



K-12 Teach EU Studies Bootcamp Summer 2024

Cultural Treasures Repatriation

Jenny VanDuinen
Houghton Lake, MI

World History, Grades 9-12



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Compelling Question:

Who owns the cultural treasures of the world?

Supporting Questions:

What are cultural treasures?

How were many cultural treasures acquired?

What is the debate for repatriating artworks?

What is the debate against repatriating artworks?

Lesson Procedures:

Day 1 (50 minutes)

1. Begin the inquiry by showing an image of the Parthenon of ancient Greece. The website SmartHistory (<https://smarthistory.org/the-parthenon-athens/>) is a great source for images, as well as a live video camera feed. Hold a whole class discussion asking if students know the famous building in the image and what they might know about its place in history. After digging into their prior knowledge, ask students who own the Parthenon. This will likely be a lively discussion that will lead into your introduction of the inquiry.
2. Show students the document with the compelling and supporting questions for this inquiry lesson. Explain to them that we will dig into important concepts like the ownership of cultural treasures as we progress through the inquiry.
3. The remainder of today will involve digging into supporting question #1 What are cultural treasures? The international organization leading the way in cultural preservation is UNESCO (United Nations Educational, Scientific, and Cultural Organization). Students will use the UNESCO website (<https://www.unesco.org/en/culture>) to explore what cultural treasures are, why they are important to the history of the world, and present their learning on the UNESCO Web Exploration Handout.

Day 2 (50 minutes)

1. Have students complete an entrance ticket on a scrap piece of paper asking them to define what a cultural treasure is. Share some student responses with the class to connect with yesterday's learning.
2. Using the overhead projection unit, display the UNESCO Culture website (<https://www.unesco.org/en/culture>) students used yesterday. Click on the "All Cultures Challenges" tab to show students the various ways cultural treasures are under attack. To answer the second supporting question of our inquiry, How were many cultural treasures acquired?, we will explore the issue of trafficking cultural treasures.
3. Show the video "End Trafficking, Save Culture" from the Fight Illicit Trafficking tab (<https://www.unesco.org/en/fight-illicit-trafficking?hub=365>) to the class. Ask students what can be done about trafficking of cultural treasures to prompt a whole class discussion.
4. Next, have students partner up and read the article "The Real Price of Art: International UNESCO Campaign Reveals the Hidden Face of Art Trafficking" (<https://www.unesco.org/en/articles/real-price-art-international-unesco-campaign-reveals-hidden-face-art-trafficking?hub=416>). After reading the article have partner groups discuss what they read. What can be done about trafficking? Who owns trafficked cultural treasures? How can countries get their treasures back?
5. End class with an example of an illicitly trafficked cultural treasure. Show the class the video of the Sarpedon Krater (<https://smarthistory.org/euphronios-krater-2/>).

Day 3 (50 minutes)

1. Begin today with where we left off yesterday. Replay the Sarpedon Krater video (<https://smarthistory.org/euphronios-krater-2/>). Explain to students that the video mentions the repatriation of the krater. For the next two days we will discuss the idea of repatriation of cultural treasures. Students will likely not know what repatriation means; therefore, writing a definition on the board for them will help to support their understanding.
2. Remind students the last two supporting questions of our inquiry are What is the debate for repatriating artworks? and What is the debate against repatriating artworks? Students will explore these ideas by completing the Repatriation T Chart Handout while reading the Khan Academy article “Repatriating Artworks” (<https://www.khanacademy.org/humanities/special-topics-art-history/arches-at-risk-cultural-heritage-education-series/whose-art/a/repatriating-artworks>).
3. Following completion of the T Chart, have student complete an exit ticket on scrap paper asking them to formulate an opinion based on their article research. Should looted/stolen artworks be repatriated? Why/Why not?

Day 4 (50 minutes)

1. Using yesterday’s exit tickets, share out a few of the student’s opinions, both for and against repatriation, with the whole class to stimulate an opening discussion on the controversy.
2. Explain to students that they will conclude the inquiry by examining a modern example of the controversy surrounding repatriation—The Parthenon Sculptures. Show students the SmartHistory video (<https://smarthistory.org/who-owns-the-parthenon-sculptures/>) of the history of the sculptures and the question of who owns the sculptures. Encourage students to take notes on the video for their reference later.
3. To conclude the inquiry and complete the Summative Performance Task Handout, divide students into groups of four. Pass out to students the Summative Performance Task Handout and explain the assignment to students.
4. End today by having students complete task #3 on the handout, the Article Jigsaw. Each member of the group should select one of the four articles, read it, and take notes on it. The articles are:
 - a. “Leaked Draft of EU Paper Stirs Parthenon Marbles Dispute:” <https://www.theartnewspaper.com/2020/02/19/leaked-draft-of-eu-paper-stirs-parthenon-marbles-dispute>
 - b. “Where Will the Parthenon Marbles Go:” <https://itsartlaw.org/2023/11/28/where-will-the-parthenon-marbles-go/>
 - c. “Greek PM Repeats Call for Return of Parthenon Sculptures to Athens:” <https://www.reuters.com/world/europe/greek-pm-repeats-call-return-parthenon-sculptures-athens-2024-01-25/>
 - d. “The Guardian View on the Parthenon Marbles: Not Just a Brexit Sideshow:” <https://www.theguardian.com/commentisfree/2020/feb/23/the-guardian-view-on-the-parthenon-marbles-not-just-a-brex-it-sideshow>

Day 5, 6, and 7 (50 minutes each)

1. Students will follow the process on the Summative Performance Task Handout, beginning with task #4, and working through the steps until the task is completed.
2. After two workdays, students should be able to present their learning.

Summative Performance Task:

Group presentation task of formulating an opinion and building an argument on the modern controversy surrounding repatriating the sculptures of The Parthenon from Britain back to Greece.

Student Handouts Attached:

Compelling and Supporting Questions for Display

UNESCO Web Exploration Handout

“The Real Price of Art: International UNESCO Campaign Reveals to Hidden Face of Art Trafficking” Article
Repatriation T Chart Handout

“Repatriating Artworks” Article

Summative Performance Task Handout

“Leaked Draft of EU Paper Stirs Parthenon Marbles Dispute” Article

“Where Will the Parthenon Marbles Go?” Article

“Greek PM Repeats Call for Return of Parthenon Sculptures to Athens” Article

“The Guardian View on the Parthenon Marbles: Not Just a Brexit Sideshow” Article

Who owns the cultural treasures of the world?	
	What are “cultural treasures”?
	How were many cultural treasures acquired?
	What is the debate for repatriating artworks?
	What is the debate against repatriating artworks?



Culture: Protecting Our Heritage and Fostering Creativity

Directions: Use the following website (<https://www.unesco.org/en/culture>) to explore and gather information on what cultural treasures are.

Using the “About” tab, what is the definition of culture?

What does culture encompass?

What are UNESCOs cultural initiatives?

Using the “Home” tab, you will view some examples of cultural treasures UNESCO is working to preserve.

How many World Heritage Sites are protected by UNESCO? _____

How many Intangible Cultural Heritage Elements are protected by UNESCO? _____

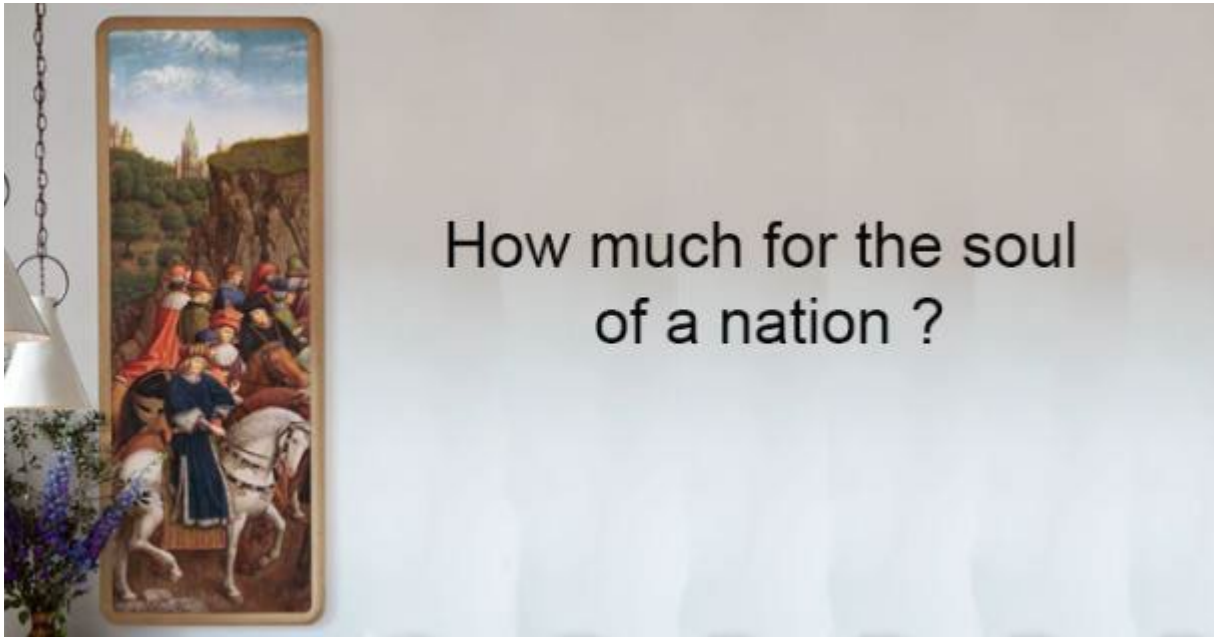
Next, click on the link to World Heritage Sites. Explore two of them. Detail what you learned about each in a 3-5 sentence response.

-
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Click on Intangible Cultural Heritage Elements. Explore two of them. Detail what you learned about each in a 3-5 sentence response.

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The Real Price of art: International UNESCO campaign reveals the hidden face of art trafficking



DDB

20 October 2020

Last update: 17 October 2023

UNESCO is launching an international communication campaign to make the general public and art lovers aware of the devastation of the history and identity of peoples wreaked by the illicit trade in cultural goods.

As shown by The Real Price of Art campaign, in some cases, the looting of archaeological sites, which fuels this traffic, is highly organized and constitutes a major source of financing for criminal and terrorist organizations.

The campaign marks the 50th anniversary of UNESCO's Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property adopted in 1970. Developed by UNESCO with concrete measures to combat this scourge, the Convention is a global framework of reference in this field.

Illicit trafficking is a blatant theft of the memory of peoples. Raising awareness and calling for the utmost vigilance is necessary to fight this largely under-recognized reality.

Audrey Azoulay, UNESCO Director-General

The Real Price of Art campaign, created with the communication agency DDB Paris, draws on the language of the worlds of art and design to reveal the dark truth behind certain works. Each visual presents an object in situ, integrated into a buyer's home. The other side of the decor is then revealed: terrorism, illegal excavation, theft from a museum destroyed by war, the cancelling of a people's memory... Each message tells the story of an antique stolen from a region of the world (Middle East, Africa, Europe, Asia and Latin America).

Broadcast from 20 October, the campaign is the harbinger of a number of events to mark the anniversary, among them the first International Day against Illicit Trafficking in Cultural Property (14 November), and an international conference (16-18 November) organized in partnership with the Federal Foreign Office of Germany, the European Commission and the Council of Europe. The conference aims to take the measure of priorities and challenges in fighting illicit trafficking by region and share solutions. A special issue of the [UNESCO Courier](#) is also devoted to this topic and available online.

Clarification on the UNESCO Campaign

In an initial version of UNESCO's campaign, the 'Real Price of Art', some posters displayed items from the Metropolitan Museum of Art (MET) database, which is in the public domain. UNESCO's intention was to alert the general public by depicting objects of high cultural value, which should be on display in museums, presented in luxurious private interiors. UNESCO had no intention of questioning the provenance of items in the MET collection.

After discussions with the MET, who is a valuable partner to UNESCO, and in order to avoid any misunderstanding, UNESCO decided to remove all pictures of items from the MET collection. Only three magazines had already been printed. The digital versions of these publications were modified.

The rationale of the campaign is to capture the attention the general public with a view to encouraging them to exercise due diligence when purchasing cultural property. The campaign has been widely spread and original posters are shown above.

UNESCO regrets the use of MET images that caused any misunderstanding.

Repartition T Chart

Name _____

Directions: Using the Khan Academy article “Repatriating Artworks,” complete the T Chart with ideas for and against repatriation.

What is the debate FOR repatriating artworks?	What is the debate AGAINST repatriating artworks?

Repatriating Artworks

By Dr. Senta German

Repatriation is the return of stolen or looted cultural materials to their countries of origin. Although a belief that looting cultural heritage is wrong and stolen objects should be returned to their rightful owner dates to the [Roman Republic](#) (see [Cicero's Verrines](#)) it was not until the 1950s, when the stark truths of colonization and war crimes against humanity began to be exposed, that a broad desire for restitution emerged and laws and treaties to facilitate this increased in number. Repatriation claims are based on law but, more importantly, represent a fervent desire to right a wrong—a kind of restorative justice—which also requires an admission of guilt and capitulation. This is what makes repatriations difficult: nations and institutions seldom concede that they were wrong.

The debate and law



Bronze plaques from the [Kingdom of Benin](#) in the British Museum, many removed from Benin City during the Punitive Expedition of 1897 (photo: [adunt](#), CC BY-NC 2.0)

The repatriation of art and cultural objects is a popular topic in the news and there is a familiar list of arguments on either side of the debate. The primary arguments for repatriation, most frequently deployed by countries and peoples who want their objects back, are:

- It is morally correct, and reflects basic property laws, that stolen or looted property should be returned to its rightful owner.
- Cultural objects belong together with the cultures that created them; these objects are a crucial part of contemporary cultural and political identity.
- To not return objects stolen under colonialist regimes is to perpetuate colonialist ideologies that perceived colonized peoples as inherently inferior (and often “primitive” in some way).
- Museums with international collections, often called universal or encyclopedic museums, are located in the Global North: France, England, Germany, the US, places which are expensive to visit and therefore not somewhere

most of the world can go to see art. It is precisely a colonial legacy that allowed so many “universal” museums to acquire the range of objects in their collection.

- Even if objects were originally acquired legally, our attitudes about the ownership of cultural property have changed and collections should reflect these contemporary attitudes.

The arguments against repatriation, most frequently deployed by museums and collections which hold objects they don't want to lose, are:

- If all museums returned objects to their countries of origin, a lot of museums would be nearly empty.
- Source countries do not have adequate facilities or personnel (because of poverty and/or armed conflict) to receive repatriated materials so objects are safer where they are now.
- Universal museums enable a lot of art from a lot of different places to be seen by a lot of people easily. This reflects our modern globalist or cosmopolitan outlook.
- The ancient or historical kingdoms from which many objects originally came no longer exist or are spread across many contemporary national borders, such as those of the ancient Roman empire. Therefore, it's not clear to where exactly objects should be repatriated.
- Returning cultural objects which were obtained under colonial regimes to their countries of origin does not make up for the destruction of colonialism.
- Most objects in museums and collections, at the time of their acquisition, were legally obtained and therefore have no reason to be repatriated.



Relief of a protective deity from the Northwest Palace, Nimrud, Iraq, [Assyrian](#), reign of Ashurnasirpal II, 883–859 B.C.E., gypsum, 221.7 x 176.3 cm (87 5/16 x 69 7/16 inches) excavated by Sir Henry Layard by the 1850s ([Museum of Fine Arts](#), Boston)

The debate over repatriation engages powerful and personal sentiments of morality, nationhood, and identity, and few people can talk about it without raising their voice. Regardless of this passion, however, the issue, ultimately, is a legal one and the international [legal frameworks](#) developed in the 20th century are what bring about repatriations. The first, which recognized the damage of warfare to property, was the [1907 Hague Convention](#),

which forbade plundering of any kind during armed conflict, although it did not deal specifically with cultural property. The [1954 Hague Convention](#), however, in the wake of the widespread [destruction of art during the Second World War](#), sought to expressly protect cultural property during armed conflict. The [1970 UNESCO Convention](#) allowed for stolen objects to be seized if there was proof of ownership, followed by the [1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects](#), which calls for the return of illegally excavated and exported cultural property. Without these conventions and treaties, there would be no legal obligation for the return of anything.

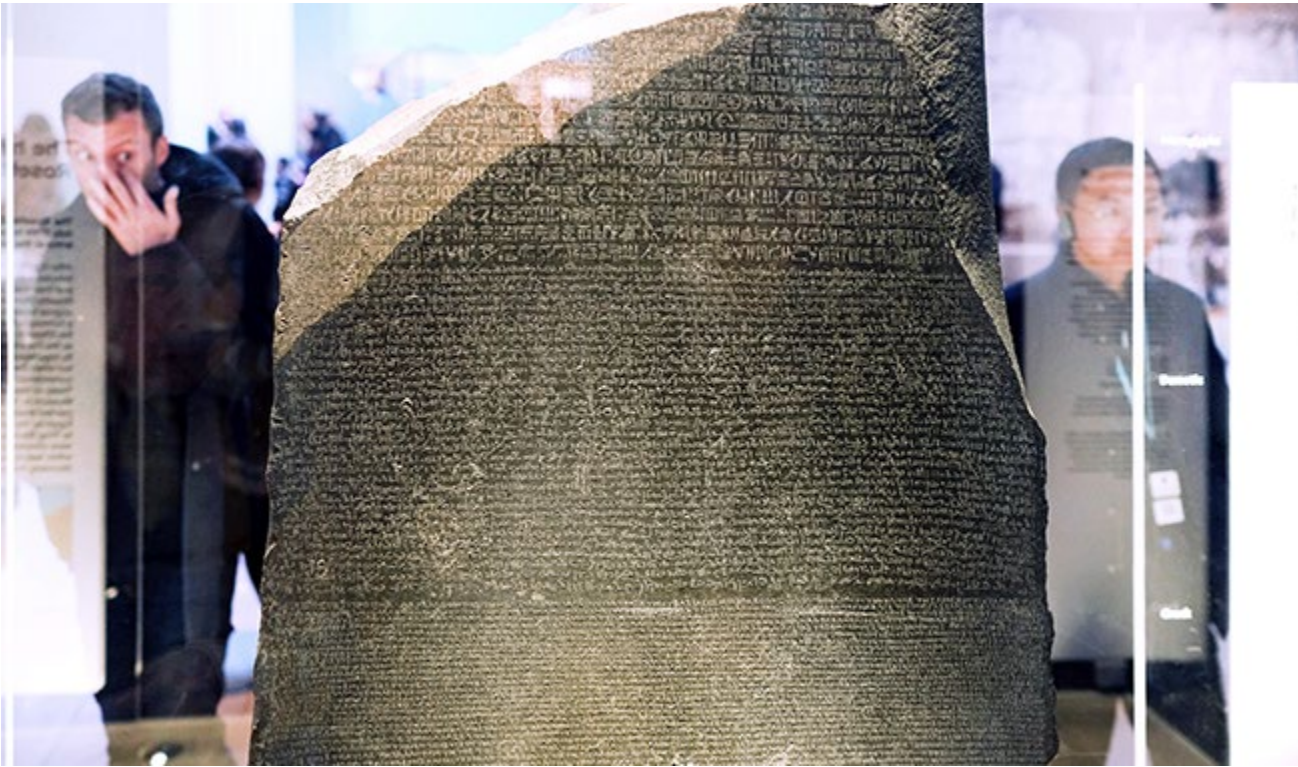
Claims of repatriations



The Koh-i-Noor in the front cross of Queen Mary's Crown ([Royal Collection Trust](#))

The vast majority of repatriation cases derive from colonial or imperial subjugation. Throughout history, across the globe, powerful nations and empires have taken valuable objects, including cultural property, from those they have conquered and colonized. These objects of beauty and esteem number in the many millions and most will likely be lost to their former owners forever. However, the theft of a few especially valuable and/or important objects have proven unforgettable and the subject of frequent repatriation requests. Examples are, for instance: the [Koh-i-noor](#) diamond, seized by the British East India company in 1849 and currently part of the British crown jewels; the [Benin Bronzes](#), looted from the capital of Benin (in modern Nigeria) by British soldiers in 1897 and now spread

across several museums in Europe and America; the [Rosetta Stone](#), seized by British troops from the French army in Egypt in 1801 and today one of the most popular exhibits in the British Museum in London. The [Parthenon Sculptures](#) are another example.



Visitors view the Rosetta Stone in the British Museum (photo: [Dr. Steven Zucker](#), CC BY-NC-SA 2.0)

Repatriation cases such as these have been approached, by and large, on a case-by-case basis, between the nations seeking return and the nations (and sometimes specific institutions), which hold these objects. More recently, however, as pressure for repatriations has increased, some former colonial powers are taking stock of their collections and moving towards large-scale repatriations. For instance, in 2017 France commissioned a report which recommended the repatriation of objects in French museums acquired during France's colonial occupation of parts of western Africa.



National Museum of World Cultures ([Tropenmuseum](https://www.tropenmuseum.nl/), Amsterdam)

In 2019, the German government passed a resolution to lay the groundwork to establish conditions for the repatriation of human remains and objects from German public collections derived from colonial rule. In 2019, The Netherlands' National Museum of World Cultures [pledged](#) to proactively return all artifacts within its collection identified as stolen during the colonial era. These efforts, importantly, include sharing catalogues of holdings, a gesture of transparency which will greatly facilitate claims. However, as many point out, the stated intentions for large-scale repatriations are proving very, very slow to come to fruition and, moreover, several important museums (many in the United Kingdom) are conspicuous in their absence from the conversation.

Colonialist desires to collect beautiful objects from far flung, exotic sources are still with us and because of this, wealthy individuals and institutions continue to collect cultural objects, ancient and contemporary. To meet this demand, modern looters (people who illegally dig up and steal cultural property) feed an [underground market](#) of antiquities and ethnographic objects. Often this looting is in conjunction with war or armed political conflict.



Iraqi Col. Ali Sabah, commander of the Basra Emergency Battalion, displays ancient artifacts Iraqi Security Forces discovered Dec. 16, 2008, during two raids in northern Basra (photo: [U.S. Army by Multi-National Division South East PAO](#), public domain)

Repatriation claims for objects involved in this illegal trade of cultural property are especially difficult as proof must be established of the illicit extraction of the objects and thieves seldom document their work, especially in war zones. Moreover, these types of repatriation requests symbolize fresh colonial wounds, illustrating that the collection practices of the wealthy and powerful continue and less powerful nations and people are still vulnerable.

The good news is that successful repatriations of recent looting have occurred and those who purchase from the illicit trade are increasingly discouraged from doing so. For instance, in 2011, the Museum of Fine Arts Boston [returned](#) a Roman sculpture of Herakles to Turkey from which it had been stolen. In 2018 The National Gallery of Australia [returned](#) to India a bronze statue of the god Shiva which had been looted from a Hindu temple in Tamil Nadu. In 2020 The Museum of the Bible in Washington, D.C. returned nearly 11,500 looted objects to Iraq and Egypt, including approximately 5,000 papyri fragments and 6,500 clay tablets.

Another type of repatriation request is for the return of cultural objects and burial remains stolen from Indigenous populations by European invaders, largely in North and South America, Australia, Oceania, and [New Zealand](#). What distinguishes these claims is the enduring living memory, among contemporary tribal communities, of specific objects and sites which were looted and desecrated and the acute spiritual need for their return and restoration. Indeed, these fragments of living culture can only be fully understood, properly used, and rightly treasured by their native owners.

In an attempt to address these sorts of repatriation requests, two legislated responses, the [Native American Graves and Protection Repatriation Act](#) (in the US,) and the [Indigenous Repatriation Program](#) (in Australia) were enacted. Through these two programs, legal frameworks for repatriation were established and hundreds of thousands of objects and human remains have been returned to Indigenous communities where they again work as powerful actors in the creation of spiritual, community and personal meaning. A famous example is the return of The Ancient One (also called Kennewick Man) after five Pacific Northwest tribes argued that the human remains were an ancestor. Still, the successful repatriation occurred only after genetic testing done by Danish scientists proved the Indigenous peoples' claim, highlighting the ongoing colonialist legacies affecting cultural repatriation.



Moai Hoa Hakananai'a, taken from Orongo, Easter Island (Rapa Nui) in November 1868 by the crew of the British ship HMS Topaze and now in the British Museum (photo: [Markus Lütkemeyer](#), CC BY 2.0)

The era of repatriations has finally come. The work is slow and uneven and there are countless objects yet to return home, but repatriations are now occurring at a rate never before seen. What examples such as the [Euphronios krater](#) show us about repatriation is that objects come back changed. Not only physically but, because of the way they have been used (often ideologically) in their meanings as well — and, they cannot be changed back. Even if they are exhibited in quiet and historically proscribed ways (as in the case of the [Euphronios krater](#)), their life experience has made them bigger, louder, emotional, and more political.



Duveen Room, British Museum, Phidias(?), Parthenon Frieze, c. 438-32 B.C.E., pentelic marble (420 linear feet of the 525 that complete the frieze are in the British Museum, photo: [Dr. Steven Zucker](#), CC BY-NC-SA 2.0)

When, for instance, the Parthenon marbles return to Athens they will never again only be the sculptural decorations of [Athena's 5th century B.C.E. temple](#). They have become so much more to Greeks, the English, generations of artists, historians, protectors of heritage, politicians, art law lawyers, and millions of visitors to the Acropolis and the British Museum. Through their dramatic biographies, we very much want to connect with, visit and understand repatriated objects and because of this they will not slip into obscurity in local museums, as is sometimes feared. The great power, the searing meaning that repatriated objects communicate, is that lost things can come home, that a wrong can be righted, and that we can all take part in that celebration and moral victory.

Additional resources:

Read more about [how the seizure of looted antiquities often illuminates what museums want hidden](#)

Who owns the cultural treasures of the world?

In this inquiry you have learned what cultural treasures are by examining the definition and various examples of cultural treasures from around the world. Sadly, many of these treasures do not reside in their native homelands due to looting and trafficking. This has created many international controversies. In learning how many cultural treasures were acquired, you looked at the example of the Sarpedon Krater, which was returned to Greece from the United States. There is much debate surrounding repatriating, or returning, artworks. You have examined both sides of this debate and presented the arguments in a T Chart. Now it is time to formulate your opinion on the repatriation controversy with another famous example, the sculptures of The Parthenon. You will decide who owns the sculptures and why. You will also determine who (museums, countries, an international organization, etc.) should get to decide ownership. Finally, you will also decide where the sculptures should be housed.

Steps in Completing the Summative Performance Task

Gathering Evidence and Research:

1. Create a group of four to complete the task with.
2. View the SmartHistory video on the repatriation controversy surrounding The Parthenon sculptures. Take notes.
3. Article Jigsaw: each partner will select an article, read it closely, taking notes, and then share out your learning with your group.
 - a. “Leaked Draft of EU Paper Stirs Parthenon Marbles Dispute:”
<https://www.theartnewspaper.com/2020/02/19/leaked-draft-of-eu-paper-stirs-parthenon-marbles-dispute>
 - b. “Where Will the Parthenon Marbles Go:” <https://itsartlaw.org/2023/11/28/where-will-the-parthenon-marbles-go/>
 - c. “Greek PM Repeats Call for Return of Parthenon Sculptures to Athens:”
<https://www.reuters.com/world/europe/greek-pm-repeats-call-return-parthenon-sculptures-athens-2024-01-25/>
 - d. “The Guardian View on the Parthenon Marbles: Not Just a Brexit Sideshow:”
<https://www.theguardian.com/commentisfree/2020/feb/23/the-guardian-view-on-the-parthenon-marbles-not-just-a-brex-it-sideshow>

Formulating an Opinion:

4. Based on your learning from the video and articles, determine as a group, who owns The Parthenon sculptures, who gets to decide ownership, and where the sculptures should be housed.
5. Build Your Argument: Go back over your notes from the video and articles to build your argument or reasons why you have taken this position. This is your “whys.” Also, you might find your other work from this inquiry helpful in supporting your position: UNESCO’s website, “The Real Price of Art” article, Sarpedon Krater example video, Repatriation T Chart Handout and “Repatriating Artworks” article, as well as, any other credible internet sources.

Presenting Your Opinion:

6. Your opinion, based on evidence and research, will be presented to the class in a presentation. Create a Google Slides presentation outlining your position on The Parthenon sculptures, your reasoning and evidence for holding this position, and any other points of your argument you need to make.
7. Presentation: your group will present your Slides to the class on your assigned presentation day.

Leaked draft of EU paper stirs Parthenon Marbles dispute

But the clause is unlikely to refer to the ancient Greek sculptures in the British Museum, expert says

[Catherine Hickley](#)

19 February 2020

[Share](#)



Earl of Elgin removed the Parthenon Marbles from the Acropolis in the early 19th century © Marie-Lan Nguyen

The British media was quick to link a leaked clause in the latest draft of the European Union's negotiating mandate over its future relationship with the UK to Greece's claim to the Parthenon Marbles. "EU Chiefs Set to Demand Return of Elgin Marbles to Greece," [the Sun](#) reported. "Greece Demands Elgin Marbles for EU Trade Deal," [the Times](#) headline said.

While Greece has stepped up its campaign for the return of the Marbles in the Brexit era, it appears unlikely the EU will take up its two-century-old cause as a bargaining chip in a 21st-century trade deal. The clause probably refers more broadly to a desire that Britain should continue to abide by legislation such as the 2019 regulation on the import of cultural goods, designed to prevent the contemporary illicit trade in antiquities, says Alexander Herman, the assistant director of the Institute for Art and Law.

"If the true intent was to make this about the Parthenon Marbles, then different language would be used," Herman said.

The clause in the draft mandate, which the EU is set to adopt on 25 February, says "the Parties should, consistently with Union rules, address issues relating to the return or restitution of unlawfully removed cultural objects to their countries of origin."

Whether the Earl of Elgin's removal of the Parthenon Marbles from the Acropolis—a move that was highly controversial in Britain in the early 19th century—was “unlawful” is the crux of the dispute. Hartwig Fischer, the director of the British Museum, reiterated on BBC Radio Four today, the museum views its possession of the marbles as completely legal. They were brought to Britain, he said, “with the explicit permission of the Ottoman Empire.”

Greece sees it differently. Culture Minister Lina Mendoni said in an interview with Reuters last month that Elgin, who brought the friezes to Britain in the early 19th century, “deployed illegal and untoward measures to extract from Greece the sculptures of the Parthenon and a plethora of other antiquities in a blatant act of serial theft.”

She also made clear that Greece sees the talks on Britain's future relationship with the EU as a chance to push its campaign for the repatriation of the sculptures. “I think the right conditions have been created for their permanent return,” she said. “It is the mentality that has changed, the fact that Britain is distancing itself from the European family.”

The Parthenon Marbles that remain in Greece are on show in the Acropolis Museum in Athens, which opened in 2009. Next year, the country celebrates 200 years since the outbreak of its war of independence against Ottoman rule.

The opportunity of Brexit is “the best moment they have had in years” to push their campaign, says Mark Stephens, a solicitor at Howard Kennedy in London, who argues that the removal of the marbles from Greece was illegal. “The Greek state has been persistent in its request for their return and the British Museum has implacably set its face against that. The only way for Greece to deal with this is to use its economic muscle in this debate.”

Still, any resolution, Herman says, “would probably be at the museum level rather than the state level.” Among the ideas put forward by those in favour of a solution to the dispute is a proposal for a long-term loan to the Acropolis Museum in return for loans from Greece to the British Museum.

Where will the Parthenon Marbles Go?

November 28, 2023



By Dea Sula

There has been a global trend of restitution and repatriation of cultural objects. Hundreds of items have been repatriated in 2023.^[1] Countries are passing laws to make the process more efficient, such as France, which has passed three laws in 2023 to increase the efficiency of restitution.^[2] Similarly, other countries are encouraging the return of their cultural objects, such as Poland, which has initiated 130 restitution claims,^[3] and Nigeria in its pursuit of the Benin Bronzes.^[4] Museum institutions are also taking part. The Metropolitan Museum of Art in New York launched a new initiative to go through its entire collection to identify any stolen objects.^[5]

In contrast, one institution that has been generally resistant to restitution is the British Museum. The Parthenon Marbles, which have been in the museum's possession since 1816, is a case study of

many of the legal issues and constraints that museums face regarding restitution, as well as the international issues that arise from cultural objects that were removed from their place of origin prior to the modern period.^[6]

Acquisition

The Parthenon is a temple that was built in ancient Athens, Greece during the 5th century BCE.^[7] Over time, the Parthenon changed purpose, becoming a church and a mosque, eventually being used to house weaponry and gunpowder in 1687.^[8] By the 1800s the Parthenon was considered a ruin, and half of the sculptures were lost.^[9]

During the period of the Parthenon Marbles' acquisition, Greece was a province in the Ottoman Empire.^[10] Thomas Bruce, also known as the Earl of Elgin, was assigned as the British Ambassador to the Ottoman state, and during his tenure, he acquired a set of statutes and friezes from the Parthenon through authorization from the Ottoman government.^[11] Elgin was attracted to the historical and artistic merit of the sculptures, a nod to the neoclassical resurgence that was popular in England. Elgin claimed that local people were using the statues as targets for shooting practice, so his acquisition was in an attempt to preserve the sculptures, as well.

The pieces were sent to England, surviving a shipwreck in 1804, and arrived in 1806.^[12] Even then, the Marbles were contentious, as there were both supporters and critics of the move. The poet Lord Byron famously wrote *The Curse of Minerva* in part due to his distaste for what Elgin had done.^[13] The House of Commons launched an investigation into the legality of transporting the Marbles, and Elgin published a defense of his actions in 1810.^[14] The crown purchased the collection of statues in 1816, which were placed in the British Museum.^[15]

From this time, the Parthenon Marbles have continued to be a source of controversy and illustrate international museum legal issues surrounding cultural property.

Movement for Repatriation

The Greek government has been asking for the return of the Parthenon Marbles since its independence in 1835.^[16] The first official request was made in 1983. Regarding the issue, the then Greek Minister of Culture Melina Mercouri, in a speech to Oxford University, said,

“You must understand what the Parthenon Marbles mean to us. They are our pride. They are our sacrifices. They are our noblest symbol of excellence. They are a tribute to the democratic philosophy. They are our aspirations and our name. They are the essence of Greekness.”^[17]

The requests for repatriation have continued into the current day, often being a topic of discussion when politicians from Greece and England meet; the last talks regarding repatriation occurred in 2021 and 2022.^{[18][19]}

In addition, international bodies and other countries have pressured the British Museum to return the Marbles. For example, UNESCO authorized a committee recommendation to return the Marbles,^[20] a suggestion that was soundly rejected.^[21] In a later post Brexit trade negotiation, the EU stated that Britain would need to return the Marbles in order to reach a trade deal.^[22] Another example is the Chinese president Xi Jinping publicly supporting Greece in their quest for the return of the Marbles.^[23]

Greece argues that the Marbles are part of the Greek people's cultural heritage and should be returned. Now, there is a large modern museum complex dedicated to the Parthenon, and the Greek government argues that the collection of Marbles should be a complete set located in the museum. On the legal side, Greece argues that the permission to remove the Marbles came from an occupying force, not the Greek government, and therefore the consent was not legitimate.^[24] The opposing argument is that the Ottoman government was legitimate at the time of the agreement and could therefore grant ownership of the Marbles to Elgin. The "illegal sale" argument is also weakened by the large amount of time between the time of sale and the current claims.^[25]

To support keeping the Marbles in London, proponents argue that the Marbles are part of global heritage, where cultural heritage belongs to everyone as part of a universal human history.^[26] A spokesperson for the museum argued, "we're not going to dismantle our great collection as it tells a unique story of our common humanity."^[27] It would be a blow to the museum to lose the Marbles for artistic and historical reasons. Another argument is the long-term care of the Marbles, as the statues that have remained in Athens have been heavily affected by pollution and acid rain.^[28] This argument is not as strong since the Marbles can now be housed in the Acropolis Museum.^[29] This argument also looks weaker due to the British Museum's own maintenance issues, such as a roof leak that caused the Marbles enough damage for them to not be displayed for a year.^[30]

Legal Issues

A block to potentially returning the Marbles is the legal restraints on the British Museum from the British government. The 1963 Museum Act specifically regulates the British Museum Board on deaccessioning items.^[31] The Board of Trustees cannot remove or return any object from the collection unless it is a duplicate, physically damaged, "unfit to be retained the collection," or no longer of public interest.^[32] This policy was approved by the board of trustees in 2018 and is set to be reviewed in 2023.^[33]

While the law generally blocks removing items from the collection, the British government has passed laws bypassing the requirement; in 2004 for human remains,^[34] and in 2009 for Nazi-looted work.^[35] Even with current British law, the 2022 Charities Act might be a way for the museum to return the Marbles.^[36] Under the law, trustees have the power to return objects "if there is a compelling moral obligation to do so," giving trustees the ability to say yes to returning the Marbles if they find it a moral obligation.^[37]

Therefore, while the 1965 Act is still in effect, it can be bypassed when there is enough political will to do so or if the trustees find the return of the Marbles a morally compelling issue. The question is if that drive or moral attitude exists and if it is strong enough to counter the political objections regarding the Marbles. An indication that this resolve does not exist is from the 2019 resignation letter of one of the board members, claiming that the museum regarding restitution was "born and bred in empire and colonial practice, [and] is coming under scrutiny. And yet it hardly speaks."^[38]

Ways forward?

One outcome is that the British Museum will not return the Marbles due to legal constraints or lack of desire to do so. Another outcome is if the British government and the board authorize a return of the Marbles through a specific law or through an amendment to the current law, although this is unlikely.

A loan agreement structure has been proposed, as the British Museum Chair of Trustees said the museum is “seeking new positive, long term partnerships with countries and communities around the world, and that of course includes Greece.”^[39] The Greek government will likely reject this since it is seeking ownership and would not want the British government to retain an ownership interest.

Even if the British Museum were to return the Marbles, further issues for the British Museum would likely follow since many of the museum’s pieces came from similar circumstances. One restitution could create a snowball effect on the British Museum collection. But if the museum does not change its policies, public opinion may go against the museum, especially in a time where there is a global push for repatriation.

Overall, it appears that the Parthenon Marbles will continue to be contentious objects since no clear resolution is in sight. The British Museum’s stance on the Marbles reflects its position generally against restitution, an increasingly unpopular stance in the art world. The issues the Parthenon Marbles present will persist as repatriation and restitution remain forefront issues regarding cultural property.

Suggested Readings

[Who Saved the Parthenon?: A New History of the Acropolis Before, During and After the Greek Revolution](#) By William St. Clair

[Return or Retain? The Parthenon Marbles Debate](#)

[The past, present: The Parthenon Sculptures dispute as an example of the ICPRCP’s role on claims barred by the non-retroactivity of the 1970 UNESCO Convention](#) By Letícia Machado Haertel

[After 220 Years, the Fate of the Parthenon Marbles Rests in Secret Talks](#) By Alex Marshall

About the Author

Dea Sula is a current third year law student at Santa Clara University School of Law. She is passionate about Intellectual Property and Art Law. She is the current Center for Art Law Case Law Corner Database project coordinator.

Greek PM repeats call for return of Parthenon Sculptures to Athens

By Reuters

January 25, 2024 8:01 AM EST Updated 5 months ago



Item 1 of 2 People view examples of the Parthenon sculptures, sometimes referred to in the UK as the Elgin Marbles, on display at the British Museum in London, Britain, November 29, 2023. REUTERS/Hannah McKay/files

[1/2] People view examples of the Parthenon sculptures, sometimes referred to in the UK as the Elgin Marbles, on display at the British Museum in London, Britain, November 29, 2023. REUTERS/Hannah McKay/files [Purchase Licensing Rights. opens new tab](#)

ATHENS, Jan 25 (Reuters) - Greece's Prime Minister Kyriakos Mitsotakis on Thursday repeated calls for the return of the Parthenon Sculptures to Athens from the British Museum, months after a diplomatic spat with Britain over the 2,500-year-old pieces.

In his first public statement on the issue since November, Mitsotakis said his government has been in talks with the Chair of the British Museum about a deal to bring them back to the Acropolis Museum in the heart of the Greek capital.

"Let me be clear, we will insist on their reunification for many reasons. But one, in my mind, is the most important: Only by being seen together, in situ, in the shadow of the Acropolis, can we truly appreciate their immense cultural importance."

Athens has repeatedly called on the British Museum to permanently return [the 2,500-year-old sculptures](#) - known in Britain as the Elgin Marbles - that British diplomat Lord Elgin removed from the Parthenon temple in 1806, during a period when Greece was under Ottoman Turkish rule.

About half of the 160-metre frieze that adorned the Parthenon in Athens is in the British Museum, while 50 metres of the carvings are in the Acropolis Museum.

In November, during an interview with the BBC in London, Mitsotakis compared the separation of the sculptures to cutting the Mona Lisa in half, a characterisation rejected by the British government.

British Prime Minister Rishi Sunak later cancelled a planned meeting with Mitsotakis accusing him of breaking a promise not to use his trip as an opportunity to advocate for the return of the sculptures.

Greece has said it would be willing to loan antiquities to the British Museum in return for being able to temporarily exhibit the sculptures in Athens.

The British Museum has said it would consider loaning the sculptures to Greece if it acknowledged the British Museum's ownership of the sculptures.

Separately, the British Museum and London's Victoria and Albert Museum announced on Thursday that under a long-term loan deal they would send gold and silver artefacts looted by British soldiers from the Asante royal court in West Africa during the 19th Century back to Ghana for display.

The Guardian view on the Parthenon marbles: not just a Brexit sideshow

Editorial

A government that stresses the importance of national pride should understand Greek claims

Sun 23 Feb 2020 14.04 EST

Boris Johnson and his entourage are frequently accused of wishing to turn Britain into an insular, backward-looking place, obsessed with reliving past imperial glories. Their romantic counterclaim is that opting out of the European Union is a means of allowing Britain to regain control of its destiny. Pride restored, the country will be free to engage generously with the rest of the world. So what stance should this open, friendly and “global” Britain take towards [renewed Greek demands](#) for the restitution of the Parthenon marbles?

Greece, with Italy’s backing, has inserted a pointed clause in the EU’s draft negotiating mandate for a trade deal with Britain. It calls for the return of “unlawfully removed cultural objects” to their place of origin. It does not mention the marbles by name, and the move is explicitly directed at illegal trade in antiquities in London auction houses. But assuming it remains in the formal mandate to be unveiled this week, it would clearly provide a platform for renewed pressure to be exerted on London.

Whenever the fate and future of the marbles are debated, those in favour of sending them back tend to turn to Lord Byron. In [Childe Harold’s Pilgrimage](#), the poet laments the recent removal of the treasures from their Athenian home with moving melancholy: “Dull is the eye that will not weep to see / Thy walls defaced, thy mouldering shrines removed / By British hands.”

Like other Romantics of his age, Byron was preoccupied with themes of time, place and history. He was particularly fascinated by the ruins of cities and ancient empires. By contrast, the peer responsible for bringing the marbles to Britain, Lord Elgin, eagerly profited from the vanity of imperial Britain. Having secured permission from Greece’s Ottoman occupiers to remove roughly half the sculpture collection from the Parthenon, he [sold the marbles](#) to parliament for £35,000 in 1816. The self-regarding notion of imperial London as the “new Athens” was in vogue; Elgin successfully convinced the government – still basking in the triumph over Napoleon at Waterloo – that owning them would further enhance Britain’s international reputation and prestige.

That vaunting hubris seems to have made a comeback since Brexit, judging by some of the [hostile responses](#) to the Greek intervention. For its part, the government’s response has been witheringly dismissive: “This is just not going to happen,” said a spokesman. Mark Francois, ostentatious patriot (and former member of the arch-Brexiter group of MPs who called themselves the Spartans), treated himself to a typically leaden joke: “Anybody who thinks this will be a high priority has lost their marbles.”

The most common justification for keeping the sculptures in the British Museum relies on its status as a global institution which displays the treasures of the world to the world. But for a government so suspicious of “cosmopolitan” values, this would seem a strange stance to take. Brexiters relentlessly stress the importance of sovereignty, national self-esteem and dignity, and pride in past achievement. What holds for Britain should surely hold for Greece as well. Restoring the Parthenon marbles to Athens would recognise the legitimacy of a fellow European country’s emotional attachments and sense of itself, after the economic battering it has taken for over a decade. It would also belie the notion that Britain has become so mesmerised by its own lost empire that it is incapable of restoring a past injustice. As a piece of post-Brexit messaging, it deserves more than a juvenile joke from Mr Francois.