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# Strategic Solutions to Museum Repatriation Issues: Past, Present, Future

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# **Strategic Solutions to Museum Repatriation Issues: Past, Present, Future**

By Damiano N. Spano

Submitted in fulfillment of the requirements for the degree of

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Dr. Janet Marstine, Faculty Advisor

## **Abstract**

Over the last twenty years, international treaties and resolutions have attempted to define cultural property and reach a unilateral consensus regarding the return of these objects. The demand for repatriation has become louder and more common as claims have forced museums to find strategic solutions to repatriation issues when the care and safety of objects are at risk. The history of strategic solutions to repatriation is not one solely based in the contemporary; it stretches to the past, is being written today, and will remain an issue of the future. Strategic solutions have benefited both the museum and the claimant by strengthening international ties, spreading museological standards, and allowing for greater accessibility to cultural objects worldwide. But at the same time, several problems cloud the effectiveness of these strategic solutions: including overtly politically bias actions, exposition.s of the needs of source nations, and serving only the interests of the museum. This thesis seeks to address how these issues have been remedied through the use of emerging ethical standards to allow for models of sharing cultural property through the copy; the brokering and loan agreement with the appropriate source community; and the digital reproduction while placing a new emphasis on building partnerships to benefit the needs of both the museum and the claimant.

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## Table of Contents

Abstract.....	1
Acknowledgments.....	ii
An Introduction to Strategic Solutions.....	v
Defining Terms	
Thesis Methodology Existing Literature	
Case Study Overview	
Chapter I.....	1
An Egyptian Night’s Sky from Inside the Louvre:	
The French Conquest, British Copy, and Call for Repatriation of the Dendera Zodiac	
Introduction	
Historical Framework	
The Creation of a Strategic Solution	
Current Repatriation Efforts	
Conclusions	
Chapter II.....	10
If Only They Had Looked and Not Touched?	
A Shared Interest in Repatriating Ethiopian Tabots of the British Museum	
Introduction	
A Contemporary Strategic Solution	
Analysis as a Strategic Solution	
Conclusions	
Chapter III.....	19
Visiting Afghanistan’s Past by Visiting Afghanistan’s Future:	
When the Digital Archiving of Afghan Documents Exceeds Their Physical Return	
Introduction	
A Framework for the Future	
Analyzing the Beneficiaries of a Digital Solution	
Conclusions	
Conclusion.....	28
Coming Together	
Drifting Apart	
Telling a Unique Story	
Bibliography.....	31

## An Introduction to Strategic Solutions

Standing atop the Palatine Hill last summer, I looked upon an amazing view of thousands of years of antiquity. While taking in the ancient Roman Forum, I wondered why the Italian government recently received negative publicity in the United States when it sought to reclaim the *Euphronios krater* from the Metropolitan Museum of Art.<sup>1</sup> Do those members of the public who believe this piece belongs in the Metropolitan Museum of Art misinterpret the Italian fight for its own cultural patrimony as one fueled by nationalistic greed of a country already in possession of so many ancient artifacts? Did other encyclopedic museums become empowered when the Metropolitan Museum of Art resisted attempts by the Italian government to return the supposedly illegally exported *Monteleone chariot*, now the centerpiece of its Etruscan collection in the New Greek and Roman Galleries? Once removed from their source nations, do these types of cultural objects develop a new identity within the museum once they are in this locale for so long? Do museums have the right to tell source nations that they are not entitled to objects of their past because these objects have a new cultural identity within their "adoptive" museum community?

Museums holding contested cultural property have developed several different justifications for denying the return of objects to their cultures of origin. Some are deemed too rich in heritage because they already possess numerous amounts of objects. Some are cast as too poor to care for their own objects because of lacking resources. Others are considered too war-torn to appreciate their own cultural past. While museums may have valid concerns about the well being of objects, to simply disregard the requests of source communities is neither an option

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<sup>1</sup> For an example of the controversy surrounding the Metropolitan Museum of Art return of the *Euphronios krater* and their subsequent attempt to control public opinion, see the Suzan Mazur article "The Italy-Met Euphronios Accord?" from Scoop Independent News (22 February 2006).

nor an ethical position. Museums instead need to find alternatives to repatriation that benefit the needs of both local and international communities by creating new partnerships to share these contested cultural objects.

By using emerging ethical standards to find remedies to these issues, strategic solutions emerge which allow for the sharing of cultural objects while placing a new emphasis on building unique collaborative partnerships within the international realm. As the world becomes smaller thanks to globalization, museums no longer can live in isolation, creating a growing need to connect with new audiences. Through this effort, public relations debacles can be avoided by developing strategic solutions to repatriation that satisfy the needs of the claimant culture as well as those of the institution while furthering their inherit mission to reach global communities. These strategic solutions can benefit the needs of both the museum and the claimant by strengthening international ties, increasing museological standards, and allowing for greater accessibility to cultures worldwide.

Through three case studies, I seek to address how institutions possessing contested cultural property have developed strategic solutions to hold these objects while sharing them through means of creating copies to be return to their source nation, brokering loan agreements with expatriate communities to share objects, and using digital reproductions to provide a culture to a community worldwide.

### Defining Terms

To best understand how these strategic solutions are met, certain key terms must first be defined. For the purposes of the thesis, the term *cultural property* will be defined by the agreed upon meaning of the 1954 United Nations Educational, Scientific and Cultural Organization



(UNESCO) Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention. According to UNESCO, the term *cultural property* shall cover, regardless of ownership:

Movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions [in] buildings whose main and effective purpose is to preserve or exhibit the movable cultural property such as museums, large libraries and depositories of archives, centers containing a large amount of cultural property, and refuges intended to shelter, in the event of armed conflict, movable cultural property.

This 1954 UNESCO Convention was a seminal moment for the international museum community because it opened a dialogue regarding the protection and proliferation of cultural identity while laying the groundwork for future repatriation claims. While *repatriation* is generally defined as the process of returning refugees or soldiers to their homeland following warfare, the museum community similarly uses this term to define the process of returning art or cultural objects to their source nation or culture. The concept of repatriation remain controversial even as ethical standards have changed museological attitudes over the last decades regarding the return of contested cultural objects.

While *cultural property* may seem similar to *cultural heritage*, these two words are dissimilar and need to be differentiated for the purposes of this thesis. Within their culture of origin, objects are referred to as *heritage* because it reflects the intangible patrimony and identity of the community. Once removed from this context, these objects are then seen as *property* because the possessing institution places a monetary and intellectual value on it. By

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<sup>3</sup> Convention on the protection of cultural property in the event of armed conflict with regulations for the execution of the convention." (United Nations Educational, Scientific, and Cultural Organization. 14 May 1954).

understanding this notion, the concepts of *cultural property* and *cultural heritage* are separated once the intangible is removed and the new community places a value.

Additionally, a *source nation* can range from the country of origin from which the object was made, the physical location of the culture that made the object, or the site of its modern rediscovery. Though political boundaries of a country may change, the culture that once inhabited the location and the people who currently live in the area are inherently linked. It can be argued that those living in a country today have a responsibility for the objects of those who settled the same lands in the past.

#### Thesis Methodology Existing Literature

A key reason I chose to research this topic is that very few resources focused specifically on new solutions to repatriation have been published. Due to this factor, I relied on a variety of sources on repatriation and cultural property by museum professionals, anthropologists, historians, and sociologists. The variety of sources allowed for the topic to evolve and progress; together they demonstrate that there is a need for cultural institutions to remedy repatriation issues as well as to build relationships with source nations.

Honestly, I did not fully understand this topic when I began my research. I only saw it from the standpoint of the museum possessing contested cultural property. But I knew I needed a well-rounded perspective on the topic from the viewpoint of the source nation to best contextualize this subject. With the guidance of my thesis advisor, I first consulted “New Ways of Thinking About Cultural Property: A Critical Appraisal of the Antiquaries Trade Debate” by Alexander A. Bauer to better understand the legal restrictions placed on the trade of cultural property that perpetuates a stalemate between museums and claimant nations and complicates the

issues of repatriation.<sup>3</sup> Here Bauer, Assistant Professor of Anthropology at Queens College of the City University of New York, details how national governments and archaeologists oppose the illegal trade of cultural property and support the current trade embargoes and criminal prosecution for dealers and collectors in violation. This side argues that objects hold significance to communities and call for tighter restrictions and the repatriation of objects to their country of origin. Museum professionals, on the other hand, support a legal trade of cultural property and seek a reexamination of current laws. Museums can only support their missions by using these objects to build institutional collections, strengthen the interpretation of exhibitions, and expand research opportunities. Bauer advocates for a legalized trade that would diminish the underground black market that negatively affects both parties. Through this article, I discovered the nuances of the subject and saw the need for strategic solutions as this stalemate poses questions that directly shape the thesis.

As Bauer helped me develop an understanding from a theoretical standpoint, a *New York Times* lecture I attended featuring James Cuno and Sharon Waxman helped me to develop an understanding of the cultural impact of repatriation.<sup>4</sup> Cuno advocates for a universal, humanistic approach to the sharing the cultural property of the world, calling for the accessibility of cultural artifacts through universal survey museums. In his *Who Owns Antiquity? Museums and the Battle over Our Ancient Heritage*, the views of Cuno parallel what I had previously learned from Bauer that repatriation impedes the rights of the museum to successfully accomplish its mission.<sup>5</sup> Countering this argument is Waxman, who finds that classic field collection methods for

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<sup>3</sup>Alexander N. Bauer, New ways of thinking about cultural property: a critical appraisal of the antiquaries trade debate, (*Fordham International Law Journal* *Fordham International Law Journal*, 21 (3), 2008) P. 690-724.

<sup>4</sup>Sharon Waxman, James Cuno, and Christopher Hitchens, (10 January 2009), *The New York Times presents Art and Leisure Weekend*, Lecture conducted at the TimesCenter Stage, New York, NY.

<sup>5</sup>James Cuno, *Who owns antiquity? Museums and the battle over our ancient heritage*, (Princeton, New Jersey, Princeton University Press, 2008).

acquiring cultural property equate to nihilistic looting. In her recent work, *Loot: The Battle over the Stolen Treasures of the Ancient World*, Waxman hopes for a future where museums can return all contested holdings.<sup>6</sup> While this lecture interestingly provided a lively debate, it soon became obvious to me that arguments for and against repatriation are complicatedly convoluted. The issues of repatriation must be handled delicately because these contested objects represent the identity of a culture. A scholarly argument cannot be made that certain cultures do not have a right to their own cultural property because they are too rich, too poor, or too war-torn. But more importantly, the argument against repatriation by Cuno is outdated because of emerging ethical standards that support repatriation. And while I initially questioned the basis of Waxman because her background is in newspaper journalism and not museums, her recent book did provide me a case study that helped shape this thesis. From this lecture, I was able to conceptualize this thesis topic based on the need for international, bilateral partnerships between museums and source nations to find answers to repatriation that benefit the needs of both parties.

After weighing these influential sources, I began my research into the topic of cultural property. Elazar Barkan and Ronald Bush find several links between the tangible objects and the intangible identity of a culture in *Claiming the Stones, Naming the Bones: Cultural Property and the Negotiation of National and Ethnic Identity*.<sup>7</sup> Here, the editors argue that all people have a right to their cultural heritage because it is an integral part of their identity, thus these objects should be returned to their rightful owners. Phyllis Mauch Messenger presents "Three Arguments for Claims to the 3 R's by Countries of Origin" in *The Ethics of Collecting Cultural Property: Whose Culture? Whose Property?: Rights of Ownership, Rights of Access, and Rights*

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<sup>6</sup> Sharon Waxman, *Loot: the battle over the stolen treasures of the ancient world*. (New York: Times Books, 2008).

<sup>7</sup> Elazar Barkan and Ronald Bush, *Claiming the stones naming the bones: cultural property and the negotiation of national and ethnic identity*. (Los Angeles, California: The Getty Research Institute, 2002).

*of Influence*.<sup>8</sup> Messenger, Director of the Center for Anthropology and Cultural Heritage at Hamline University, uses these arguments to show that cultural property belongs to the country of its origin and that these people reserve the right to dictate the use and ownership. The author presents arguments against claims by countries of origin as well: which include the rescue of objects by museums from destruction, the claim of cultural properties as a shared human heritage, and a case that cultural property promotes a scholarly transmittal of information and knowledge. From these sources, I found that cultural property holds the power to create a profound sense of belonging: a quality that makes claims for its return undeniable, no matter how much monetary or intellectual value is placed on the object.

Taking these angles into consideration, I was able to craft my case studies in a way that questions whether the museum and the source nations are both beneficiaries of strategic solutions to repatriation issue. Because so little exists on this subject, my contribution to the museum studies field is to map out how strategic solutions can strengthen international relations, spread ethical standards, and allow for greater accessibility to objects worldwide. This way of presenting the topic gives insight into how strategic solutions have been created in the past, are being written today, and how repatriation will remain an issue in the future.

### Case Study Overview

Chapter I - An Egyptian Night's Sky from Inside the Louvre: The French Conquest, British Copy, and Call for Repatriation of the Dendera Zodiac

Dating from before international laws dictated a solution, the British strategically created a plaster copy of the Dendera Zodiac to be installed in the missing expanse of the ceiling at the

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<sup>8</sup>Phyllis Mauch Messenger, *The ethics of collecting cultural property: whose culture? whose property?* (Albuquerque, New Mexico: University of New Mexico Press, 1999), p. 2-10.

Temple of Hathor. This nineteenth century event set a benchmark for museological and sociopolitical best practice of the modern period when the removal of an object compromises the integrity of a structure.

Because so much rhetoric clouds the story of the rediscovery of the Dendera Zodiac, I used a critical and scholarly eye to sift through the romanticized presentations of its history. To present the historiography of this strategic solution I relied on both *Loot: The Battle over the Stolen Treasures of the Ancient World* by Sharon Waxman and *The Rape of the Nile: Tomb Robbers, Tourists, and Archaeologists in Egypt* by Brian Fagan as opposing views on the topic.<sup>9</sup> Jed Z. Buchwald relates the events to the larger sociopolitical context in “Egyptian Stars Under Paris Skies” by examining the arrival of the Zodiac in turn-of-the-century Paris.<sup>10</sup> What can be taken from these sources is that because often-contested cultural objects were acquired before international laws governed the methods of their removal, it is a wrong to judge the practices of the past by the ethical standards of today.

Nonetheless, what was once seen as creative is not viewed as an adequate solution today. The copy of the Dendera Zodiac is now embarrassingly out of place and needs a better reproduction, if not the return of the original. While considered a response to the cultural past, is this type of strategic solution a noble gesture that can still stand today, or a failed diplomatic effort that is in need of a reexamination today?<sup>11</sup> And because the Grand Egyptian Museum will feature the latest in museum technologies when it opens in 2022, is there any way to argue against the Supreme Council of Antiquities of the Egyptian Ministry of Culture proposal to

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<sup>9</sup> Sharon Waxman, *Loot: the battle over the stolen treasures of the ancient world* (New York: Times Books, 2008); Brian Fagan, *The rape of the Nile: tomb robbers, tourists, and archaeologists in Egypt* (New York: Basic Books Perseus Books Group, 2004).

<sup>10</sup> Jed Z. Buchwald, Egyptian stars under Paris skies, (*Engineering & Science*, 66(4), 2003), P. 20-31.

borrow the Dendera Zodiac from the Louvre Museum for the opening on the grounds that Egypt is unable to care for its antiquities?

## Chapter II – If Only They Had Looked and Not Touched? A Shared Interest in Repatriating Ethiopian Tabots of the British Museum

After much deliberation between the possessing museum and the claimant culture, a loan agreement can be successfully reached as a strategic solution for the joint use of religious objects in museum collections. The Ethiopian Orthodox Tewahedo Church of London was able to broker a resolution with the British Museum regarding the shared use of ten sacred wooden tabots with contested ownership. Strategically, this contemporary partnership shows how a loan agreement was reached to meet the needs of the local Ethiopian community while allowing the British Museum to build a relationship and draw in diverse communities.

Since the loan agreement between the Ethiopian Orthodox Tewahedo Church of London and the British Museum is current, I relied heavily on British newspaper articles covering the event as it progressed. Aside from this, the commentary by the Association for the Return of the Maqdala Ethiopian Treasures (AFROMET) was highly beneficial because it provided a perspective that differs from that of the British Museum. While it was easy to find supporters of the of the loan agreement that romanticized the British Museum as supporting a noble cause, AFROMET provided an opposing view that sided with the claimants in this repatriation case.

Upon analysis of this strategic solution, it seems the British Museum benefitted the most from this loan agreement because these religious pieces had never been exhibited in more than one hundred years of possession. Furthermore, the British Museum Board of Trustees is set to review the loan this year to decide if it suits the best interest of the Museum to continue the loan of these objects. It must be asked if this contemporary strategic solution pose a threat to

museums, one that could mean the end to scholarly accessibility to objects because they could be returned to their source nation.<sup>9</sup> As the Museum reevaluates this loan agreement, could the return of these tabots to Ethiopia set a new standard for future repatriation cases?

### Chapter III Visiting Afghanistan's Past by Visiting Afghanistan's Future: When the Digital Archiving of Afghan Documents Exceeds Their Physical Return

Using the Afghanistan Digital Library as a model, this example provides a look into the future of strategic solutions through the use of digital copies as a means of electronic repatriation. This universally accessible digital archive presents a strategic solution that safeguards against potential harm posed by physically returning these objects to the war-torn region.

Of the three case studies, I found the least amount of information was available on the Afghanistan Digital Library and the future it provides for repatriation. My chief source came from personal interviews with Project Director Robert McChesney, professor emeritus of Middle Eastern and Islamic Studies at New York University. I then relied on other sources on digitization and museums, including *The Digital Museum: A Think Guide* by Herminia Din and Phyllis Hecht and *Museums and the Interpretation of Visual Culture* by Eileen Hooper-Greenhill.<sup>11</sup> Countering them is Fiona Cameron, who in the article "Beyond the Cult of the Replicant – Museums and Historical Digital Objects: Traditional Concerns, New Discourses" likens digital objects to terrorists in the museum establishment.<sup>12</sup> Cameron, a Research Fellow in Museum and Cultural Heritage Studies at the Centre for Cultural Research at the University of

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<sup>11</sup> Herminia Din and Phyllis Hecht, *The digital museum: a think guide*. (Washington, D.C.: The American Association of Museums, 2007).

Eileen Hooper-Greenhill, *Museums and the interpretation of visual culture*. (London: Routledge, 2000).

<sup>12</sup> Fiona Cameron, "Beyond the cult of the replicant – museums and historical digital objects: traditional concerns, new discourses." In Fiona Cameron & Sarah Kenderdine (Eds.), *Theorizing digital culture of heritage: a critical discourse*. (Cambridge, Massachusetts: The Massachusetts Institute of Technology Press, 2007). P. 49-76.



Western Sydney, instead fears a future when visitors are unable to differentiate between real objects and high quality digital replicas.

But as much as the Afghanistan Digital Library serves as a model for other repatriation cases from war torn areas, a larger issue still exists regarding who should hold the original and who receives the copy. Has the Afghanistan Digital Library found a permanent solution or is it only a stopgap solution because the Afghans are still denied their cultural heritage? Does it provide an adequate solution that suits the needs of both parties? The beneficiaries of worldwide accessibility will be the judges if this method is the future to resolving repatriation claims.

**Chapter 1**  
**An Egyptian Night's Sky from Inside the Louvre:**  
**The French Conquest, British Copy, and Call for Repatriation of the Dendera Zodiac**

Introduction

A sandstone carving hangs ominously, tucked away in a side corridor of the Egyptian antiquities wing at the Louvre Museum. Wall text titles it *Le Zodiaque de Dendéra*, an ancient Egyptian bas-relief ceiling from the Temple of Hathor. Featuring an encircling of astrological deities celebrating the New Year's resurrection of the god Osiris, the oldest known zodiac in the world is an important piece to the understanding of ancient Egyptian religion. While a pictograph provides a guide to the zodiac, nothing is mentioned of the journey this massive monolith took from its ancient home on the shores of the Nile to one of the most famous museum collections.

For the 2012 opening of the Grand Egyptian Museum at the foot of the Giza Pyramids, the Supreme Council of Antiquities of the Egyptian Ministry of Culture has asked to borrow the Dendera Zodiac from the Louvre Museum. But this proposal has so far met with mixed reviews, as many politicized museological questions stem from a contemporary return of the Dendera Zodiac to Egyptian soil. Can fault be placed today on the acquisition methods of the past that are seen as highly exploitative but from an era when such practices were academically and socially acceptable in colonial society? Are the French ultimately responsible because they originally removed the piece from the ceiling of the Temple of Hathor during the nineteenth century? Or does equal blame lie on the British who installed a plaster replica in the place of its absence in the Temple of Hathor but failed aesthetically with a shoddy copy that today is an eyesore? Does the solution lie solely with the Louvre, which has held the piece for ninety years? Or is the museum community, both past and present, at fault for standing complacently aside as new ethical standards have emerged regarding the repatriation of cultural property?

No matter how complex it may seem to assign responsibility today, this case study is unlike many others because it presents a strategic solution from an era before international laws dictated an answer. The British production of a copy of the Dendera Zodiac to replace the original ceiling taken by the French is a classic example of a strategic solution that once sought to build a partnership with the Egyptian community that felt a loss from the absence of this artifact. But as the balance of power changes with the growth of Egyptian nationalism, the sociological ideals of what it means to be an Egyptian, what was once seen as creative in the past is no longer adequate solution today. While considered a solution, it must be taken into consideration that this strategic situation is born more from the imposition colonial of power than the needs to build trust with the source nation.

### Historical Framework

A look must first be taken into the historiography of the Dendera Zodiac, from its rediscovery to its removal, to best understand how the British attempted this partnership through a strategic solution. Much rhetoric clouds the story of the modern rediscovery of the Dendera Zodiac. For the purposes of this case study, a critical and scholarly eye must be used to sift through the bias of historians to present the context needed to build this strategic solution.

During the Napoleonic Campaign in Egypt, General Louis Charles Antoine Desaix is credited as “discovering” the ruins of the Temple of Hathor at Dendera on May 25, 1799.<sup>1</sup> Speechless at the sight, General Desaix and his troops found the Temple buried under sand that reached the tops of the four-sided capitals carved with the face of the cow-eared goddess Hathor. According to the French writer and archaeologist Dominique Vivant, Napoleon Bonaparte

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<sup>1</sup> Brian Fagan, *The rape of the Nile: tomb robbers, tourists, and archaeologists in Egypt*. (New York: Basic Books Perseus Books Group, 2004) P. 253.

expressed no intention to remove the astounding Zodiac ceiling from the ancient Temple.<sup>2</sup> Bonaparte feared that a forced removal of the Zodiac would destroy the structure, a rare use of profound ethical forethought that is atypical of his characteristic portrayal. Instead, he suggested that a copy of the Zodiac be present in his Musée Napoléon, as wax casts were popular in this era of Western European museums.<sup>3</sup>

Egyptomania swept Europe, thanks to tales from the bestselling *Voyage dans la Basse et la Haute Égypte* by Dominique Vivant.<sup>4</sup> A mix of nationalistic pride and personal greed motivated notable antiquities dealer Sébastien-Louis Saulnier to covet the Dendera Zodiac. Saulnier remarked that he felt lucky Napoleon Bonaparte did not take the Zodiac because it would have certainly fallen into the hands of the British, like the Rosetta Stone.<sup>5</sup> Saulnier sought to capitalize on the fact that the Ottoman rulers of Egypt were more interested in pitting the French and British against each other in an effort to modernize the Egyptian infrastructure, making the collecting of antiquity by foreigners simply too easy.<sup>6</sup> To Saulnier, the Zodiac had “in a way become a national monument... therefore should be moved from Dendera to France.”<sup>7</sup>

The account of the removal of the Dendera Zodiac by Jean Baptiste Lelorraine for Saulnier is once depicted fancifully throughout history, either with seething dissent or gushing with pride.<sup>8</sup> Lelorraine used several questionable tactics to remove the zodiac from its three feet

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<sup>2</sup> Later appointed by Napoleon Bonaparte to be the first director of his Musée Napoléon (today the Louvre Museum), Dominique Vivant, (Baron de Denon) accompanied the Egyptian campaign as a conscripted scholar.

<sup>3</sup> J. Haddon, Exhibition of the sculptured Zodiac of Dendera, Leicester Square, (Original in possession of the University of Oxford, England, Digitized by Google, March 21, 2006), P. 6.

<sup>4</sup> Dominique Vivant, *Travels in Upper and Lower Egypt (Volumes I, II, and III)*, [Translated reprint of *Voyage dans la Basse et la Haute Égypte*], (New York: Arno Press - A New York Times Company, 1803).

<sup>5</sup> Jed Z. Buchwald, Egyptian stars under Paris skies, (*Engineering & Science*, 66(4), 2003), P. 27-28.

<sup>6</sup> Buchwald, Egyptian stars under Paris skies, P. 27.

<sup>7</sup> Fagan, *The rape of the Nile: tomb robbers, tourists, and archaeologists in Egypt*, P. 25.

<sup>8</sup> Some reactionary accounts claim that Lelorraine exploded the zodiac from the ceiling while other say Lelorraine only used a small amount of gunpowder to create the holes in the Temple roof to weaken the zodiac. For opposing views of Lelorraine's removal, see the description by Sharon Waxman in *Loot: The Battle over the Stolen Treasures of the Ancient World* (P. 75) versus that of Brian Fagan in *The Rape of the Nile: Tomb Robbers, Tourists, and Archaeologists in Egypt* (P. 255).

thick sandstone ceiling, most notably resorting to gunpowder explosives after other methods proved futile after twenty-two days.<sup>9</sup> Several ethical issues regarding harsh field collecting methods of the past now enter the discussion because of Lelorraine. Had he gently removed the Zodiac, would such controversy still shroud the object? Had he not removed the Zodiac, would it have then been susceptible to the vandalism that ran rampant throughout Egypt in the nineteenth century? Or were the methods of Lelorraine more harmful to the Temple than any physical degradation or malice by vandals?

French socialites and budding Egyptologists flocked to see newest treasure of Saulnier once it debuted in Paris. But not everyone embraced the Dendera Zodiac as a symbol of French imperial strength, instead viewing it as an icon of nationalistic arrogance. Several notable French experts who had accompanied Bonaparte on the Egyptian scientific expeditions protested the methods by which Lelorraine removed the Zodiac. Cartographer-archaeologist Edme François Jomard and classical scholar Jean-François Champollion publically chastised Lelorraine for mutilating the Temple of Hathor.<sup>10</sup> Equally furious is rival Egyptologist Henry Salt who devoted his life to collecting antiquity for the British Museum and felt cheated that Saulnier had acquired it before he could. Ultimately, this negative public pressure forced Saulnier to sell the Zodiac to Louis XVIII for an unprecedented amount of 150,000F.

But not all took such a harsh stance towards the removal of the Dendera Zodiac as fanciful tales of Egyptian conquest temporarily displaced all other news during this period.<sup>11</sup>

Once on public display in the *Cabinet des Médailles et Antiquités* at the Bibliothèque Nationale

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<sup>9</sup>Sharon Waxman, *Loot: the battle over the stolen treasures of the ancient world* (New York: Time Books, 2008), p. 75.

<sup>10</sup> Edme François Jomard was installed by Napoleon Bonaparte as supervisor of the Institute d'Égypte and served as Cultural Minister to Egypt. Jean-François Champollion is noted for deciphered the Egyptian hieroglyphs and unlocking the secrets of the Rosetta Stone.

<sup>11</sup> Waxman, *Loot: the battle over the stolen treasures of the ancient world*, p. 75.

de France, the Zodiac opened to enthusiastic crowds.<sup>12</sup> A Parisian comedy even quipped, “Paris has a zodiac from Dendera, so Dendera should have a zodiac from Paris.”<sup>13</sup> Though purely satirical, this comedy shows that moral and ethical questions lingered regarding the removal of the Dendera Zodiac regardless of the romanticized stories from Egypt. Ironically, this statement proved true one hundred years later when the Temple of Hathor would indeed receive a copy of its own ceiling to fill the vacant space created by its explosive removal.

### The Creation of a Strategic Solution

Just as much had changed socio-politically in Egypt, time had also not stood still at the ruins of the Temple of Hathor at Dendera.<sup>14</sup> French orator Charles François Dupuis noted that the expanse missing from the roof of the Temple caused the interior to erode from its exposure to the elements. As a side note in his *Origine de tous les cultes*, he suggested “it would be very desirable to transport [the remaining ceiling panels] also to Europe.”<sup>15</sup>

Knowing that it was impossible to convince the French to relinquish control of the Dendera Zodiac, the British developed a strategic solution to this problem posed by the missing ceiling. In 1819, French sculptor Jean Jacques Castex created a copy of the Zodiac in white Carrara marble from wax impressions taken during the scientific expedition and used details from the extensive drawings by Dominique Vivant. Seen then simply as a footnote to the

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<sup>12</sup> This era in French history is highlighted by post-Revolution conflicts between the re-established conservative monarchy and the liberal-minded factions of the French Parliament.

<sup>13</sup> The Dendera Zodiac made its home at the Bibliothèque Nationale de France until it was moved to a permanent location in the Galerie D’Alger at Musée du Louvre in 1919.

Waxman, *Loos: the battle over the stolen treasures of the ancient world*, P. 75.

<sup>14</sup> Buchwald, *Egyptian stars under Paris skies*, P. 28.

<sup>15</sup> By the 1920’s, a brewing sense of Pan-Arab nationalism frightened the British as the largely non-violent Egyptian Revolution turned hostile following the exile of Egyptian political leader Saad Zaghlul and other democratic-minded delegates of the Wafd Party.

<sup>1</sup> Charles François Dupuis, *The origin of all religious worship*. [Translated reprint of *Origine de tous les cultes*] (New York: Garland Publishing, Inc., 1872) P. 427.

Napoleonic Campaign in Egypt, this feat altered the future of the Zodiac and the Temple of Hathor. One hundred years later, this copy of the Zodiac had come into the possession of the Fitzwilliam Museum of the University of Cambridge.<sup>19</sup> Just as the original Zodiac in the Louvre collection had come to serve as an important historic and cultural icon for modern Parisians, the Carrara marble copy at the Fitzwilliam Museum had also become a notable piece to the British.

Thus the British accessibility to a copy of the Zodiac made it easy for them to create a plaster copy and install it in the void at the Temple of Hathor in 1920, closing the hundred-year-old wound. This British replica was crafted in black plaster to purposely mimic the smoke that once covered the walls of the Temple. But once the hieroglyph-covered walls were cleaned, the black-colored Zodiac became embarrassingly out of place within the Temple, an area of contention that continues to remain an issue today.

### Current Repatriation Efforts

While the previous events could conclude the classic example of an original strategic solution, the case currently remains active in many ways. As a nationalist revolution transformed Egypt into the Islamic state it is today, a new connection to its past emerged. For hundreds of years, the predominantly Arab community of Egypt never embraced its ancient past but the tangible cultural property left behind is now accepted as its ancient roots. Ancient pyramids and temples are now highly profitable as tourism to the Nile Delta is at an all-time high.

In 2012, the opening of the Grand Egyptian Museum will position Egypt at the forefront of contemporary museum structures. International parties will no longer be able to argue that Egypt is unable to properly care for its vast antiquity collection, as the new museum will feature

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<sup>19</sup> Since its creation in 1819, the Dendera Zodiac had changed hands several times and was given to the Fitzwilliam Museum by Parliamentary legislator Alexander Beresford Hope in 1862.

the latest amenities in collection display, conservation, and security. Front-page headlines regarding efforts by Zahi Hawass to return missing piece of antiquity to Egypt bring repatriation issues to new audiences. As Secretary General of the Supreme Council of Antiquities of the Egyptian Ministry of Culture, his modest proposal to borrow the Dendera Zodiac and four other objects of Egyptian antiquity for the grand opening of the Museum has so far met with mixed reviews.<sup>17</sup>

While many observers cast the actions by which Hawass operates as harmful to international relations, he is passionate in his belief that no Egyptian should be denied of their cultural heritage. Archaeologists agree that every culture has a right to its tangible cultural heritage through its native patrimony, an intangible element that cannot be removed through museum interpretation. To Hawass, museums are responsible for perpetuating repatriation issues because of the monetary and intellectual value they place on objects. Museum professionals, like James Cuno, often counter that returning cultural property to source nations obstructs universal accessibility to international culture and sets a dangerous precedent for future repatriation cases.

Museums have reacted hesitantly to the demands of Hawass, fearing that these objects may be held hostage once they reach Egyptian soil despite predetermined loan agreements.<sup>18</sup> Louvre Museum director Henri Loyrette has expressed a willingness to consider a loan of the Dendera Zodiac to the Grand Egyptian Museum on the basis of professional collegiality, but extensive studies must be conducted regarding the transit of the object.<sup>19</sup> Loyrette echoes the sentiments of many museum professionals that a similar removal of the Zodiac today would be a

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<sup>17</sup> Along with the Dendera Zodiac from the Louvre Museum, these objects on the wish list of Zahi Hawass include the bust of Nefertiti from the Egyptian Museum of Berlin, the Rosetta Stone from the British Museum in London, the bust of the Vizier Ankh-hat from the Museum of Fine Arts, Boston, and the statue of Hemunu from The Roemer-und Pelizaeus-Museum in Hildesheim, Germany.

<sup>18</sup> Sylvia Hochfield, *Descendant of the pharaohs* (*ARTnews* 105(5), May 2006).

<sup>19</sup> Waman, *Loot: the battle over the stolen treasures of the ancient world*, p. 120.



violation of international law, but it is a fallacy to judge the field collecting practices of the past by the ethical standards of today.<sup>20</sup>

## Conclusions

Overall, this case study shows that by making a copy of the Dendera Zodiac, a historic moment occurred for the use of strategic solutions to solve a repatriation issue. This classic instance provides a benchmark for museological and sociopolitical best practices in the incidence when the removal of an object compromises the integrity of a structure. Importantly, this action repaired both the ancient structure and the source nation affected by the original removal of the object. But no record could be found of what the source community thought of the installation of a replica Zodiac, as Egyptians did not possess a voice in this colonial museological system. The case of creating a copy can also serve as an example when an object cannot be simply returned to its source nation due to factors such as the fragile condition of the piece.

But this instance is by no means an ideal solution to the matter, as complexities and unanswered ethical issues arose that rendered this seeming goodwill venture as one plagued by dissent. This case study shows what happens when a strategic solution does not, in fact, work because it truly does not suit the needs of both parties or stand the test of time. The necessities for this strategic solution comes from an era when objects were collected to symbolize the power wielded by these imperialistic empires as examples of their dominance over “inferior” peoples. Always erased from the presentation are the highly questionable methods used to bring this object to the museum.

The British accessibility to the Jean Jacques Castex marble replica made producing another copy very convenient. But what happens when a copy does not suit the needs of both

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<sup>20</sup> Waxman, *Loot: the battle over the stolen treasures of the ancient world*, p. 119.

parties? Since the installation is a plaster copy of a replica of the original Dendera Zodiac, it is criticized as nothing more than a poorly executed sloppy eyesore. Sharon Waxman even calls for the creation of a new replica of the Zodiac in *Loot: The Battle over the Stolen Treasures of the Ancient World*, one that is more faithful to the original by the French as an apology for destroying the original Temple of Hathor.<sup>27</sup>

At first glance the reinstatement of the Dendera Zodiac seems like a noble gesture by the British to right a wrong that scarred a national monument. But the shoddy replication casts these actions as a failed diplomatic effort. It is unknown if cultural reparations ultimately motivated British politicians to commission this replacement copy; their actions are purely circumstantial to the unfavorable colonial happenings of the time. Therefore this case can be construed as having less to do with the importance of preserving cultural heritage and more to do with creating a false impression in an effort to quell rising Pan-Arab nationalism and secure favor in the failing British mandate over Egypt.

Museologically, once an object has entered a museum collection it begins to serve a new cultural importance within this community. Display is an extremely powerful weapon wielded by the museum that holds the object; thus a strategic solution like creating a copy should be employed only if it suits the needs of both parties involved. In the end, it has to be asked if the strategic solution of creating a copy is a practical answer to this repatriation issue. The long-term ramifications remain uncertain as the political and museological clout of Egypt increases with the opening of the Grand Egyptian Museum. Will this rising influence challenge the established international museum power structure and demand a new answer for a strategic solution that no longer adequately reflects a culture past, present, or future? Only time will tell.

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<sup>27</sup> Waxman, *Loot: the battle over the stolen treasures of the ancient world*, P. 93-94.

## Chapter II If Only They Had Looked and Not Touched? A Shared Interest in Repatriating Ethiopian Tabots of the British Museum

### Introduction

Often, the strangest items are found when cleaning places rarely looked into, especially when what is found are sacred religious objects. Imagine the spectacle in 2001 when Reverend John Meluekie opened a dusty Victorian box in a cupboard at St John's Episcopal Church of Edinburgh and found a six-inch wooden carved slab that had been missing for 130 years. Meluekie quickly recognized its significance as a sacred Ethiopian replica of the Judaic Tablets of Law because of his years of missionary work in Sub-Saharan Africa. This object represents a central part of the religious practices of the estimated 40-million worldwide members of the Ethiopian Orthodox Tewahedo Church. Knowing the country had lost much of its cultural heritage during the punitive expedition of the British Empire in 1868, Meluekie began a personal quest to return this sacred object to the people of Ethiopia.

According to the *Kebra Nagast* (dated to AD 1225), Ethiopians are inherently linked to the Hebrew House of David by way of Menelik I, son of King Solomon and Makeda, Queen of Sheba. In 950 BC, Menelik I brought the Ark of the Covenant to Ethiopia, containing the Judaic Tablets of Law onto which the Biblical Hebrew religious prophet Moses inscribed the Ten Commandments.<sup>22</sup> The slabs, called *tabots* to Ethiopians, are traditionally made by high priests of the Chapel of the Tablet at the Church of Our Lady Mary of Zion and are given to local churches to sanctify their place within the Ethiopian Orthodox Tewahedo Church. Today, the absence of these replica tabots is seen as a lasting injustice committed by the British.<sup>23</sup>

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<sup>22</sup> Stuart Munro-Hay, *The quest for the Ark of the Covenant: The true history of the tablets of Moses*, (London, England: I.B. Tauris & Co., 2005).

<sup>23</sup> Mark Rose, Many happy returns? (*The Archaeological Institute of America*, 12 March 2002).

In a grand ceremony, Reverend McLuckie humbly delivered the sacred tabot to the priests of the Chapel of the Tablet at the Church of Our Lady Mary of Zion in Axum, Ethiopia, after nearly a year of bureaucratic deliberation. At this raucous celebration, the Ethiopian Ambassador to London declared, "We wish to encourage all others who possess Ethiopian cultural and sacred artifacts – both institutions and individuals – to graciously return them to Ethiopia."<sup>24</sup>

Upon his return to Scotland, Reverend McLuckie became the chairman of the United Kingdom branch of the Association of the Return of the Maqdala Ethiopian Treasures (AFROMLET), a group that pressures British cultural institutions and private collectors to repatriate sacred objects once taken from Ethiopia.<sup>25</sup> Central to their pursuit are illuminated manuscripts, gold and silver crosses, ceremonial vestments, and wooden tabots looted by the British during their 1868 expedition. Gradually, the constitutional monarchy of the United Kingdom has acknowledged the mistakes of the past and progressively returned artifacts to Ethiopia, but the bulk remain in the collections of British cultural institutions.

For more than 50 years, the Ethiopian Orthodox Tewahedo Church had requested the British Museum return ten replica tabots but the Board of Trustees of the Museum has refused, citing a founding governance law preventing the deaccessioning of any object without a duplicate in the collection.<sup>26</sup> The British Museum often argues that its collections are preserved for the benefit of international scholarship and for public enjoyment. Similar to the United Kingdom acknowledging its past indiscretions, the Museum recognizes that it would be improper to display these Ethiopian tabots and has never exhibited them because tabots are traditional,

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<sup>24</sup> Richard Beeston, Britain told by Ethiopia to give back treasures. (*The Sunday Times*, 20 April 2002)

<sup>25</sup> Odhiambo Okite, Ethiopia: returning a tabot. (*Christianity Today*, 22 April 2002)

hidden from public view.<sup>27</sup> This reluctance to mount a public exhibition of these items during more than one hundred years of possession raises a logical, ethical question regarding the reasoning by the Museum to hold such religious objects.

Current proponents for the repatriation of Ethiopian religious artifacts, such as Mark Rose of the Archaeological Institute of America, contend that there is no scientific or museological value to these sacred tabots.<sup>28</sup> As the most important element of the country's history, a tabot means more to Ethiopians than to museums because it is revered as an essential part of religious practice and tradition. Ethiopian patriarch Abuna Paulos reflected the sentiments of the entire nation in 2002 when he stated, "The British Museum will now have to come up with compelling reasons why they should keep the items."<sup>29</sup>

After years of deliberation, the Ethiopian Orthodox Tewahedo Church was able to successfully broker a strategic solution with the British Museum regarding the return of the sacred wooden tabots in 2004. In a five-year renewable loan, the British Museum Board of Trustees agreed to transfer the ten contested tabots to the Ethiopian Orthodox Tewahedo Church of London. As ethical standards have changed towards repatriation, this agreement strategically allowed the tabots to be removed from the Museum and a new emphasis was placed on building a relationship with the local religious community. However, this innovative solution poses threats to the integrity of the items because they are no longer under the watchful eye of Museum staff. Some museological experts though see this event as setting a dangerous precedent for

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<sup>27</sup> This claim allows the British Museum to hold several notable disputed artifacts such as the Elgin Marbles (Greece), the Benin Bronzes (Nigeria), Achaemenid Empire Gold and Silver Treasure (Tajikistan), Tasmania Aboriginal remains (Australia), Mold's Golden Cape (Wales), and the Rosetta Stone (Egypt).

<sup>28</sup> Tabots are only seen on certain feast days when they are carried in procession around the church courtyard but shrouded in an ornate covering. For this reason, no pictures of tabots could be found to illustrate this case study.

<sup>29</sup> Rose, "Many happy returns?"

<sup>30</sup> Okite, Ethiopia: returning a tabot.

museum repatriation cases, fearing that this partnership will eventually lead to a return of the tabots to Ethiopia, where they will be inaccessible to research by scholars.

### A Contemporary Strategic Solution

The British Museum has progressively built a partnership with the Ethiopian Orthodox Tewahedo Church of London, while other notable institutions, such as the Victoria & Albert Museum, the British Library, and Cambridge University Library, have been unresponsive to requests to return objects once looted from Ethiopia. Because of their essential meaning to religious practices, the Ethiopian community sought the return of the ten tabots. This new relationship led the British Museum Board of Trustees to become more receptive to a partnership with the local Church, and to work towards a strategic solution to the repatriation of these sacred objects.

In 2004, the process began with a decision by the British Museum to move the tabots from an offsite storage building to a special basement area at its main location in London. While these objects were inaccessible to staff members, local Ethiopian priests were permitted to create a chapel area to venerate these wooden tabots within the Museum.<sup>30</sup> A monumental deal between the Museum and the Church was brokered in 2005, which created a five-year renewable loan of the tabots to the Church.<sup>31</sup> As agreed upon in the loan, the Church must keep these artifacts at the Reese Adbarat Debre TSION Kidist Mariam Ethiopian Orthodox Tewahedo Church in London, with comparable environmental and security standards at the Museum to properly care for the collection. In return, the British Museum agreed to host an annual day to celebrate the Ethiopian

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<sup>30</sup> Terry Kirby, British Museum eases grip on religious treasures, (*The New Zealand Herald*, 20 October 2004)

<sup>31</sup> Sean-Paul Kelley, Holy tabots to be transferred from British Museum to Ethiopian church, (*The Art Newspaper*, 23 April 2005).

Easter with gallery talks and workshops on the music, dance, art, and culture of Ethiopia; and featuring the Ethiopian painting *The Crucifixion of Jesus Christ and the Life of Bishop Selama*.<sup>32</sup>

Per the original agreement, the British Museum Board of Trustees must review the loan on a five-year schedule to ensure that it suits the best interest of the Museum to continue the loan of these objects. Because the agreement is due for review this year, a decision will soon be made that could alter the future of these tabots. The Board must determine whether these objects will remain in the Church, return to Museum storage, or go back to Ethiopia in a partnership between the British Museum and University of Addis Ababa, the National Museum of Ethiopia, and Ethiopian Ministry of Culture to develop a new museum of ethnographic history in Ethiopia.<sup>33</sup>

#### Analysis as a Strategic Solution

When first analyzing this contemporary strategic solution, it seems that local, expatriate Ethiopians living in London are the greatest beneficiaries in this loan agreement. This solution is the first step of many towards recognizing the negligence of the past, creating a suitable answer in the present, and providing a possibility for future resolutions. As the first set of pre-colonial Christian churches of Sub-Saharan Africa, the Ethiopian Orthodox Tewahedo Church claims more than half of the 73.5 million people of the country as believers, and is the largest of all Oriental Orthodox Christian Churches worldwide.<sup>34</sup>

What makes this repatriation claim unlike others is that while the strategic solution allows for a shared use of these tabots, the expatriate Ethiopians community in London seeks a full return of these religious objects to their source nation. While this strategic solution

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<sup>32</sup> Church and emperor: an Ethiopian crucifixion. (The British Museum Press Release, March 2008).

<sup>33</sup> Kelley, Holy tabots to be transferred from British Museum to Ethiopian church.

<sup>34</sup> Other Oriental Orthodox Christian Churches include: Armenian Apostolic Church of All Armenians, the Coptic Orthodox Church of Alexandria, the Ethiopian Orthodox Tewahedo Church, the Eritrean Orthodox Tewahedo Church, the Syriac Orthodox Church of Antioch, and the Indian Malankara Orthodox Syrian Church.

strengthens their own cultural and religious heritage, the tabots are not in a place where all Ethiopian believers can appreciate them. The significance of these objects shows that even the community directly benefiting from the return ultimately wants to return them to their rightful owners in Ethiopia. By turning their backs on such claims, a denial of religious objects by museums is disrespectful, shameful, and insensitive to the beliefs of others.

But as museums recognize the importance of religious objects as cultural property, providing new ethical standards to emerge, how will this precedent apply to other contested museum collections? If museums are to accept this methodology, then are they also responsible for the return of Tibetan Buddhist sculptures or Italian Renaissance paintings intended to adorn sacred places and be venerated by believers? Are museum professionals then suggesting that some religions are more worthy of repatriation claims than others? Or are claims based solely on local cultural needs, even when the object in question is a religious object?

This case study demonstrates the power of religious objects, and that traditional display practices in a museum does not provide an adequate place for veneration and worship. The Newark Museum developed a strategic solution to address this very issue by creating a multi-sensual space within its exhibition of a Tibetan Buddhist altar consecrated by the Fourteenth Dalai Lama in 1990. The sacred altar is the centerpiece of its Asian art permanent galleries, housed in a special room where offerings can be placed and contemplation can be made by those seeking to express their devotion to the principles of enlightenment.<sup>35</sup> But while the British Museum temporarily permitted local Ethiopian priests to create a chapel to venerate these wooden tabots within the storage area, the Museum was uninterested in creating a multi-sensual space within an exhibition like at the Newark Museum. Additionally, creating replicas or additional copies of these tabots could not serve as a solution to this repatriation claim because a



religious importance is inherent within these objects. A physical copy would lack the intangible aspects that make them revered by believers. By choosing to preserve authenticity, the decision by the British Museum to loan the tabots to the expatriate Ethiopian community recognizes the importance of these works and the determination of their stakeholders.

The development of an agreement between the British Museum and the Ethiopian Orthodox Tewahedo Church shows a significant shift in museum ideology. Western museums often arrogantly claim themselves as protectors of objects collected from indigenous peoples.

English poet Rudyard Kipling waxed poetically in *The White Man's Burden*:

Take up the White Man's burden  
And reap his old reward;  
The blame of those ye better,  
The hate of those ye guard.<sup>36</sup>

This quote exemplifies the Eurocentric perspective that looks at the world as childlike and in need of the benevolent British “fathers” to help the uncivilized indigenous peoples adopt Western ways. The fallacy that these peoples are not yet developed enough to reclaim their cultural objects stems directly from this type of cultural imperialism. Kwame Opoku, a tireless commentator on African restitution issues, recently mused that the Western museums that possess once looted objects, like the Ethiopian tabots, refuse to return them because it equates to Africans “stealing” these objects.<sup>37</sup> But was it not the British who looted countless culturally and religiously significant objects during the 1868 punitive expedition against Ethiopia?

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<sup>36</sup> Tibetan Buddhist Altar, (The Newark Museum).

<sup>37</sup> Excerpt from Rudyard Kipling, *The White Man's Burden*, (*McClure's Magazine*, February, 1899).

<sup>38</sup> Kwame Opoku, Africans need African cultural objects more than Europeans and Americans, ([Africanet.info](http://Africanet.info), 10 January 2009).

## Conclusions

This contemporary case study shows how a strategic solution to repatriation was negotiated with a five-year renewable loan agreement between the British Museum and the Ethiopian Orthodox Tewahedo Church. While this agreement does not fully return the ten contested tabots to Ethiopia, it does allow their use by the local religious community. This case can be seen as innovative because it simultaneously fulfills the desire of the Church to make these pieces accessible for religious worship, keeps the items in the collection of the British Museum, and builds a partnership between the Ethiopian community and the Museum.

A debate can also be made whether this strategic solution is a permanent or temporary means to satisfy this repatriation claim. As a temporary resolution, what makes this plan so compelling is that it leaves the option for a full repatriation of these sacred objects open. The Ethiopian Orthodox Tewahedo Church and the Federal Democratic Republic of Ethiopia both rightfully desire a full return of the tabots to the Chapel of the Tablet at the Church of Our Lady Mary of Zion in Axum. It is unknown how the British Museum will decide, but there is hope by progressive museum professionals and international leaders that the loan will be continued or these religious objects will be returned to Ethiopia.

But as populations shift and disseminate their common ethnic identity, permanence lives in this strategic solution as the world becomes a more global society. In the future it will be interesting to see if strategic solutions will be reevaluated as permanent or temporary depending on how they suit the needs of the source nation. As events progress and change over the next several decades, this solution may be seen as the first step towards a permanent repatriation

solution. But it should ultimately be the decision of the source nation, not the museum, if stopgap measures such as loans to expatriate communities are sufficient solutions.

Further evaluation must question whether this solution is adequate. It appears as though the British Museum did not make a great sacrifice because it has never displayed these pieces in more than one hundred years of ownership. The Museum took this into consideration and shared the pieces by placing parameters on the use of the tabots, allowing their loan from the Museum while limiting its location to London. With the British Museum Board of Trustees set to review the loan agreement this year to decide if it fits its best interest, many wonder if the Museum will allow the loan to continue.

While this case study shows a glimpse into the future of museological partnerships, it does not resolve the “push-pull” mentality between possessing cultural institutions and claimant source nations that leave many contemporary repatriation issues unresolved. Does this case show a sign of softening towards the repatriation of cultural treasures? It is well known of the struggle the British Museum faces to hold on to contested objects that were collected during its imperialistic colonial past. Some museum professionals point to this loan agreement as setting a dangerous precedent for future repatriation claims, fearing what could happen should the British Museum relinquish control over these objects. An example could be set that would lead to the return of its most infamous repatriation case: the Parthenon marbles. Would such an event mean a fulfillment of all restitution claims? AFROMET spokeswoman Judy Holland wishes so: “We hope that [the return of] the tabots is the opening of the floodgates.”<sup>88</sup>

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<sup>88</sup> Jenifer Johnston, Ethiopian joy as church returns Ark of Covenant; Hancock in May. (*The Sunday Herald*, 27 January 2002).

### Chapter III

## Visiting Afghanistan's Past by Visiting Afghanistan's Future: When the Digital Archiving of Afghan Documents Exceeds Their Physical Return

### Introduction

In its relatively short yet revolutionary history, the Internet has become a vast resource of information that allows users to reach beyond social, political, and language barriers. Whether it is used for shopping and social networking or researching and job-hunting, the Internet opens doors to a world of resources like no other technology in human history. To communities, this global network allows a way to build relationships and engage in dialogues across distances like never before. To scholars, the advent of digital resources changes the very nature of research as previously inaccessible information is now unlocked at the push of a button. But in our ever-changing globalized world where communities are spread far and wide, everyone is a beneficiary when digitally archived cultural materials are now made accessible to those lacking immediate physical access to the original. A strong sense of identity and togetherness can be created virtually, regardless of location, by the power of accessibility to cultural heritage.

The historical and contemporary cultural legacy of Afghanistan is in danger of disappearing due to more than thirty years of warfare and political upheaval. International conflict and geopolitical strife makes it unstable and uncertain that there is safety in Afghanistan; not for its people and definitely not for the objects they leave behind as physical evidence of their cultural patrimony. Its earliest documents are virtually inaccessible to those which it matters the most as culturally significant materials are either found in academic special collections, in private collections, or lost forever due to decades of conflict.

The digitization efforts of the Afghanistan Digital Library provide a universally accessible archive to Afghanistan's past while virtually reconstructing a portion of its unique

cultural heritage for the future. Facilitated by New York University Libraries, this ongoing project aims to digitize and make available historical Afghan documents from a sixty-year span ranging from the early influence of the United Kingdom (1870s) to the occupation of the former Union of Soviet Socialist Republics (1930s). In addition to historical documents, this digital archive also includes a culturally rich collection of books, serials, pamphlets, and manuals totaling over 300 primary sources accessible through its website.<sup>39</sup> Drawn from the collections of New York University Library and the British Library as well as the holdings of several private collectors, the partnership the Afghanistan Digital Library has forged with the Afghanistan National Archives in Kabul provides an outlook for the future as it strives to conserve and digitize an endangered collection that remains in constant peril.

Decades of warfare posed a threat to the cultural heritage of Afghanistan. In preparation for impending danger, several cultural institutions like the Afghanistan National Archives mounted efforts to protect their collections from harm. At the request of the Afghan Ministry of Information and Culture, New York University was contacted to become a repository for official government documents and cultural literature. As a long-time research partner, New York University graciously accepted the task of collecting and protecting the remaining remnants of Afghanistan's historical lineage.<sup>40</sup> With Kabul relentlessly besieged by civil uprisings, these actions to safeguard the cultural heritage of Afghanistan can be seen as a strategic solution that served the best interest of the nation at the time and continue to serve Afghanistan as it seeks stability.

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<sup>39</sup> The Afghanistan Digital Library, <http://afghanistan.dlib.nyu.edu/index.html>.

<sup>40</sup> Other Afghan cultural institutions like the National Museum of Afghanistan took similar measures by transferring portions of their collection to the treasury vault of President Mohammad Najibullah. The Afghan Ministry of Information and Culture also worked in conjunction with UNESCO to create an Afghanistan Museum-in-Exile to protect objects in a secure location in Switzerland. For more information on this process, see Fredrik Heibert and Pierre Cambon's *Afghanistan: hidden treasures from the National Museum, Kabul* (Washington, D.C.: National

As the political framework for a future is now being laid, ethical and museological questions arise when analyzing possibilities for the return of cultural property to Afghanistan. Several nations and institutions have chosen to return objects to the once battered Islamic Republic as its growing functionality allows for cultural institutions to reopen. But impeding the physical return of culturally significant objects to Afghanistan is the continuous political turmoil. A question must be asked if it is ethical to return objects when there is little protection from harm. In the chaos there have been few developments to secure the cultural institutions of Afghanistan. Is the looting of unprotected Afghan museums and archeological sites an inevitable event that stems from the failure to secure these cultural locations? Or is it because of the profitability of cultural property on the underground black market?

By creating digital copies of original historical documents, the Afghanistan Digital Library potentially provides a future strategic solution to repatriating these items. Electronically returning these documents to Afghanistan safeguards them against the potential harm posed by their physical return. More importantly, digitization means returning these items to a global community of expatriate Afghans able to access these cultural materials anywhere through the Internet. The benefits of worldwide accessibility allows for a greater range of audiences to appreciate the cultural treasures of Afghanistan while protecting them for the future. But for Afghans, who have lived through a history of politicization and exploitation, are they beneficiaries from this strategic solution or are they instead victims of a strategic solution? Are they presented an adequate substitute or still denied their cultural identity?

### A Framework for the Future

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Geographic Society, 2008) and Return of 1,400 artifacts to National Museum of Afghanistan, under aegis of UNFSCD. (UNESCO Press Release, 12 March 2007).

Born from the very notion that safety is not guaranteed in Afghanistan, the Afghanistan Digital Library seeks to address this problem as an outlook for future strategic solutions.

Through the effort of the New York University Libraries, in 2005 the idea for the Afghanistan Digital Library came from an institutional desire to expand online digital library technology services.<sup>41</sup> Directing the project is Robert McChesney, who saw the collection of Afghan government documents and cultural literature given by the Afghan Ministry of Information and Culture as an untapped asset to Afghans, scholars, museums, and the global public.<sup>42</sup>

Two of the most crucial steps in the creation of the Afghanistan Digital Library, forging partnerships and stabilizing that catalogue for digitization, were manifested first.<sup>43</sup> While the New York University Libraries sought to build partnerships with other private collectors and university libraries with similar collections, the most beneficial relationships were created during an initial fact-finding mission to Afghanistan to find institutions willing to become partners for this project. The Kabul University Library, the Afghanistan National Academy of Sciences, and nearly every other Afghan cultural institution were thrilled to work on the digitization project and expressed enthusiasm that there was such an interest to further their history, heritage, and culture. Collaborating with these Afghan institutions immediately legitimized the efforts of the Afghanistan Digital Library because the input and influence of these types of cultural institutions was essential to its effectiveness and success.

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<sup>41</sup> Collaborative digital projects by the New York University Libraries include Archiving the Political Web, the Archivists' Toolkit, the Database of Recorded American Music, the Digital Archive of Public Television, the Hemispheric Institute Performance Video Archive, the Richard Maass Collection Digital Collection of the Revolutionary War in the State of New York, and the Second Avenue Online Yiddish Theatre.

<sup>42</sup> Robert D. McChesney, Ph. D., is a renowned scholar of Middle Eastern Studies and History in the Department of Middle Eastern and Islamic Studies at New York University. He is a professor emeritus of the social and cultural history of Central Asia, Iran, and Afghanistan from the time of the Mongol conquest through the early 20th century. His peers also hold him in high regard for his meticulous use of primary sources and fluency in several languages.

<sup>43</sup> Information regard the history of the Afghanistan Digital Library is courtesy of personal communication with Robert D. McChesney (March 23, 2009).

Reconnecting with the Afghan Ministry of Information and Culture for a joint program with the Afghanistan National Archives was of the highest priority, but the Afghanistan National Archives was far from becoming fully operational. Twice rockets struck the building housing its collection, causing damage to the structure but fortunately not harming its contents. Because of the effects of war, it lacked a professionally trained staff. Its facilities also needed updating to meet current professional standards, as its air handling systems that had not worked for the last 30 years. These outdated and inoperative systems caused pollutants such as dust and diesel soot to infiltrate the depository and compromise the integrity of its holdings.

Through a 2005 grant from the National Endowment for the Humanities, the first ever inventory and catalogue was created from the Afghanistan National Archives holdings to judge the scope and span of the overall digitization project. A second grant in 2007 then allowed for the establishment of a digitization facility comparable to that of the New York University Libraries at the Afghanistan National Archives. The most important portion of this project included the employment of a trained conservator to stabilize and prepare materials for digitization, a long and tedious process that is still being undertaken in Spring 2009 to digitize the collection. The digitization of fragile objects and manuscripts means that high standards of conservation and preservation will be maintained internationally to safeguard such objects in the future.

Robert McChesney humbly claims that the Afghanistan Digital Library is not considered a model for similar institutions digitally archiving cultural materials or the future of digital repatriation. While there are an innumerable amount of digital libraries available on the Internet covering various topics, the Afghanistan Digital Library is significant because it was the first to make available this type of collection to this type of community. For McChesney, digitization is



definitely the future in the field of archives and the Afghanistan Digital Library is at the forefront of the rapidly changing standards for digitization. Overall, it seems quite hard to predict the future of digitally accessible archives for its technology is in constant flux and the demand for quick access to information climbs unlimitedly.

### Analyzing the Beneficiaries of a Digital Solution

The importance of this digital archive lies in the preservation of a legacy that is now accessible to the people from whom it means the most: Afghans. While Robert Mc Chesney openly admits that no formal survey has been done to see how many Afghans are tapping into the website, there is hope that it is beneficial to them. It is understandable that audience research has not been immediately implemented because the website launched in June 2004 and the highest priority has been placed on scanning and digitizing documents for the project. But the website is the most beneficial to Afghans because they have only limited access to institutions holding their cultural heritage, making the availability of materials online through the Afghanistan Digital Library a truly significant resource.

Just as many Afghans feel it is unsafe for them to return home, it is equally unsafe at this juncture to return fragile cultural objects such as manuscripts to Afghanistan. This resource provides them a piece of home and a part of an identity that has been denied for so long. During the Taliban rule of Afghanistan, a special task force was commissioned to purge the country of its "un-Islamic" past and destroy images forbidden under their self-proclaimed "strictest interpretation of Sharia law ever seen in the Muslim world."<sup>44</sup> Hundreds of thousands of rare manuscripts were ceremoniously burned in front of the Kabul University Library and the Kabul

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<sup>44</sup> Ahmed Rashid, *Taliban, militant Islam, oil, and fundamentalism in Central Asia*, (New Haven, Connecticut: Yale University Press, 2000), p. 29.

Public Library.<sup>45</sup> Considering these factors, the real impact of the Afghanistan Digital Library is from its renewal of a community once deprived of its cultural heritage. Its worldwide accessibility brings together a community that is fragmented all over the world. Afghans can tap into this resource and create unity regardless of location or political conditions.

Even though audience research has not yet been conducted to find who exactly is using the Afghanistan Digital Library, it is known that researchers have used the archives to access an unmatched source of primary information. With a long-term goal to digitize and store historical documents, the Afghanistan Digital Library presents primary documents from the early modern formation of the country. Additionally, the Afghanistan Digital Library strives to serve its mission to provide accessibility by creating copies of documents at the request of researchers in Afghanistan who are unable to access the website. Two academic institutions in the United State have also begun to digitize their collections and partner with the Afghanistan Digital Library: the University of Nebraska at Omaha-Criss Library that holds the largest collections of Afghanistan research materials in the world and the University of Arizona Library that launched the Agriculture Electronic Library as the first electronic library solely devoted to Afghanistan's agriculture, life sciences, and arid lands studies.

For museums, presenting digital copies online is a feature that provides accessibility regardless of location. Because the Afghanistan Digital Library is a culmination of several worldwide sources, it also brings together several collections that are not actually located at one single institution, much like the Afghan community worldwide. Here museology and international relations intersect and create an example to serve as a model for future repatriation cases. Essentially, the collection serves as a repository that only exists virtually through the collaboration of the several institutions with mutual interests.

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<sup>45</sup> Afghan manuscripts sold for a morsel. (*Press TV*, 11 July 2008).

## Conclusions

Overall, this case study shows that by presenting digital copies of culturally important materials, this strategic solution can serve as an alternative in future repatriation issues because it benefits its intended community through sharing a culture virtually to the entire world. Electronic repatriation goes much further than physically giving these materials back to Afghanistan because the availability of online content provides new possibilities greater than any repatriation efforts. When access to culturally significant objects is severely limited in places shrouded in political uncertainty, making these objects digitally available provides a resource that is beneficial to a worldwide community.

A larger issue still exists regarding who possesses the original objects and whom benefits from the copies, further showing the power held by the beholder. Through the power wielded in its display, the possessor of the original object holds a significant influence over the interpretation and use of the object. This strategic solution shows that accessibility to digitally archived content is not only an unmapped territory related to but distinct from museums, but it also conflicts the preconceived power structure created of museums through the display and interpretation of cultural objects. As the history and effectiveness is currently being explored through digitally accessible cultural content, several ethical and museological questions remain to be seen.

Visitors are drawn to the museum to be in the presence of the "real thing," thus digital copies are inherently judged as inferior when exhibited alongside their physical counterparts.

Multimedia can either be seen as a threat to the established culture and practice of the museum or

it can be embraced as a reinvention of the museum in preparation for the issues of the future.<sup>46</sup>

As copies are not meant to be a trick, are audiences cheated by not seeing the actual object at the museum? Do these digital copies detract from the physical experience of going to the museum? In the future, will the visitor be able to differentiate between real objects and high quality digital replica? These unresolved issues conflict the effectiveness of this strategic solution and make a strong argument to caution museums of its use.

As much as the Afghanistan Digital Library serves as a model for similar repatriation cases, it is open for debate if the strategic solution is an option for museums facing repatriation issues. With the ultimate goal of making museum collections more accessible, the overall availability of content through the Internet remains a benefit to a worldwide audience even if the alternative solution is inadequate. To Afghans and researchers alike, there is nothing like actually feeling the weigh of a book, turning its pages, and smelling the age of its pages. These are all intangible qualities that the Afghanistan Digital Library will never be able to reproduce virtually.

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<sup>46</sup> For more insight on the issue of digital objects in the museum establishment, see Fiona Cameron's Beyond the cult of the replicant - museums and historical digital objects: traditional concerns, new discourses. In Fiona Cameron & Sarah Kenderdine (Eds.), *Theorizing digital cultural heritage: a critical discourse*. (Cambridge, Massachusetts: The Massachusetts Institute of Technology Press, 2007). P. 49-76.

## Conclusion

### Coming Together

In many ways these three case studies do more than just remedy repatriation issues museums face. While each case study provides an example of a strategic solution, much can be gained from how these cultural institutions seek to strengthen international relations, spread ethical standards, and allow for greater accessibility to objects worldwide.

It has become a necessity for museums to accept that they no longer live in isolation, that society has become more globalized and there is a need to open channels of dialogue between communities. Each of these case studies provides an example of the museum working within the global sphere to build international relationships to resolve repatriation issues. In many ways repatriation is just one of the many possibilities for museums to create new partnerships with source nations that strengthen their relevance and mission.

Seeking to spread ethical standards is no easy task for museums, but these case studies show that strategic solutions provide a source. The American Association of Museums recently created new ethical standards for the acquisition of cultural property within the last year, emphasizing guidelines on provenance and acquisition methods.<sup>47</sup> Ethical standards need to be at the forefront of every museum collection policy, and these new guidelines aid in the acquisition of objects because they require museums to thoroughly research the provenance of each before it is considered for acquisition. By resolving repatriation issues through strategic solutions, museums have a way to make amends with communities for past wrongs while using these new standards as insight to avoid similar public relations debacles with future acquisitions.

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<sup>47</sup> Standards regarding archaeological material and ancient art. (The American Association of Museums Board of Directors, July 2008).

## Drifting Apart

The case studies presented all support the sharing of cultural property through unconventional means, whether by way of the creation of copies, the brokering of loan agreements, or the use of digital reproductions. The underlying goal in each instance is to provide the claimants with their cultural heritage that creates a sense of identity in this world. These case studies also demonstrate the universal accessibility of museums, as museums have an innate mission to share their collections for the benefits of all, whether for scholarly study or recreational enjoyment.

At the same time, these case studies do not always generate ideal, adequate, or reasonable resolutions that benefit the claimant. In many such cases, the museum dictates the means of the resolution, leaving the source nation to accept the offer or have its claims denied. Complexities and unanswered ethical issues arise when dissecting these seemingly goodwill ventures. Upon review, each case study is plagued by the self-interest of the holding institution, often casting them as untrustworthy as a negotiating partner.

Is the museum community, both past and present, at fault for standing complacently aside as ethical and legal viewpoints change regarding the repatriation of cultural property? Will the growing acceptance of repatriation challenge the established museum power structure and call for more strategic solutions? Are source nations presented an adequate option in strategic solutions or are they instead victims denied of their own cultural identity? Do strategic solutions indicate a sign of softening towards the repatriation of cultural property that could force the encyclopedic museums of the world to negotiate more honestly and become more accommodating to source communities? Are strategic solutions a permanent answer or only a temporary means that further perpetuate the issues conflicting repatriation?

## Telling a Unique Story

By no means are these three case studies the only examples of strategic solutions to museum repatriation issues: I chose them because, together, they represent a link to the past (the Dendera Zodiac), the present (Ethiopian tabots), and the future (Afghan documents) on the issue. Claimants seeking the return of artifacts from antiquity, sacred human remains, or looted artwork could easily have been chosen as case studies for this study. But I sought to research neither the convoluted topics of the Parthenon Marbles, the Native American Graves Protection and Repatriation Act (NAGPRA), or the issues of Nazi plunder.

A unique story is told through nearly every repatriation claim, as museums seek to benefit not only their institutional mission but also the interests of the claimant source nation. By reaching across geographical, social, political, and language barriers, institutions possessing others cultural property can further the shared use of cultural heritage by building partnerships with their source communities. Only through these partnerships are international relations increased, ethical standards disseminated, and greater accessibility granted to cultural objects in institutional collections worldwide.

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