France, to be returned to Benin.

Critics know very well that the implementation of recommendations by the report are left to the discretion of the French Government which is not supervised by Sarr and Savoy.

We have to ask the critics what their estimation of the time required for implementation was. Surely our critics are aware that when France was required in 1815 to restitute the Napoleonic spoiliations in Europe, it took decades to effect some transfers and many objects are still in Louvre and other regional French museums. Everyone knows now that it has taken Western States a long time to make restitutions to victims of Nazi spoiliations. If African States do not put sufficient pressure on Western governments and museums, they are not likely to be fast in returning artefacts they have kept for more than hundred years.

Have the critics forgotten that they were the same people who pointed out that many African States would have to build the necessary infrastructures for the reception of the looted African artefacts in Europe? Readers no doubt know that the so-called Benin Dialogue Group, composed of Western museums from the United Kingdom, Netherlands, Germany and Austria has been discussing for many years the fate of looted Benin artefacts and have proposed to lend to Nigeria some looted Benin artefacts when a new museum being built in Benin City is ready in 2021. We should note that they will only lend looted objects to their original owners. They have turned logic, law, morality and history upside-down and are angry at those who point out the enormity of their proposals.

But did our critics ever hear that the Republic of Benin has informed the French that they are not yet ready to receive the 26 looted artefacts Macron wanted to restitute? They would only be ready to receive their returned artefacts in 2021

when the new museum built with French support will be ready. The French have even said they are willing to find means of returning the looted objects before the legislature has been able to modify French Law. The French seem ready whilst some African States are not yet ready to receive the objects. How can any honest person say that the French have lost steam? This is the kind of interpretation of facts that opponents of restitution are presenting in respectable publications. Another example, the French Culture Minister praises Felwine Sarr and Bénédicte Savoy for their inestimable work and contribution to the current discussions on restitution and adds that the cultural relations of France and the African States go beyond restitution. We immediately read that the French have abandoned restitution and turned to other means of cooperation such as circulation of artefacts, exchanges and common exhibition.

What has surprised me though is that many critics do not seem to appreciate that restitution is not simply the return of looted artefacts. They cite examples of objects returned by Germany to Namibia, such as the Portuguese Stone Cross or the looted bible of the legendary Nama resistance leader Hendrik Witbooi after 126 years. It is then suggested that Germany is advanced in matters of restitution. Yet so far there has not been any general admission by Germany that the looting of African artefacts under the colonial regime was wrong and therefore the objects ought to be returned.



Crown of Tewodros II, Ethiopia, now in Victoria and Albert Museum, London

To admit the wrongful nature of German loots would, in the opinion of some, lead to admitting the unjust nature of the colonial system and put them at risk of facing many reparation demands. Restitution is more than the return of the looted object. It is first and foremost, the admission of the wrongful nature of the seizure of the object, the desire to correct the past and seek better relations between the parties. They would have to see the colonial regime for what it

was: an unjust system of domination of one people by another wielding superior brutal force and controlling an oppressed people and their destiny. Many have not understood that restitution is a question of the relationship of the parties involved. It is a matter of the relationship between Western States and African States. Many mercantile minds have not understood that the Sarr-Savoy report seeks to lay down new bases for the Afro-European relations, based on mutual consent and respect and not on brutal force and violence that have hitherto characterized the relations between our Continent and Europe. That largely accounts for the hostile reception of that report in some Western quarters. The later part of the title of the report, *Toward a New Relational Ethics* has been totally lost on many. Some of us would go so far as to say that the relationship of African States and Western States, as reflected by the looting and keeping of the artefacts, is a main objective of the report. This may of course appear complicated for some.



French Prime Minister Edouard Philippe symbolically handing over to Senegalese President Macky Sall the sword of Omar Saïdou Tall, who led resistance against the French in 1857-1859.

What our observant critics may not have known is that the French Prime Minister Edouard Phillippe handed over symbolically on Sunday 17 November 2019 in an impressive historic ceremony, the sword and scabbard of Omar Saidou Tall who led resistance to French military invasions, as head of the Tukolor Empire, englobing Guinea, Mali and Senegal. The sword had been kept in the Military Museum in Paris. The sword already in the Dakar Museum of Black Civilizations, is to be kept there for another period of five years, the length of time required for modifying French law as proposed by the Sarr-Savoy report.

Whatever the critics of the Sarr-Savoy report may say or do, they should stop the constant insults they hurl at Africans by declaring that we are incapable of looking after our artefacts their armies stole with tremendous violence and mayhem. Looters or holders of looted objects are not in law or in morality entitled to tell the dispossessed owners how to look after their cultural artefacts. Monstrous and voracious institutions, such as the British Museum, holding 13 million objects, mostly looted, cannot deceive us by pretending they hold them on behalf of humanity. They are only ‘universal’ in the sense that they hold looted artefacts from the whole world. Such institutions have failed hitherto to show any humanity to deprived owners of artefacts. These so-called ‘universal museums’ and their supporters cannot declare that restitution takes time and at the same time declare that the French have not been fast enough in the last twelve months with restitutions. Recalcitrant States and their supporters could improve relations if they would, following Emmanuel Macron, also declare that looted African artefacts should be returned to Africa within the next five years. Multiplying activities and initiatives or offering loans of the objects to the original owners will not suffice. These looted African objects must be restituted to Africa.



Museum of Black Civilizations, Dakar, Senegal.

Kwame Opoku.