

# The Australasian Review of African Studies

## African Studies Association of Australasia and the Pacific

Volume 32 Number 1 June 2011

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## Looking beyond the Benin Bronze head: Provisional Notes on Culture, Nation, and Cosmopolitanism

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### **Abstract**

This paper seeks to bring into purview the two contrasting approaches about cultural artefacts that originated from the formerly colonised world and are currently displayed in metropolitan museums. On one hand, cultural nationalism argues that the presence of some of the artefacts reminds us of colonial dispossession thus lending support to calls for their repatriation. On the other, cultural cosmopolitanism argues that culture and cultural artefacts need to be seen as humanity's accomplishments thus holding them in the sole trusteeship of source nations and restricting them to their national borders is too limiting and impoverishing. This paper utilises the case of the repatriation of the Zimbabwean Bird in 2003 to interrogate how the Benin head in an Australian museum should be understood. By making reference to the Zimbabwean case, the writer suggests that calls for repatriation mainly serve as a political stunt of writing against empire and may not be of much benefit to both the artefact and humanity. Rather, a more beneficial approach is to view cultural artefacts not only as items that transcend political boundaries but also as pointers to the accomplishments of humanity.

### **Introduction<sup>1</sup>**

In January 2011, Tanya Lyons, the editor of *Australasian Review of African Studies (ARAS)*, a journal run by the African Studies Association of Australasia and the Pacific (AFSAAP), wrote an electronic mail to its members about a Benin Bronze Head that her son, Harry, recognised on their visit to the South Australian Museum. Harry saw the Benin Bronze Head in the glass display cabinet and recognised how it was similar to the logo of the journal that his mother edits. I received the news about this bronze head with not only excitement but also anxiety. Of course, I was excited how a young attentive boy 'discovered' or established a link between an artefact in a museum and his previous sightings of the logo on the ARAS copies. I was also excited that AFSAAP, being the only organisation of its kind in the Australasian region, had a journal whose identity would now be expressed through an artefact that is located on

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<sup>1</sup> I would like to thank Sam Balaton-Chrimes and the reviewers for their insightful suggestions and critical comments on the earlier versions of this article.

Australian soil. I was anxious about this ‘discovery’ and some of the questions that it leads to, especially about the machinations of the colonial empire. In my mind, a number of questions sprang up: How are AFSAAP members, especially Africans, going to respond to this ‘discovery’? What should the people of Benin say or think when they hear of *their* piece of art in a foreign land? How did the bronze head from Benin find its way into a South Australian museum? As I further read the mail, my last question was partly answered: In 1899, David Murray, a wealthy merchant and South Australian Parliamentarian bought the head from the dealer W.D. Webster and donated it to the museum.<sup>2</sup> A number of problematic issues emerged for me here. For example, I was reminded of a similar incident that happened in Zimbabwe in 2003 when the ‘stolen’ base of a Zimbabwean Bird was ‘repatriated’ from Museum für Völkerkunde in Berlin, Germany, and reunited with its head. In this specific case, the repatriation was interpreted as the return of the country’s ‘stolen heritage.’<sup>3</sup>

In this paper, I seek to broaden the scope of the debate about cultural property by utilising the Zimbabwean case study as a framing device. With this case study, I seek to open up the issues that emerge from the Benin bronze head, to establish how the Zimbabwean case may be used to shed more light on the debate. I should emphasise that by making reference to the Zimbabwean case, I am not suggesting that the Benin bronze in the South Australian museum was stolen nor that it should be repatriated to its place of origin. Rather, I only seek to emphasise how a similar case involving artefacts has been described and dealt with elsewhere, and to draw out the implications of such a direction. I will sidestep the attempt to directly answer the gamut of questions that can possibly emerge from a case of this nature, despite their importance. Instead, I will try to provide what I prefer to call ‘provisional notes’ or tentative explorations of the various prisms by which we can grasp some of the problematic issues that the Benin bronze head and other related cases raise. In particular, I seek to highlight how the dimension of cultural

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<sup>2</sup> See Editorial in this issue

<sup>3</sup> The analysis below will highlight how the repatriation of the piece of the Zimbabwe bird was couched with an official linguistic repertoire that stressed colonial dispossession. Happening within a context of the land redistribution exercise which expropriated land from the white minority, the bird’s return was used by the politicians as a vindication of the expropriation of the land that the European colonialists had looted. For a more detailed analysis of this context, see Terence Ranger, “The Uses and Abuses of History in Zimbabwe” in Mai Palmberg and Ranka Primorac, eds., *Skinning the Skunk – Facing Zimbabwe’s Postcolonial Futures*, (Nordiska Afrikainstitutet, 2003), 7-15.

patrimony can be critiqued from the perspective of cosmopolitanism. As different approaches to the ways we view and respond to the problematic issues of cultural artefacts, the debates between cultural patrimony and cultural cosmopolitanism can be used to enrich our quest to understand the notions of 'nation,' 'culture' and 'identity.'

This article will provide an outline of the repatriation of the Zimbabwe Bird and how this specific case was used to mobilise a nationalistic sentiment against the machinations of colonial empire. This specific case is used to frame how cultural artefacts are used in the discourses of nation and culture especially within contexts of a political crisis. This is followed by an analysis of the cultural nationalism perspective and how it finds expression through the UNESCO Convention; a discussion of cultural cosmopolitanism and how it is rooted in the Hague Convention; and a comparative analysis of how these two positions may respond to the issues of returning or retaining cultural artefacts.

### **Zimbabwe Bird: Flying home to roost**

We learn from history that the German explorer and anthropologist, Carl Mauch, visited Great Zimbabwe in 1871. He examined the place and local traditions and concluded that the place was once inhabited by people with strong connections with the Middle Eastern kingdoms. In particular, the lintel of scented wood that he found led him to think that it was made of cedar, and concluded that it originated from Lebanon and on that basis associated the Great Zimbabwe monument with King Solomon of the Hebrews and the Queen of Sheba.<sup>4</sup> The shapes of the structures were all explained as showing strong affinities with ancient Hebraic customs and practices. For example, Richard Hall argues that the phallic shape of the conical tower is "the truest evidence of Baal worship."<sup>5</sup> The implication of this was that the local people were not the original inhabitants of the place and also that they had not played any significant role in the monument's architectural design and its cultural life. After Mauch, Willy Posselt followed in 1899. Posselt was a hunter and also private collector who, despite the resistance of the locals, used clandestine methods including bribery to dig out the bird carvings, and one of them being too heavy he had it cut into two pieces and he stored the bottom piece in what

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<sup>4</sup> Innocent Pikirayi, *The Zimbabwe Culture: Origins and Decline of Southern Zambebian States*, (California: AltaMira Press, 2001), 9.

<sup>5</sup> Richard N. Hall, "The Great Zimbabwe," *Journal of the Royal African Society*, 4:15, (1905): 297.

he termed ‘a secure place.’<sup>6</sup> According to Thomas Huffman, the birds ‘are carved of soft green-grey soapstone; each is about 30centimetres long and perches on the end of a pillar a meter or more in length.’<sup>7</sup> It is known that Posselt later sold the piece of the Bird to Cecil Rhodes. Rhodes’ architect, Herbert Baker, decorated Rhodes’ Cape Town residence with the birds and bird symbols. The house was handed over to the South African government and has been the official residence to the head of state since 1911.<sup>8</sup> The expeditions of Carl Mauch and Willy Posselt attracted many European explorers most of whom were cunning fortune seekers and this marked the point when the monumental sites were subjected to what the archaeologist Pikirayi described as “a series of depredations and excavations” by some treasure hunters and also others with an archaeological intent.<sup>9</sup> We can describe Mauch and Posselt as duplicitous agents whose actions transgressed ethical and civil limits; agents whose actions, despite their claims to be civilised, regressed to unimaginable levels. Following Hannah Arendt, it can be said that the “luck-hunters were not outside civilised society but, on the contrary, very clearly a by-product of this society,” and like Conrad’s depiction of Mr. Kurtz in his *Heart of Darkness*, the luck hunters were “hollow to the core,” “reckless without hardihood, greedy without audacity and cruel without courage.”<sup>10</sup> In the same vein, the historian, Dawson Munjeri, argues that the actions of Mauch and Posselt signalled “the start of the sacrilegious removal of the birds and was the precursor to the systematic, officially sanctioned plunder that followed the colonisation of the country.”<sup>11</sup> As will be discussed below, this strong depiction is one that lends voice to the predominant nationalist discourse within which the

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<sup>6</sup> Willy Posselt, “The Early Days of Mashonaland and a Visit to Great Zimbabwe Ruins,” *Native Affairs Department Annual*, 2, (Salisbury: Southern Rhodesian Native Affairs Department, (1924): 70-76.

<sup>7</sup> Thomas N. Huffman, “The Soapstone Birds from Great Zimbabwe,” in *African Arts*, 18:3 (1985): 68. From Huffman’s detailed descriptions, while all the soapstone birds were represented as birds of prey, they came in different styles: their wings, tails, legs, eyes and even beaks came in different shapes and sizes; and to understand their religious symbolism, “it is necessary to know the roles birds played in Shona ideology.”

<sup>8</sup> William J. Dewey, “Repatriation of a Great Zimbabwe Bird,” <http://cohesion.rice.edu/CentersAndinst/SAFA/emplibrary/Dewey,W.Safa2006.pdf>, paper presented to the Society of Africanist Archaeologists (SAFA) Conference, Calgary (23–26 June 2006), accessed 28 January 2011.

<sup>9</sup> Pikirayi, 11.

<sup>10</sup> Hannah Arendt, *The Origins of Totalitarianism*, (London: George Allen and Unwin Ltd, 1967), 189.

<sup>11</sup> Dawson Munjeri, “The Reunification of a National Symbol,” *Museum International*, 61:1-2 (2009): 15.

debates about cultural artefacts, especially from formerly colonised nations, are constructed and legitimised.

It is undoubtedly through the activities of these collectors and treasure hunters that one piece of the Zimbabwe Bird finally landed in the Museum für Völkerkunde in Berlin. The upper part of the bird carving never left the country and remained housed at the Great Zimbabwe Monument Museum. According to Kurt Siehr, the lower part of the Zimbabwe Bird was taken away from the site “in 1890 and resurfaced in South Africa in 1906 in the possession of Cecil Rhodes, who gave it to Karl Theodore Axenfeld, a missionary of the Berlin Society, who in turn sold it to the Royal Prussian Museum in Berlin.”<sup>12</sup> During the Second World War when the German army was overrun by the Russian army, the carving, among other objects in the museum, was captured and housed in Russia’s St Petersburg Museum. Russia handed over the pieces to East Germany almost twenty years after the war and with the unification of the East and West Germany in the early 1990s, the pieces were returned to the Museum für Völkerkunde. In 1997, William Dewey, the American academic with a strong interest in Zimbabwean art, organised the ‘Legacies of Stone: Zimbabwe Past and Present’ exhibition at the Royal Museum of Central Africa in Tervuren, Belgium. Having secured the bottom piece from the Berlin museum, he consulted the Zimbabwean government to borrow the upper piece for the exhibition. At a time when the bottom part was thought to have been lost or destroyed, Dewey managed to bring the piece into the spotlight, a move that began the process of diplomatic engagements between Germany, Zimbabwe and Belgium. Finally, an agreement to have the bottom piece returned to Zimbabwe was reached, though with terms and conditions attached including that the piece would be repatriated from the Berlin museum on ‘a permanent loan’ to the National Museums and Monuments of Zimbabwe and also at no further cost to the Germans.

To mark the official handover of the bird in 2004, there were ceremonies held at Zimbabwe House, the official residency of President Robert Mugabe in Harare, and the other was held at the Great Zimbabwe Monuments, the original location from where the piece was removed about a century earlier and where the two parts finally reunited would be installed. It is the discourse of the ‘return’ of the bird that was deployed at these ceremonies that needs to be analysed further in order to bring into

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<sup>12</sup> Kurt Siehr, “Chronicles: January 1, 2003 – December 31, 2003,” *International Journal of Cultural Property*, 12 (2005): 126-127.

purview the issues that I seek to raise in relation to the Benin bronze head. As he handed over the bottom part of the bird, the Ambassador of Germany to Zimbabwe, Peter Schmidt acknowledged how the Germans were fully aware of the symbolic and emotional value the Zimbabwean Birds constitute to the people of Zimbabwe, and how important it was for this piece of the bird to be brought home and that it was “through your personal interest and insistence and through the understanding and generosity of the Prussian Cultural Heritage Foundation, *who are the legal owners of the fragment*, that we today can heal, as it were, the wounds of the past inflicted on this Zimbabwe Bird and can make its broken parts one again.”<sup>13</sup> A closer look shows that the transfer of the actual piece did not entail transfer of legal ownership because the agreement remains favourable to the German museum as the ‘legal owners’ of the piece. However, the return did mark a healing process. From this, it can be said that both the Germans and the Zimbabweans saw the need for the return of the piece but they differed in terms of the rationale for the return.

Schmidt’s comments are important here as they are underpinned by views that can be used to reframe the cultural nationalism debate. First, Schmidt described the return of the fragment as initiating a process of ‘national healing’ as its removal had caused ‘wounds.’ For him, the attendees of the ceremony were not only heads of the state, but also representatives of the nation. Thus the *nation* becomes what Katherine Verdery terms “a basic operator in a widespread system of social classification” which establishes grounds for authority and legitimacy through the categories they set down and also “make these categories seem both natural and socially real.”<sup>14</sup> The leaders of the Zimbabwean (ZANU PF) government took the occasion of the repatriation to claim to reinforce and secure its legitimacy as the defenders of tradition and trustees of national heritage, and also to justify the repatriation of the bird as a fulfilment of the policy of land redistribution.<sup>15</sup> Both the bird and the land stood as reclaimed forms of cultural heritage. Thus the return of the bird was carefully utilised to mark the return of all that the nation claimed to have had

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<sup>13</sup> *The Herald*, (Harare, Zimbabwe) 15 May 2003 (Emphasis added)

<sup>14</sup> Katherine Verdery, “Whither ‘Nation’ and ‘Nationalism’?” *Daedalus*, 122: 3 (1993): 37.

<sup>15</sup> On the occasion of the return, Chief Mangwende, the President of the Council of Chiefs said “... this bird was not the only thing that was stolen but many other things and we want that heritage back,” Terence Ranger, 10. Thus the Bird’s return and the land redistribution program were seen as continuous processes of reclaiming the nation’s heritage.

dispossessed by the machinations of the colonial apparatus. On the day of the installation of the bird at the Great Zimbabwe Monument, Chief Mangwende bluntly stated that the bird was an avenging spirit that struggled against the Germans and caused some suffering until they saw the need to return it. He said: “*Vaive vasingazivi kuti kune ngozi. Zvino heinoi ngozi yeshiri. Ndiko kurwadza kwengozi ikoko.* [They did not know that there are avenging spirits. Here is the avenging spirits of the bird; it troubles you until you return it].”<sup>16</sup> The implication of his remark was that the piece of the bird was only returned not to honour any specific obligation, but because the bird was an avenging spirit that was in constant struggle with the Germans until its return. Like any avenging spirit in traditional African metaphysics, it causes great misfortune to those it is fighting against. Therefore, the spirit of the bird becomes the cog behind the historical developments of the modern world. This accords repatriation a spiritual twist by emphasising the central role that the artefacts played and continue to play in the religious and spiritual life of the nation.

Understood in this way, the Zimbabwe Bird becomes an embodiment of the nation. Zimbabwean cultural nationalism uses the bird as a symbol to mobilise the disparate members of its nation. The bird conjures up a quintessentially national image that is aimed to construct a discourse whose effect is both homogenising and differentiating. It is homogenising insofar as it is aimed to appeal to and bind together the majority of the people within the geographical territory of Zimbabwe. In this way ‘the nation’ becomes a classifying discourse and ‘the people’ are presumed to possess and share a lot of essential things in common: historical, cultural, spiritual and ‘blood’ connections. Thus it can be said that political elites utilised the ceremony of the return of the bottom fragment to engage in a nation-building project. It is also differentiating as it marks ‘outsiders.’ In particular, the Germans, and in general the ‘European colonialists’ were considered to be the culprits who had surrendered the heritage they had looted. The image of the bird as the guardian of the Zimbabwean nation assumes a new trajectory as the jurisdiction of the bird is now the geographical territory of postcolonial Zimbabwe. Thus there is an assumption of a congruence or coincidence between culture and geographical space. This is despite the fact that history has a different depiction of the Great Zimbabwe kingdom in which the bird played a significant cultural role. Below, I will try to illustrate how some of the

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<sup>16</sup> *The Herald*, (Harare, Zimbabwe) 15 May 2003.

views raised in this section are important for the debates about cultural nationalism.

### **The Cultural Nationalism Perspective**

The UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property of 1970 (hereafter UNESCO Convention) provides a very broad definition of cultural property.<sup>17</sup> This broad definition of cultural property particularly provides leverage for the source nations, the majority of which are third world and postcolonial nations, so that they control exports and also demand for the repatriation of cultural goods. The UNESCO Convention was specifically crafted to curb illicit international trade in cultural property based on the view that illicit trade in these goods impoverishes the cultural heritage of the source nation.<sup>18</sup> The Convention considers the illicit import, export and transfer of ownership of cultural property as the main cause of the impoverishment of the cultural heritage of the source nations and hence the opposition to such practices specifically by removing whatever causes the illicit practices and also “helping to make such necessary reparations.”<sup>19</sup> From this, the term ‘cultural property’ is left as broadly as possible to allow for anything state authorities wish to designate. In this way, states have the prerogative to determine the legality of import, export and transfer of ownership, hence leaving states with a strong leeway to champion unmitigated forms of cultural property nationalism within its borders.

By arguing that a specific cultural artefact belongs to a specific nation, the UNESCO Convention justifies the return of artefacts to the nation of origin and for the nation to retain the artefact and also to allow the State

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<sup>17</sup> Article 1 broadly construes ‘cultural property’ to mean “property which, on religious or secular grounds, is specifically designated by each State as being of importance for archaeology, prehistory, history, literature, art or science,” and it proceeds further to identify the various categories under which it belongs: rare collections and specimen of fauna, flora, minerals, anatomy; property relating to history; products of archaeological discoveries; elements of artistic monuments; antiquities more than one hundred years old such as coins, engraved seals; archives including sound, photographic and cinematographic archives; rare manuscripts, old books, and publications of special interest; etc. See UNESCO. *UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970*, [http://portal.unesco.org/en/ev.php-URL\\_ID=13039&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13039&URL_DO=DO_TOPIC&URL_SECTION=201.html) (accessed 14 February 2011).

<sup>18</sup> UNESCO Convention, 1970, Article 2.

<sup>19</sup> UNESCO Convention, 1970, Article 2.

or its institutions to design embargo laws that prohibit any subsequent transfers of the objects. From this perspective, it is important to note that the UNESCO Convention is mainly aimed at 'illicit' exports of cultural property as such a practice is considered to result in the impoverishing the cultural heritage of a nation. The UNESCO Convention considers "that cultural property constitutes one of the basic elements of civilization and national culture, and that its true value can be appreciated only in relation to the fullest possible information regarding its origin, history and traditional setting."<sup>20</sup> The core here is a cultural nationalist conception of identity: that national identity is culturally constituted such that 'the nation's identity' can only be fully understood within the confines of the people's interaction with each other and their cultural artefacts. Johann Herder emphasised the centrality of not only language and culture but also of geography as constitutive elements of a nation's identity, and rather than viewing nationalism as a creation, Herder saw it as an expression of nature.<sup>21</sup> In this formulation, it can be argued that the UNESCO Convention follows the view that the essence of culture lies in the values which are the distinctive marks of a way of life, and the individual as a member of a nation internalises the values as a national character. Hence cultural practices and artefacts reflect the national character which brings meaning only when they are retained in their physical space.

There is also a flipside to the argument that states are the guarantors of the nation's culture and they should have the prerogative over the export, import and transfer of cultural artefacts. The UNESCO Convention argues for the need to maintain the integrity of cultural sites, a point which suggests that activities of 'collectors' defame the sacredness of cultural sites. Thus Munjeri's argument regarding the repatriation of the bottom piece of the Zimbabwe Bird can be used here to show how it converges with this point. He describes the activities of the explorers and collectors at Great Zimbabwe as "Western interventions that severed the umbilical cord linking the birds to their people."<sup>22</sup> He also conceives the birds as living entities whose full meaning can only be comprehended when tied to their place. Thus removal of cultural objects results in 'decontextualisation,' which means that cultural artefacts only make sense when they are in their cultural context and removal results in the object and context losing significance: "the object becomes anonymous,

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<sup>20</sup> UNESCO Convention, 1970, Article 2.

<sup>21</sup> Johann G. Herder, *Philosophical Writings*, M. Forster, ed., (Cambridge: Cambridge University Press, (2002).

<sup>22</sup> Munjeri, 15.

an orphan without reliable indication of its origin, its significance, its place and function as a part of something else.”<sup>23</sup> By describing an exported artefact as “an amputation,”<sup>24</sup> cultural nationalists consider artefacts as living entities. Munjeri captured this when he described the part of the soapstone bird at the Belgium museum exhibition as one of Zimbabwe’s cultural treasures still “languishing in exile.”<sup>25</sup> The imagery of a lifeless bird fits in well with the exuberant ceremony to reunite it with its place, thus making the ceremony reinforce the point that repatriation allowed the bird to live again so that it can provide spiritual guidance to the nation. In this case, the nation and the artefacts acquire a unique life form; a life form characterised by a symbiotic relationship in which one cannot live without the other. This is because removing the artefact “arguably takes it out of context, depriving it, in a rarefied sense, of meaning and expressive power.”<sup>26</sup> Thus the African artefact in a western museum or in a collector’s private storage is lifeless, displaced and is in a constant struggle for an authentic meaning; and the nation, without its heritage, is devoid of existential worth.

### **The Cultural Cosmopolitanism Perspective**

John Merryman analyses cultural cosmopolitanism or what he terms ‘cultural internationalism’ as derived from the Hague Convention of 1954, with the latter as having its roots in the Lieber Code.<sup>27</sup> The Hague Convention has a long and winding history but its basic task is to provide “a rationale for the international protection of cultural property.”<sup>28</sup> In its preamble, it states that it is motivated by the conviction that the “damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind, since each people makes its contribution to the culture of the world” and also “that the preservation of the cultural heritage is of great importance for all peoples of the world

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<sup>23</sup> John H. Merryman, *Thinking About the Elgin Marbles: Critical Essays on Cultural Property, Art, and Law*, (Alphen aan den Rijn: Kluwer Law International, 2009), 160-161.

<sup>24</sup> Merryman, 2009, 162.

<sup>25</sup> Munjeri, 13.

<sup>26</sup> Merryman, 2009, 161.

<sup>27</sup> The Lieber Code of 1863 or Instructions for the Government of Armies of the United States in the Field were a broad set of principles governing how Union soldiers in the American Civil War should conduct themselves in enemy territory. Designed by Francis Lieber, a German immigrant and professor at Columbia College, New York, the code had articles that dealt with the protection of cultural property in enemy territory.

<sup>28</sup> John H. Merryman, “Two Ways of Thinking about Cultural Property,” *The American Journal of International Law*, 80:4 (1986): 836.

and that it is important that this heritage should receive international protection.”<sup>29</sup> From this we can draw some distinctions between the UNESCO Convention and its cultural nationalist aspirations and the Hague Convention as advocating cultural cosmopolitanism. From the perspective of the latter, returning cultural artefacts where they face the risk of degeneration or destruction is not the best option because while cultural nationalists may rejoice that the artefact has returned home, the possibility of its destruction is a good cause for worry. The artefact, irrespective of its origins, is a constituent part of ‘the cultural heritage of all mankind’ and the preservation of its integrity is of greater importance. There are many examples that can be given here. For example, under the Hague Convention, it would be unreasonable to return cultural artefacts to its nation of origin when there are known risks that the artefacts would be destroyed in an ensuing war. Or, as has been argued about the debates about returning the Elgin marbles from Britain to Athens, that atmospheric conditions in the latter would put their integrity into jeopardy as the Athenian fog eats away their fabric.<sup>30</sup> For that reason, the two frameworks differ in their approach to the issues of retaining and returning or repatriating cultural artefacts. Under the UNESCO Convention, nations of origin should retain cultural artefacts and foreign nations should return the artefacts where the source nations deem that they require the artefacts. The existence of foreign markets willing to buy or loan the artefacts is not an issue for the cultural nationalist. The cultural nationalists are proud to possess and retain their artefacts because it makes them who they are. Their products give them pride which cannot be substituted with anything else. By insisting on a ‘common cultural heritage,’ the Hague Convention would recommend that artefacts be more available to a wider audience.

### **Discourses of Returning and Retaining**

Now for the questions whether the Zimbabwean Bird should have been returned and should the Benin bronze head be returned, there are competing responses. For the cultural nationalist, they should be returned

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<sup>29</sup> UNESCO, *The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention 14 May 1954*, [http://portal.unesco.org/en/ev.php-URL\\_ID=13637&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13637&URL_DO=DO_TOPIC&URL_SECTION=201.html), (accessed 16 February 2011), preamble.

<sup>30</sup> For this argument, see for example, Merryman, 2009, 162; and Merryman, 2006, 113. Elsewhere it has been argued that there are strict conditions to be met if the marbles are to be returned to Greece. For some of the conditions, see Christopher Hitchen et.al. *The Elgin Marbles: Should they be Returned to Greece?* (London: Verso, 1997).

because they belong to that nation; the people have a right to them; they constitute who they are. For cultural cosmopolitanism, the retention of cultural artefacts in nations of origin where there is ample evidence that they will face neglect, points to the fact that the insistence that nations should retain their cultural property does not do enough to combat 'destructive retention.' Hence the claim that "if endangered works were to be moved to some other nation, they might be better preserved, studied and displayed and more widely viewed and enjoyed."<sup>31</sup> It needs to be noted that the arguments by cultural cosmopolitanism stresses the importance of the search for knowledge in an unbounded form; that human knowledge knows no boundaries. As James Cuno argues, museums are manifestly internationalist institutions, repositories of the world's greatest artistic achievements and information about these achievements and the world in general, and they are "meant to collect, preserve, exhibit, and research the world's artifacts forever and for everybody."<sup>32</sup>

The two contrasting positions raise very important issues most of which deserve more space and cannot be exhausted here. I find Munjeri's argument for repatriation of the bird on the basis of its religious and/or spiritual symbolism as an extension of the cultural nationalism argument. While the argument is very compelling, it is amenable to the criticism that it is conceivable at the theoretical level but not in practice. There is a radical disjuncture between the ways modern political institutions in the postcolonial state conduct their business and what Munjeri describes as the symbolic significance of the Zimbabwe Birds. Given the state is crafted in the form of a modern parliamentary system presided over by a bureaucratic system that professes secularism and is oriented towards political and economic rationalism, the roles and duties of the Zimbabwe Birds remains to be established. Probably the birds had a spiritual significance in the pre-colonial context but it still remains to be seen what spiritual role the birds would play in the present and what steps the national leadership would take in order for the birds to carry out what Munjeri describes as "the specific responsibilities and duties ascribed to it by tradition and practice"<sup>33</sup> and whether these responsibilities and duties can be accorded any full expression in the ways the modern political institutions are run. In the meantime, a critic can question whether there is

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<sup>31</sup> Merryman, 1986, 846.

<sup>32</sup> James Cuno, "Beyond Bamiyan: Will the World be Ready Next Time?" in Barbara T. Hoffman, ed., *Art and Cultural Heritage: Law, Policy, and Practice*, (Cambridge: Cambridge University Press, 2006), 42.

<sup>33</sup> Munjeri, 15.

any congruence or convergence between the two apparently different worlds of the birds and the duties they are assigned and the business of governing the modern institutions of the state. For that reason, it can be argued that cultural nationalism would argue for the return of the birds for different reasons other than what Munjeri provides. If that reason is to be given, it is just that the Zimbabwe Birds are from Zimbabwe, they belong in Zimbabwe, and therefore they should be returned and retained there. For the cultural nationalist, it does not matter how many birds are already in Zimbabwe, or indeed how many more bronze heads are already in Benin, or whether the source nation has enough safe space to keep the artefacts, or indeed if they want to keep them. Thus for the cultural nationalist simply, wherever the artefacts are throughout the world, they have to be shipped back to the source nation.

Merryman's analysis highlights how cultural nationalism's obsession with cultural property as political and symbolic resource misses the vital role of these artefacts as a resource to be managed and exploited.<sup>34</sup> The notion of destructive retention raised by Merryman highlights the concern over cultural property that is retained by source nations which have either limited capacity or weak will to adequately conserve the property and thereby endangering the very survival of this property. In this way, retention of cultural property is uneconomic and unbeneficial for both the property and humanity. For cultural cosmopolitanism, the export of these cultural artefacts to some more protected place is more preferable to the inevitable destruction that faces them. Cultural cosmopolitanism argues for the preservation of the endangered artefacts because a failure to preserve them endangers not only the artefacts but humankind as the inheritor of this cultural heritage. It should be stressed here that by arguing in this way, cultural cosmopolitanism is not necessarily implying that all source nations have no capacity to preserve such artefacts as the birds or bronze heads respectively. Rather, the argument assumes a utilitarian slant by making the consideration that the utility of the cultural artefacts may be better maximised when they are distributed beyond the source nation. It is only doing this which helps source nations, the majority of which are reeling under economic strains, to profitably utilise their cultural property to enrich not only their people but also humanity at large. The cultural cosmopolitan may find appalling the cultural nationalist's indifference to the odd custom of hoarding cultural artefacts, especially in conditions which render the artefacts inaccessible to both domestic and foreign viewers and also endangers their integrity. Cultural

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<sup>34</sup> Merryman, 1986, 832.

cosmopolitanism considers knowledge as central. Thus while it can be argued that the Zimbabwean Birds are well cared for, the cultural cosmopolitan may argue that the crisis that currently unfolds in the host nation makes it difficult for the majority, especially researchers, to fully enjoy the artefacts and to generate more knowledge about them.

Can we say that the cosmopolitanism argument - that not all cultural artefacts need to be returned to their source nations - is oblivious to the fact that history is too messy and long to always allow a clean and amicable resolution of conflictual interests? There is no reason to assume that cultural cosmopolitanism is naive about history. The cultural cosmopolitanism perspective can be understood as a way of solving the tensions created by history. This can be illustrated by turning to the effects of colonialism. David Scott argues that the formation of the political rationality of the modern colonial state, changed “not only the rules of the political game itself but *the political game itself* changed; not only the relation of forces between colonizer and colonized changed, but *the terrain of the political struggle itself*.”<sup>35</sup> In part, what Scott argues here can be taken to mean that colonialism’s transformative effects make it very difficult for those who still yearn to revive a pre-colonial dispensation. The dispossession that came along with colonialism needs new ways of confronting it. History is awash with tales of dispossessions, and colonial empires stand accused and also embarrassed by the ways they appropriated the resources of the people they colonised. Kwame Appiah’s reference to Walter Benjamin can be illuminating here. Benjamin wrote: “There is no document of Civilization that is not at the same time a document of barbarism.”<sup>36</sup> The modern museum attests to the crude fact that this institution of human civilisation is replete with tales of barbaric plunder and that to celebrate its achievements is in part to acknowledge the triumphal possession of the cultural treasures of the colonised. Probably the question at the core of cultural cosmopolitanism is whether people should continue to mourn about loss. For that reason, it can be said that cultural cosmopolitanism urges us to look ahead rather than being preoccupied with the past. As Appiah clearly shows in his reflections of Baden-Powell’s expeditions in West Africa, the acts of looting are sanitised and described as ‘collecting’ or ‘removal’ thus lending them an expression of “a legitimate transfer of property.”<sup>37</sup>

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<sup>35</sup> David Scott, “Colonial Governmentality,” *Social Text*, 43 (1995): 197-198.

<sup>36</sup> Kwame A. Appiah, “Whose Culture Is It?” in James Cuno, ed. *Whose Culture?: The Promise of Museums and the Debate over Antiquities*, (Princeton, NJ: Princeton University Press, 2009), 71.

<sup>37</sup> Appiah, 2009, 72.

The brief description above of the actions of the explorers and treasure hunters at Great Zimbabwe can also confirm what Appiah describes here. There is no doubt that a significant number of Benin bronze heads which are scattered around the museums in the western world, are items of plunder that followed retributive or punitive expeditions or indemnity<sup>38</sup> that the African kings were forced to pay to the encroaching European colonialists. However, it can also be equally argued that these kings and the bronze casters would give some of these bronze heads as gestures of good will, to those people or kingdoms that they had cordial relationships with. This latter point seeks to bring into purview the fact that there are genuine forms of transfer that should downplay the obsession that some cultural nationalists have with such notions as ‘plunder’ and ‘looting’. I would defer to the historian to investigate how and when this specific Benin Bronze Head in the South Australian museum was acquired just as historians have established how the piece of the Zimbabwean Bird was removed. What I sought to do in this article was merely to interrogate what the implications for its repatriation are and how some of the related questions can be interpreted from two perspectives, cultural nationalism and cultural cosmopolitanism.

The thought about dispossession and the pain implicated in the processes heighten the urge to return artefacts. Thus for the cultural nationalist, the debates about cultural patrimony hold strength because the cultural projects looted are from specific members of society with which *I* identify, and the objects conveyed specific meaning to them, and that by virtue of *my* identification with them, the object carries or should carry the same import to *me*. Thus despite the cultural object having appeals to other people, ultimately it belongs to *me* and it is *my* patrimony. Thus what lends support to the relentless urge imputed in cultural nationalism is the deep feeling that my nation or one of its members was dispossessed and something has to be done about it, that the object that was dispossessed must be returned to us who are the embodiment of that nation. To borrow from Benedict Anderson, the idea of the ‘nation’ is a political expression that “looms out of an immemorial past, and still more important glide into a limitless future” and “the magic of nationalism [is] to turn chance into destiny.”<sup>39</sup> What may be emphasised here is that there is a problematic issue that requires further clarity when an individual

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<sup>38</sup> Kwame A. Appiah gives a description of how the kings of Asante were dispossessed by the British. See his *Cosmopolitanism: Ethics in a World of Strangers*, (London: Penguin Books, 2006), chapter 8.

<sup>39</sup> Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism*, (London and New York: Verso, 1991), 11-12.

clamours in the name of a nation for the repatriation of antiquities like the Zimbabwe Bird or even a Benin Bronze Head which were both made before the advent of the modern nations of Zimbabwe or Nigeria, and were indeed made by individuals within a society that no longer exists. From the perspective of the Hague Convention, the cultural property of a people is a cultural heritage of all humanity. Thus from this, the cultural cosmopolitan does not see why the South Australian Museum should not be considered as the home for a Benin Bronze Head.<sup>40</sup>

Further, the argument that the cultural artefacts mattered to the culture of those distant people does not necessarily entail that they matter for our culture today. Usually the claim that this or that cultural artefact is a genuine artefact of my culture because it is drawn from my descendants is an expression of “a brand of romanticism based on a dream of utopian authenticity.”<sup>41</sup> The predilection with *my* people and *my* culture results in practices and ways of thought that conjure up categories of identities that separate humanity into clusters of irreconcilable and inflexible qualities and dispositions thus forgetting that what we term *my* culture evolved in free forms of social interaction and mutual influence with other groups. So what does this entail if a person claims the repatriation of the Bronze Head to Benin because it is *their* people’s artefact? Historians have argued that what was the Benin Kingdom is now present day southern Nigeria. From its first contact with European traders up to 1897 when its royal city was overrun by the British and had its bronze plaques, brass sculptures and ivory tusks removed, Benin had prosperous trading relations with the Portuguese, British, Dutch, and French.<sup>42</sup> There is no doubt that Benin and other African nations had very lucrative economic, political and social relations. From the cultural cosmopolitanism perspective, what may need to be highlighted is that the Bronze Heads are Benin’s in name but they are products of the intersubjective processes between Benin and all those people that it came into contact with. They are more than just Benin’s achievements, they are human achievements. The same can be said about any other cultural artefacts.

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<sup>40</sup> EDITORS NOTE - A similar Benin Bronze Head is held at the Canterbury Museum in Christchurch, and in combination with the South Australian collection, inspired the AFSAAP to use this image as its logo. See editorial in this issue.

<sup>41</sup> Michael F. Brown, “Can Cultures be Copyrighted?” *Current Anthropology*, 39:2 (1998): 195.

<sup>42</sup> James B. Cuno, *Who Owns Antiquity?: Museums and the Battle over Ancient Heritage*, (Princeton, NJ: Princeton University Press, 2008): xxiii.

At the core of the theory of cosmopolitanism is the undeniable fact that humans, wherever they are and no matter how seemingly unrelated they appear, are inextricably linked in a complex web of relations. As Barry Craig's article in this volume highlights, the existence of African cultural artefacts in an Australian museum has the relevance of bringing to our attention the history of Africa.<sup>43</sup>

## **Conclusion**

The argument above brings us to the portraiture of a museum that cultural cosmopolitanism envisages, that James Cuno terms as "encyclopedic museums" - a cosmopolitan institution that cosmopolitan citizens should cherish. Cuno describes what he conceives as their promise in the following way:

the museum as a repository of things and knowledge, dedicated to the dissemination of learning and to the museum's role as a force for understanding, tolerance, and the dissipation of ignorance and superstition, where the artifacts [sic] of one time and one culture can be seen next to those of other times and other cultures without prejudice. This is the concept of the museum of international, indeed universal aspirations, and not of nationalist aspirations, curious and respectful of the world's artistic and cultural legacy as common to us all.<sup>44</sup>

In a world in which humanity seeks peaceful co-existence, cosmopolitanism offers better prospects for reconciliation and mutual understanding and an encyclopaedic museum is instrumental to achieve this goal.

The cosmopolitan vision of a museum highlights that appreciating art as a cultural expression is an experience that transcends national borders. If the cultural nationalist disagrees with the cultural cosmopolitan on the basis that cosmopolitanism is nothing but an imaginary connection that binds us as humans, then the cosmopolitan can also rightly argue that

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<sup>43</sup> Barry Craig, "The Badcock Collection from the Upper Congo," *Australasian Review of African Studies*, 32:1 (2011): 119-147. While Craig's article directly responds to the collection of ethnographic items originating from the Congo River basin, his observations can be applied to lend support to the cosmopolitanism thesis that cultural artefacts originating from Africa and other places which are displayed in metropolitan museums, show how humanity is implicated in complex relations. It is this vision of the museum that I seek to elaborate in my conclusion.

<sup>44</sup> Cuno, 2008, xxxi-xxxii

nationalism is nothing but the skill of imagining through the nation. For Appiah, the connection through a local identity is as imaginary as the connection through humanity.<sup>45</sup> Thus African attachment to an artefact of ‘their’ people and the European connection to the same object are both made in the imagination.

The danger of cultural nationalism is that it fails to foster common human connections and build bridges necessary for common human existence. By presenting ideas as fixed, stable and permanent, the cultural nationalist conjures categories that reproduce phantom essences in humans who are already bound up by the common feature of their humanity. As they are, humans need not be described in ways that alienate them. The cultural nationalist fails to appreciate the porous nature of national borders, the plasticity of allegiances and the virtuality of the web of connections that we live by. In her discussion of the limitations of invoking such categories as ‘the West’, ‘non-West’ and ‘Islam’, Roxanne Euben argues that to conjure these categories as if they correspond to stable, fixed and clear identities is not helpful because it results in essentialism, and it creates demarcations between categories and “carves up the world in ways that erase fissures within each category and the mutual historical indebtedness between them, not to mention the extensive cross-pollination of the present.”<sup>46</sup> The ways the cultural nationalist describes ‘nation,’ ‘culture’ and ‘cultural artefacts’ presuppose them as entities having a life form of their own, as if they are impermeable and possess essential characteristics solely drawn from within them. By extension, to argue for the repatriation of cultural artefacts simply because they originate and should belong where they originated from is a gross overestimation of nations and the life that inheres in them because nations, like cultures, are constantly reconstituted by intersubjective processes that may fail to meet the eye.

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<sup>45</sup> Appiah, 2006, 135.

<sup>46</sup> Roxanne Euben, *Journeys to the Other Shore: Muslim and Western Travellers in Search for Knowledge*, (Princeton, NJ: Princeton University Press, 2006): 3.

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