

RETURNING EUPHRONIOS, ELGIN AND NEFERTITI

VALUE ATTRIBUTION IN THE DEBATE ON CULTURAL RESTITUTION AND OWNERSHIP



Thesis Research Master Ancient Studies

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Abstract

In the last decades, the question ‘Who owns antiquity’ has often been debated, as source nations such as Italy, Greece and Egypt have pursued the return of artefacts originating from their nation’s territory and that have ended up in museums in Western countries, such as the USA, the UK and Germany. This master’s thesis examines why different stakeholders in the cultural restitution debate want to own these antiquities and does so by examining which heritage values, namely historical, aesthetic, cultural/symbolic, scientific and economic values, are attributed to the ancient artefacts, as well as looking at arguments of preservation and accessibility. Through a comparative approach of three case studies; the Euphronios Krater, the Elgin Marbles and the Bust of Nefertiti, this thesis scrutinizes how these values are connected to ideas of ownership, by examining how the values attributed by different stakeholders are used to argue for or against their repatriation. This research shows that the cultural restitution debate differs considerably among the cases and the stakeholders. The era and the way in which an object was removed from its source nation are determinative for the type of debate that is being held. All different values attributed by the stakeholders have merit, since often these values are based on feelings of belonging and identity. I will argue that we should move away from the concept of ownership and should move towards ‘shared stewardship’ of the individual antiquities at stake here, in order to establish a solution which includes all the stakeholders and allows the different values attributed to antiquities to coexist alongside each other.

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Content

Abstract	1
Acknowledgements	2
Content	3
Introduction	5
Chapter 1. Ownership, Values and Stakeholders of Cultural Heritage	9
1.1. Cultural Restitution and Ownership	9
1.2. Values and Stakeholders	14
Historical value	18
Aesthetic value	19
Cultural/symbolic value	20
Scientific.....	21
Economic value	22
Preservation and accessibility	23
Chapter 2. Euphronios Krater.....	25
2.1. Cultural Restitution	25
Restitution of the krater.....	27
2.2. Stakeholders	29
2.3. Values.....	30
Historical value	30
Aesthetic value	31
Cultural/symbolic value	33
Scientific value.....	36
Economic value	38
Preservation and accessibility	39
Conclusion.....	40
Chapter 3. Elgin Marbles	43
3.1. Cultural Restitution	43
Restitution controversy	44
3.2. Stakeholders	47
3.3. Values.....	48
Historical value	48
Aesthetic value	50
Cultural/symbolic value	53
Scientific Value	56

Economic value	58
3.4. Preservation and accessibility	59
Preservation	59
Accessibility	60
Conclusion.....	61
Chapter 4: Bust of Nefertiti	64
4.1. Cultural Restitution	64
Egypt's repatriation claims.....	65
4.2. Stakeholders	68
4.3. Values	70
Historical value	70
Aesthetic value	71
Cultural/symbolic value	74
Scientific value	78
Economic value	79
4.4. Preservation and accessibility	79
Conclusion.....	81
Chapter 5: Analysis	83
Legality of removal	83
Historical and aesthetics value	84
Cultural/symbolic value	86
Scientific value	88
Economic value	90
Preservation and accessibility	91
Results	92
Moving towards a resolution.....	94
Conclusion.....	97
Bibliography.....	101
Policy documents	107
Websites	109
Images	111
Euphronios Krater	113
Elgin Marbles	115
Bust of Nefertiti.....	118

Introduction

There is something about ancient cultures that has always fascinated human beings throughout history. The ancient Romans themselves admired the works of ancient cultures, taking away and copying art from Egypt and Greece, such as architecture, sculptures, obelisks, vases and many more. The fascination with antiquity lasted throughout history through medieval, renaissance and (neo)classicist times. Inextricably linked with this fascination is the desire to possess these artefacts to admire or study them, or to own them in order to flaunt your wealth or social standing. Like the Romans took their spoils and decorated their cities and houses with the most splendid ancient art, so have people taken antiquities in more modern times. When discussing antiquities here, I am referring to antiquities in the broadest sense of the world, as objects from the ‘ancient past, especially the period of classical and other human civilizations before the Middle Ages’, and more specifically, objects from ancient Egyptian, Greek and Roman civilization.¹

Artefacts from ancient civilizations have found their way to museums in different manners. The idea of a museum as an institute that preserved and displayed a collection to the public was established in the 18th century. The roots of the modern museum lie in private collections of wealthy individuals, that started with curiosities and natural history, but also with classical antiquities. These antiquities were often collected by the upper class European young men, as an integral part of their education was going on a Grand Tour to Italy, from where they took souvenirs home, such as ancient coins, sculptures and commissioned paintings. Simultaneously, starting in the second half of the 18th century, Western European countries started expanding their power in the Age of Imperialism. Many antiquities were taken from Egypt, Greece, Iraq and Syria, who were for the most part occupied by the Ottoman Empire. The Ottomans were relatively indifferent towards historical objects and used them as economic items in the relations with Western Europe.² As a result, many artefacts and even entire buildings ended up in Western museums, for example in the British Museum in the UK, or in the Louvre in France. Through the means of souvenirs, war booty,

¹ *Oxford English Dictionary*. s.v. ‘antiquity’, accessed January 13, 2017, <https://en.oxforddictionaries.com/definition/antiquity>.

² Salima Ikram, “Collecting and Repatriating Egypt’s Past: Toward a New Nationalism,” in *Contested Cultural Heritage. Religion, Nationalism, Erasure, and Exclusion in a Global World*, ed. Helaine Silverman (New York: Springer Science+Business Media, 2011), 141.

gifts from occupying rulers, legitimate and illegitimate acquisitions and excavations, these Western museums collected an extensive amount of antiquities.

Even in our modern times, the fascination with ancient cultures in the Western world is as alive as ever. Millions of tourists travel to ancient sites, while in Western European countries and North America an abundance of people visit museums, whose collections display objects from ancient cultures all over the world. Still, antiquities are highly desirable objects.

The fascination with antiquities has generated the desire for people to own these objects themselves or be in their proximity, and over time, many antiquities have been transferred away from their original location. The removal or transfer of these objects has caused the countries where these antiquities were found to be more protective and retaining, and many countries have adopted laws on retention and ownership.

In the past decades, there has also been a trend of source nations claiming artefacts from Western museums and asking for their return. This development of cultural restitution, the returning of (illicit) cultural objects to the country of origin, has been much debated. The same holds true for the question of who should be the owner of antiquities. Mostly, the debate is between museums and nation-states, located both in source nations and in nations in Western Europe and North America. But why do people value these antiquities so much that they insist on their return? And why are the current owners so reluctant to return these objects? In this thesis I will examine why different groups want to own antiquity, by answering the following question: Which values are attributed to antiquities in the cultural restitution debate and how are these values connected to ideas of ownership?

Methodology and Scope

My study and analysis of values used in the cultural restitution debate is based on a comparative approach of three case studies. In the first chapter I will set forth the origins of the cultural restitution debate and I will explain the concepts of ownership and cultural property. Then, I will explicate ‘value’, and its categorization by multiple heritage experts, as well as defining the notion of the stakeholders in the cultural restitution debate. I will review questions of ownership and, by using a comparative approach, I will assess the heritage values attributed to antiquities in the three topical cases, which will be treated in chapter 2, 3 and 4:

- The Euphronios Krater. This Greek calyx krater from the 5th century BCE, by the famous painter Euphronios, was purchased by the Metropolitan Museum of Arts in New York in

1972. The museum has been accused of acquiring an object that was illegally excavated from a tomb in Italy and illicitly traded. Claims of restitution were successfully made by the Italian government, leading to a settlement and the restitution of the Krater in 2008.

- The Elgin Marbles. The Elgin Marbles are perhaps the most notorious case in the debate on cultural restitution. The marbles consist of several reliefs and sculptures from the 5th century BCE that decorated the temple on the Acropolis in Athens, Greece. The marbles were removed in the early 19th century by Lord Elgin and shipped to England, where they were eventually sold to the British Museum. Greece has been pleading its return for decades, especially with the arrival of the new Acropolis Museum.

- The Bust of Nefertiti. This 3300-year-old sculpture of the Egyptian queen Nefertiti was excavated in 1912 by German archaeologist Ludwig Borchardt. The finds of the excavations were divided between Germany and Egypt, through a system called *partage*. However, Egypt claims that the beauty and importance of the statue was withheld from them at the time the agreement was drawn up and thus pleads for its return to Egypt.

The reason why I have chosen these case-studies is that they are the most prominent examples of the cultural restitution debate, are extensively treated in the media, thus making many sources available to conduct this research. They are all masterpieces of art and acclaimed for their beauty and craftsmanship. However, these three cases concern with both different source nations (Italy, Greece and Egypt) and market nations (USA, UK and Germany). The objects are different, being a vase, reliefs and a bust. Finally, these antiquities have different origins, as one was looted, the other traded off and the last one acquired by *partage*.

Per case study I will analyse the different groups ('stakeholder groups'), who claim ownership of this cultural heritage and want ownership in some way. Which values surface in discussions about these cases and why? Why do the different stakeholders feel ownership of this heritage and why do they think they should own it? Through content analysis of media coverage, interviews and reactions given in new articles by the stakeholders, I will establish which values are foregrounded, and by which stakeholders or representatives of stakeholder groups, in order to give a contextual understanding of the current debate.

In the broader picture, I want to contemplate what the meaning and function of antiquities still is. Which values are deemed most important and what does this tell us about current views on culture and antiquity? Also, I will reflect on a possible solution to the

unresolved cases of the Elgin Marbles and the Bust of Nefertiti. This thesis is meant to give an insight into why people want to own antiquity, but also why antiquities matter today and why they are still important in our contemporary society.

Chapter 1. Ownership, Values and Stakeholders of Cultural Heritage

This chapter will examine what cultural restitution of antiquities entails. What is the cultural restitution debate about and what is its background?

1.1. Cultural Restitution and Ownership

Cultural restitution, also called ‘repatriation’, is the returning of cultural heritage to the original owner, their heirs, or to the place of origin. The objects of dispute are cultural artefacts, which have been removed from their original location in different manners: either the objects have been illegally excavated or they have been looted, whether in context of war booty, imperialism or colonialism.³ The main debate concerning the restitution of antiquities revolves around ownership, since the question often is: who owns culture or who owns antiquity? In the cultural restitution debate, ‘ownership’ refers to the right to ‘curate, preserve, display, and interpret cultural heritage.’⁴ But even though ‘ownership’ can be defined as the legal right to control and possess something, the repatriation debate often transcends legal agreements. Debates on cultural restitution are rarely taken to court, since evidence of legal ownership is often lacking, thus making a legal case invalid. Therefore, the discussion is dominated by ethical and moral arguments: one can own something because it is ‘right’, not because it is necessarily legal. It is crucial to note that most of these disputes concern morals and ethics.

Cultural property is by definition the property of a collective, and is distinct from individual property and ownership.⁵ Also, multiple groups can simultaneously claim ownership of the same object. The ownership of a cultural object, however, is not about the physical ownership, but rather the feeling of ownership and a sense that this heritage *belongs* to their group. Belonging is the proper or appropriate situation or placing of an object. The discussion of restitution is thus about in which *place* and to which *people* the antiquity belongs. The concept of ownership is not about physically owning this object, because it would be impossible for a group to be all in possession of this object. Hodder argues that there are different ways in which people interact with heritage and that the concept of

³ Marie Cornu and Marc-André Renold, “New Developments in the Restitution of Cultural Property: Alternative Means of Dispute Resolution,” *International Journal of Cultural Property* 17, no. 1 (2010), 1-2.

⁴ Vasiliki Kynourgiopoulou, “National Identity Interrupted: The Mutilation of the Parthenon Marbles and the Greek Claim for Repatriation,” in *Contested Cultural Heritage. Religion, Nationalism, Erasure, and Exclusion in a Global World*, ed. Helaine Silverman (New York: Springer Science+Business Media, 2011), 156.

⁵ Janna Thompson, “Cultural Property, Restitution and Value,” *Journal of Applied Philosophy* 20, no. 3 (2003), 3.

ownership can mean different things to various parties involved with heritage. 'They may want access, they may want to use it for education or have a voice in what is written and projected about it, they may want to use it in healing, reconciliation and restitution, make money out of it, put it in a museum, repatriate it, loan it, hide it, destroy it.'⁶ Thus, when decisions are reached on this heritage (it is destroyed, removed, represented in a conflicting way etc.), these groups are involved because of their sense of belonging and feelings of ownership.

Two main elements in particular seem to determine whether or not a cultural object morally belongs to a certain group: the location or territory where the object was manufactured or found, and the importance of an object for the identity of a people and its meaning for their sense of unity and self. A common historical awareness and recollection of the past creates a relation with the member of the group, such as a citizens of a nation, a city of a neighbourhood. This feeling of unity is often based on claims of descent of previous cultures, and depends on the idea of a cultural identity which is fixed and changeable over time. These ideas of belonging underlie the current national laws on cultural property and they are based on the assertion that an object made in a place belongs in this place and that something produced by artists of an earlier period needs to be returned to the territory now inhabited by their cultural descendants. When people feel that heritage belongs to them, it is thus directly related to their sense of (collective) identity. Most restitution debates revolve around this sense that an object belongs to a group and is part of their identity.⁷

Modern notions of cultural property and ownership emerged in Western Europe at the end of the 19th century with the building of nation-states and the development of nationalism.⁸ Cultural objects were used to construct a national collective identity and to create unity in newly founded nation-states. For example, in Italy, which officially became a nation-state in 1870, classical antiquity was used as the fundament of a national identity through a shared past, while simultaneously legitimizing the new nation-state. The classical past was appropriated in order to create a unified nation, which previously consisted of several kingdoms. From then on, cultural objects started to belong to the nation-state and its people, and the idea emerged that national governments should have the power over objects

⁶ Ian Hodder, "Cultural Heritage Rights: From Ownership and Descent to Justice and Well-Being," *Anthropological Quarterly* 83, no. 4 (2010), 870.

⁷ Thompson (2003), 3.

⁸ Elazar Barkan and Ronald Bush, eds., *Claiming the Stones - Naming the Bones: Cultural Property and the Negotiation of National and Ethnic Identity* (Los Angeles: Getty Research Institute, 2002), 18.

that are historically associated with its people or territory.⁹ Because of this mentality, many countries, such as Italy, Greece and Egypt, have strict laws on cultural property – the so-called ‘nationalist retentionist cultural property laws’ - deciding that any antiquities found or thought to have been found within the jurisdiction of the state are state property and their export is forbidden without the state’s permission.¹⁰

The idea of cultural property belonging to the nation-state really took off with the emergence of UNESCO and two of its conventions. UNESCO, the United Nations Educational Scientific and Cultural Organisation, was founded in 1945, right after the Second World War, in order to prevent future conflict and the disasters of global warfare. UNESCO aims to further peaceful relations and develop mutual cooperation and understanding between the different States Parties through means of education, culture and science. One important task of UNESCO is holding conventions in order to reach international agreements on important global topics. These conventions need to be ratified by the States Parties. The modern concept of cultural property is manifest in the 1954 Hague ‘Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention’.¹¹ This convention was the first one to deal exclusively with the protection of cultural property.¹² An even more influential convention on cultural property was the 1970 Convention on ‘the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property’. By means of this convention, the States Parties aimed to prevent illicit trade, promote cultural restitution of stolen objects and aim for international collaboration.¹³ The principle aim of the convention was to restrict the market nations in order to prevent them from importing illicit objects from source nations. In the 1970 Convention, cultural property is defined as follows, ‘...the term ‘cultural property’ means property which [...] is specifically designated by each State as being of importance for archaeology, prehistory, history, literature, art or science’¹⁴ The definition ranges from

⁹ John Henry Merryman, “Whither the Elgin Marbles?” in *Imperialism, Art and Restitution*, ed. John Henry Merryman (New York: Cambridge University Press, 2006), 5.

¹⁰ James Cuno, *Who Owns Antiquity? Museums and the Battle Over Our Ancient Heritage* (Princeton: Princeton University Press, 2008), xxxii.

¹¹ UNESCO, “Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention” (The Hague, 1954), http://portal.unesco.org/en/ev.php-URL_ID=13637&URL_DO=DO_TOPIC&URL_SECTION=201.html.

¹² Naomi Mezey, “The Paradoxes of Cultural Property,” *Columbia Law Review* 107, no. 8 (2007), 2009. and John Henry Merryman, “Two Ways of Thinking About Cultural Property,” *The American Journal of International Law* 80, no. 4 (1986), 836.

¹³ UNESCO, “Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property” (Paris, 1970), http://portal.unesco.org/en/ev.php-URL_ID=13039&URL_DO=DO_TOPIC&URL_SECTION=201.html.

¹⁴ UNESCO Convention (1970), article 1.

‘property relating to history’, to ‘antiquities more than one hundred years old’ and all kinds of objects, such as flora and fauna, archaeological, artistic, and historical objects, archives, furniture etc. are included as categories. In the definition given in this Convention it is important to note that cultural property is ‘specifically designated by each State’, meaning that the nation-state is the actor in defining what cultural property is. The States Parties define what it is that constitutes as their patrimony, and they can designate practically any object in their territory ‘their national cultural heritage’.

The idea that the nation-state is the main actor in determining what is cultural property, as expressed by the 1970 Convention, is at odds with the idea that cultural objects belong to ‘all mankind’. This dichotomy of nationalism versus internationalism is discussed by Merryman, law professor at Stanford University, and he distinguishes two ways of looking at cultural property.¹⁵ The first way perceives of cultural property as common world heritage, which he calls ‘cultural internationalism’. Here, cultural property is not limited or defined by location or national jurisdiction, but belongs to all mankind. The second way, called ‘cultural nationalism’, stresses that cultural property is nation-state based. According to this concept, cultural property is seen first and foremost as a part of a national cultural heritage. According to the notion of cultural nationalism, nation-states can be divided into source nations, which supply the desirable cultural property, and market nations, which purchase cultural objects.¹⁶ The roots of this dichotomy are to be found in the UNESCO Conventions. Already in the Constitution of UNESCO in 1945, one encounters the idea of a universal, common world heritage. In this constitution, heritage is referred to as representing ‘the history of mankind’ and ‘peoples of the world’.¹⁷ This notion of universalism contradicts the idea of nationalism as proclaimed in the 1970 Convention. The dichotomy between cultural internationalism and cultural nationalism has been at the root of the cultural restitution dispute.

The nationalism/internationalism dichotomy has an impact on the discussion on which museum should curate and display cultural property. In his book *Who Owns Antiquity?* James Cuno, American art historian and President and CEO of the J. Paul Getty Trust, argues that antiquities should not be returned to their countries of origin. He states that there is a distinction between encyclopedic and national museums. According to Cuno, national museums are ‘...important instruments in the formation of nationalist narratives: they are

¹⁵ Merryman (1986), 842.

¹⁶ Ibidem, 832.

¹⁷ UNESCO, “Constitution of the United Nations Educational, Scientific and Cultural Organization” (London, 1945), http://portal.unesco.org/en/ev.php-URL_ID=15244&URL_DO=DO_TOPIC&URL_SECTION=201.html.

used to tell the story of a nation's past and confirm its present importance.'¹⁸ They represent a local culture, while simultaneously defining and legitimizing it. Encyclopedic museums, on the other hand, display their collections as representatives of the artistic heritage of the world. They are of a global interest, seeking connections between cultures and asking their visitor's to respect the values of others. 'Encyclopedic museums promote the understanding of culture as always fluid, ever changing, ever influenced by new and strange things—evidence of the overlapping diversity of humankind.'¹⁹ Encyclopedic museums thus embody the idea of cultural internationalism, while nationalist museums correspond with that of cultural nationalism. However positive Cuno thinks about encyclopedic museums, they are also seen as rooms of plunder and pillage, while they once stood for cultural appreciation.²⁰

Over the years, there have been many critiques on the modern concept of cultural property and heritage ownership. First, the idea of ownership is in its core conflicting, because there are opposing ideas about who owns what and what this ownership means. Since cultural property can only be physically and legally owned by one party, other parties who have a claim to ownership of this heritage are automatically excluded. Because of the multiple stakeholders involved, this exclusion of ownership is intrinsic to the idea of cultural property. Second, in the notion of ownership and cultural property culture is perceived as static and belonging to one clearly defined group, while culture is very dynamic and constantly subjected to change. This problem is addressed by Mezey, who argues that cultural property is very paradoxical and that 'cultural property is contradictory in the very pairing of its core concepts. Property is fixed, possessed, controlled by its owner, and alienable. Culture is none of these things. Thus, cultural property claims tend to fix culture, which if anything is unfixed, dynamic, and unstable.'²¹ She argues that this attribution of culture to one fixed group is incompatible with the dynamic nature of culture. Despite these critiques, cultural property and ownership are rooted in the contemporary way of dealing with cultural objects.

In sum, the cultural restitution debate has been revolving around the question 'who owns antiquity?', and therefore, has focussed more on moral than legal arguments. Often, it is about the belonging of an object to both a place and a people, as it is importance for the identity of a cultural group. At present, the main owner of antiquities is the nation-state, as determined by national laws and international agreements such as the UNESCO 1970

¹⁸ Cuno (2008), xix.

¹⁹ Ibidem.

²⁰ Kwame Anthony Appiah, "Whose Culture Is It?" in *Whose Culture? The Promise of Museums and the Debate over Antiquities*, ed. James Cuno (Princeton: Princeton University Press, 2009), 71.

²¹ Mezey (2007), 2005.

Convention. Cultural nationalism is thus favoured over cultural internationalism. But why do these different stakeholders want to own antiquity and who exactly are these stakeholders? In the next part I will argue that the importance of the antiquities at stake in the cultural restitution debate is determined by multiple values that are attributed by different stakeholders.

1.2. Values and Stakeholders

The definition of the concept of ‘value’ depends on the field of study, but can be roughly divided in two main definitions. ‘Value’ can mean worth: meaning the usefulness and importance of an object or action, or the monetary worth. But it can also mean quantity. For example, in music, the note value refers to the duration of a note or in mathematics, the value refers to a variable that can have any number assigned to it. In this thesis, the value of heritage refers to the ‘importance, worth, or usefulness’ of physical objects.²² Heritage value denotes the significance, importance and the place an objects holds in society, or in other words: its *cultural significance*. Cultural significance is the importance of a heritage site or object as determined by the accumulation of the values that are attributed to it.²³

Heritage values are ‘produced out of the interaction of an artefact and its contexts; they don’t emanate from the artefact itself.’²⁴ Values are thus contingent and. They are subjected to change and are dependent of the stakeholders who assign certain values to a given object. Values are attributed by different stakeholders in the cultural restitution debate, and become apparent when they are expressed or defended by stakeholders.²⁵ Stakeholder are the groups that have an interest or concern in the antiquities discussed here. In order to limit the number of groups, but still keep a representative and manageable diversity of values, I will focus on the professionals (museum professional, archaeologists and other scholars), the government (of both market and source nations) and, occasionally, ‘the public’ (citizens of the nations at stake here, the local population, museum visitor’s, tourists), in as far as they are not already represented by their governments. Here, both insiders, being people who are at the

²² *Oxford English Dictionary*. s.v. ‘value’, accessed September 6, 2016, <https://en.oxforddictionaries.com/definition/value> and *Merriam-Webster*, s.v. ‘value’, accessed September 6 2016, <http://www.merriam-webster.com/dictionary/value>.

²³ Marta de la Torre and Randall Mason, introduction to *Assessing the Values of Cultural Heritage*, edited by Marta de la Torre (Los Angeles: The Getty Conservation Institute, 2002), 3.

²⁴ Randall Mason, “Assessing Values in Conservation Planning: Methodological Issues and Choices,” in *Assessing the Values of Cultural Heritage*, ed. Marta de la Torre (Los Angeles: The Getty Conservation Institute, 2002), 8.

²⁵ Mason (2002), 15.

decision making table and outsiders, who have legitimate stake but do not participate in decision making, are taken into account.

The attribution of heritage values is collective or shared, and not individual. By definition, cultural heritage is concerned with the heritage of a collective, given that when an object ceases to be of collective importance, and is only personally valuable, it is no longer the heritage of a group. The values discussed here are objective to the extent that they are independent of individual preferences.²⁶ Also, values can be relative or absolute. Relative values differ between people of different cultures, whereas absolute values are independent of individual and cultural views. The values of the antiquities are relative, as they depend on different stakeholders which meaning is attributed to it. 'At every stage in this process there are actors and agents who stake a claim to the [...] objects and who assign value to the artefacts. For each of these interest groups or publics the ascribed meanings may differ entirely and may even be oppositional in stance.'²⁷ Although heritage values are relative and variable, there are some values that are seen as universal, because they are so widely held. These are not objective truths about the heritage site or object, but they are recognized by a large group of people, over a long period of time.²⁸ For example, the beauty of the Mona Lisa is taken as a universally attributed aesthetic value, regardless of people or cultures that would not ascribe the beauty of the painting. Finally, an object can have intrinsic or instrumental value. An object with instrumental value has use as a means to achieve something else, while an intrinsically valuable object is worth something on its own, regardless of its function. Note that this is a different understanding of the word intrinsic as, for example, Gibson and Pendlebury use, when they argue that '... value is not an intrinsic quality but rather the fabric, object or environment is the bearer of an externally imposed culturally and historically specific meaning, that attracts a value status depending on the dominant frameworks of value of the time and place.'²⁹ The value of an object is indeed not present in the object itself, but it is attributed by subjects. However, heritage objects have intrinsic value in the sense that they have worth on their own, without them needing to 'do' anything. Guest argues in *The Value of Art* that an object does not necessarily have to 'contribute' of a culture or tradition, what

²⁶ Roger McCain, "Defining Cultural and Artistic Goods," in *Handbook of the Economics of Art and Culture, Volume 1*, ed. Victor A. Ginsburgh and David Throsby (Amsterdam: Elsevier North-Holland, 2006), 150.

²⁷ Morag M. Kersel, "The Value of a Looted Object. Stakeholder Perceptions in the Antiquities Trade," in *The Oxford Handbook of Public Archaeology*, ed. Robin Skeates, Carol McDavid, and John Carman (Oxford: Oxford University Press, 2012), 253.

²⁸ Mason (2002), 8.

²⁹ Lisanne Gibson and John Pendlebury, introduction to *Valuing Historic Environments*, edited by Lisanne Gibson and John Pendlebury (Farnham: Ashgate Publishing, 2009), 1.

would suggest an instrumental approach to the value of art and therefore the value of antiquities. ‘It is rather the fact that art, once created, has intrinsic value and something is lost in its destruction independently of its contribution to humankind.’³⁰ For example, the Euphronios krater was used for mixing wine with water and thus had an instrumental value. However, putting the object on display on a pedestal in a museum, it is being admired *for its own sake* (whether this is because of its aesthetic value, historical value, or any other value and a combination there of) and it loses its instrumental value. Something with intrinsic value is thus worth preserving on its own. However, intrinsic and instrumental values are not mutually exclusive, and one object can be both at the same time. The Euphronios krater had both intrinsic and instrumental value, when it was still used for mixing wine and simultaneously acclaimed for its features. Cultural heritage is always intrinsically valuable, because it is worth preserving on its own, even though it might have instrumental value.³¹ Because cultural heritage is intrinsically valuable – independent of which values are exactly attributed to it - people want to preserve it. Value is thus always the underlying reason for heritage preservation, since no society would preserve what it does not value.³²

In order to assess which specific values are attributed by which stakeholders, we can subdivide heritage value in different subcategories. There are many different kinds of values, which also interact amongst each other, making the classification of value problematic. It is important to note that heritage values are by definition multivalent, meaning that a given heritage site, building or object has multiple different values attributed to it. For example, Saint Peter’s cathedral in Rome has a religious or spiritual value as a place of worship, it has historical value because of the many historical events that have taken place there, it has aesthetic value because of the fine art and architecture, which is considered beautiful by many, it has economic value as a piece of real estate, it has political value, a cultural symbolic value, and so on. These different values are not mutually exclusive and often co-exist, though they can at time also be in conflict with each other. Lipe argues that it is necessary to preserve and conserve all values that an object has.³³ In the case of cultural restitution this often proves not to be possible, because the different interpretations of the same value conflict, or the prioritizing of one value over the other also leads to dissonance.³⁴

³⁰ Stephen Guest, “The Value of Art,” *Art, Antiquity and Law* 7, no. 4 (2002), 310.

³¹ Mason (2002), 8.

³² De la Torre and Mason (2002), 3 and Hodder (2010), 863.

³³ William D. Lipe, “Value and Meaning in Cultural Resources,” in *Approaches to the Archaeological Heritage*, ed. Henry Cleere (New York: Cambridge University Press, 1984), 7.

³⁴ Lipe (1984).

Many heritage professionals have tried to characterize different values in cultural heritage. An important heritage document in determining cultural significance is the Burra Charter, in which the main principles and methods in conserving Australia's cultural heritage are defined.³⁵ The Charter, adopted in 1979 and last revised in 1999, has been a pioneering document in understanding cultural value, and has influenced heritage policies worldwide. Especially the definition of cultural significance and the emphasis on what makes an historic site important, before determining what should be done with it, has been important.³⁶ The categories in the Burra Charter are: aesthetic, historic, scientific and social value. I have adopted these categories, while renaming social value 'cultural symbolic value'. Another categorization is provided by Randall Mason, who divides heritage values in two main categories: sociocultural values and economic values, which he argues are two alternative ways of labelling the same values. Sociocultural values are 'values attached to an object, building, or place because it holds meaning for people or social groups due to its age, beauty, artistry, or association with a significant person or event or (otherwise) contributes to processes of cultural affiliation.'³⁷ Sociocultural values are subdivided in historical, cultural/symbolic, social, religious/spiritual, and aesthetic. Economics are separated from culture here – even though Mason acknowledges that they cannot ever be fully separated – because economic valuation deals with a very distinct attitude or perspective towards value.³⁸ Economic values are especially seen in light of monetary value and are seen through the lens of individual consumerism and utility, although not all economic values are measured in terms of market prices. However, I will include economic value here, because I believe it is an important contribution to why people want to own antiquities. Based on these classifications and estimating which values are at stake in the cases of antiquities in the cultural restitution debate treated here, I have made the following classification: aesthetic value, historical value, cultural value or symbolic value, scientific value, and economic value. All these values can overlap in some way and are consequently not clear-cut. By categorizing heritage values in this way, I automatically minimize some values and elevate others. There are thus some types of values that I will not be taking into account, or that I give minimal consideration. First, I will not discuss the religious value of my cases, as they are not instrumental objects in religious practices, but have become museum objects. The Parthenon marbles were once part

³⁵ Australia ICOMOS, "The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance" (Victoria, 1999), <http://www.icomos.org/australia/burra.html>.

³⁶ Gibson and Pendlebury (2009), 7-8,

³⁷ Mason (2002), 11.

³⁸ Ibidem, 10.

of the temple, but they do not – and arguably did not- play an active role in religious practices. The Euphronios Krater might have had a religious value in that it was found at a burial site, but these kinds of values are not attributed to them by stakeholders today. Second, there is no separate category for political value, since all values attributed to heritage can be regarded as political, since they are part of power struggles and the ex. I will treat the political tendencies and value attribution under ‘cultural/symbolic’ value, since the political aspect of value attribution often happens in relation to nationalism or internationalism.

Historical value

Historical value is the reaction or relation to the past that is triggered by a heritage site, building or object. Historical value can be both in the material itself: its age, uniqueness and technological quality, and in the association of the object with historical figures or events. An archaeological object can further have important historical value resulting from its place in (art)history and the influence it has had in stilistical terms. Also, objects can have historical value in the sense that they have archival and documentary potential. Historical value is part of the very notion of heritage, so every object that is classified as cultural heritage always has some historical value.

The Burra Charter states that ‘For any given place the significance will be greater where evidence of the association or event survives *in situ*, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment.’³⁹ The *in situ* narration is not only important for heritage sites, but also for our cases, where the objects with historical value have been removed from their original location. However, I will discuss the *in situ* context of the object under aesthetic and scientific value, since the antiquities at stake here are all removed from their original context and will never return there.

The Burra Charter calls this value ‘historic value’, while Mason uses ‘historical’. According to the Oxford Dictionary, ‘historic’ means ‘famous or important in history’, whereas ‘historical’ refers to something ‘concerning history or historical events’. When applied to values relating to the history of an object, I would rather use ‘historical’, because ‘historic’ implies that the value has been made in the past, while I would like to emphasize that the values are attributed by stakeholders in the present, because the object concerns

³⁹ The Burra Charter (1999), 12.

history and historical events or persons.

Aesthetic value

Aesthetics concern the philosophical notion of beauty. When an object has aesthetic value, it is thus important, because it is beautiful. Aesthetic value therefore mainly revolves around the visual qualities of heritage. The beauty of an object has long been the most prominent criterion for declaring things and places as cultural heritage.

According to some theorists, there are some characteristics or criteria of beauty. For example, following the Burra Charter, aesthetics revolves around sensory perception, which can have several criteria, such as form, scale, colour, texture and material of the fabric, but also the smells and sounds associated with the place and its use.⁴⁰ Mason points at the design and evolution of an object as aspects of aesthetic value.

There have been many debates on what exactly makes an object beautiful. What might be perceived as beautiful for one culture, does not have to be considered beautiful for another. Lipe argues that the aesthetical value of an object is influenced by cultural standards of style and beauty, which are formed by art historical research and perceptions of beauty held by the culture which produced the object and the market for the type of cultural resource.⁴¹ Although aesthetic judgement is the most individual of the heritage values, there are some universal acknowledgements of beauty. These are conditioned and mediated by standards and preferences of the observer's culture. Dutton lists the universal characteristics of art, so the characteristics that are in the art of different cultures, or rather, when an object has these characteristics, it is often considered as art.⁴² For example, these include craftsmanship and skill, style, judgment and appreciation, and imitation of the world.

I would also like to include artistic value, by Mason defined as 'value based on an object's being unique, being the best, being a good example of, being the work of a particular individual, and so on...' as a part of aesthetic value, since these qualities can enhance the aesthetic appreciation of an object. However, this greatly overlaps with historical value, which is also enhanced by these features.

Also, the intactness of an object is important for its aesthetic appreciation, since severe damage to the object or its surroundings can diminish its beauty and compromise the integrity

⁴⁰ Mason (2002), 12.

⁴¹ Lipe (1984), 7.

⁴² Dennis Dutton, "Aesthetic Universals," in *The Routledge Companion to Aesthetics*, ed. Berys Gaut and Dominic McIver Lopes (London, New York: Routledge, 2002), 209-211.

of an art work. Bator has argued that ‘Separating the individual parts of a set or series of works constituting an integrated whole may be the aesthetic equivalent of physical dismemberment’.⁴³

Cultural/symbolic value

Cultural symbolic values are cultural sentiments or meanings attached to a heritage object or site by a group, whether this is political, national, ethnic or spiritual. These values are used to build cultural affiliation in the present and to create a connection with the past. Cultural symbolic values are attributed to objects that often have great aesthetic and historical value, but they are not, strictly speaking, historic in the sense that they relate to the meaning that was attributed in the past.⁴⁴ The Burra Charter defines this sort of value as a ‘social value’, which ‘...embraces the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment to a majority or minority group.’⁴⁵ I am following the definition by Mason here and not the Burra Charter’s ‘social value’, though they are essentially the same. However, to my understanding, ‘cultural’ denotes the shared characteristics (human knowledge, belief and behaviour) of a given group of people, while social connotes the interactions and relationships among a group of people. Concerning cultural restitution, the beliefs and behaviours towards heritage objects are in the foreground, and not the social relations among peoples, though they are undeniably a part of it.⁴⁶

An object can have cultural value when it acts as a conveyor of meaning and symbolizes a certain tradition, art or element of culture. Objects with cultural/symbolic value play an important role in the historical consciousness of a people, which is the awareness and acceptance of past events, which have become part of a collective identity.⁴⁷ This sense of unity, relation or sameness over time strengthen a group of people and is formed by collective knowledge of the past. The common recollection of the past and the objects that symbolise or represent this connection are important for the idea of relation or community that people have. An important aspect of the social cohesion and collective identity that social groups share (whether local, regional or national) is, what Mason calls, ‘place attachment’: the linkage

⁴³ Paul M. Bator, “An Essay on the International Trade in Art,” *Stanford Law Review* 34 (1981), 298.

⁴⁴ Mason (2002), 11.

⁴⁵ Burra Charter (1999), 12.

⁴⁶ *Merriam-Webster*, s.v. ‘culture’ and ‘society’, accessed November 11, 2016. <https://www.merriam-webster.com/dictionary/culture> and <https://www.merriam-webster.com/dictionary/society?show=0&t=1312580098>.

⁴⁷ Kynourgiopoulou (2011), 155.

between ‘the specific heritage and environment characteristics of their “home” territory.’⁴⁸

Scientific

Scientific value is about the potential to gain knowledge through archaeology, historical record or artistic interpretation. An object can hold this value as the studying of the object adds to scientific knowledge on the past. We could thus also call this academic value as it is established by professionals, such as academic scholars, archaeologists, museum professionals etc. Under scientific value, I will also range educational value, since an object cannot only be useful to scholarly research, but also to the knowledge of non-scholars or ‘the general public’. What can they learn from the object? This educational value of objects manifests itself mainly through museums, which are the stewards of the past and educate the public.⁴⁹ According to the International Council of Museums (ICOM), a museum is ‘a non-profit, permanent institution in the service of society and its development, open to the public, which acquires, conserves, researches, communicates and exhibits the tangible and intangible heritage of humanity and its environment for the purposes of education, study and enjoyment.’⁵⁰ Education and the advancement of knowledge are core tasks of the museum.

An important aspect of gaining knowledge from antiquities, both academic and educational, is the context of the object. In scholarly research this is the context in which the object is found. Leaving an object in context will often enhance its scholarly value, interpreted on the basis of an artefacts’ surroundings. When an object is taken out of this context, much information on the object is lost. In museums, the context of the object in the type of the museum and the museum display is very important. Which story is being told with this object? This relates directly to the distinction Cuno made between encyclopedic and nationalist museums. People can get a rich educational experience out of seeing an artefact in or near the site for which it was created, but they can also learn much by being able to compare it with artefacts from other times and cultures – an opportunity that museums are good at providing. However, an artefact may provide a richer educational experience in its place of origin than in a museum, where there is a deeper connection with the past and can be experienced as more relevant and memorable.⁵¹ The scholarly value of a work may thus be

⁴⁸ Mason (2002), 11.

⁴⁹ Laurajane Smith, *The Uses of Heritage* (London: Taylor & Francis, 2006), 85.

⁵⁰ ICOM, “ICOM Statutes” (Vienna, 2007), <http://icom.museum/the-vision/museum-definition/>.

⁵¹ Thompson (2003), 14-15.

greatly enhanced if it remains in its intended setting of proximity to another work.⁵²

Interpretation and information can add to the other values of an object as well. More knowledge on an artefact through identification, study and interpretation enhances other values, for example, by dating an object through research, it adds to its historical value.

Economic value

The economic value of cultural artefacts is multifaceted. The economic value of an object usually refers to the monetary worth of an object. However, Mason argues that ‘Economic values stemming from the conservation of heritage are often, by definition, understood to be a public good—reflecting collective decisions rather than individual, market decisions—and are therefore not captured by market price measures.’⁵³ In this current context, the antiquities often do not have a market price and are understood as public good, which would mean that the monetary worth of an object is not necessarily relevant to the ownership and cultural restitution debate. However, there are other explanation of what economic value of cultural goods entail.

One of the first thinkers about the value of an object is Karl Marx, who argued that objects have two values: use value and exchange value. The use value is the utility of an object, which only becomes apparent upon use or consumption. Exchange value on the other hand is the value or price that an object has on the marketplace. Use values only become apparent when the object is being actively used. The exchange value of an object, however, is relative and inherent in the commodity. As we have seen, the objects concerned here do no longer have a direct instrumental value, or ‘use value’ in the term of Marx. The sociologist Jean Baudrillard adds the concept of symbolic value to this, which is ‘a process in which goods are exchanged as commodities but with the added element of symbolic value or status.’⁵⁴ Symbolic value can eclipse utility or monetary value, and therefore the commodities are no longer defined by their use, but by their symbolic significance. The sociologists and philosopher Pierre Bourdieu adds the concept of cultural capital, which is the possession of knowledge, achievements or artefacts that negotiate social standing. Bourdieu distinguishes three types of capital, of which the objectified state in the form of cultural goods, is relevant

⁵² Bator (1981), 298.

⁵³ Mason (2002), 12.

⁵⁴ Kersel (2012), 254.

for our cause.⁵⁵ Kersel applies the idea of cultural capital to the looting of antiquities and states that ‘Looted artefacts can represent cultural capital to many of the stakeholders: representing skilled excavation techniques, intellectual prowess in appraising the piece, depicting a sense of adventure as a tourist mnemonic device, and competence in acquisition for the collector and curator.’⁵⁶ Not only looted artefacts, but cultural goods in museums in general, can add their cultural capital. The concept of cultural capital is crucial to our cases, because the cases are masterpieces and are often highlights of a museum’s collection. They bring the museum both status and visitors.

Cultural goods as cultural capital can generate both income, visitors and an increase in tourism for the museum and the city in which it is located. Economic values can be subdivided into use value (market value) versus non-use value (nonmarket value). Use values are market values and have an assigned price or monetary worth. ‘Use values of material heritage refer to the goods and services that flow from it that are tradable and priceable in existing markets. For instance, admission fees for a historic site, the cost of land, and the wages of workers are values.’⁵⁷ Thus, the admission fees or the income that is generated through the visiting of a museum, and the city or country of the museum is important. Even though, I will not make an extensive economic analysis of the economic benefit museums and countries have with masterpieces in their collection, I will take this value into account, because it can explain why different parties want to own cultural goods for their economic benefit.

Preservation and accessibility

The values described above explain why the objects are deemed important. However, there are two more things to be added, namely the preservation of and access to antiquities. Preservation and accessibility are not exactly values that are attributed to an object, but rather they are motive resulting from the attributed values. *Because* of the aesthetic, historical, scientific value, people want cultural goods to be preserved, but they also want to access them in order to admire them (aesthetic, historical, cultural/symbolic) or study them (scientific).

Preservation and accessibility need to be included here because they are an important reason to why different stakeholders want to own the antiquities. Especially when the owners

⁵⁵ Pierre Bourdieu, “The Forms of Capital,” in *Handbook of Theory and Research for the Sociology of Education*, ed. J. Richardson (New York: Greenwood, 1986), 243.

⁵⁶ Kersel (2012), 255.

⁵⁷ Mason (2002), 13.

are Western museums (often encyclopedic), they argue that they are the most fit to preserve the antiquity and to provide access to it. First, because the preservation of these antiquities is considered to be of vital importance, the one owning them should be well equipped to preserve the object, for example, the object must be housed or displayed in a safe environment that is not damaging to the object. Also the owner must have the financial means to upkeep the state of the object. In the restitution debate, preservation is used as a counterargument to why the source nation should not obtain ownership. Second, accessibility is used as an argument for not returning antiquities as well, because the Western museums at stake have more visitors and at times even free access. This accessibility concerns both scholars and lay people in different parts of the world.⁵⁸ Museums are there to serve the public, which in first instance is local, but ultimately comprises anyone who wants to come into contact with the museum collections at display. Accessibility is not only about making sure the largest number of people can see the art work as soon as possible, but, rather, *who* has access to the artefacts, now and in the future.⁵⁹

In this chapter, I have discussed the debate surrounding cultural property and ownership of antiquities. I have also argued that there are multiple stakeholders in the restitution of antiquity, but the main actors in this debate are the museums (both nationalist and encyclopedic) and the nation-states (both source nations and market nations), even though archaeologists and ‘the public’ also have a stake in who owns antiquity. I have argued that the reason why people want to own antiquities is because of a variety of values they attribute to them. These values attributed to antiquities are collective and multivalent, relative and intrinsic in nature. I have categorized these values in historical, aesthetic, cultural/symbolic, scientific and economic values. In addition, the wish for preservation of and access to an object, which are not necessarily values in themselves but arise from the values attributed, will also be included, as they are important recurring arguments in the cultural restitution debate. In the following chapters, I will analyse how these values are expressed by the different stakeholders involved by looking at the selected cases, starting with the Euphronios krater.

⁵⁸ Marina Papa-Sokal, “Who ‘Owns’ the Euphronios Krater? Nationalism and Internationalism in the Protection of Archaeological Heritage,” *Present Pasts* 3, no 1 (2011), 4.

⁵⁹ Bator (1981), 301.

Chapter 2. Euphronios Krater

2.1. Cultural Restitution

The Euphronios krater was purchased by the Metropolitan Museum of Art (Met) in New York for the astonishing amount of \$1 million dollars, the highest price that was paid for an antique object up until then. Met director Thomas Hoving and Dietrich von Bothmer, the curator of the Greek and Roman department had purchased the krater from art dealer Robert Hecht in Switzerland. The vase had supposedly belonged to a Lebanese collector named Dikran Sarrafian, who had inherited a box with vase shards from his grandfather. This story was based on two letters that Sarrafian wrote to Hecht, in which he declared that the krater pieces were originally bought by his father in London in the 1920s. Hoving later stated that he had his doubts on this story of provenance, but did not press the matter further considering the exquisiteness of the krater.⁶⁰

The acquisition was made public on November 12, 1972, covering the front page of the *New York Times Magazine* with a large picture of the vase. In the adjoining article, the provenance story of the krater was not mentioned by Hoving and Bothmer, leading to suspicion on its origins, as expressed in the article: ‘The interviewer is left with the mild suspicion that the Metropolitan's new masterpiece might have materialized out of thin air.’⁶¹ Quite soon after the publication, on February 19, 1973, an article appeared in the *New York Times* by Nicholas Gage, who had tracked the origins of the vase back to Hecht and suggested that the vase was illegally excavated in Cerveteri, Italy.⁶² As a consequence, media attention exploded with nineteen stories on the provenance of the Euphronios krater in three weeks’ time, notifying the Italian authorities on the suspected illicitly excavated krater. The Italian authorities then started investigations on dealer Hecht and the provenance of the vase. Even though the suspicion remained, no evidence could be found, causing the journalists to eventually back off.

It was hard to prove for Italy that the Euphronios Krater was indeed illegally excavated. The legal title of the Met to the krater was never seriously in doubt, since it had

⁶⁰ Thomas Hoving, “Super Art Gems of New York City: The Hot Pot (Part I – VI),” *Art net*, 2001, Part II-III, <http://www.artnet.com/Magazine/features/hoving/hoving6-29-01.asp>.

⁶¹ James R. Mellow, “A New (6th Century B. C.) Greek Vase for New York,” *The New York Times*, November 12, 1972, <http://www.nytimes.com/1972/11/12/archives/a-new-6th-century-b-c-greek-vase-for-new-york-greek-vase-the-other.html>.

⁶² Nicholas Gage, “How the Metropolitan Acquired ‘The Finest Greek Vase There Is’,” *The New York Times*, February 19, 1973, <http://graphics8.nytimes.com/packages/pdf/arts/Metacquired.pdf>.

been legally purchased in Switzerland and arrived legally to U.S. Customs.⁶³ This fact was already brought under the attention in Gage's article in 1973: 'The fact that the vase was declared with Customs and was brought to the United States from Switzerland, which does not prohibit the exporting of art works, would make the purchase of the vase by the Metropolitan legal under United States law even if it should be proved that it was smuggled out of Italy, some legal experts said.'⁶⁴ However, the case revived again after a raid on the warehouses of art dealer Giacomo Medici in 1995. In these warehouses they found evidence, such as polaroid pictures of the Euphronios Krater, suggesting that the vase was indeed illegally excavated. Also, in 2001, Hecht's apartment in Paris was raided and his dairy was found, containing some detailed descriptions on the Euphronios affair. In that same year, Hoving wrote his account of the proceedings, revealing that the vase was indeed illegally excavated. Because of these events, it is possible to reconstruct the following story on the provenance of the Euphronios krater:

The Lebanese collector Sarrafian sold shards of a smaller vase by Euphronios to Hecht.⁶⁵ In September 1971, Hecht's wife contacted Hoving to inform him about a vase that would be on offer soon. The vase that Hecht originally intended to offer for sale to the Met was not the Euphronios krater, but Sarrafian's vase, which indeed had the legitimate provenance as earlier described. For Hecht, the perfect opportunity arrived when the Met's Euphronios krater was discovered in December 1971 by *tombaroli* on private land in the Grotte Sant'Angelo area of the Etruscan cemetery of Cerveteri.⁶⁶ The *tombaroli* sold the vase for about 88,000 USD to Giacomo Medici, who smuggled the krater into Switzerland and sold it to Robert Hecht for 350.000 USD. Hecht then took the krater, which was still fragmented, to Fritz Bürki's workshop in Zurich for restoration. It was of this vase that Hecht send pictures to the Met and when Hoving, Von Bothmer and Theodore Rousseau came to visit Zurich in June 1972, it was this illegally excavated vase that they would admire and later buy. When Hoving asked the art dealer for provenance, Hecht then switched Sarrafian's documents

⁶³ Ashton Hawkins, "The Euphronios Krater at the Metropolitan Museum: A Question of Provenance," *Hastings Law Journal* 27, no. 5 (1975-1976), 1172.

⁶⁴ Gage (1973).

⁶⁵ Sarrafian's fragmentary krater, also signed by Euphronios, depicts the struggle between Hercules and Kychnos and is in the collection of Leon Levy and Shelby White. It had been on loan to the Met since 1999.

⁶⁶ Also, simultaneously, the Euphronios chalice was illegally excavated. The chalice depicted the same Sarpedon scenery and comes stylistically before the Euphronios krater. The krater was also sold by Hecht. Bothmer also wanted to buy the chalice but was outbid. For the detailed story on the Euphronios chalice, see: Vernon Silver, *The Lost Chalice. The Epic Hunt for a Priceless Masterpiece* (n.p.: Harper Collins e-books, 2009), 37-52 and 287-290.

of provenance onto the Met's vase.⁶⁷

Despite being revealed that the vase was indeed illegally excavated, this did not lead to the restitution of the vase to Italy. Hoving stated in his version of events: 'Should it go back to Italy? Hell, no. Despite our suspicions, we bought it in good faith and it arrived legally to U.S. customs. There's nothing the Italians can do about it or should.'⁶⁸ That turned out to be not entirely true.

Restitution of the krater

In 2004, De Medici was convicted of trafficking, and in the sentencing documents transactions involving the Met were described. The conviction, combined with evidence that Italy had acquired against Marion True, the controversial curator of antiquities of the J. Paul Getty Museum, and the raid on Hecht, put much pressure on the Met to return the objects to Italy. The Met and Italy reached an agreement in 2006, leading to the restitution of the Euphronios krater in 2008. Director of the Met at this time, Philippe de Montebello, stated that he had come to a settlement, because the issue would not go away and needed to be resolved in order for good relations with Italy to be maintained. Since the Met borrows many artworks for major exhibitions and loans them to Italy as well, good relations were a high priority for De Montebello.⁶⁹ Although the Met director had also stated previously that the Met would not consider returning objects unless Italy provided 'incontrovertible evidence' - which would be nearly impossible forensically speaking - he came back at this statement saying this demand was unrealistic and that the evidence sent by the Italians suggested a 'substantial or highly probable' chance that the objects had been illegally removed.⁷⁰

The Met- Italy accord was signed by De Montebello, Giuseppe Proietti and Francesco Sicilia, both representatives of the Ministry of Culture, and Alessandro Pagano, representing the Culture Ministry of Sicily. The settlement foremost establishes the restitution of the Euphronios krater and five other antiquities, among which a group of sixteen Hellenistic silver pieces.⁷¹ In return for the restitution, the Italian government agreed upon 'long-term

⁶⁷ These events have been told by both Silver (2009) and Hoving (2001).

⁶⁸ Hoving (2001), Part VI.

⁶⁹ Randy Kennedy and Hugh Eakin, "Met Chief, Unbowed, Defends Museum's Role," *The New York Times*, February 28, 2006b, <http://www.nytimes.com/2006/02/28/arts/28mont.html>.

⁷⁰ Randy Kennedy and Hugh Eakin, "The Met, Ending 20-Year Stance, Is Set to Yield Prized Vase to Italy," *The New York Times*, February 3, 2006a, <http://www.nytimes.com/2006/02/03/arts/03muse.html?pagewanted=all>.

⁷¹ Metropolitan Museum of Art, "Statement by the Metropolitan Museum of Art on its agreement with Italian Ministry of Culture," New York, February 21, 2006, <http://www.metmuseum.org/about-the-museum/press-room/news/2006/statement-by-the-metropolitan-museum-of-art-on-its-agreement-with-italian-ministry-of-culture>.

The following objects were returned according to the statement:

future loans—of up to four years each, as Italian law allows—of works of art of equivalent beauty and importance to the objects being returned.’⁷² These loans would start with a two-year loan of the Euphronios krater itself, keeping it in the Met’s new galleries for Etruscan, Hellenistic and Roman art. The official statement also stresses that the Met bought these pieces, among which the Euphronios Krater, in good faith, and it therefore dismisses any liability on behalf of the Met for acquiring looted object. Arguably, the Met was trying to restore its public image with this statement, which was quite affected by the overload of (negative) media attention.

The pieces were welcomed in Italy with an exhibition in Rome’s Palazzo Quirinale, called *Nostoi: Recovered Masterpieces*, in which nearly 70 repatriated objects were displayed.⁷³ The objects, all from the Etruscan, Roman and Greek eras, came from several US museums, such as the Met, the J. Paul Getty Museum, the Museum of Fine Arts in Boston and the Princeton University Art Museums.⁷⁴ The exhibition started in 2007, but the Euphronios Krater was added in 2008. Later that year, the Euphronios Krater moved to the National Etruscan Museum in the Villa Giulia in Rome, which houses the greatest Etruscan treasures in Rome. Then, in 2014, the krater was temporarily moved to Cerveteri. However, in 2015, Dario Franceschini, Minister of Cultural Heritage and Activities and Tourism (*Ministero dei Beni e delle Attività Culturali e del Turismo*) decided that the krater would remain in the Museo Archeologico Nazionale di Cerveteri.

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- Euphronios krater, ca. 515 B.C. (MMA accession number 1972.11.10)
 - Hellenistic silver collection, 3rd century B.C. (1981.11.15-22; 1982.11.7-13; 1984.11.3)
 - Laconian kylix, 6th century B.C. (1999.527)
 - Red-figured *Apulian Dinos*, 340-320 B.C. (1984.11.7)
 - Red-figured *psykter* decorated with horsemen, ca. 520 B.C. (1996.250)
 - Red-figured Attic amphora by the Berlin painter, ca. 490 B.C. (1985.11.5)

The Hellenistic silver was also supposedly looted from Morgantina, an ancient city in Sicily. Archaeologist Malcom Bell from the University of Virginia had been vowing for the return of the silver to Sicily for years. For more information and literature, see: Trafficking Culture. Researching the Global Traffic in Looted Cultural Objects, “Morgantina Silver,” last modified November 26, 2012, <http://traffickingculture.org/encyclopedia/case-studies/morgantina-silver/>.

⁷² “Statement by the Metropolitan Museum of Art” (February 21, 2006).

⁷³ *Nostoi* is ancient Greek for ‘homecoming’. David Gill, “Nostoi: Capolavori Ritrovati,” in *Homecomings: Reflections on Returning Antiquities*, by David Gill (Swansea, 2008), 6-15 and Elisabetta Povoledo, “After Legal Odyssey, Homecoming Show for Looted Antiquities,” *The New York Times*, December 18, 2007, <http://www.nytimes.com/2007/12/18/arts/design/18strea.html>.

⁷⁴ Andrew Curry, “Recovered Treasures. Italian Antiquities ‘Going Home’,” *Spiegel Online*, December 18, 2007, <http://www.spiegel.de/international/europe/recovered-treasures-italian-antiquities-going-home-a-524061.html>. A full list of objects is displayed in Gill (2008), 7-9.

2.2. Stakeholders

The main stakeholders that actively participate in the restitution debate on the Euphronios Krater, are the Met on the one hand, as the ‘encyclopedic museum’ of the market nation, versus the Italian government as the source nation and the ‘nationalist’ museums in which the krater resided. Of the Met, the main representatives are Hoving and Von Bothmer, both involved in the purchase of the krater, and De Montebello, who was responsible for the restitution of the krater. According to its mission statement, ‘the Metropolitan Museum of Art collects, studies, conserves, and presents significant works of art across all times and cultures in order to connect people to creativity, knowledge, and ideas.’⁷⁵ With this statement, it is the embodiment of an encyclopedic museum as defined by Cuno. The museum is both the leading actor in the debate and the primary place of display.

The Italian government consists mainly of the culture ministers, such as Buttiglione, Rutelli and Franceschini. These are the actual decision makers on behalf of the krater, as they represent the Italian nation. The government itself does not display the krater, and is only active in the debate and decision-making. After its return to Italy, the krater was first displayed in the Villa Giulia. The National Etruscan Museum in the Villa Giulia was erected in 1889, following Italy’s unification and nationalistic movement. The museum collected and displayed Etruscan and pre-Roman antiquities, drawing a direct line between the ancient kings of Rome and the newly founded Italian kingdom, thus embedding the Italian nation in its ancient past. Today, the museum still displays Etruscan and pre-Roman pottery only. Now, the krater resides in the Museo Archeologico Nazionale di Cerveteri, a national museum, which display Etruscan art found in the region in an innovative high-tech setting. The krater was moved to the Cerveteri Museum, which is close to the original place where the krater was unearthed, in order to draw more tourists towards this area.

Even though the main debate is conducted by the above mentioned actors, there are other stakeholders who have expressed their opinions in the restitution debate on the krater. These stakeholders, such as archaeologists and ‘the public’, whether this consists of Met visitors or Italian citizens, do not necessarily wish to own the krater, but believe that they somehow benefit in the stay or return of the krater.

⁷⁵ Metropolitan Museum of Art, “Mission Statement,” accessed December 20, 2016, <http://www.metmuseum.org/about-the-met>.

2.3. Values

Historical value

The Euphronios Krater is a marvellous calyx krater dating 515 BCE, manufactured by the potter Euxitheos and painted by Euphronios, the famous Athenian attic vase painter of the late 6th century BCE. (Fig. 1. and 2.) A calyx krater is a type of Attic vase that was used as a large bowl for mixing wine and water. Scholars generally agree it is the best work of Euphronios, who is believed to be the greatest of the Greek vase painters. The vase depicts the death of Sarpedon, a Greek hero who was killed by Patroclus in the Trojan War, a scene also described in Homer's *Iliad*. The krater is therefore also called the Sarpedon Krater. Homer's poems were very popular in the time that Peisistratus, the ruler of Athens between 561-527 BCE, commissioned the permanent writing down and archiving of the *Iliad* and *Odyssey*.

There are different elements that contribute to the historical value of the krater. First of all, the krater is signed by Euphronios, by many scholars considered as the greatest of Greek vase painters.⁷⁶ The fact that the vase is signed is unique in its own merit, because it marks the beginning of a period where artists appear as self-conscious individuals. The painter's autographs attest to the fact that artists developed personal styles, which makes the paintings intimate and personal.⁷⁷ (Fig. 3.) With equal rarity, the krater is signed by its potter Euxitheos as well. Euphronios was active between 520 and 500 BCE and established 'history's earliest known 'school' of art and together with his protégées they are known for popularizing the red-figure painting style.⁷⁸ Red-figure vase painting was developed in Athens in 520 BCE, replacing the dominant black-figure vase painting. In black-figured vase painting, the background was left the red colour of the clay and the figural motifs were applied with a slip and turned black during the baking process, while in red-figured vase painting this technique was reversed; the background was painted and the figures were cut out with very fine brushes. In the Late Archaic Period, in which Euphronios operated, Greek art advanced very rapidly. In this period, human anatomy is fully understood and more realistically transformed to the two-dimensional. The iconography of the Sarpedon krater is no exception and addresses the human form into exquisite detail. Because of this, Euphronios has been acclaimed for his skill and craftsmanship, even in his own time.

⁷⁶ The inscription on the Euphronios krater says: 'Euphronios egrapsen' \ 'Euphronios made (me)'.

⁷⁷ Dietrich von Bothmer, Introduction to "Greek Vase Painting," *The Metropolitan Museum of Art Bulletin* 4 (1972), 3-9.

⁷⁸ Silver (2009), 60.

The krater is unique because only 27 vases of Euphronios have survived, let alone in such a perfect condition. Euphronios' vases were popular throughout the Mediterranean and were also imported by the Etruscans, who buried many of these vases in their tombs. Most vases by the famous painter were found in the Etruscan city Caere, the current Cerveteri. The Sarpedon krater had been buried there around 400 BCE, which ensured its preservation. However, the condition of this specific Euphronios vase is exceptional, as there are no missing parts whatsoever, and the breakage is so neat that only the breakage lines needed to be retouched and no major repainting was necessary.⁷⁹

The historical value of the krater has especially been accentuated by the Met as they promoted the vase in the media. Although the historical value of the Euphronios Krater is generally acknowledged, it is swiftly mentioned by nearly all sources as a 'unique' and 'a 2500-year-old vase', while little attention is being paid to the other historical values of the vase. The historical values that are being attributed to the krater are all from ancient Greek and Etruscans times, meaning that there have not been any attributions of historical value since its excavation in 1971. Art historically and stylistically, the Euphronios Krater is not being discussed as an icon, an influencer or as important to art of the last decades. This is probably due to the krater being hidden for so long, even though the Euphronios Krater could have inspired modern art regardless of its relative brevity of display. The historical value does not create dissonance in the debate on cultural restitution, and is not used as an argument for or against the return of the krater.

Aesthetic value

The most apparent value, is the aesthetic value of the krater. The krater is generally renowned for its aesthetic qualities, and in every article, both in American and Italian newspapers, it is stressed that the vase is a masterpiece or 'capolavoro'. The Euphronios Krater is generally considered to be 'the most perfect Greek vase, in both its proportion and painting.'⁸⁰

In the depiction on the calyx krater, Sarpedon is dying in the centre of the composition, blood gushing out of his wounds, while the winged figures Hypnos and Thanatos, the personifications of Sleep and Death, are picking him up from the ground in order to bring him home to Lycia for his burial.⁸¹ Directly behind Sarpedon, Hermes, the Greek messenger god, who escorted the dead to the underworld and is recognizable by his

⁷⁹ Mellow (1972).

⁸⁰ Silver (2009), 65.

⁸¹ Homer, *Iliad*, Book XVI.

sceptre and winged hat and sandals, watches over the dying hero. The figures are easily identifiable, because of the Greek inscription alongside their depiction. On each side of this central image there are two anonymous soldiers carrying shield and spear. On the reverse, three Athenian youths are preparing themselves for battle, putting on their combat gear. Euphronios performed the same depiction of the death of Sarpedon earlier on a kylix wine chalice.⁸² The composition of the main scene, the anatomical detail, such as muscle definition and eyelashes, and the mastering of foreshortening are praised.⁸³

Virtually all literature, whether secondary scholarly or news articles from both American and Italian press, stress the uniqueness, the craftsmanship of Euphronios (his ‘finest achievement’, ‘one of the greatest artists’, etcetera). The aesthetic quality of the krater is especially stressed by representatives of the Met. For example, Hoving praises the krater by saying that: ‘In one, which may be the finest work of all in the city, the drawing is equal to Leonardo's or Albrecht Dürer's. The drama is as intense as the greatest Rembrandt. The architecture is Parthenonesque although on a much smaller scale. The artist was as innovative as Pablo Picasso. The work is the single finest example of the artist's amazingly rich creative activity...’⁸⁴ Von Bothmer also stressed the importance of aesthetics as he said that ‘Its intermediate history is not important to archaeology. Why can't people look at it simply as archaeologists do, as an art object?’⁸⁵ De Montebello even argued the aesthetic value of art should trump the restrictions created by national boundaries, and therefore also foregrounds the aesthetic value of the krater.⁸⁶

The aesthetic quality of the krater is also stressed in the Met-Italy agreement, since the restitution of the krater was to be traded for a piece of ‘equivalent beauty and importance’.⁸⁷ It is not clear which object the Met has obtained in return for the Euphronios Krater. Interestingly, the krater's beauty is explained most extensively by the Met's representatives. The other articles mention this, but do not dive into what exactly makes it so beautiful. There is a consensus on the beauty of the krater, but the amount of appreciation seems to be stronger emphasized in comments by the Met representative in American news sources than it does in Italian newspaper and by Italian government officials. This suggests a stronger importance of

⁸² For more on the chalice, see: Silver (2009).

⁸³ Villa Giulia, “Cratere di Euphronios,” last modified April 15, 2013, <http://www.villagiulia.beniculturali.it/index.php?it/141/selezione-di-opere/17/cratere-di-euphronios>.

⁸⁴ Hoving (2001), Part I.

⁸⁵ Gage (1973).

⁸⁶ Curry (2007).

⁸⁷ “Statement by the Metropolitan Museum of Art” (2006) and Kennedy and Eakin (2006a).

aesthetic quality for the Met in comparison to Italy's government officials.

Cultural/symbolic value

The krater is a symbol of the war against clandestine tomb-robbing and illicit trafficking of Italy's cultural patrimony. The return of the krater has been proclaimed as a victory for Italy in the fight against clandestine excavations and illicit trade, after decades of arguing for the return of the krater. Former minister of culture (2005-2006), Rocco Buttiglione, stated that 'The Italian state has won. This is a success story.'⁸⁸ He also stressed that the Met has not lost, but that culture itself has benefited greatly from the return. His successor, Francesco Rutelli (2006-2008) said on live television 'We are proud to be at the forefront of the battle to fight looted antiquities.'⁸⁹ Words of victory also came from Silvio Raffiotto, the Italian prosecutor who unsuccessfully worked on restitution cases in the 1990s.⁹⁰ In this, the Euphronios krater itself has become a symbol of Italy's fight against illicit trade, but it has also become the most important example of the ethical discussion the case had unchained. It is second only to the Elgin Marbles, but also has become emblematic for the ethical questions that have arisen on the acquisition of antiquities by the major museums.⁹¹ The case of the Euphronios krater is an example for other objects that have been removed from Italian soil and spread around American museums, such as the Getty museum in L.A. and the Boston Museum of Fine Arts. The krater has been the first mayor victory and caused for many artefacts to be returned from American museums to Italy. More than hundred statues, vases, bronzes and other antiquities have been returned since 2006 worldwide.⁹² Also, the case has significantly increased the number of articles in *The New York Times* concerning looted antiquities, thus increasing public awareness.⁹³

The narrative of homecoming and Italy's victory against illicit trafficking is further recognizable in the way the krater was displayed in the Villa Giulia. Kimmelman described in 2009, after the installation of the vase in the Villa Giulia, that the Euphronios krater is now displayed as 'A Greek pot sold to an Etruscan buyer and stolen from an Italian site and ending

⁸⁸ Elisabetta Povoledo, "Ancient Vase Comes Home to a Hero's Welcome," *The New York Times*, January 19, 2008, [http://www.nytimes.com/2008/01/19/arts/design/19bowl.html?_r=3&ref=euphronioskrater&](http://www.nytimes.com/2008/01/19/arts/design/19bowl.html?_r=3&ref=euphronioskrater&_r=3&ref=euphronioskrater&).

⁸⁹ Povoledo (2008).

⁹⁰ Elisabetta Povoledo, "Italy and U.S. Sign Antiquities Accord," *The New York Times*, February 22, 2006, <http://www.nytimes.com/2006/02/22/arts/design/italy-and-us-sign-antiquities-accord.html>.

⁹¹ Kennedy and Eakin (2006a).

⁹² See the examples addressed by Povoledo (2008).

⁹³ Aaron Kyle Briggs, "Consequences of the Met-Italy Accord for the International Restitution of Cultural Property," *Chicago Journal of International Law* 7, no. 2 (2006-2007), 649.

up in New York, it has become a Greek pot in a Roman museum dedicated to Etruscan art, displayed now alongside other artifacts recovered from American museums with labels identifying not the archaeological legacy of these objects but the institutions that gave them back. What matters to the Italians, it would seem, is not simply the straightening out of the archaeological record. It's also providing cautionary tales for prospective collectors in the illegal antiquities trade...⁹⁴ The Italian custodians have thus repeatedly highlighted its significance as a trophy in the struggle to restore antiquities to their rightful, if not original, location. This is especially interesting, given that the krater, while belonging to the Etruscans, was originally imported from Greece.⁹⁵

Nationalist ideas of cultural heritage underlie the controversy of the Euphronios Krater. In the 70s, the Italian press used the krater controversy to generate a discussion on the disintegration and loss of Italy's cultural heritage.⁹⁶ We can see the idea that cultural heritage found in Italy automatically belongs to Italy is being expressed multiple times. For example, the importance of the place of origin and the sense of belonging is stressed by Buttiglione, who has stated that the ministry wants 'to give back to the Italian people what *belongs to our culture* to our tradition and what stands within the rights of the Italian people.'⁹⁷ The exhibition *Nostoi*, which literally proclaims the homecoming of the objects, is the embodiment of this idea of belonging.

Even though the notion of an object found on national territory automatically belonging to the state underlies Italy's point of view, the krater does not seem to have a prominent place in the Italian national identity. In the first chapter, we have seen that artefacts in the restitution debate are often claimed to be a central part of national identity, however, in the case of the Euphronios krater, this argument is not once uttered. Also, the Italians arguably seem indifferent towards the return of the krater. In Italian newspapers, the return of the krater had received minimal attention, or as a journalist from *The New York Times*, Michael Kimmelman, argued 'Italians didn't seem to care much.'⁹⁸ Kimmelman further suggested that 'Maybe overexposure explains why this didn't strike Italians as particularly big news. The media mostly gave the event a pass. The gallery was empty the other afternoon.' Also, it has been argued that the New Yorkers care more about the krater than the Italians.

⁹⁴ Michael Kimmelman, "Stolen Beauty: A Greek Urn's Underworld," *The New York Times*, July 7, 2009, <http://www.nytimes.com/2009/07/08/arts/design/08abroad.html>.

⁹⁵ Francis X. Rocca, "A Celebrity in Low-Key Digs," *The Wall Street Journal*, August 25, 2009, <http://www.wsj.com/articles/SB1000142405297020386320457434501111945666>.

⁹⁶ Hawkins (1975-76), 1105.

⁹⁷ Appiah (2009), 76.

⁹⁸ Kimmelman (2009).

‘The implication is that restitution was a mistake; that the krater was basically better off in New York, and that the Euphronios is just one more pot, hot or cool, in Italy, blessed with so much stuff that it does not know where to look first, or bother to look.’⁹⁹ In Italy, the krater seems to have become one more pot in the abundance of ancient artefacts in Rome.

The idea that heritage belongs to its place of origins was further emphasized in 2015, when it was decided that the Euphronios krater would be permanently placed in Cerveteri. Current Culture Minister Dario Franceschini decided to keep the krater in Cerveteri because it is ‘right to move work of art to their original place.’¹⁰⁰ According to the statement he made, this would only be the beginning of a national strategy. The strength of Italy is in the linkage of museums and territory, and the decision to move the crater is in the line of this connection.¹⁰¹ The belonging of heritage goes further than the nation-state here and is being brought back to the location of origins. However, even in this localism, nationalist tendencies resound. The mayor of Cerveteri, Alessio Pascucci, states that Cerveteri is the protagonist of the world, just like three thousand years ago, now that the master pieces of Euphronios have returned home to remain there indefinitely.¹⁰² There is also a sense of imperialism related to the notion that Italy is the heir of their Etruscan and Roman ancestors. Where there was a lack of interest when the krater was moved to the Villa Giulia, the return to Cerveteri has had positive reception. Lidia Ravera, head of culture for the Lazio Region stated that for the people of Cerveteri, the return of the krater should be a great feeling, comparable to the return of the Elgin Marbles to Athens, and it nourishes feelings of pride.¹⁰³ Locally, people are pleased to see the Euphronios Krater returned to its original location.

Apart from nationalist and local importance, the universal values of the krater have

⁹⁹ Judith Harris, “Hot Pot Stirs up Sizzling Debate,” *Italy*, July 25, 2009, <http://www.italy.org/magazine/focus/art-culture/article/hot-pot-stirs-sizzling-debate>.

¹⁰⁰ “Giusto ricollocare le opere d’arte nel loro luogo d’origine”, dice “è solo l’inizio, la nostra è una strategia Nazionale.” Quote from “Archeologia, Franceschini: ‘Il cratere di Eufonio resta a Cerveteri,’” *La Repubblica*, November 7, 2015, http://roma.repubblica.it/cronaca/2015/11/07/news/franceschini_il_cratere_di_eufonio Resta_a_cerveteri_-126844061/.

¹⁰¹ “Da anni gli storici dell’arte ci ricordano che l’unicità e la forza del nostro Paese sta nel collegamento musei/territorio - sottolinea Franceschini - Questa scelta va concretamente nella direzione di rafforzare questo legame.” “Archeologia, Franceschini” (2015).

¹⁰² “Oggi Cerveteri è protagonista del mondo – ha detto il Sindaco Alessio Pascucci – proprio come tremila anni fa. È finalmente ufficiale: i capolavori di Eufonio restano a Cerveteri, nella propria casa naturale. Dopo essere stati trafugati e portati lontano dalla nostra città più di 40 anni fa i capolavori di Eufonio tornano a casa per rimanerci.” Quote from “Il cratere e la kylix di Eufonio resteranno al Museo archeologico di Cerveteri,” *Visit Lazio*, accessed December 10, 2016, <http://www.visitlazio.com/dettaglio/-/turismo/1196468/i-capolavori-di-eufonio-restano-per-sempre-a-cerveteri>.

¹⁰³ “Per i cittadini di Cerveteri veder tornare il Cratere di Eufonio deve essere un’emozione grande: come se i fregi del Partenone tornassero ad Atene.” And “Un oggetto come il Cratere di Eufonio è nutrimento per il nostro orgoglio.” Lidia Ravera, “Il cratere di Eufonio: Tutelare, promuovere, valorizzare,” *Regione Lazio*, December 18, 2014, <http://www.regione.lazio.it/ravera/?vw=blogdettaglio&id=97>.

also been emphasized, as mostly expressed by the Met. De Montebello justifies the being of the krater in the Met, because it is a universal museum, and the vase represents a monument of the shared heritage of mankind.¹⁰⁴ The Met director states that places like Italy should not be so greedy and that ‘We should recognize that a great deal of knowledge, cross-fertilization and exchange can come from objects moving across borders,’ de Montebello told an audience in Berlin this autumn. ‘Source countries now enjoy an embarrassment of riches and have more material than they can display, let alone conserve.’¹⁰⁵

Scientific value

The Euphronios Krater represents important scientific value, both in academic circles and in education. The krater is a source of knowledge for ancient civilizations, and it contributes greatly to our knowledge of Greek art history and the history of Western vase painting. From the moment the acquisition of the vase became public, Hoving expressed that ‘the histories of art will have to be rewritten.’¹⁰⁶ However, archaeologists worry that with the continuous acquisition of illegal antiquities by museums, illegal excavations will continue to happen and artefacts will be ‘stripped of important contextual information and lose much of their scientific value.’¹⁰⁷ The context of an archaeological artefact is of great importance. Without decent excavations, the objects become decontextualized, and much information on its archaeological, anthropological and art historical significance is lost.¹⁰⁸ Also, with the Euphronios Krater, this information is unrecoverable as the *tombaroli* closed up the tombs and mixed up the archaeological strata.

There are, however, scholars who would argue that even an archaeological object without provenance can contribute substantially to scientific knowledge. Von Bothmer, argued that ‘One Corinthian and two Attic vases, all unpublished, add considerably to our iconography and help in the correct interpretation of other vases.’¹⁰⁹ This point of view is backed up by a statement made by De Montebello in *The New York Times*. The interviewers were wondering whether knowledge is better served by collecting and exhibiting objects or rather preserving them in their original archaeological context. De Montebello had expressed

¹⁰⁴ Silver (2009), 249.

¹⁰⁵ Curry (2007).

¹⁰⁶ Mellow (1972).

¹⁰⁷ Curry (2007).

¹⁰⁸ Stacey Falkoff, “Mutually-Beneficial Repatriation Agreements: Returning Cultural Patrimony, Perpetuating the Illicit Antiquities Market,” *Journal of Law and Policy* 16, no. 3. (2007-2008), 272.

¹⁰⁹ Silver (2009), 77.

that he believed the exact historical context of objects had been overstated:

"It is regrettable that archaeological sites, which since the beginning of time have been plundered, continue to be plundered and that in many instances important information is lost," he said. But he added, "It continues to be my view — and not my view alone — that the information that is lost is a fraction of the information that an object can provide. [...] Ninety-eight percent of everything we know about antiquity we know from objects that were not out of digs," Mr. de Montebello said, and he cited the Euphronios krater — painted by one of the most important Greek vase painters of antiquity — as an example. "How much more would you learn from knowing which particular hole in — supposedly Cerveteri — it came out of?" he asked. "Everything is on the vase."¹¹⁰

In the debate on cultural restitution, however, the lost scientific value is not necessarily a reason for return, given that the information is already lost, and returning the krater would not change that fact. Despite the context of the krater already being lost, there are still people vowing for the return to its original location, not only because of the sense of belonging as expressed in cultural/symbolic value, but because of the aesthetic experience when the object is placed in its context. For example, Giuseppe Proietti, a senior official of cultural heritage in the Italian government said that 'The Euphronios krater was dug up from a tomb [...] Alone on exhibit it is aesthetically beautiful, but alongside other materials from a burial site it becomes something more. It's like reading just one page of a book. You will never experience the same pleasure derived from reading the entire novel.'¹¹¹

The context in which the krater is being displayed is a topic of discussion, as different stakeholders argue for both the representation in the encyclopedic museum, as well as the nationalist museum. According to Cuno, 'national museums are important instruments in the formation of nationalist narratives: they are used to tell the story of a nation's past and confirm its present importance... They direct attention to a local culture, seeking to define and legitimize it for local peoples.'¹¹² However, the 'nationalist' museum does not only reaffirming the national story, but it is also about the contextualization of the object among objects of its own time and location, which can bring more understanding about a culture not only for local visitor's, but from visitors all over the world. Context is not only valuable to scientists, who want to comprehend as much as possible about the object, but also to the visitors who want to understand and place what they are seeing as well. This contextualizing

¹¹⁰ Kennedy and Eakin (2006b).

¹¹¹ Kennedy and Eakin (2006a).

¹¹² Cuno (2008), xix.

aspect is often ignored in critiques on the nationalist museum. In the Met, an archetypical encyclopedic museum, the krater is displayed among cultures of the world and in this context, connections across time and cultures are revealed.

When we look beyond the krater itself, one can argue that the restitution has been beneficial to both parties, since the Met Italy Accord has made a step in repairing and building on good relations with Italy. The Met is dependent in his exhibition on loans from other museums, and Italy being the treasurer of many works of art has agreed to loan the Met great works of art. Also, the agreement allows the Met to conduct excavations at its own expense in Italy, which will also be lend to the Met for their study and restoration.¹¹³ The millions of visitors in the Met do not get to see the Euphronios Krater, but many other beautiful pieces of art.

Economic value

The Euphronios Krater was purchased for \$1 million dollars, the highest price ever paid for an antiquity, which has been mentioned in the media very often.¹¹⁴ The high amount says something about the quality of the other values, such as the historical, aesthetic or scientific value. If the historical and aesthetic value would not have been so high and unique, the Met would have never paid such a high price. Another reason for such a high amount of money for the purchase of the krater is its contribution to the museum's cultural capital. Through the acquisition of the krater, the Met places itself in a unique position to gain more knowledge by studying such a unique artefact, and thus reinforces its image as a leading institute where it concerns research and collecting. The fact that the krater has been used as a part of cultural capital can be noted by all the media attention that the Met has sought itself. The possession of the krater thus gives the Met more social standing. With the restitution debate, the Met has arguably lost social standing doing damage to itself and its reputation by owning the krater.

Through the cultural capital such as the krater, museums could possibly generate income, although it is not known how much money or how many visitors the museums gain by owning such a master piece. Media attention had been sought by the museum, probably to notify the public and lure them to the museum, and all the media attention that was generated because of the controversy might also have generated more visitors. By highlighting this masterpiece, people become intrigued and are perhaps triggered to visit the museum. Even

¹¹³ Povoledo (2006).

¹¹⁴ For example, in Gage (1973).

though a museum such as the Met does not charge an entrance fee, visitors are likely to purchase goods, souvenirs or food in the museum. With the return of the Euphronios krater the Met has lost one of its highlights. Briggs has emphasized that ‘the antiquity at stake was not an inconspicuous, unknown piece of comparatively little monetary value. Rather, it was a centrepiece of the Met’s Greek and Roman Galleries.’¹¹⁵ It is not clear, however, how or if the restitution of the krater has impacted the Met’s visitor’s numbers.

The returning of art is also a way to spread tourism and to unburden Italy’s cities. The moving of the Euphronios Krater to the Cerveteri museum for the temporary exhibition has had an immediate effect in the visitor’s numbers. Mayor of Cerveteri, Alessio Pascucci, expressed that the paying visitors to the National Museum of Cerveteri tripled in the month the Euphronios Krater had arrived compared to the previous year.¹¹⁶ Franceschini has stated that this was not at the expense of the visitor’s numbers of the Villa Giulia.¹¹⁷ Now, with the permanent move of the krater to Cerveteri, Italy has been deliberately using cultural heritage on a local level for the purpose of spreading tourism. In order to distribute the tourists away from the bigger cities, the government has put out a national agenda of returning pieces to their original region. The krater as cultural capital has thus much to offer to the owner of the krater, whoever this might be, and has probably inspired the Italian pursuit for ownership even more.

Preservation and accessibility

The preservation of the krater is not an issue in the actual debate when we look at which museum can preserve the krater the best. Both the Met and the Villa Giulia as well as the Cerveteri Museum have the resources and professionals to ensure the safeguarding of the vase. However, considering that Italy has an enormous amount of antiquities and cultural heritage in general, it has been argued that it would be better to diffuse these antiquities over the world. Bator argues that ‘The prospects for careful conservation and preservation at home decrease insofar as the type of art involved is available in large quantities, so that less and less importance is ascribed to any individual item.’¹¹⁸ However, the Euphronios Krater is of such

¹¹⁵ Briggs (2006-2007), 643.

¹¹⁶ Alessio Pascucci, “I capolavori di Eufronio a Cerveteri. Il coronamento di un sogno, e del lavoro fatto per valorizzare il territorio,” *Comune di Cerveteri*, accessed January 20, 2017, http://www.beniculturali.it/mibac/multimedia/MiBAC/documents/1418903594265_5.pdf.

¹¹⁷ “Giusto ricollocare le opere d’arte nel loro luogo d’origine”, dice “è solo l’inizio, la nostra è una strategia Nazionale,” quote from “Archeologia, Franceschini” (2015).

¹¹⁸ Bator (1981), 297-298.

high historical, aesthetic and scientific value, that the vase would not risk poor preservation. The accessibility, however, has been debated, as representatives of the encyclopedic museum argue that antiquities need to be as widely accessible and to the maximum number of visitors. The Met annually has 6,53 million visitors, and has free access, while the visitor's numbers of the Villa Giulia and the Cerveteri museum are not available, but it stands to reason, however, that they have considerably less visitors. However, in my opinion this is not a compelling argument for or against the restitution, because in this case, both in the Met and in the Italian museum, the krater is accessible. The vase is on display in both museums, not banished to the depot, so if anyone wants to see the krater in person, it is possible. Moreover, purchasing power parity of the US is approximately 18 trillion dollars, ranking second of the world, while Italy's is 2,19 trillion, ranking twelfth. Based on the PPP, inhabitants of both countries would be in the position to travel and see the krater on display.¹¹⁹ However, the preservation and accessibility of the Euphronios Krater are not foregrounded in the cultural restitution debate.

Conclusion

The Met has been fiercely against the restitution of the Euphronios Krater, but eventually settled out of political and diplomatic reasons, while the Italian government has actively pursued the restitution of the krater for over 30 years. Scholars, among which we could also include the Met's professionals, have actively participated in this debate, and have argued both against and in favour of restitution. Also, the media have been an extensive factor in fuelling the discussion, as journalists have started the investigations on the unknown provenance and have accused the Met of purchasing an illicitly excavated vase. The public does not seem to participate much in the debate, and there is even some indifference to be detected among the Italian people.

The values attributed to the Euphronios Krater by the different stakeholders are all important in the debate on ownership. However, the amount of importance given to individual values depends on the different stakeholders, as each stakeholder has its own interpretation and emphasis. We have seen that the Met was keen to highlight the piece's historical and aesthetic value, which is understandable, since these values are the ones that will probably draw visitors to the museum. The historical and aesthetic value of the krater are mentioned perfunctory by the other stakeholders, such as the Italian government and by the journalists in

¹¹⁹ World Bank, International Comparison Program database, "GDP per capita, PPP (current international \$)," accessed January 18, 2017, <http://data.worldbank.org/indicator/NY.GDP.PCAP.PP.CD>.

the media coverage itself. In the debate on cultural restitution and ownership, historical and aesthetic value do not cause discordance among the stakeholders. However, we can assume that the historical, aesthetic and scientific value of the krater have been important to Italy as well, even though the emphasis is on the krater's cultural symbolic value. If the krater had been of lesser value in these three respects, it would not have been likely that Italy had invested thirty years of pursuing the restitution of the vase. It is, therefore, more likely that these values have affected the priorities of the culture ministry.¹²⁰

In a similar fashion, the economic value and the preservation and accessibility of the krater have not been prominent arguments in the restitution debate. These things are mentioned but they do generally not cause discordance among the stakeholders. The economic value is of great benefit to the owner of the krater, as it contributes greatly to the cultural capital of the museum and generates many tourists. However, this value is not directly addressed as a reason for ownership.

The values that are central to the controversy in this case are cultural/symbolic and scientific value. In the cultural/symbolic value of the Euphronios Krater, different points of discussion have come forth. First, the Italian government highlights the krater as a symbol of victory in Italy's war against illicit excavations and trade. By aggressively reclaiming looted and illegally excavated objects and by ensuring that museums do not acquire unprovenanced antiquities, Italy tries to put a halt to the continuous loot and illegal excavations, which destroy archaeological sites. The Euphronios Krater is a figurehead in the battle against illicit trade and has provoked an active debate on ownership and the acquisition policy of museums. It has made drastic changes in the acquisition policies of museums.¹²¹ It has also caused for a floodgate of returns between America and Italy, thus jeopardizing the whole idea of an encyclopedic museum and cultural heritage belonging to all mankind. Defenders of the encyclopedic museums believe that the universal collections representing the world's artistic heritage are under attack by governments with nationalist agendas.¹²² Also, the effectiveness of truly solving the problem of looting and illicit trade by pursuing restitution of antiquities such as the Euphronios Krater is questioned. It is often argued that the restitution of these objects has done little to put the international trade in looted antiquities to a halt.¹²³ Eakin has

¹²⁰ Briggs (2006-2007), 644.

¹²¹ Briggs (2006-2007), 650-653.

¹²² Kanishk Tharoor, "Museums and looted art: the ethical dilemma of preserving world cultures," *The Guardian*, June 29, 2015, <https://www.theguardian.com/culture/2015/jun/29/museums-looting-art-artefacts-world-culture>.

¹²³ For example: Cuno (2008), and Hugh Eakin, "The Great Giveback," *The New York Times*, January 26, 2013, <http://www.nytimes.com/2013/01/27/sunday-review/the-great-giveback.html>.

critiqued this development and stated that the source nations are ‘trophy hunting from abroad’, doing little to protect their heritage from being looted, ‘while making great art ever less available’.¹²⁴ Also, it is argued why all these objects should be returned to Italy when they already have an abundance of antiquities, while the artefacts would get more attention and visitors in the encyclopedic museum. Second, Italy has proclaimed that the krater belongs to the Italian people, which is a nationalist approach of cultural property. Thus, underlying the pursuit of retaining all these illegally excavated objects is the idea of nationalism and an object belonging to the nation-state. This idea is critiqued by the encyclopedic museum and its scholars, because antiquities have cultural/symbolic value for all mankind; they need to be shown to all sorts of visitors and be contextualized among the art works of the world.

The scientific value of the krater has also been much debated, as the worth of an antiquity without its context has been questioned. To the Met and siding scholars, an object can be scientifically valuable without knowledge on its context, whereas archaeologists generally agree that the context is of utmost importance for the understanding of antiquities.

The implications of the return of the Euphronios Krater have been far reaching, as the acquisition policies of (American) museums regarding unprovenanced antiquities have been dramatically changed. ‘In effect, the museum directors have made it clear that, for American museums, collecting antiquities has largely come to an end; and with it the system of private collectors and dealers that has sustained it since the late nineteenth century.’¹²⁵

¹²⁴ Eakin (2013).

¹²⁵ Hugh Eakin, “Who Should Own the World’s Antiquities?” *The New York Review of Books*, May 14, 2009, <http://www.nybooks.com/articles/2009/05/14/who-should-own-the-worlds-antiquities/>.

Chapter 3. Elgin Marbles

3.1. Cultural Restitution

The Elgin Marbles, also called the Parthenon marbles, were removed from the Parthenon by the 7th Earl of Elgin, Thomas Bruce (1766-1841). Lord Elgin was stationed in Athens from 1799 to 1803 as the British ambassador to the Ottoman Empire. As an admirer of Greek art, he intended to make casts of the sculptures, so that he could decorate his home in Scotland with copies of the marbles. However, in due course he became more interested in actually taking the original pieces home. At the time of removal, the Greek people were under Turkish occupation. In 1801, Lord Elgin obtained a permit, the so-called ‘firman’, from the Ottoman government, in which he was permitted to ‘take away anything of interest’.¹²⁶ Elgin, in return, offered the assistance of Britain in the French-Turkish war and pledged allegiance to the Ottoman Empire.¹²⁷ About 60% of the then remaining sculptures were removed from the Parthenon, while the remaining marbles had been further damaged by the removal.

The marbles were shipped to Britain, of which the transport had considerable costs for Elgin. Severely impoverished and in debt, Lord Elgin sold the majority of the marbles in 1816 to the British government. The Select Committee of the House of Commons inquired about the legality of the acquisition and researched the value and importance of the marbles as public property. They received testimonies on the quality, importance and value of the marbles from leading British artists. With the consent of the committee, the ‘Elgin’ marbles were purchased and displayed in the Montagu House, the first home of the British Museum, and later placed on permanent display in the current facility.¹²⁸ The marbles were moved to the Duveen Galleries in the 1930s, which were funded by art dealer Lord Joseph Duveen, especially to display the marbles. (Fig. 6-8) In 1938, the marbles had been ‘cleaned’ under the supervision of Duveen, during which the marbles had been severely damaged.

The legality of the *firman* has often been questioned, and hence the British ownership of the marbles.¹²⁹ According to the Trustees of the British Museum, Elgin’s activities had been investigated by the Parliamentary Select Committee in 1816, and found to be legal.¹³⁰

¹²⁶ Christopher Hitchens et al., *The Parthenon Marbles: The Case for Reunification* (London/New York: Verso, 2008) and William St. Clair, *Lord Elgin and the Marbles* (London: Oxford University Press, 1967).

¹²⁷ Kynourgiopoulou (2011), 157.

¹²⁸ Cuno (2008), x.

¹²⁹ Hitchens (2008), 43-44 and 50-51.

¹³⁰ Trustees of the British Museum, “The position of the Trustees of the British Museum,” accessed December 22, 2016, http://www.britishmuseum.org/about_us/news_and_press/statements/parthenon_sculptures.aspx.

However, on a website drafted by the Hellenic Ministry of Culture it is stated that ‘Elgin never acquired the permission to remove the sculptural and architectural decoration of the monument by the authority of the Sultan himself, who alone could have issued such a permit. He simply made use of a friendly letter from the Kaimakam, a Turkish officer, who at the time was replacing the Grand Vizier in Constantinople.’¹³¹ They claim that Elgin’s men were only allowed to make drawings and casts, and not remove the sculptures from the Parthenon. There are no additional sources given by the website for such claims. Nevertheless, the original document has disappeared and it is said to exist only in an Italian translation, which was drafted for Elgin by the Ottoman court.¹³² The case thus has no substantial evidence that the removal of the marbles was illegitimate.

Restitution controversy

Already at the time of removal, discussions arose on the justness of the removal and the destruction of the Parthenon. Some deemed the removal of the marbles a rescue mission, others thought of it as sacrilegious demolition. Writers such as Keats and Goethe acclaimed the acquisition, while the English poet Lord Byron strongly disapproved of the removal. Even in the House of Commons, in the examination of the possible acquisition, there were questions on the justness of the removal. A representative argued that ‘...in his judgement, the present distressed situation of the country [Greece] did not call upon parliament to make a purchase of a set of marbles. However desirable these marbles might be for the promotion of the arts, it would be very impolitic and improper at this time to incur any unnecessary expenditure.’¹³³

The Greek government has argued for the permanent return of the sculpture to Athens since the early 1980s. The first official claims were made in 1983 by Melina Merkouri, Greece’s Minister of Culture (1981-1989 and 1993-1994). The request was denied by Britain, leading Greece to seeking the aid of UNESCO’s Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origins or its Restitution in Case of Illicit Appropriation.¹³⁴ UNESCO has offered to mediate in the case, but this was turned down by the UK in 2015. Culture Minister Ed Vaizey and Europe Minister David Lidington explained

¹³¹ Hellenic Ministry of Culture, “Brief history of the removal of the Parthenon Marbles,” 2008, accessed December 23, 2016, <http://www.yppo.gr/marmara/index.php?page=mindex5&lang=en>.

¹³² Cuno (2008), ix.

¹³³ Quote by Mr. Gordon, “The Earl of Elgin’s Petition,” in *The Parliamentary Debates from the Year 1803 to the Present Time*, Great Britain Parliament, vol. XXXII, comprising the period from the first day of February to the sixth day of March, 1816. (London: T.C. Hansard, 1816), 826.

¹³⁴ Kynourgiopoulou (2011), 158.

the denial of the request, and stated that ‘We have seen nothing to suggest that Greece's purpose in seeking mediation on this issue is anything other than to achieve the permanent transfer of the Parthenon sculptures now in the British Museum to Greece and on terms that would deny the British Museum's right of ownership.’¹³⁵ Until quite recently, the Greek government has not acknowledged the legal title of the British Museum to the Elgin Marbles. The Greek Culture Minister, Evangelos Venizelos (...), said: ‘I have to repeat one more time that the Greek government has never acknowledged a legal title of the British Museum to the Parthenon marbles.’¹³⁶

Greece has examined the possibility to acquire the marbles through legal means. Greek human rights lawyer, Amal Clooney, and her partners Geoffrey Robertson and Norman Palmer, have examined the case thoroughly and advised the Greek government to immediately pursue legal action to regain the marbles. Despite acknowledging that there would only be a 15% change of success in British court, the report advises Greece to consider pursuing the claim at the International Court of Justice, or the European Court of Human Rights, before they would lose the opportunity to do so ‘due to future legal obstacles’.¹³⁷ However, the Greek cultural minister, Nikos Xydakis (2015-now), chose for a diplomatic and political resolution instead of the international court, because the outcomes were far from assured.¹³⁸ The Greek government thus did not pursue legal ownership of the marbles through court.

In 1989, Minister of Culture Melina Merkouri, who actively pursued the return of the marbles from the British Museum, initiated an international architectural competition for a new Acropolis Museum.¹³⁹ In 2007, the new Acropolis museum, designed by Bernard Tschumi and Michael Fotiadis, was completed. The museum presents the history of the Acropolis and accommodates the Athenian part of the Parthenon marbles. The sculptures are displayed in context, as they follow the shape of the Parthenon, and are seen together with casts of the Elgin Marbles. Visitors can walk around the marbles, like they would have when

¹³⁵ “Elgin Marbles: UK declines mediation over Parthenon sculptures,” *BBC News*, April 8, 2015, <http://www.bbc.com/news/uk-32204548>.

¹³⁶ Trustees of the British Museum, “The Parthenon Sculptures,” accessed December 12, 2016, http://www.britishmuseum.org/about_us/news_and_press/statements/parthenon_sculptures.aspx.

¹³⁷ Helena Smith, “Greece drops option of legal action in British Museum Parthenon marbles row,” *The Guardian*, May 13, 2015, <https://www.theguardian.com/artanddesign/2015/may/13/greece-drops-option-legal-action-british-museum-parthenon-marbles-row>.

¹³⁸ Smith (2015) and Nick Squires, “Greece snubs Amal Clooney over Elgin Marbles,” *The Telegraph*, May 14, 2015, <http://www.telegraph.co.uk/news/worldnews/europe/greece/11604881/Greece-snubs-Amal-Clooney-over-Elgin-Marbles.html>.

¹³⁹ Acropolis Museum, “Museum History,” accessed December 22, 2016, <http://www.theacropolismuseum.gr/en/content/museum-history>.

the sculptures were *in situ*, only now they can be studied up close. Also, from the Parthenon marbles, you can see the Acropolis and the Parthenon through the large glass wall. The UK has often argued that the Greeks could not properly preserve the marbles, since they could not be reinstated on the monument itself and Greece did not have an appropriate space for the exhibition.¹⁴⁰ Since the opening of the Acropolis museum in 2009, Greece argues that it has a perfect place for the marbles to be returned to and where they would be well preserved and displayed. (Fig. 9.) The Greek government reformulated position, stating that ‘whatever one might think about whether the Elgin Marbles belong *to* Greece, they belong *in* Greece. The new Greek position has made it unnecessary to reargue the ownership issue here.’¹⁴¹ However, the opening of the new Acropolis Museum has not changed the position of the British Museum, and for now, the marbles remain in London.

The controversy erupted again in 2014, when the British Museum loaned a sculpture from the Elgin Marbles to the Hermitage in St. Petersburg, Russia. It was the first time since that any of the sculptures from the Elgin Marbles has gone abroad, since the acquisition by the British Museum. Both the Greek prime minister, Antonis Samaras, and Eddie O’Hara, the chairman of the British Committee for the Reunification of the Parthenon marbles, expressed anger over this ‘provocative’ and ‘insensitive’ decision.¹⁴² The director of the British Museum, MacGregor stated that he hoped the Greeks ‘will be very pleased that a huge new public can engage with the great achievements of ancient Greece. People who will never be able to come to Athens or London will now, here in Russia, understand something of those great achievements in Greek civilisation.’¹⁴³ Also, the Trustees of the British Museum have argued that the Greek government has never formally asked for a loan of the Parthenon sculptures, because they do not recognize the British ownership and therefore plea for the permanent removal of all the sculptures to Athens.¹⁴⁴ They further argue that they would consider any loan request, provided that Greece would return the objects at loan and that they meet the conditions and requirements.

The dispute over the ownership of the Elgin Marbles has been over 200 years old, and is still no closer to a resolution. To this day, there have not been any reconciliations or

¹⁴⁰ Hitchens (2008), 83.

¹⁴¹ Merryman (2006), 2.

¹⁴² Nick Squires, “Elgin Marbles: Greek PM says British Museum loan ‘an affront’ to the Greek people,” *The Telegraph*, December 5, 2014, <http://www.telegraph.co.uk/news/worldnews/europe/greece/11275869/Elgin-Marbles-Greek-PM-says-British-Museum-loan-an-affront-to-the-Greek-people.html>.

¹⁴³ Helena Smith, “Parthenon marbles: Greece furious over British loan to Russia,” *The Guardian*, December 5, 2014, <https://www.theguardian.com/artanddesign/2014/dec/05/parthenon-marbles-greece-furious-british-museum-loan-russia-elgin>.

¹⁴⁴ “The position of the Trustees of the British Museum.”

rapprochements from the British side and it seems that the Elgin Marbles will remain owned by the British Museum.

3.2. Stakeholders

There are multiple stakeholders involved in the ownership of the Elgin Marbles and that actively contribute to the debate. The first is the British Museum, which is a national museum but even more so, an encyclopedic museum in London. The museum is backed up by the British government in political agenda, yet the museum is independent of the British government, because of its legal status. The Board of Trustees, made up of 25 members, determines the disposition of the Elgin Marbles, and the government does not have a direct say.¹⁴⁵ According to its mission statement, the museum is a place where human cross-cultural investigation happens, in which understanding one another through mutual engagement is encouraged.¹⁴⁶ Many items in the collection have been acquired under imperial rule and as a result have been claimed by the source nations, such as the Elgin Marbles, but also the Rosetta Stone from Egypt and the Benin Bronzes from Nigeria. Second, there is the Greek nation, represented by the Greek government, and more specifically, the Ministry of Culture. The Greek government is the main spokesperson in the debate on behalf of the Greek people, and wants the marbles returned so they can be displayed next to the remaining Parthenon marbles in the new Acropolis Museum.¹⁴⁷

These two parties, the British Museum and the British government versus the Greek government and the Acropolis Museum, are the central stakeholders in the debate and they are concerned with the physical ownership of the marbles. However, there are many more stakeholders in this debate that have expressed their opinion and interest in the whereabouts of the marbles. These stakeholders can be divided into two groups: those in favour of restitution and those against. Backing up Greece's point of view are first of all, the Greek people. Even though a government does not necessarily need to have the same objectives or points of view than its people, the Greek people feel very passionate about the marbles and what they returned. Interestingly, although the British Museum does not seem to have the intention to return the marbles, the British people generally seem to think they should. There

¹⁴⁵ Trustees of the British Museum, "About us," accessed December 22, 2016, https://www.britishmuseum.org/about_us/management.aspx.

¹⁴⁶ Ibidem.

¹⁴⁷ Currently, there are cast copies of the Elgin Marbles on display among the authentic Parthenon marbles in the Acropolis Museum.

have been several public opinion polls, which all express the people's desire to see the marbles returned. For example, in 2003 a poll was conducted of 1002 adults, where 73% agreed on the reuniting of the marbles and display in Athens.¹⁴⁸ Not only the public opinion tends to return, but in a government poll executed by the Economist in 2000, they asked politicians 'If there were a free vote in the House of Commons to return the Parthenon marbles to Greece, would you support or oppose it?', in which 66% of the members of the House of Commons answered that they would support the return of the Parthenon marbles to Greece, while 34% disagreed.¹⁴⁹ Of course, scholars also have joined in the debate, and vow both for and against the return of the marbles, for a different attribution of values as we will see. Now, let us turn to the values that are attributed to the marbles, to establish why both Greece and their supporters and the British Museum and their allies want to own the marbles.

3.3. Values

Historical value

The Parthenon, dedicated to the goddess Athena, was built in 447-438 BCE under the reign of Pericles, at the height of Athens' political power. In this golden age, Western ideals of beauty, science, art, philosophy and democracy were born. The temple was built to memorize the fallen in the Greco-Persian wars (499-449 BCE), since the precursor of the Parthenon was burned to the ground during the Persian siege in 480 BCE. The building was designed by the architects Iktinos and Kallikrates, while the project was supervised and the decorations were sculpted by Phidias, who worked during this period of great artistic and cultural development. The historical value of the Parthenon - and therefore its marbles as they (rather ironically) are inseparable - is also expressed by UNESCO in their inscription of the Acropolis to the World Heritage List in 1987. 'The Acropolis is directly and tangibly associated with events and ideas that have never faded over the course of history. Its monuments are still living testimonies of the achievements of Classical Greek politicians (e.g. Themistokles, Perikles) who lead the city to the establishment of Democracy; the thought of Athenian philosophers (e.g. Socrates, Plato, Demosthenes); and the works of architects (e.g. Iktinos, Kallikrates, Mnesikles) and artists (e.g. Pheidias, Agorakritos, Alkamenes). These monuments are the testimony of a

¹⁴⁸ Hellenic Ministry of Culture, "Opinion polls for the Restitution of the Parthenon Marbles," 2008, accessed December 23, 2016, <http://www.yppo.gr/marmara/index.php?page=minindex8&lang=en>.

¹⁴⁹ Ibidem.

precious part of the cultural heritage of humanity.’¹⁵⁰ The fact that these values are ascribed by UNESCO, suggests that this value is supported all over the world and for many people.

The Parthenon and its marbles have survived natural disaster, and survive to the present day. The Parthenon has been appropriated and adapted as both a church and a mosque before becoming an archaeological ruin. In these different functions, the temple has been altered and parts have been destroyed. The marbles have both partially been spared despite these changes, but they have also been severely damaged. In 1687, the Parthenon was used as a gunpowder store when under siege by the Venetians. At one point, it exploded, leading to the loss of large portions of the sculptures. The Parthenon is an outstanding example of a building which illustrates significant stages in human history, since ‘the monuments of the Acropolis are distinctly unique structures that evoke the ideals of the Classical 5th century BC and represent the apex of ancient Greek architectural development.’¹⁵¹

The marbles have inspired multiple works of art over the centuries and influenced many arts and crafts. The argument that ‘the removal of the marbles to Britain was a boon to the fine arts and the study of the classics’ is one often used.¹⁵² UNESCO highlights its inspiration and ‘exceptional influence, not only in Greco-Roman antiquity, during which they were considered exemplary models, but also in contemporary times. Throughout the world, Neo-Classical monuments have been inspired by all the Acropolis monuments.’¹⁵³ According to the Trustees of the British Museum ‘the arrival of the sculptures in London had a profound effect on the European public, regenerating interest in ancient Greek culture and influencing contemporary artistic trends.’¹⁵⁴ The artistic qualities of the Parthenon frieze have been incorporated in English architecture and design, of which the Athenaeum Club, Hyde Park arch, the Royal mews, and the monument to Sir William Ponsonby in St. Paul’s cathedral are only one of many examples. Even nowadays, in the promotional video of the Parthenon marbles made by the British Museum, the value of inspiration is highlighted.¹⁵⁵ It is explained that the Greeks inspired Roman art and Renaissance artists were at their turn inspired by Roman copies of Greek art. Also, Greek art inspired India and Pakistani art during the empire

¹⁵⁰ UNESCO World Heritage List, “Acropolis, Athens,” accessed January 2, 2017, <http://whc.unesco.org/en/list/404>.

¹⁵¹ Ibidem.

¹⁵² Hitchens (2008), 83-85.

¹⁵³ UNESCO World Heritage List, “Acropolis, Athens,” accessed January 2, 2017, <http://whc.unesco.org/en/list/404>.

¹⁵⁴ “The Parthenon Sculptures.”

¹⁵⁵ The British Museum, “Greece: Parthenon. Room 18,” accessed January 3, 2017, http://www.britishmuseum.org/explore/galleries/ancient_greece_and_rome/room_18_greece_parthenon_sculptures.aspx.

of Alexander the Great. Furthermore, the Victorian empire is explained by documentary maker Jeremy Paxman as modern version of the Greek or Roman empire. By placing the marbles in this art historical tradition, the British Museum justifies its current presence in London.

The historical value of the Elgin Marbles and the Parthenon becomes apparent when a solution is sought in copying the marbles. Stephen Guest examines the idea of a perfect copy of the marbles to resolve the dispute. ‘If a perfect copy of the Elgin Marbles could be recreated, using the same marble, with a robot that made the cuts and strokes identical to those made in their original construction, one could argue that this copy of the marbles were ‘the Elgin Marbles’ themselves. [...] To say that the flawless copy of the Elgin Marbles *was* the Elgin Marbles, would be to ignore the other way that the – we might say – ‘original’ Elgin Marbles have special value, which is through their association with a great culture, the influence of which has permeated so many other cultures since.’¹⁵⁶ The historical value of the marbles is exactly what distinguishes the real marbles from the copy. People are not only struck by its beauty, but also by its history.¹⁵⁷

Aesthetic value

The Parthenon is widely regarded as a highlight of Greek architecture and one of the greatest cultural monuments. It is a masterpiece of art, and the Parthenon marbles are often seen as the most beautiful sculptures ever created. Its architectural complexity and artistic distinction are praised by many, as the architecture has perfect symmetry and proportions, based on the human body and the golden ratio: the formula for beauty. UNESCO has ascribed the entire Athenian Acropolis to the World Heritage List in 1987, because it meets five out of ten criteria of selection.¹⁵⁸ The first criterion, ‘to represent a masterpiece of human creative

¹⁵⁶ Guest (2002) 312-314.

¹⁵⁷ Ibidem, 314.

¹⁵⁸ These five criteria are:

1. Criterion (i): to represent a masterpiece of human creative genius;
 2. Criterion (ii): to exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design;
 3. Criterion (iii): to bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared;
 4. Criterion (iv): to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history;
 5. Criterion (vi): to be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (The Committee considers that this criterion should preferably be used in conjunction with other criteria).
- UNESCO, “The Criteria for Selection,” accessed January 2, 2017, <http://whc.unesco.org/en/criteria/>.

genius', is met since the buildings on the Acropolis, including the Parthenon and its marbles are of extraordinary composition, perfect harmony and of unique beauty. Also, the marbles are the culmination of Greek sculpture, surpassing both the quantity and quality of sculptures on other classical buildings.¹⁵⁹

There are three main parts of the Parthenon that contained sculptures, which are imbedded in the structure and were not added after its completion. The decorative part of the exterior of the Parthenon is found on the entablature, the part of the temple resting on the Dorian columns and supporting the pediment. The outer layer above the architrave, called the frieze, consists of two elements alternating each other: the metopes, which contained reliefs, and triglyphs, consisting of vertically channelled tablets. The Parthenon had 92 metopes, dating from 446–440 BC, depicting several battles: between the gods and giants (Gigantomachy), the Greeks and Amazons (Amazonomachy), the Lapiths and the Centaurs (Centauromachy). The metopes supposedly also contained reliefs on the sack of Troy. These mythical battles symbolize the Athenian victory over the Persians. Second, there is the inside of the colonnade consists of frieze with a continuous relief, dating 442 BC–438 BC, depicting a Panathenaic procession. This yearly procession was held to honour the goddess Athena by offering sacrifices and bringing a new garment to the goddess, called the *peplos*. Finally, on the east and west sides of the temple are the pediments, depicting scenes from Athena's life. All the reliefs of the Parthenon had been painted in bright colours.

Over the years, especially during the Venetian siege, the marbles have been severely damaged, and around 40% of the sculptures have been lost. About 60–65% of the sculptures that were on the Parthenon have been preserved, of which 30% consists of the Elgin Marbles.¹⁶⁰ Of the remaining marbles, 30% are on display in the Acropolis museum. The residual 5% is dispersed over several museums, such as the Vatican Museums (Rome), the Musée du Louvre (Paris) and more.¹⁶¹ The Elgin Marbles consist of 56 reliefs from the Parthenon frieze, 15 metopes, 19 pediment sculptures, a caryatid, parts of the columns and other sculptures from monuments on the Acropolis such as parts of the Erechtheion.

The Elgin Marbles have been shaped to fit the aesthetic taste of the Victorian age, in

¹⁵⁹ Robert Browning, "The Parthenon in History," in *The Parthenon Marbles: The Case for Reunification*. Christopher Hitchens et al., (London/New York: Verso, 2008), 6.

¹⁶⁰ Of the 97 surviving blocks of the Parthenon frieze, 56 have been removed to Britain and 40 are in Athens. Of the 64 surviving metopes, 48 are in Athens and 15 have been taken to London. Of the 28 preserved figures of the pediments, 19 have been removed to London and 9 are in Athens.

"Brief history of the removal of the Parthenon Marbles."

¹⁶¹ The other museums are the National Museum, Copenhagen; Kunsthistorisches Museum, Vienna; University Museum, Würzburg; Museo Salinas, Palermo and Glyptothek in Munich.

which the white pure marbles of classical antiquity were put on a pedestal. In order to cater to this image, the Elgin Marbles had been ‘cleaned’ in 1937, by Duveen. The original marbles had been brightly coloured, but these coloured versions of the marbles clashed with the aesthetic notions of the Victorian age. Because the marbles represented the highlight of art of classical antiquity, they needed to fit the image that people had about what ancient art looked like, namely pure white marble and not coloured. The cleaning has severely damaged the surface of the marbles and has had profound effect on its scientific value.

According to the Memorandum submitted by the Greek government, Elgin’s removal ‘irreparably destroyed the monument’s structural integrity’.¹⁶² The Parthenon and its sculptures were once a unity, and for the sake of its aesthetic worth as a complete artwork, this separation seems unfortunate. This argument is used to press the return of the marbles to Athens, to be reunited with their original context and location, and to make the artwork whole again. Christopher Hitchens argues that ‘...to keep them in two places, one of them quite sundered from the Parthenon and its context, seems bizarre and irrational as well as inartistic.’¹⁶³ Also, Sir Edward Clarke, a British politician in the Victorian age, was heavily opposed to the removal upon seeing the damage done to the structure and symmetry of the Parthenon. He said ‘All the perspective of the sculpture (if such an expression is admissible) and certainly all the harmony and fitness of its proportions, all the effects of attitude and force of composition, depended on the work being viewed precisely at the distance in which Phidias designed that it should be seen. Its removal, therefore, from its situation, amounted to nothing less than its destruction...’¹⁶⁴

However, archaeologists worldwide agree that the sculptures could never be re-attached to the Parthenon, so if they would return, they would be displayed in the new Acropolis Museum.¹⁶⁵ Therefore, it has been critiqued how the displaying the marbles in a museum *near* the Parthenon would enhance their aesthetic worth.¹⁶⁶ The Trustees of the British museum have expressed their disagreement on the statement that the appreciation of the sculptures should be done in a set. They argue that cultural objects such as altarpieces have been divided up and distributed through museums in many countries.¹⁶⁷ I do not think

¹⁶² Hellenic Ministry of Culture, “Memorandum on the Parthenon Marbles. Submitted by the Government of the Hellenic Republic to the House of Commons Select Committee on Culture, Media and Sport,” June 28, 2000, <http://odysseus.culture.gr/a/1/12/files/memorandum.pdf>.

¹⁶³ Hitchens (2008), 37.

¹⁶⁴ Hitchens (2008), 57.

¹⁶⁵ “The Parthenon Sculptures.”

¹⁶⁶ Thompson (2003), 15.

¹⁶⁷ “The position of the Trustees of the British Museum.”

this comparison is valid, since this does not solve the issue but redirects it. These altar pieces, would arguably be better appreciated as a whole. I think the real debate that is being raised by this argument is that even though the pieces are apart, they can still be individually appreciated, which is indeed possible. However, the question remains which is more preferable: the aesthetic appreciation of the Elgin Marbles separately from the rest, or the Parthenon marbles as a whole? The individual aesthetic appreciation in the British Museum seems to be foregrounded by the British Museum, which comes to no surprise. In their clip on the Elgin Marbles, the aesthetic appreciations by visitors is emphasized by showing visitors commenting on their beauty and artistic merit.¹⁶⁸ Of course, the people vowing for their return are pleading for the appreciation in context. If the aesthetic value of the marbles was to be best achieved by reuniting them, even though it could never be on the Parthenon, Athens could always consider loaning or giving its marbles to the British Museum. Interestingly enough, this never seems to be up for discussion, which leads me to think that the aesthetic appreciation of the marbles is not so much about the set, but more about the context in which it resides and the connection it has to its original location.

Cultural/symbolic value

The Parthenon has acquired rich symbolic values over the centuries, but one of the most prominently expressed values that the Parthenon and its marbles embody, is classical antiquity itself and its perfectly proportioned art. UNESCO states that the buildings on the Acropolis are ‘universal symbols of the classical spirit and civilization and form the greatest architectural and artistic complex bequeathed by Greek Antiquity to the world.’¹⁶⁹ The Parthenon has been one of the most copied buildings in the world, as is evident by such copies as the architecture of the French parliament, the US Supreme Court, banks, museum and many other buildings that want to convey wealth, culture and power. The Parthenon is also commonly described as a monument to democracy and the roots of Western civilization. The EU, UNESCO and US governments have been using the temple as a ‘symbol of all that is best in the shared Western democratic heritage.’¹⁷⁰ The European Parliament has called for the return of the marbles and considers this to be ‘a key move in promoting Europe’s common

¹⁶⁸ “Greece: Parthenon. Room 18.”

¹⁶⁹ “Acropolis, Athens.”

¹⁷⁰ William St. Clair, “Imperial Appropriations of the Parthenon,” in *Imperialism, Art and Restitution*, by John Henry Merryman (New York: Cambridge University Press, 2006), 67.

cultural heritage.’¹⁷¹ The roots of Western civilization have been closely associated with Greek civilization and ancient Athenian democracy. Even though there is nothing democratic about the iconography of the marbles themselves, the Parthenon - and its marbles by association—symbolizes democracy, Western civilization and by implication, the European roots.¹⁷²

The Parthenon marbles do not only represent democracy to Europe and North America, but also the Greeks themselves. The symbolic value that is most expressed by them is the founding of nationhood and Greek national identity.¹⁷³ Cultural objects can have an importance place in a group’s (national) identity. Merryman states that ‘For a full life and a secure identity, people need exposure to their history, much of which is presented or illustrated by objects. Such artefacts are important to cultural definition and expression, to shared identity and community.’¹⁷⁴ These sentiments of national identity and belonging seem to be foregrounded by Greece in the debate. Antonis Samaras, the Greek prime minister, has expressed that ‘We Greeks are one with our history and civilization, which cannot be broken up, loaned out, or conceded.’¹⁷⁵ There is a strong feeling among Greeks that the marbles *belong* to Greece, because they embody the very spirit of its people. Kynourgiopoulou argues that ‘For the Modern Greeks the marbles of the Parthenon, located atop the Acropolis, constitute not only the foundation of nationhood but also have become the symbols of Greece’s hybrid architectural and cultural identity. The Parthenon marbles evoke the idea of diachronic identity, the sense of permanence and continuity in time.’¹⁷⁶ To the Greeks, the marbles are primarily a political symbol, not an archaeological artefact with historical or scientific value. The Parthenon marbles foremost connect modern Greeks to their ancestors and legitimizes their modern government in line with their ancient predecessor.¹⁷⁷

There have been critiques of this argument that the marbles are important to Greece’s national identity. First, it has been argued that today’s Greeks are not authentically Greek and do not have a natural title to the sculptures.¹⁷⁸ Greece has been part of the Byzantine Empire (324-1453 BCE) and the Ottoman Empire until the Greek War of Independence (1821-1829). Current Greek society was shaped more by its Byzantine past and four centuries of Turkish

¹⁷¹ Hellenic Ministry of Culture, “Declarations for the Restitution,” 2008, accessed December 23, 2016, <http://www.yppo.gr/marmara/index.php?page=minindex3c&lang=en>.

¹⁷² St. Clair (2006), 67.

¹⁷³ Kynourgiopoulou (2011), 156-158.

¹⁷⁴ Merryman (2006), 5.

¹⁷⁵ Squires (2014).

¹⁷⁶ Kynourgiopoulou. (2011), 157.

¹⁷⁷ Cuno (2008), xxxii.

¹⁷⁸ Hitchens (2008), 83.

occupation, than that it was influenced by the culture of the ancient Greeks. However, after the unification, with help from international forces, a monarchy was established with the seventeen-year-old son of King Ludwig of Bavaria on the now Greek throne. The idea of classical Athens, which was dear to the Bavarian government and the classicizing Europeans, was used to manufacture a common Greek identity, while the Byzantine and Ottoman past was deliberately set aside.¹⁷⁹ The acropolis in Athens, for example, was stripped of its Byzantine and Ottoman layers, until only the Greek remains of the Parthenon, the Erechtheion and others remained visible. The use of ancient Greece as the marker of modern Greece's identity is thus based on a fabrication of the 19th century. Also, it has been argued that the Greeks only later perceived the Parthenon as their cultural heritage. Thompson argues that the marbles were not the cultural property of the Greeks at the time of their removal, and that the symbolic importance has been retrospectively added. 'There is no convincing evidence that the Greeks, at the time when Lord Elgin's employees were doing their work, regarded the Marbles, or the Parthenon itself, as their cultural property... But witnesses reported that there was no public outcry or protest during the period when the work of removal was done, and that many Greeks welcomed the presence of the foreigners and opportunities for employment.'¹⁸⁰ However, there have been scholars and sources who refute this argument, showing that the Greek people (or at least the Athenians) did care for the removal, even though they were not officially a nation-state. Despite these (sometimes valid) critiques, I believe it is rather irrelevant whether or not the sentiment of belonging that the Greeks feel towards the marbles is based on historical accuracies. In the field of cultural heritage, what is being felt about heritage has often proven to be more important than logic or explanation, as the example of the Elgin Marbles shows. This argument seems invalid to me, because it neglects the actual sentiment of belonging, which is undeniably there, regardless of whether this sentiment is just. Arguing that this feeling of belonging is invalid in some manner, does not make it any less real to the Greek people.

Another cultural symbolic value is being added to the marbles as they have resided in the British Museum for about 200 years. Merryman has argued that the Elgin Marbles have a place in the British identity as well. 'The Elgin Marbles have been in England since 1821 and in that time have become a part of the British cultural heritage.'¹⁸¹ During the two hundred

¹⁷⁹ Eleni Bastéa, "Athens, 1834," in *The Creation of Modern Athens: Planning the Myth*, Eleni Bastéa (Cambridge: Cambridge University Press 2000), 7-8.

¹⁸⁰ Thompson (2003), 8.

¹⁸¹ Merryman (2006), 6.

years in which the marbles were visible in the museum, it has inspired British art, civilized and enriched British lives and it has stimulated scholarship. The marbles, as authentic images of ancient Greece, have been a part here of the inspiration of neoclassical art and architecture in Britain.¹⁸² The marbles have been longer in Britain than there has been a modern Greek state, and they can be claimed as symbols of modern Britain as well.¹⁸³ The Parthenon marbles arguably have become British national heritage and the British elite are in control of that legacy.

The taking of the Elgin Marbles was also part of the appropriation of Hellenism and Greek culture as a whole for Western Europe.¹⁸⁴ The taking of the marbles and the display in the British Museum thus also represents a keeping and reinforcing of an imperial past and a sentiment of superiority. The marbles were seen as the highlight of Western artistic supremacy and were taken away from modern Athens in the making, so that the European elites could safely study ancient Greek art and architecture in a safe and aesthetic environment. Here they established an imagined heritage and lineage themselves, legitimizing intellectual supremacy over the modern Greeks.¹⁸⁵ The idea of the marbles as a symbol of British imperialism is perhaps still accurate today. In fact, in recent years there have been a series of offensive remarks in the British press, hinting to a new era of colonialism, making gloomy predictions about the new Acropolis Museum and Greece's efforts to care for their monuments. Ideas that Greece is more 'barbaric' and incapable than Britain is expressed, for example, by Paxman as he argues 'Though modern, independent Greece is a world away from ancient Athens, the country *was* once the home of Socrates, Plato, and other founders of western thought. Indeed, many a bewildered survivor of a chaotic, Greek-organised EU conference will tell you that a tenuous connection to this resonant philosophical culture must be the only reason the country ever got into the organisation.'¹⁸⁶

Scientific Value

As the highlight of Greek art and architecture the marbles do have scientific value. As we have seen, in the historical tradition the Elgin Marbles have been studied by both artists and

¹⁸² Kynourgiopoulou (2011), 158.

¹⁸³ Cuno (2008), x-xi.

¹⁸⁴ St. Clair (2006), 65.

¹⁸⁵ Kynourgiopoulou (2011), 158.

¹⁸⁶ Jeremy Paxman, "The Elgin Marbles belong in Britain, Mrs Clooney," *The Telegraph*, October 25, 2014, <http://www.telegraph.co.uk/culture/museums/11185897/The-Elgin-Marbles-belong-in-Britain-Mrs-Clooney.html>.

scholars, and have shaped the Western art world in the age of neoclassicism. The British Museum conducts quite a bit of research on the marbles, in collaboration with Greek scientists, the Centre for Acropolis Studies in Athens and the Acropolis museum, as is been promoted by the British website: ‘The Museum is committed to maintaining its long-standing status as a centre for Parthenon studies. It does this by organising conferences and seminars, by publishing scholarly and popular books and articles, and in facilitating the studies of others through access to the sculptures themselves and to the Museum’s unique collection of books, photographs, manuscripts, drawings and plaster casts.’¹⁸⁷ However, as we have seen earlier, the marbles have been severely impaired by the cleaning conducted in the early twentieth century. The cleaning has obstructed the knowledge we can extract from the marbles, since any trace of their original colouring has been removed. The painting on most metopes has been eroded, but sufficient traces remain study and reconstruct their original appearance. This information is, however, still embedded in the marbles that reside in the Acropolis museum.

Also for educational purposes, the marbles can have immense value. Depending on which museum and in which context it is displayed, many stories can be told with the marbles. Now, they reside in the British Museum, where they are displayed amongst the great cultures of the world, not only ancient Greek culture. The Trustees argue that in the Acropolis Museum, the marbles are only contextualized and appreciated ‘against the backdrop of Greek and Athenian history’, but in London they are the delegates of the ancient Athenian civilization in the context of world history.¹⁸⁸ The collection in the British Museum teaches all world-wide visitors about the connection between cultures. This is further emphasized in a promotional video on the marbles made by the museum, in which the role of the marbles over different periods of time and in different cultures is being highlighted. ‘The Trustees are convinced that the current division allows different and complementary stories to be told about the surviving sculptures, highlighting their significance within world culture and affirming the now former place of Ancient Greece among the great cultures of the world.’¹⁸⁹ Neil MacGregor, director of the British Museum, points out that the British Museum is meant to study cultures from all over the world to reveal multiple truths, instead of one perpetual truth, a ‘truth as a living, changing thing, the truth constantly remade as hierarchies are

¹⁸⁷ Trustees of the British Museum, “The Parthenon Sculptures. Facts and Figures,” accessed December 12, 2016, https://www.britishmuseum.org/about_us/news_and_press/statements/parthenon_sculptures/facts_and_figures.aspx.

¹⁸⁸ “The position of the Trustees of the British Museum.”

¹⁸⁹ “About us.”

subverted, new information comes, and new understandings of societies emerge....'¹⁹⁰ The British Museum thus really draws on their function as an encyclopedic museum. However, I really wonder how well this connection works for the visitor. Research has concluded that the average visitor does not make such a meaningful connection between these seemingly randomly acquired objects in encyclopedic museum. Given the choice between viewing the marbles in the British Museum or in the Acropolis Museum, with a view on their original location, the majority of the public would prefer the display in Athens, as has been proven by many polls.¹⁹¹

In a statement by the Greek government calls for the return of the marbles in order to reinstate them in their original context. The repatriation of antiquities is '...dictated by the need of the completeness of the information they carry as part of a whole from which they have been detached and isolated. No researcher or visitor may fully appreciate these antiquities outside their context, fragmented and exhibited solely as individual works of art.'¹⁹² There is an overlap here between aesthetic and scientific value, in the sense that seeing an object in context can both enhance its aesthetic appreciation and the knowledge that can be extracted or transferred from the object. However, this idea of displaying the marbles in its context is refuted by the opponents, and it is often argued that the marble would be used in a nationalist narrative when displayed in Athens.

Economic value

The current monetary value of the marbles is unknown, and quite irrelevant, since the marbles will probably never be sold on the market like the krater was. More importantly, then, the marbles have great value as cultural capital for the owner. That this value ensures social standing was already recognized by the commons debate in 1816. The Chancellor of the Exchequer stated that '...it was, beyond all question, the most ancient and genuine that had ever appeared, and the country would be naturally proud of possessing a mass of models for the arts, which the united collections of Europe could hardly produce.'¹⁹³ Both the feeling of proudness for owning such an aesthetic and historical valuable piece for Britain and the fact

¹⁹⁰ Cuno (2008), xxxiv.

¹⁹¹ The British Committee for the Reunification of the Parthenon Marbles, "Refuting the British Museum's Statements," accessed December 22, 2016. <http://www.parthenonuk.com/refuting-the-bm-s-statements>. and "Opinion polls for the Restitution of the Parthenon Marbles."

¹⁹² Hellenic Ministry of Culture, "Greek position on the return of cultural objects to their country of origin," 2008, accessed December 23, 2016, <http://www.yppo.gr/marmara/index.php?page=minindex11&lang=en>.

¹⁹³ "The Earl of Elgin's Petition," 1816, 824.

that the marbles would distinguish the British Museum from other national museums adds to the cultural capital of the sculptures. Also recently, Boris Johnson, then the mayor of London, has expressed that ‘The British Museum is one of the very greatest in the world (if not the greatest, as I am sure its director, Neil MacGregor, would attest). The Duveen Galleries are the holy of holies, the innermost shrine of that cultural temple; and the river god Ilissus is one of the most fluid and extraordinary pieces of 5th-century Athenian sculpture.’¹⁹⁴ For Britain, losing the marbles, would be to lose one of their *pièces de résistance*. The marbles are ranked by the museum to be one of the nine ‘can’t be missed’ objects in the museum.¹⁹⁵ Also, the presence of the marbles can generate a lot of visitor’s, which do not pay an entrance fee here, like in the Metropolitan Museum of Art. But the more visitors a museum has, the more prestigious it becomes in our result-oriented society. The Elgin Marbles thus have great economic value as cultural capital and they can generate a lot of tourists and nourish the tourist industry for both the British Museum in London as potentially for the Acropolis Museum in Athens. Interestingly, in the current debate, the economic value of the marbles is hardly mentioned as an argument and often the economic value is clouded by the nobler cause of accessibility for a majority of people.

3.4. Preservation and accessibility

Preservation

The preservation of the marbles has been an important argument for the Elgin Marbles and an important reason for Britain to own the marbles instead of Greece. First, Greece has been continuously claimed to be unfit for the preservation of the marbles and they have often been set aside as a ‘Third World country’ that is unable to sustain the preservation and upkeep of the marbles.¹⁹⁶ This is an interesting claim, since the marbles have been severely damaged by British parties: first with the removal by Elgin, and second with the ‘cleaning’ by Duveen in the 1930s. The damage done by the British is expressed in many sources that defend the Greek case, whether these are themselves of Greek nationality, or British spokespersons or organisations that defend the Greeks. However, David Wilson, director of the British Museum (1977-1992), has expressed that ‘Greeks are merely an ‘ex-colonial’ people who strive to

¹⁹⁴ Boris Johnson, “Sending Putin the Elgin Marbles is barmy, but it's what makes Britain great,” *The Telegraph*, December, 8, 2014, <http://www.telegraph.co.uk/news/11278604/Sending-Putin-the-Elgin-Marbles-is-barmy-but-its-what-makes-Britain-great.html>.

¹⁹⁵ The British Museum, “1 hour at the British Museum,” accessed January 3, 2017, https://www.britishmuseum.org/visiting/planning_your_visit/object_trails/1_hour.aspx.

¹⁹⁶ Kynourgiopoulou (2011), 160.

establish their national identity.’¹⁹⁷ By marginalizing Greece’s capability of care taking, Britain used to have a strong argument, because what is of value, should be preserved, thus preservation is one of the most important acts when an object is found to be valuable. Notwithstanding, with the Acropolis Museum and the restoration plans for the Parthenon itself, Greece has proven to be perfectly able to protect the Elgin Marbles. The British Museum claims it does not undermine the Greek capacities for preservation (any more). Second, the damage done under the Greeks is still being highlighted and the notion still exists that Lord Elgin has saved the marbles from destruction.¹⁹⁸ For example, documentary maker Jeremy Paxman believes that ‘Had the ghastly Lord Elgin not plundered his works of arts, they could have ended up in the footings of some kebab stand.’¹⁹⁹ The imperial arguments are still to be found, where the British are the heroes and saviours of ancient Greek culture, while the Greeks are still at times presented as barbarians who still would not know how to manage antiquities despite the marvellous new museum that they built.

Accessibility

The accessibility of the marbles has often been used as an argument in favour of the British Museum, since the museum has millions of visitors annually that can visit the marbles free of charge. The British Museum had 6,7 million visitors in 2015, whereas the Acropolis Museum had almost 1,5 million visitors in 2015-2016, of which 350.000 were Greek.²⁰⁰ Second, the British Museum lends artworks to whomever can meet the requirements. In 2013/14, the museum has lent over 5000 artworks to international museums.²⁰¹ The British Museum states that ‘The Trustees have never been asked for a loan of the Parthenon sculptures by the Greek government, only for the permanent removal of all of the sculptures to Athens. The Trustees will consider any request for any part of the collection to be borrowed and then returned, subject to the usual considerations of condition and fitness to travel.’²⁰² The Greeks have refused to officially borrow it with the promise that they will return to Britain. According to the Trustees, this is why the marbles have not been lent to Greece, but have been lent to

¹⁹⁷ Ibidem.

¹⁹⁸ Richard Dorment, “The Elgin Marbles will never return to Athens – the British Museum is their rightful home,” *The Telegraph*, June 30, 2009, <http://www.telegraph.co.uk/journalists/richard-dorment/5699534/The-Elgin-Marbles-will-never-return-to-Athens-the-British-Museum-is-their-rightful-home.html>.

¹⁹⁹ Paxman (2014).

²⁰⁰ “About us.” and Acropolis Museum, “A highlights report June 2015 – May 2016,” June, 2016, https://issuu.com/theacropolismuseum/docs/acropolis_museum_englishannual_repo.

²⁰¹ “The position of the Trustees of the British Museum.”

²⁰² Ibidem.

Russia. However, in the similar restitution case of the Rosetta stone, the Egyptian archaeologist and advocate of restitution Zahi Hawass, has applied for a loan, which was rejected by the British Museum, because ‘The trustees do not consent to the loan of what might be called ‘iconic’ objects. To loan such pieces would result in our disappointing the five million or so visitors who come to the museum every year.’²⁰³ It is therefore doubtful if the British Museum would loan the Elgin Marbles to Greece, if they would ever apply for a loan. Third, the British Museum has made the Elgin Marbles online available, so that they can be studied and appreciated online.

In my opinion, the accessibility of the Elgin Marbles is a nonissue in this restitution debate and an easy side argument for the British Museum. In the current climate of ownership, the accessibility does not play any factor in international legislation, as long as it is available. In cultural property, accessibility and preservation needs to be guaranteed, and in this case, in both Athens and London the marbles will be excellently accessible and preserved. The matter of the quantity of visitors is, in my opinion, irrelevant, because it is the accessibility itself that matters. In this sense, the British Museum debunks its own argument in stating that they have more accessibility, while their online platform makes it accessible to everyone online, not only to the actual visitors. Also, the worldwide public that visits the British Museum, is also present in the Acropolis Museum, even though it is a lesser quantity. But why would quantity count over quality? In an poll conducted by the Marbles Reunited Campaign in 2003 it was concluded that only one in five visitors to the British Museum proclaim that they come to visit the Elgin Marbles, whereas we can logically assume that the visitors of the Acropolis Museum come to visit the highlight of the permanent exhibition: the marbles against the backdrop of their original location and context.²⁰⁴ The Trustees stress the ‘huge public benefit’ of the marbles being in London, in the worldly collection of the museum, while the public has often expressed their preference of the marbles residing in Athens.²⁰⁵

Conclusion

The British Museum is explicitly against the return, while the Greek government (and the majority of the Greek population) is overtly for their return. The British people, who consist of people tested in different polls, several British politicians and well known Brits that have

²⁰³ “Egypt wants antiquities loan,” *BBC News*, July 30, 2003, http://news.bbc.co.uk/2/hi/entertainment/arts_and_culture/3109065.stm.

²⁰⁴ “Opinion polls for the restitution of the Parthenon Marbles in Greece.”

²⁰⁵ “The position of the Trustees of the British Museum.” and “Refuting the British Museum’s Statements.”

expressed their opinion, are clearly divided, as they express both agreement on the return and retention of the marbles. Also, scholars have expressed their opinions on both sides of the spectrum.

The historical values of the Parthenon marbles are widely acknowledged by all parties in the current restitution debate, even though the stakeholders accentuate different aspects of its history. The Greek side highlights the parts of history in which the Elgin Marbles were still located at the Parthenon, while the British Museum especially emphasizes the historical value in British art history and neoclassicism, which is understandable, because it legitimizes the bond the marbles have to their new location. Likewise, the aesthetic qualities of the marbles are universally acclaimed. However, there are some difference of opinion on how the Parthenon marbles can be best appreciated: in the complete set, which is argued by the Greek side, or also separately as they are now, and is argued by the British Museum and co. The Greeks argue that the removal of the marbles destroyed the artistic integrity and aesthetic appreciation. This point of view is shared by British journalists, artists and politicians alike. Nevertheless, the marbles could never be reinstated on the Parthenon, so the full aesthetic experience of the marbles could never be reproduced. Even though the marbles can apparently be appreciated both when they are separated between the two countries, I inclined to agree that the total aesthetic appreciation would enhance the experience. This does not, however, give a sufficient reason to return the marbles to Greece, as the unification of the marbles can happen in both London and Athens.

The Greeks, both government and other sources, foreground the feeling of belonging and proclaim that the marbles are inextricably connected to the Greek people. This cultural/symbolic value is prioritized by Greeks, and is perhaps deemed the most important value of the marbles. Although people have critiqued these feelings of belonging and identity that are connected to the marbles, they cannot be swiftly regarded, because sentiments can be a reality just as much as facts can. On the other side, the importance of the marbles in British identity and history has been argued by those in favour of its British whereabouts, for example the British Museum and scholars such as Cuno. Because the marbles are a symbol of democracy and seen as the roots of Western civilization, they do not only belong to Greece, but the rest of the world feels some connection to these marbles too. This argument does somewhat legitimize its presence in the British Museum as they are a custodian of the world's ancient art. However, this entitlement to classical antiquity also hints at the leftovers of the age of imperialism.

Both parties attribute scientific value to the marbles, even though the Elgin Marbles

have been damaged in the cleaning by Duveen. In terms of educational value, the opinions are truly divided over which story should be told with the marbles and in which location. On the British side, we find people stressing the importance of the encyclopedic museum and its role in drawing intercultural parallels between art. This is especially underscored by the Trustees of the British Museum and scholars, such as Merryman and Cuno. On the Greek side, however, we find the preference of the marbles being displayed in their proper context, which is then denounced by the opposition as a ‘nationalist’ representation, affirming Greece’s national identity as derived from the ancient Greeks.

Economic value is not prominently addressed in the debates, but probably plays a role in the British Museum’s decision not to return the marbles, since the Elgin Marbles are one of the highlights in the museum and possibly generate many visitors and add to the cultural capital of the museum.

I have argued that the preservation is of utmost importance, but does not play a role any longer, since both parties are capable of proper conservations and have made preservation mistakes in the past. Also, the accessibility of the marbles seems a nonissue in this time of digitization, though it is often used as an argument, especially for the British Museum, since more visitors visit the museum.

The debate on the restitution of the Elgin Marbles is extensive and discombobulating, since all values attributed to the marbles cause dissonance among the stakeholders. The complexity and variety of arguments for or against the return of the marbles is comprehensive, making the core of the debate ambiguous. The discussion is not one to be easily resolved, because both the British Museum and the Greek government have an obstinate attitude towards resolving the issue. The British Museum has not shown any considerations of returning the marbles, even though they said they would loan the marbles. Greece, however, does not acknowledge the British ownership and would not request a loan, because this would mean conceding to the British ownership.

Chapter 4: Bust of Nefertiti

4.1. Cultural Restitution

The Bust of Nefertiti was unearthed in Tel-El Amarna, Egypt, by the German archaeologist Ludwig Borchardt. In 1895, Borchardt worked at the Egyptian department of the Berlin Museum, and carried out extensive excavations in various places in Egypt to study the architecture of the Old Kingdom, which is a period of high civilization in the lower Nile Valley in the third millennium BCE. Borchardt started his excavations in 1912, funded by the German Oriental Company and the Berlin Museum. Borchardt and his team unearthed Nefertiti together with several unfinished portraits of the queen in the workshop of Thutmose, the presumed official court sculptor of Nefertiti's husband Pharaoh Akhenaten. Borchardt described the beauty of the bust in his personal diary, shortly after its discovery, by saying '...you cannot describe it with words. You must see it.'²⁰⁶

At that time, Egypt was part of the Ottoman Empire and occupied by Britain. Both the French, who occupied Egypt in 1798-1801, and the British held positions in the Egyptian government as well as the cultural antiquities board, allowing for foreign scholars to excavate and to do research on Egyptian archaeological sites.²⁰⁷ All finds were to be reviewed by the Egyptian Department of Antiquities, in order to divide the finds between the foreign excavation parties and Egypt, through the system of *partage*. This is a policy in which 'foreign-led excavation teams provided the expertise and material means to lead excavations and in return were allowed to share the finds with the local government's archaeological museum(s).'²⁰⁸ In the 19th century, Egypt introduced laws that protected its national cultural heritage, in which the fifty-fifty divide applied.²⁰⁹ Bearden explains that 'laws on the division of archaeological finds were not completely developed then. Also, these laws were created in a dependent Egyptian nation under French and British occupation, who enforced their laws to favor divisions of artifacts for European ownership.'²¹⁰ The excavated materials were divided

²⁰⁶ Kate Connolly, "Is this Nefertiti – or a 100-year-old fake?" *The Guardian*, May 7, 2009, <https://www.theguardian.com/artanddesign/2009/may/07/nefertiti-bust-berlin-egypt-authenticity>.

²⁰⁷ Lauren Bearden, "Repatriating the Bust of Nefertiti: A Critical Perspective on Cultural Ownership," *The Kennesaw Journal of Undergraduate Research* 2, no. 1 (2012), 5.

²⁰⁸ Cuno (2008), xxxiii.

²⁰⁹ Kurt G. Siehr, "The Beautiful One Has Come - To Return: The Return of the Bust of Nefertiti from Berlin to Cairo," in *Imperialism, Art and Restitution*, by John Henry Merryman (New York: Cambridge University Press, 2006) 118.

²¹⁰ Bearden (2012), 5.

fifty-fifty between the Germans and the Egyptian Department of Antiquities, but the latter had the final say as to which objects would leave and which would remain in Egypt, because of their importance in Egyptian history. The division in 1913 was the responsibility of Gustave Lefebvre, a French junior official, who acted on behalf of Gaston Maspero, director of the Egyptian Antiquities Service and the Egyptian Museum in Cairo. Lefebvre, whose competence has been open to question, allowed the bust to go to the Germans, even though it is argued that his archaeological knowledge was not up to date, since he was an epigraphist and papyrologist.

With the approval of the Egyptian Department of Antiquities, the bust was transferred to Germany, where it was given to a sponsor of the excavation, James Simon. He later donated the sculpture to the Berlin Museum, where it was placed on display in 1923.²¹¹ The bust immediately drew much attention and became a favoured attraction in Berlin. During the Second World War, the bust was safeguarded in a German bunker.²¹² In 1956, the bust moved to West-Berlin, causing repatriation claims from East Berlin; this restitution debate was resolved with the German reunification in 1990. Today, the bust is located in the Neues museum, which is a part of Berlin's Egyptian Museum.

Egypt's repatriation claims

When the bust was displayed for the first time in Berlin in 1923, the Egyptians were shocked and almost immediately demanded the return of the artefact. The first informal call for restitution was in 1925, as Egypt tried to compel the return by denying Germany any further involvement in excavations unless they would repatriate the bust, which was hard-headedly ignored by the Germans. Four years later, Pierre Lacau, director of antiquities in Egypt, came to Berlin for negotiations with the director of the Egyptian Museum, Professor Schäfer. Egypt tried to negotiate the return by offering to trade a collection of very valuable antiquities, which was seriously considered.²¹³ Then, in 1933, German diplomats wanted to return the bust as a political gesture, but were interrupted by Hitler, who decreed that 'What the German people have, they keep!'²¹⁴ Egypt tried to reopen negotiations in the 1950s, but also these efforts were to no avail.

²¹¹ Siehr (2006), 115.

²¹² The bust was sheltered in a salt mine at Merkers/Kaiseroda in Thuringia, Germany.

²¹³ Nefertiti Travels, "The Bust of Nefertiti: A Chronology," accessed January 11, 2017, <https://web.archive.org/web/20150318133459/http://www.nofretete-geht-auf-reisen.de/echronol.htm>.

²¹⁴ Bearden (2012), 6.

Egypt claims that Borchardt had misled the junior official Lefebvre and had downplayed the importance and beauty of the bust by covering it up. The intent of Borchardt as is expressed in his diary is seen as undeniable evidence that the bust was illegally removed to Germany. The archaeologist is being accused of diligently hiding the bust underneath some unimportant antiquities from the Egyptian inspection. Borchardt had supposedly left the bust in dirt, knowingly obscuring its value. In his personal diary he wrote: 'It took a considerable amount of time until the whole piece was completely freed from all the dirt and rubble. This was due to the fact that a portrait head of the king, which lay close to the [Nefertiti] bust, had to be recovered first. After that, we concentrated on the bust, and we held the most lively... piece of Egyptian art in our hands. It was almost complete. Parts of the ears were missing, and there was no inlay in the left eye.'²¹⁵ Based on this fragments, it seems as if Borchardt was well aware of the importance of the bust. From Egyptian perspective, the archaeologist falsified and hid the true identity of the bust, and therefore they render the object stolen as its value was intentionally inaccurately disclosed. However, the Berlin Museum claims that Borchardt followed Egyptian law and did not conceal the bust's identity.

The legality of the case has been argued for and against by two juridical scholars: Kurt Siehr and Stephen Urice. Siehr argues that in the present legal situation, archaeological artefacts belong to their 'home' country, where they have been excavated, and thus the bust should be returned, because the removal was not explicitly approved by Egypt.²¹⁶ Also, since the removal of the bust was done under times of occupation, the claim is not time barred. Urice disagrees and argues that the timeliness did expire decades ago, since the uncovering of the truth is severely impaired by the loss of evidence.²¹⁷ Furthermore, Urice concludes that the transfer of ownership is legally valid. That 'Egypt subsequently would have preferred another result is irrelevant to the *legal* issue.'²¹⁸

Even though Egypt does not have a legal claim, this does not stop the nation from pursuing the restitution of the bust. In the beginning of the 21st century, Egypt even took on a more aggressive tone in the pursuit of the bust, when the archaeologists dr. Zahi Hawass became head of the Egyptian Supreme Council of Antiquities in 2002. Hawass became the figurehead of anything Egypt and appeared repeatedly in the media, for example in *Chasing*

²¹⁵ Rolf Krauss, "1913-1988: 75 Jahre Büste der NofretEte/Nefer-iti im Berlin," *Jahrbuch Preussischer Kulturbesitz* 24 (1987), 88-89.

²¹⁶ Siehr (2006), 132.

²¹⁷ Stephen K. Urice, "The Beautiful One Has Come - To Stay," in *Imperialism, Art and Restitution*, by John Henry Merryman (New York: Cambridge University Press, 2006), 144.

²¹⁸ Ibidem, 143.

Mummies on the History Channel. Hawass has claimed to have officially requested the bust on several occasions, but the Prussian Cultural Heritage Foundation refutes this and states that the request was considered Hawass' personal demand, since the request was not signed by the Egyptian prime minister, Ahmed Nazif.²¹⁹ Also, the entire repatriation claim by Egypt is not even mentioned by the websites of the Egyptian Museum, the Neues Museum or the Prussian Cultural Heritage Foundation. Surprisingly, there is no additional information on the Bust of Nefertiti on the website of the Egypt's Supreme Council of Antiquities (SCA) as well, even though the 'head of Nefertiti' is mentioned in a list on which artefacts the SCA is currently pursuing.²²⁰ The restitution of the Bust of Nefertiti has thus never been officially demanded by the Egyptian government.

However, in 2005, Hawass had requested mediation of UNESCO at the meeting of the 'Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin' in Paris. UNESCO has not yet started the mediation, because Germany is not prepared to negotiate. Also, in the fight to repatriate Egypt's stolen artefacts and iconic art works, Hawass has organized the first Conference on International Cooperation for the Protection and Repatriation of Cultural Heritage, where countries that suffered from illegal trafficking of antiquities were united to fight for the return of stolen objects and to prevent future theft.²²¹ At the conference, recommendations were drafted on strengthening international cooperation and improving international law enforcement on looting.

The repatriation claims of the Bust of Nefertiti have been comprehensively played out in the media, especially by Hawass as he used the media multiple times to announce that Egypt was about to make official repatriation claims. Egypt's main reason for repatriation as expressed in the media is the illegal removal of the bust, even though they have never made attempts to take the case to court. In contrast to Greece in the Elgin Marbles debate, Egypt has also requested the loan of the bust for shorter periods of time. In 2004 and in 2006, the director of the Egyptian Museum in Cairo, Wafaa El-Saddi expressed she wanted the bust in Egypt back for a two-month exhibition.²²² Hawass started asking for loans instead of returns as well, for example for an exhibition in Cairo in 2007, celebrating the 100th anniversary of

²¹⁹ David Crossland, "Germany rejects Egypt's demand to send Nefertiti home," *The National*, January 27, 2011, <http://www.thenational.ae/news/world/middle-east/germany-rejects-egypts-demand-to-send-nefertiti-home>.

²²⁰ Supreme Council of Antiquities, "Stolen Treasures," Accessed January 11, 2017, http://www.sca-egypt.org/eng/RST_MISS_MP.htm.

²²¹ Supreme Council of Antiquities, "Conference on International Cooperation for the Protection and Repatriation of Cultural Heritage," Accessed January 11, 2017, http://www.sca-egypt.org/eng/rst_ichc.htm

²²² "Ägypten will Nofretete zurück," *N-TV*, June 27, 2004, <http://www.n-tv.de/archiv/Aegypten-will-Nofretete-zurueck-article86749.html>.

the German Archaeological Institute, and also for the opening of the Akhenaton museum in Minya, which is close to Amarna.²²³ However, these requests have hitherto been denied by the Egyptian Museum, because the bust was supposedly unfit to travel.

4.2. Stakeholders

The Bust of Nefertiti is publically displayed as part of the collection of the Egyptian Museum of Berlin (Ägyptisches Museum und Papyrussammlung) in the Neues Museum. The museum had been reopened in 2009, after it had been in restoration since it had been severely damaged in the Second World War. The Egyptian Museum is part of the Berlin State Museums (Staatliche Museen zu Berlin), which are overseen by the Prussian Cultural Heritage Foundation (Stiftung Preussischer Kulturbesitz) and funded by the German government and federal states. The Prussian Cultural Heritage Foundation is a prominent cultural institution and an important contributor to the research of humanities and social sciences. The foundation includes museums, libraries, archives, and research institutes. and it is the legal owner of the bust.²²⁴ However, the right to dispose of the bust lies not with the foundation, but with the German Parliament and the Federal States.

The Egyptian Museum is not an encyclopedic museum like the Met or the British Museum, as the museum displays Ancient Egyptian culture over four millennia and the cultural history of Ancient Sudan.²²⁵ In the media, the museum is mainly represented by Dietrich Wildung (1989-2009) and his successor Friederike Seyfried (2009-now).

The second stakeholder the Egypt, which is represented by its government and the Ministry of State for Antiquities (MSA). The MSA was started as the Antiquities Service in 1858, and was headed by French scholars until the early 1950s, when the organisation became Egyptian-run after British colonial troops left. The Antiquities Service was part of the Ministry of Education and was transferred to the Ministry of Culture in 1960. The organisation was renamed Egyptian Antiquities Organization (EAO) in 1971, and was changed again into the Supreme Council of Antiquities in 1994. In 2011, the SCA became the

²²³ “Egypt-Germany row over Nefertiti bust cools,” *Daily News Egypt*, November 19, 2007, <http://www.dailynewsegypt.com/2007/11/19/egypt-germany-row-over-nefertiti-bust-cools/>.

²²⁴ Prussian Cultural Heritage Foundation, “Profile of the Stiftung Preussischer Kulturbesitz,” accessed December 8, 2016, <https://www.preussischer-kulturbesitz.de/en/about-us/profile.html>.

²²⁵ Staatliche Museen zu Berlin, Preußischer Kulturbesitz. “Ägyptisches Museum und Papyrussammlung.” accessed November 28, 2016. <http://www.smb.museum/en/museums-institutions/aegyptisches-museum-und-papyrussammlung/exhibitions/detail/altes-aegypten.html>.

independent ministry.²²⁶

The repatriation of the bust of Nefertiti has been especially demanded by Zahi Hawass, an Egyptian archaeologist, who has been at the forefront of the battle of repatriation Egypt's stolen artefacts and iconic artworks, such as the Bust of Nefertiti and the Rosetta Stone. Hawass was the Secretary General of the SCA (2002-2011), and became Minister of State for Antiquities in 2011, a post which was especially created for him by Hosni Mubarak, the former president of Egypt until the Egyptian Revolution of 2011.²²⁷ However, Hawass was critiqued for his elitist attitude and his relations with ex-president Hosni Mubarak and eventually resign both as minister and as head of the SCA, which has impeded Egypt's claim for repatriation.

Though the repatriation of the bust has often been demanded, it is not clear where the bust would return. Different options have been mentioned, such as the Cairo Museum, which houses a collection of 120,000 (ancient) Egyptian artefacts, and the Egyptians supposedly have also prepared a place of honour for Nefertiti in their National Museum of Egyptian Civilisation (NMEC), situated in El Fustat, near Cairo, which is not yet inaugurated. 'The NMEC will showcase Egyptian civilization from prehistoric times to the present day, using a multidisciplinary approach that highlights the country's tangible and intangible heritage.'²²⁸ The NMEC would constitute as an archetypical 'nationalist' museum, which displays the history of the Egyptian nation, and uses the ancient past for national identity building.

Another stakeholder in the debate is the German CulturCooperation, which started an initiative called 'Nefertiti travels' in 2007. CulturCooperation was founded in 1986 'with the aim of promoting cultural encounters and exchange between the countries of Europe and those of Africa, Asia and Latin America and making critical contributions to policies in this field.'²²⁹ The 'Nefertiti travels' campaign tried to open up the stubborn attitude towards loaning the bust, by broad national and international media coverage, raising broad public awareness and initiating a public debate. Also, CulturCooperation asked the public to cast a vote on the return of Nefertiti. Of 6603 respondents, 51% voted for the stay of Nefertiti in

²²⁶ Supreme Council of Antiquities, "A Brief History of the Supreme Council of Antiquities (SCA): 1858 to present," accessed January 4, 2017, http://www.sca-egypt.org/eng/sca_history.htm.

²²⁷ Daniel Steinvorth and Volkhard Windfuhr, "It Is a Miracle that More Was Not Stolen," *Spiegel Online*, February 22, 2011, <http://www.spiegel.de/international/world/egyptian-antiquities-minister-zahi-hawass-it-is-a-miracle-that-more-was-not-stolen-a-746955.html>.

²²⁸ UNESCO, "The National Museum of Egyptian Civilization," accessed January 17, 2017, <http://www.unesco.org/new/en/culture/themes/museums/museum-projects/the-national-museum-of-egyptian-civilization/>.

²²⁹ Nefertiti Travels, "Welcome to the campaign 'Nefertiti travels,'" accessed January 11, 2017, <https://web.archive.org/web/20131018015156/http://www.nofretete-geht-auf-reisen.de/ewelcome.htm>.

Berlin, 42% voted for the temporary loan of Nefertiti to Egypt, while only 7% was of the opinion that the bust should be repatriated.²³⁰ This initiative shows, that the German people support the loaning of the bust to Egypt, but not the permanent restitution.

4.3. Values

Historical value

Nefertiti, also called Nefertete or Nofretete, was the Great Royal Wife of the Egyptian pharaoh Akhenaten, who was the pharaoh of the 18th dynasty of Egypt and who ruled either between 1353-1336 or 1351-1334. Akhenaten, previously called Amenhotep IV, abandoned traditional Egyptian polytheism and introduced a worship centred around the Aten or Aton, the disk of the sun in ancient Egypt mythology, which is an aspect of the sun god Ra. He moved the royal court, and later the capital, to Tel el-Amarna, away from the Nile river between Luxor and modern Cairo and created a site that was devoted entirely to Aten. Akhenaten and Nefertiti were the sole chosen worshippers of the god Aten. Nefertiti is shown in depictions as taking part in daily worship alongside the pharaoh, which is an unusual role which against centuries of tradition. Also, Nefertiti is often depicted in an equal manner, sharing power and responsibility with the king.

Little is known about the queen from the 14th-century BCE, although theories suggest that she was of royal birth, perhaps a princess of the Indo-Iranian empire Mitanni. In any case, her beauty was well known as her name means ‘the beautiful one has come’. It is possible that she was the co-regent of Egypt with the Pharaoh. It is unclear what happened to Nefertiti in the end; she might have passed away, fallen in disgrace or retired prematurely. As for Akhenaten, he had long been hidden from history as his successors had executed *damnatio memoriae* and abolished the cult of Aton and went back to polytheism. Also, Akhenaten had a different residence due to the removal of the capital.²³¹ As Tel el-Amarna fell in disuse and was situated in the desert, the bust has been preserved in excellent conditions.

Under the rule of Akhenaten, a new style of art was developed: the Amarna style, which had the ‘purpose of creating a distinctive image to his new reign.’²³² Art was an essential tool in legitimizing the Pharaoh’s reign and to ensure their success in their afterlife.

²³⁰ Nefertiti Travels, “Vote,” accessed January 11, 2017, <https://web.archive.org/web/20131019142946/http://www.nofretete-geht-auf-reisen.de/vote.htm>.

²³¹ Siehr (2006), 2.

²³² Bearden (2012), 3.

Bearden explain that it was important for every reign to have a group of court artists to produce works in the royal style. The most agreed-upon theory to the purpose of the bust was that it was used by Thutmose, the head court painter who worked in 1345 BCE, as the prototype to depicting Nefertiti in the Amarna style.²³³

The historical value of the bust has been questioned, as the sculpture has been criticized as inauthentic in 2009.²³⁴ Swiss art historian Henri Stierlin argued in his book *Le Buste de Nefertiti – une Imposture de l’Égyptologie* that Borchardt had commissioned the bust either to test ancient pigments or to display an excavated necklace. Also, a second historian, Edroğan Ercivan, called the bust a fake. These allegations were immediately refuted by Dietrich Wildung, the curator of the Berlin’s Egyptian Museum, who stated that ‘We would not put an even remotely questionable object on display for 700,000 visitors to see every year’.²³⁵ This implies the importance of the historical value of an object, since an inauthentic version would not be displayed as an ancient bust. If the object was not actually used by the ancient Egyptians, it does not have the association with historical events and figures any more, like an authentic piece would have.

Aesthetic value

The Bust of Nefertiti is a 3300-year-old limestone bust covered with painted gypsum. (Fig.12) Nefertiti is recognizable by the characteristic crown, a tall blue flat-topped headpiece, decorated with a ribbon and the uraeus, an image of an Egyptian cobra, symbolizing sovereignty and a superhuman form of destruction.²³⁶ Her elongated neck, holds an elegant face with high cheekbones and perfect features, giving the queen a serene beauty. The condition of the colouring is excellent, as is the modelling of her face.²³⁷ However, one eye is missing from the bust, and was possibly never carried out, while the right eye is inlaid with crystal and black coloured wax to form the pupil. Nefertiti and her bust are widely recognized icons of beauty, and her beautiful features are described in detail by scholars and news articles alike.

²³³ Bearden (2012), 4.

²³⁴ Kate Connolly, “Is this Nefertiti – or a 100-year-old fake?” *The Guardian*, May 7, 2009, <https://www.theguardian.com/artanddesign/2009/may/07/nefertiti-bust-berlin-egypt-authenticity>.

²³⁵ Christoph Seidler, “Calling the Queen’s Authenticity into Question,” *Spiegel Online*, May 21, 2009, <http://www.spiegel.de/international/zeitgeist/berlin-s-nefertiti-debate-calling-the-queen-s-authenticity-into-question-a-625719.html>.

²³⁶ George Hart, *The Routledge Dictionary of Egyptian Gods and Goddesses* (Routledge: Taylor & Francis Group, 1986), 161.

²³⁷ Society of the Promotion of the Egyptian Museum Berlin, “Room 2.10: Bust of Queen Nefertiti,” accessed December 22, 2016, <http://www.egyptian-museum-berlin.com/e53.php>.

It has been discovered that Thutmose perfected Nefertiti's features, as a wrinkled face hides underneath the gypsum cover of the bust. Like an ancient Photoshop, the sculptor had smoothened out these markers of age and gave her features a deified youthfulness.²³⁸ Even though the extraordinary craftsmanship by its maker is expressed in the other cases, this is not necessarily proclaimed in the sources. It is about the beauty of the queen, not the supreme skills of the sculptor, which is hardly distinguished from the beauty of the queen itself. However, the skill of Thutmose is implied and directly related as he is the one who created this icon of female beauty.

The imagery of the bust, and even the bust itself, have featured in modern art constructions. In 2003, the Egyptian Museum permitted two Hungarian artists to temporarily place the bust on a bronze statue of a semi-naked woman, for the Hungarian entrance for the Venice Biennale art exhibition. (Fig. 11.) The project is explained as showing the continued relevance of ancient iconic art works for modern art, as the artists wanted to portray the continuity of culture as well, according to the curator of the 'The Body of Nefertiti' Istvan Barkoczi and Wildung defended the installation by calling it "a homage to Nefertiti by means of contemporary art."²³⁹ Even though director Wildung claimed that the bust was on the statue for a few hours to make a video installation, the Egyptian Culture Minister Faruq Hosni strongly disapproved of this use of the bust as he states that it had defamed Egyptian heritage and vowed for the direct repatriation of the bust to Egypt. Also, the Egyptian ambassador in Berlin, Mohamed al-Orabi, expressed that 'We don't accept that such an important statue of Queen Nefertiti has been put in jeopardy for this silly project', thus questioning the capability of the Berlin museum to take proper care of the bust. The ambassador also explained that in Egyptian Islamic civilization, nudity is never displayed, and this handling of the bust is perceived as a calculated insult to Egypt's heritage and its society.²⁴⁰ Hawass also called for the return of the bust to Egypt for its protection and accused Wildung of risking damage to Egypt's cultural heritage by creating this 'disgraceful display'.²⁴¹ This incident clearly demonstrates how ownership also has the power of representation, and that the owner can make decisions which are not favourably received by the excluded stakeholders.

²³⁸ Bearden (2012), 4.

²³⁹ Jeevan Vasagar, "Egypt angered at artists' use of Nefertiti bust," *The Guardian*, June 12, 2003, <https://www.theguardian.com/world/2003/jun/12/artsandhumanities.arts>. And Hugh Eakin, "Nefertiti's Bust Gets a Body, Offending Egyptians," *The New York Times*, June 21, 2003, <http://www.nytimes.com/2003/06/21/arts/nefertiti-s-bust-gets-a-body-offending-egyptians.html>.

²⁴⁰ Vasagar (2003).

²⁴¹ Melissa Cheung, "Modern Art Not Fit For A Queen," *CBS News*, June 17, 2003, <http://www.cbsnews.com/news/modern-art-not-fit-for-a-queen/>.

The bust was an inspiration to another modern art piece in 2014, as replicas of the bust were used by artist Isa Genzken in her piece 'Nofretete', which consisted of seven copies of the bust placed on wooden bases wearing glasses. (Fig.13.) The work was part of the artist's travelling exhibition 'Mach dich heubsch!' (Make yourself pretty), showing not only that the image of Nefertiti equals beauty, but also the appropriation of her image by modern art. This art work was not critiqued by Egypt, as it did not endanger or represent the bust in an inappropriate manner.

Like the Elgin Marbles, the aesthetic appreciation of the bust as being a *Gesamtkunstwerk*, an artwork composed of several art forms and elements, that is seen as one piece of art, has been argued. The importance of the integrity of an artwork as a unity has been recognized by archaeologists, art historical, museum professionals and politicians alike. Cultural heritage as an ensemble should not be dismembered, and if disperses, should be reassembled. Even scholars, such as Merryman for example, who are in favour of the dispersion of artworks and cultural internationalism, acknowledge the integrity of works of art. The archaeological finds in Thutmose's workshop are spread over several museums and collectors, even though correlated pieces have been kept together. Siehr has argued that all artefacts found in Thutmose's studio should be gathered to provide a complete image of the workshop.²⁴² Siehr argues that the whether the Bust of Nefertiti should be seen as a *Gesamtkunstwerk*, should be determined by Egypt, the country of origin: 'As there is no professional body of archaeologists authorized to solve these problems, it is the country of origin which regularly has the best information about *ensembles* of its culture and the principal interest in restoration of a dismembered masterpiece formerly located in this country. In the case of Nefertiti, it is Egypt which has to make up its mind and to decide whether the workshop of Thutmose and the contents of the workshop (including the bust of Nefertiti) can be re-established in a museum.' This argument is nonsensical, because the Egyptian government would not be the only party to scrutinize the intentions of the maker and determine whether or not the bust is part of a set, since this could also be done by independent professionals for example. Urice also rejects the notion of the bust being part of an ensemble and argues that no museum, both in Germany or Egypt, would display all works, since not all pieces would be interesting for the public to behold, even though they have great value for scholars.²⁴³ And even if all the pieces found in Thutmose's workshop would be on display, the large amount of tourists visiting the bust would call for an isolated display. Either way, if the

²⁴² Siehr (2006), 131.

²⁴³ Urice (2006), 147-148,

Bust of Nefertiti would have set value, it would not resolve the matter of restitution and would also not explain the reason why these parties would pursue ownership, since the bust and the other artefacts could be unified in both Germany and Egypt. Siehr also scrutinizes the idea of an object automatically belonging to its nation of origin, and rhetorically questions ‘Must every painting of Raffaello be in Italy, every masterwork of Dürer in Germany, every canvas of Goya in Spain and every portrait of Frans Hals in the Netherlands?’²⁴⁴ Ironically, claiming that the Bust of Nefertiti should be perceived as a *Gesamtkunstwerk* is saying that everything that once was in the workshop of an artist, or the entire oeuvre of an artist should be kept together, while he obviously does not seem to think that this is the case for other grand pieces of art.

Cultural/symbolic value

Nefertiti is one of the most famous women of the ancient world because of the popularity of the bust and she is worldwide perceived as an icon of feminine beauty.²⁴⁵ She is perhaps the best-known work of ancient Egyptian art, and arguably from all antiquity.²⁴⁶ As such, she has universal value and is important to all humans. However, Nefertiti has become a cultural symbol of Berlin as well as ancient Egypt.

As we have seen earlier, national identity can be embodied by artefacts of a past culture.²⁴⁷ The Bust of Nefertiti is seen as a symbol for Egypt’s national identity and unity, as has often been expressed by Zahi Hawass and other Egyptian government officials, Nefertiti belongs to Egypt.²⁴⁸ Hawass argues that ‘the Egyptian people have the right to be able to admire their ancient queen face-to-face’²⁴⁹ Also, when El-Saddik, director of the Cairo Museum, asked for the loan of Nefertiti in 2006, she stated that Nefertiti embodied ‘the Egyptian’ for her countrymen, and that ‘The people on the street want them back.’²⁵⁰

Salima Ikram, Pakistan archaeologist and Egyptologist, argues that the Pharaonic past has been key to creating a sense of national Egyptian identity.²⁵¹ The Pharaonic past has been

²⁴⁴ Siehr (2006), 132.

²⁴⁵ Ikram (2011), 147.

²⁴⁶ Dorothea Arnold, “The Workshop of the Sculptor Thutmose,” in *The Royal Woman of Amarna. Images of Beauty from Ancient Egypt*, by Dorothea Arnold, (New York: Metropolitan Museum of Art, 1996), 65.

²⁴⁷ Bearden (2012), 8.

²⁴⁸ Steinvorth and Volkhard (2011).

²⁴⁹ “Egypt demands loan of Nefertiti bust for museum opening,” *Daily News Egypt*, April 24, 2007, <http://www.dailynewsegypt.com/2007/04/24/egypt-demands-loan-of-nefertiti-bust-for-museum-opening/>.

²⁵⁰ ‘Natürlich verkörpere Nofretete für ihre Landsleute die “Ägypterin”,’ and ‘Die Leute auf der Straße möchten sie zurückhaben.’ Michael Zajonz, “Nofretete bleibt,” *Der Tagesspiegel*, February 24, 2006, <http://www.tagesspiegel.de/weltspiegel/gesundheits-nofretete-bleibt/687848.html>.

²⁵¹ Ikram (2011), 150.

used on stamps, currency and as a symbol for the national bank. Also in the 21st century, Egypt used the past to create a sense of national identity, pride and unity, in a divided land. According to the Ikram, Egypt's ancient past is clearly 'an intrinsic part of its national identity and economy. It also provides a common ground that unifies Christians and Muslims.'²⁵²

This sense of pride is also seen in Samalut, an area approximately 100 kilometres north of Tel-el Amarna, where a copy of Nefertiti's bust was erected, though to say that the reproduction Nefertiti has lost much of her initial beauty and charm, would be an understatement. (Fig. 14.) The execution of the sculpture was mocked by the Egyptian people to look like Frankenstein, and reactions on social media varied from 'This is an insult to Nefertiti and to every Egyptian,' to 'Not only are you distorting the present but also the past... I ask that the original bust not be returned from Germany, at least there she's got her dignity.'²⁵³ The placement of a copy suggest local affinity to the bust and the wish to have her represented in Egypt. Also, the reactions to the copy show that the Egyptians see Nefertiti as a proud symbol of their country's ancient history

There have been many critiques on the idea that Egyptian nationalism is based on the Pharaonic past and that the Bust of Nefertiti is a symbol of this national identity. First, the connection that is suggested between modern and ancient Egypt is nonsensical, since the current Egyptian Monotheistic Islamic culture could not be further apart from the pantheon of ancient Egypt. Urice argues that 'There are no cultural, religious, political, social, or economic values of the Eighteenth Dynasty that find resonance in modern Egypt.'²⁵⁴ He further states that even if the national identity of the Egyptians is embedded in the Pharaonic past, the presence of the bust is hardly required for the Egyptians to comprehend who they are as a people and which values they hold in their present society, because they have many artefacts and other sculptures of Pharaonic queens that would represent this identity, and these values between ancient and modern Egypt vary widely. The bust is thus proclaimed as a marker of national identity by association with the ancient Egyptian past, and not because the object itself has direct relations to the Egyptian nation or its creation.

The Bust of Nefertiti is important to the cultural identity of Germany as well. German Culture Minister Bernd Neumann said at the opening of the exhibition 'In the Light of Amarna' at the Neues Museum in 2012, that 'There are artworks that belong to our collective

²⁵² Ibidem, 153.

²⁵³ "Egyptians lambast 'ugly' new Nefertiti statue," *BBC News*, July 7, 2015, <http://www.bbc.com/news/blogs-trending-33411219>.

²⁵⁴ Urice (2006), 153.

consciousness — Nefertiti is such a work,²⁵⁵ The bust has resided in Germany for over a hundred years and is affectionately called ‘Nofi’ by the people of Berlin. Her image is used on the imagery of Berlin, such as postcards and stamps.²⁵⁶ It is even argued that ‘She is to the German capital what the Mona Lisa is to Paris, only more so.’ BZ, a Berlin tabloid, stated in its headline in reaction to Egypt’s repatriation claims that ‘She’s a Berliner! [...] The Egyptians just won’t drop it. But Germany will remain hard - and the beautiful queen will remain in Berlin.’²⁵⁷ Art collector and publisher, Christian Boros, said that repatriating Nefertiti ‘would be like tearing the heart out of Berlin’s chest.’²⁵⁸ It may be clear that the German people, and especially those from Berlin, feel very strongly about Nefertiti, and, as we have seen earlier, the majority of the people have voted for Nefertiti to remain in Berlin in an informal poll.

The Bust of Nefertiti also brings another scenario of transfer to the table, namely the European dominance in foreign countries under the Age of Imperialism. European exploration, colonialization and imperialism, created an interest in all things foreign. This has had continuing effects on foreign cultures. Because of this socially constructed separation (the west vs. the rest), different perceptions of cultural patrimony and the value of heritage have been created. According to Bearden, the Western excitement for foreign cultures arose at the end of the 19th century. Imperialist tendencies created a growing interest in foreign cultures, leading to the development of the fields of anthropology and archaeology. Between 1890 and the 1920s, many excavations took place in Egypt and countless artefacts were taken from the colonized countries, which were put in museums in Western-Europe. ‘From the moment it was rediscovered, the bust became the focal point of the repatriation dilemma between “the West and the Rest”’.²⁵⁹

In the case of the Bust of Nefertiti, it is being questioned whether or not these ‘historical wrongs’ of taking the bust when Egypt was under the reign of the Ottoman Empire and occupied by Britain, should be corrected. First, it should be argued whether the removal of the bust is an historical wrong in the first place. Urice argues that there has been no imperialist wrongdoing with the removal, because through the system of partage, both parties have benefited. Egypt gained more knowledge on its own history and obtained more objects

²⁵⁵ Ishaan Tharoor, “The Bust of Nefertiti: Remembering Ancient Egypt’s Famous Queen,” *Time*, December 6, 2012, <http://world.time.com/2012/12/06/the-bust-of-nefertiti-remembering-ancient-egypts-famous-queen/>.

²⁵⁶ Tristana Moore, “Row over Nefertiti bust continues,” *BBC News*, May 7, 2007, <http://news.bbc.co.uk/2/hi/europe/6632021.stm>.

²⁵⁷ Crossland (2011).

²⁵⁸ Ibidem.

²⁵⁹ Bearden (2012), 6.

for their museums, while Germany gained more prestige and scientific standing and also valuable objects to display.²⁶⁰ Hawass also recognizes that Egypt has gained much from German and other foreign excavations, which he has also emphasized on the celebration of the 100th anniversary of the German Archaeological Institute in Cairo.²⁶¹ However, Hawass has also stated that the Egyptian antiquities ‘were taken out by imperialism’, and that the Egyptians consider the bust to be stolen, even though the excavations were divided by *partage*.

Ganslmayr and Paczensky questioned the imperial relations still present in Europe’s role as treasure trove of Third World antiquities. In *Nofretete Will Nach Hause*, they examined the justification for restitution claims from the countries of origin, with Nefertiti at the centre of this research.²⁶² They argue that despite the benefits that Egypt has gained from these foreign excavations, there are still imperialist notions in effect today. First, Western museums, such as the Egyptian Museum, claim that they have saved the antiquities from destruction. The West thus still maintains the narrative that they have legally acquired these antiquities and perhaps even saved and protected them.²⁶³ It has often been argued that the Egyptians did not show any interest in the division of finds and that they became suddenly interested when the bust became world famous.²⁶⁴ This argument is also being used in the museum representation of the Egyptian Museum, according to Berger, as it legitimizes the presence of the bust in Berlin, by stating that the Egyptians only showed interest after the success of the bust in Germany. The German archaeologists are seen as saviours of the ancient past here, thus legitimizing the ownership of the bust, despite of commonly held notions that an object belongs to its place of origin. Second, the Western museum, and scholars for that matter, often blame the ‘Third World’ countries for reclaiming all objects in the market nation’s collections. However, Ganslmayr and Paczensky argue that above all, these Third World countries do not wish for a floodgate in which all these artefacts are

²⁶⁰ Urice (2006), 147.

²⁶¹ Hawass has stated that ‘Many come and ask me about the necessity of involving foreign missions in excavations, but again I have to stress that had it not been for the foreign archaeological teams that have operated in Egypt since the last century, there wouldn’t have been anything called Egyptology.’ Ahmed Maged, “German Archaeological Institute celebrates its 100th anniversary in Egypt,” *Daily News Egypt*, November 18, 2007, <http://www.dailynewsegypt.com/2007/11/18/german-archaeological-institute-celebrates-its-100th-anniversary-in-egypt/>.

²⁶² Gert von Paczensky and Herbert Ganslmayr, *Nofretete Will Nach Hause. Europa – Schatzhaus der “Dritten Welt,”* (Munich: C. Bertelsmann, 1984).

²⁶³ Ibidem, 13.

²⁶⁴ Claudia Breger, “The ‘Berlin’ Nefertiti Bust. Imperial Fantasies in Twentieth-Century German Archaeological Discourse,” in *The Body of the Queen: Gender and Rule in the Courtly World, 1500-2000*, ed. Regina Schulte (New York/Oxford: Berghahn Books, 2006), 287.

returned. As so often, the West responds with total rejection and blames these countries for wanting to have *everything* back.²⁶⁵ This way of communication is disrespectful towards the source nations.

Scientific value

The bust has been properly excavated in its context and it has boosted research and scientific knowledge on this mysterious historical era and its mystery queen. The scientific value of the bust is not much debated. Also, in terms of educational value, the discussion on the encyclopedic museum versus the nationalist museum, as seen in the other two cases, is not really argued here; perhaps this is because the Egyptian Museum is not an encyclopedic museum, but a contextualizing museum, which displays Egyptian ancient artefacts mostly. If the bust would be displayed in Egypt, it would be in a similar museum as to the Berlin Egyptian Museum.

However, the educational value of the bust has been argued, as Nefertiti is seen as ‘the good ambassador’, which is especially expressed by those in favour of maintaining the bust in Berlin, such as Wildung: ‘I think Nefertiti is the best ambassador of Egypt. She is accepted here, although she is still unique and different. She must stay in Germany.’²⁶⁶ The idea of Nefertiti as Egypt’s ambassador has also been underlined by the president of the Prussian Cultural Heritage Foundation, and even Hosni Mubarak, when he viewed Nefertiti in Berlin, said that she was ‘the best ambassador for Egypt’.²⁶⁷ This idea of art as a good ambassador has been examined by Bator, who stated that art can ‘stimulate interest in, understanding of, and sympathy and admiration for that country.’²⁶⁸ Even though the Egyptian Museum is not an encyclopedic museum, encyclopedic values are attributed to the bust as ‘the bust’s presence in Berlin has permitted generations of German and international visitors the opportunity to view an exceptional example of pre-Islamic, Egyptian culture and to gain in appreciation for that culture.’²⁶⁹

²⁶⁵ von Paczensky and Ganslmayr (1984), 12.

²⁶⁶ Moore (2007).

²⁶⁷ Gogo Lidz, “The Sad Story Behind Egypt’s Ugly Nefertiti Statue,” *Newsweek* August 7, 2015, <http://europe.newsweek.com/frankenstein-art-nefertiti-egypt-germany-ugly-pharoah-330010?rm=eu>.

²⁶⁸ Bator (1981), 30.

²⁶⁹ Urice (2006), 154.

Economic value

The Bust of Nefertiti is a landmark object, that adds enormously to the cultural capital of the owner. The bust is the highlight of the Neues Museum and attracts over one million paying visitors a year, not to mention, the Nefertiti merchandise that is being sold by the museum. Not only does the bust add to the cultural capital of the museum, but also the Berlin and Germany as a whole. The economic value is probably a factor in the reluctance of the Egyptian Museum to return or even loan the bust to Egypt.

Egypt, on the other hand, has openly expressed the economic value of Egyptian antiquities. In 2006, El-Saddik has stated: ‘We are thinking of talking to museums all over the world that show Egyptian exhibits and sell entrance tickets. Egypt should receive one Euro or one dollar per ticket. These museums earn a lot of money with art treasures that come from Egypt.’²⁷⁰ Also, tourism is among the most important source of income in Egypt, accounting for 11,4% of the total employment in Egypt.²⁷¹ Since a series of upheavals in Egypt, such as the Egyptian Revolution in 2011, a military coup in 2013 and the crash of an airplane with Russian tourists in 2015, the tourist industry in has collapsed. The return of the bust, and the media attention that would accompany this hypothetical event, could possible increase tourism in Egypt. However, the economic value would be considerable for both parties and would not be an argument to favour one over the other.

4.4. Preservation and accessibility

The preservation of the bust has been an important argument in not returning or loaning the bust to Egypt. First, Wildung has asserted that the bust cannot be safely moved and that it would be ‘...an enormous risk to let her travel. We could never be certain that she would arrive in good health. There are serious conservation issues. The bust is made of limestone and thick layers of plaster and it's very sensitive to vibrations, shock, and any change of temperature.’²⁷² The position of museum and its experts has been supported by German Culture Minister Bernd Neumann and the parliament’s Culture Committee, which said last week that the bust was too precious to risk in any way. Neumann also reiterated that ‘there

²⁷⁰ “The Bust of Nefertiti: A Chronology.”

²⁷¹ World Travel & Tourism Council, “Travel & Tourism. Economic Impact Egypt.” 2016, <http://www.wttc.org/-/media/files/reports/economic-impact-research/countries-2016/egypt2016.pdf>.

²⁷² Moore (2007).

were no doubts about the legal ownership of the priceless artefact.²⁷³ However, Egypt does not seem to agree with this statement, regarding that the Egyptian Museum allowed two Hungarian artists, Andras Galik and Balint Havas, to fit the bust onto a modern bronze body, albeit briefly.²⁷⁴ However, Hawass expressed that ‘if tests reveal that it wouldn’t be safe we can’t press our request’, thus also foregrounding the importance of preservation of the bust.²⁷⁵

Second, the political instability of Egypt since the Arab Spring and the Egyptian revolution of 2011, has led to the questioning of its capability of safeguarding its ancient heritage. Several items were reported missing from the Egyptian Museum in Cairo after a break in. To allegations that the museum would be unsafe he responded that ‘What happened in Cairo could also have happened in New York, in London, in any museum in the world.’²⁷⁶

Ikram also argued that it would be safe for the bust to return despite earlier iconoclasm carried out by Islamic societies. Although a *fatwa* (religious legal opinion) had been carried out by the Grand Mufti on keeping statues or imagery representing humans, museums displaying this imagery is not forbidden and many Muslim leaders have spoken out against the destruction of cultural heritage.²⁷⁷ Also, most Egyptians take pride in their antiquities and recognize the economic benefits it brings to Egypt. Furthermore, even though the threat of war is a decent objective, especially regarding the destruction in the Iraq Museum, war could happen anywhere, as for example the Second World War in Germany, and is not a reason to keep Nefertiti away from Egypt. The Bust Nefertiti would thus be safeguarded in both nations, who both have qualified museums and professionals, and is thus not a convincing argument for restitution or retention.²⁷⁸

The accessibility of the bust is ensured in both Berlin and in Egypt, where tourists and as well as the local population can visit Nefertiti. However, regarding the national wealth, it is more likely for Germans to visit Egypt than Egyptians visit Berlin. Also, the accessibility of the bust is also dependent of the political situation in Egypt, which can influence the influx of tourism.

The accessibility of the bust in Berlin has been questioned as artists have illegally made a 3D scan of the bust and published it for free out of protest that the bust and its data are

²⁷³ Ibidem.

²⁷⁴ Ikram (2011), 148.

²⁷⁵ Maged (2007).

²⁷⁶ Steinvorth and Volkhard (2011).

²⁷⁷ Ikram (2011), 149.

²⁷⁸ Urice (2006), 146.

no accessible enough.²⁷⁹ This critique has been refuted by the Egyptian museum, saying that the bust is on display for the public, and visitors have been able to touch a replica. Furthermore, photos are online available and since 2008, there is also a 3D scan on the website of the museum.²⁸⁰

Conclusion

Egypt's pursuit for the repatriation of the bust has been driven by the conviction that the bust was illegally removed, even though the German ownership is legal. However, that does not stop Egypt from insisting it was illegally removed, even though it has never ushered an official claim of repatriation, or has taken initiative to take the matter to court. Egypt knows it does not have any legal claim to the bust, but pursues its return regardless, whether this is the permanent restitution of the return of the bust as a loan for temporary exhibitions.

Although the authenticity of the bust has been questioned, which turned out to be untrue, the historical value has not caused discordance among the stakeholders. In fact, the historical and aesthetic value of the beauty have been generally praised. The bust has generally been acclaimed as an icon of beauty, and it has inspired several modern artists. In one of these instances, the use of the bust for an art project in which Nefertiti's head was put on a bronze semi-naked sculpture, which led to outrage on the Egyptian part. The German ownership of the bust entails that they can legally represent the bust as they please, within reasonable considerations of preservation. However, this specific use of the bust has conflicted with Egyptian cultural standards and Egypt has claimed that Germany is unfit to safeguard the bust when it takes such risks.

Apart from the legality of the removal of the bust, the cultural/symbolic value is the main cause of debate. The bust has universal value as an icon of beauty, but has also an important part of the cultural identity of both Egypt and Berlin. The bust as symbolic to Egypt's national identity has been critiques, because of the structural differences between ancient and modern history. Also, the Pharaonic past is already present to satiate the need to see these objects in Egypt, thus the presence of this specific artwork is not required for identity. Despite these critiques, the sentiment of identity by association of the bust should not

²⁷⁹ Prussian Cultural Heritage Foundation, "The "Nefertiti Hack" – Is It a Hoax?" March 9, 2016, https://www.preussischer-kulturbesitz.de/en/actual-news-detail-page/news/2016/03/09/the-nefertiti-hack-is-it-a-hoax.html?sword_list%5b%5d=nefertiti&no_cache=1.

²⁸⁰ For the 3D scan, see: <http://www.smb.museum/museen-und-einrichtungen/aegyptisches-museum-und-papyrussammlung/sammeln-forschen/3d-scan-der-nofretete-bueste.html>.

be underestimated. Both the importance of the bust for Egypt and Berlin's cultural identity has been emphasized by a considerable group of stakeholders, namely the Egyptian government and its people on the one hand, and the Egyptian Museum, Berlin and Germany on the other hand. These value attributions cannot be put away as irrelevant, when they are attributed by such sizeable stakeholder groups.

The debate on restitution is often played out hypothetically among scholars, who apply arguments from other restitution cases to the Bust of Nefertiti. For example, the set value of the bust as a *Gesamtkunstwerk*. These are things that are not often expressed by sources of the primary stakeholders, such as Egypt and Berlin's Egyptian Museum, themselves, but they are adopted from other restitution debates and applied to the case of Nefertiti. The debate between Germany and Egypt is mostly about the legality and about the bust belonging to either Egypt or Berlin. Also, the economic benefits to the owner have been desired by Egypt, as the bust is a considerable source of income and a tourist attraction in Berlin.

The overarching debate here, however, is on imperialism. The Bust of Nefertiti has been a symbol of imperial repatriation and restoring historical wrongs that have been done under imperial rule. It has been argued that Egypt has benefited much from foreign archaeological excavations and thus should not be compensated with the return of the artefacts that went abroad. However, Ganslmayr and Paczensky have argued that the imperialist relations are still intact and define the debate today. This shows, for example in the way in which preservation is used as an argument against retention, because the source nation would be unfit to take care of the objects. Also, the Egyptian Museum has presented itself as saving most of these antiquities from destruction, as Egypt did not care for this heritage before the excavations and the successes of these artefacts in Western museums. These imperialist tendencies are disrespectful towards the source nations, such as Egypt. The argument of preservation has also been used by the Egyptian Museum to deny the loan of the bust to Egypt, as they argue that Nefertiti is not fit to travel. It would be fair to instate an objective committee to investigate the possibilities of a loan regarding the safety of the bust.

Chapter 5: Analysis

The Euphronios Krater, the Elgin Marbles and the Bust of Nefertiti are all protagonists in the cultural restitution debate. Different stakeholders are both in favour of and against restitution of these antiquities for a variety of reasons, and they attribute and foreground different arguments, considerations and values. Even though there are differences between these cases, there are many similarities as well. In this chapter, we will discuss how these variable circumstances change the values that are attributed to them, and how they change both ideas of ownership as well as the outcome of cultural restitution claims.

Legality of removal

The antiquities studied in this thesis have in common that they are subjects of discussion in the cultural restitution debate, because the legality of obtaining the object has been under question. However, the antiquities have all been removed in different conditions: through illegal excavations and trade, under imperial reign, and through *partage*. Also, the extent to which these claims of illegal removal are convincing differs from case to case. The Euphronios Krater was illegally excavated and traded, and is thus distinct from the other cases, because the removal had been done after the UNESCO Convention of 1970. Being the most recently removed object, there was more evidence to be acquired on its illegal removal. Also, even though the Euphronios Krater was in every way legally purchased by the Met, the vase had the most evidence of the three that its removal was illicit. The Metropolitan Museum of Art thus had more trouble with the legality of their ownership, and it has become clear that the krater was indeed looted. However, the krater was returned because of diplomatic reasons and pressures, not because the case was taken to court. The legality of the removal of the Elgin Marbles has also been questioned, even though this matter cannot be proved. The *firman*, on which the removal was based, was dubious, but investigated by the House of Commons and purchased from Lord Elgin, making this case also not legally valid. However, in this case, the ethical critiques on destroying an object in the removal for personal benefit and the unequal relations between Britain and the Greek population, which were under the rule of the Ottoman empire is compelling and has caused this case to be the most controversial of all. Even though Greece has given up any legal claim to the marbles, they have not diminished their efforts in obtaining the marbles in a diplomatic manner. The Bust of Nefertiti has the least convincing legal claim of all, since the division of finds originating from archaeological excavation was officially approved by the representatives of the Egyptian

government, albeit under imperial rule. The speculations on Borchardt's deception cannot be proved and therefore, Urice makes a valid point stating that Egypt's preference for another outcome is irrelevant for the legal case.²⁸¹ Perhaps this faltering argumentation explains why Egypt has ushered no official claims, but has rather tried to influence the public opinion through the media. I believe the probability of restitution until now has been reliant on the validity of the counter arguments. The Euphronios Krater was immediately very dubious and evidence was soon acquired, which has pressured the restitution. The evidence on illegal removal on the other two cases has proven irretrievable, causing the surliness of restitution by the British Museum and the Berlin Egyptian Museum.

Historical and aesthetics value

We are dealing with three objects here that are acclaimed for their beauty and their historical importance and which are also have three stories of men who fell in love with the wonders of antiquity. The Euphronios Krater is a highlight of Greek painting of the 5th century BCE, made by the master of pottery. The Elgin Marbles were likewise a highlight of the 5th century, but in sculpture and architecture. Its perfect proportions and revolutionary work are unparalleled in history. The Bust of Nefertiti is seen as the personification of female beauty and captures its beholder through its vivid appearance. All the works are considered unique, of exceptional craftsmanship and aesthetic quality, and are important testaments of historical events or figures. Because of their remarkable aesthetic quality and/or historical value, people want to own and have access to these antiquities. For example, the Morgantina treasure, a collection of silvers which have been returned from the Met to Italy simultaneously with the Euphronios Krater, have not nearly had as much attention and controversy as the Euphronios Krater did. I would like to suggest that this has a great deal to do with their historical and aesthetic value.

The importance of historical value also becomes apparent when the authenticity is questioned. For example, the Bust of Nefertiti was claimed to be a fake, which was presented as a scandal in the media, which suggests that the historicity and authenticity is highly valued. Also, in the Acropolis Museum, casts of the Elgin Marbles are put on display beside the rest of the Parthenon marbles. The fact that, despite of the copies, the restitution of the marbles is still pursued, shows that the authenticity and historical value of the object matter. An inauthentic piece would not have historical value, because it is not the one object that has

²⁸¹ Urice (2006), 142.

been used or is related to a historical event or person.

The polemics on historical and especially aesthetic value, differ from case to case. Often, there is consensus on the historical importance and the artefact's beauty between both proponents and opponents of restitution. Especially with the Euphronios Krater, its beauty, age, or association does not necessarily seem to be a central part of the dissonance in the debate. The historical value does lead to conflicting opinions with the Elgin Marbles, and there is a great difference of opinion on the most desirable situation for the aesthetic appreciation of the sculptures. Those in favour of restitution argue that the Marble should be reunited with the other marbles in the Acropolis Museum, while those against claim that the Elgin Marbles can be just as easily appreciated for their own artistic merit. Even though the marbles are appreciated for their beauty in the British Museum, I agree that the integrity of the Parthenon marbles as an artwork have been compromised in two ways by its removal: first, with the removal of the marbles from the architectural context of the Parthenon, and second, the division of the marbles themselves. Although the marbles cannot be reinstated on the Parthenon, they can be united with the rest of the remaining Parthenon marbles. In the regard of set value, the Elgin Marbles are very different from the other two cases, because the marbles were originally part of one piece of art. Even though the set value has been argued for the Bust of Nefertiti and the other finds of Thutmose's workshop as well, the bust is an artefact on its own, and is not related to the other artefacts as the Elgin Marbles are to the Parthenon marbles and the Parthenon. It would be comparable to the imaginary situation when the missing eye of Nefertiti would be in the possession of Egypt, or a shard missing from the Euphronios krater would be still in Italy. The unification of the Parthenon marbles to make the artwork whole again is vital for its appreciation. However, another important difference between the Elgin Marbles and the other cases is that it was once part of an architectural structure, and thus inherently bound by association to a fixed location, while the others are individual objects, which – especially in the case of the Euphronios Krater, are not bound to one location and have even travelled in their own lifetime. Even when they cannot be reinstated to the Parthenon, to walk around the marbles and see the totality of the marbles, in so far as they have survived, would be a more complete aesthetic experience, whether this would be in the British Museum or the Acropolis Museum. The set value is thus not a reason for or against restitution, because the unification of the marbles could happen in both locations.

Both the Elgin Marbles and the Bust of Nefertiti have historical value apart from their ancient past, whereas no (art) historical values have been attributed to the Euphronios Krater

after its excavation; the vase has not specifically inspired new art forms in New York, as the marbles have done in the Victorian age in the UK, or Nefertiti has inspired modern art works in Berlin. Perhaps this has to do with the comparatively brief display of the krater in the Met, but perhaps also has to do with the cultural/symbolic value of symbolizing abstract concepts which inspire beauty. The marbles are the symbol and highlight of classical art and also represent democracy, and the bust is the paragon of beauty. The krater has unique historical value, but does not set apart in this regard from other exceptional Greek vases.

The historical value of the artefacts is not central to the debate in these cases, while the aesthetic quality has been argued for restitution. Yet, in these instances, the aesthetic quality itself is not under discussion, but whether they would be better appreciated in their original context. I would say that the historical and aesthetic qualities of these pieces is fundamental to their desirability and the reason why the different stakeholders want to own them, but they are only a part of all the values attributed to these antiquities.

Cultural/symbolic value

One of the most important cultural/symbolic values is national identity. This is specifically expressed with the Elgin Marbles and the Bust of Nefertiti. The Elgin Marbles, as part of the Parthenon, have often been mentioned as a specific object that is important for Greek national identity, as it primarily symbolizes unity and the forming of nationhood for the Greek people. I would like to argue that the Elgin Marbles, once again, are quite distinct in this matter from the other cases, since the cultural values attributed to the marbles, as a marker of national identity and Greek independence and unity, is a value that has been attributed to them since the existence of modern Greece. Also, the marbles have resided on the Parthenon for over more than 2000 years, until they were removed, and made into an individual art object, which it originally was not. The Bust of Nefertiti is different in this regard, because it had only been excavated in the early 20th century and has never been on view in Egypt, thus being retroactively marked as important for the national identity. Especially the feelings of national identity of the Egyptians has been critiqued, since the Egyptian ancient past is very different from the present day society, for example the cultural discrepancy between polytheistic Egypt of 3000 years ago and monotheistic Islamic Egypt now. The importance of the bust for the Egyptian national identity building differs from the Elgin Marbles, because the Egyptian past in general is used to create a historical connection and create a sense of unity, and the Bust of Nefertiti is only by association connected to the Egyptian identity. This cultural/symbol value

that is attributed to the bust is thus more indirect than the symbolic value of the Elgin Marbles. However, there is undeniably a sense of pride of and affinity for the bust in Egypt, and even though these feelings of belonging and national identity are constructed, they should be taken seriously. The ideas of belonging and a sense of entitlement are not necessarily reasonable, but it is how a large group of people feel. Especially when discussing identity, it is about sentiment, which also enforces the intensity of the debate. However, in both cases, the sentimentality of the sense of belonging and national identity is disregarded and put away very easily by their opponents.

The Euphronios Krater does not seem to play a role in the sentiment of national identity building. But even though there is no mention of the krater contributing or symbolizing national identity, the idea that it belongs to Italy and its people and that it is part of their tradition is expressed often by the Italian government and media coverage. However, the Italian people do not seem nearly as involved with the krater, and any of the other returned artefacts, as the Greeks with their marbles and the Egyptians and their bust. However, the idea of antiquities such as the krater belonging to Italy and the Italian people has been expressed, which represents some idea of nationality. Rather, the polemics regarding the cultural/symbolic value of the Euphronios Krater, focus one the one hand on the idea that all object found within the nation-state automatically belong to the state, while on the other hand the effectiveness of restitution in the fight against illegal trafficking has been questioned. The Euphronios Krater thus concerns a very different discussion on cultural/symbolic value than the other two cases.

In all three cases, not only the idea of cultural heritage as belonging to the nation state has been expressed, but also the regional belonging of artefacts. The wish for the antiquities to be return to their original location, not only to their originally country, has been often expressed. The Euphronios Krater has eventually returned to Cerveteri, where it is in a museum that represents Etruscan art found in Cerveteri and is close to the necropolis where the vase was excavated. The Elgin Marbles, in their hypothetical return, would be displayed as close as possible to their original location and in a setting, where not only the connection between the marbles and its original location is directly visible, but where it is also displayed in a manner close to its original setting. Also, the wish for the Bust of Nefertiti to return to the Akhenaton Museum in Minya, near Amarna, has been expressed. I would therefore argue that the distinction being made between cultural internationalism and nationalism is not so clear cut. There is a third category of cultural localism, in which the sense of objects belonging to a certain location, not only to a nation-state or to ‘all mankind’, is articulated. That this location

is by definition in the claiming nation-state, does not necessarily mean that this argument is purely nationalist, and does not have merit on its own.

This local affinity with antiquities is affirmed by the copies that are placed in the absence of the original: for example, the casts in the Acropolis Museum and the replica of Nefertiti in Samalut. The Euphronios Krater has not known such as copy, which either implies the indifference towards its presence, or that the krater, even though it has great historical and aesthetic value, is not as unique as the other two cases. There are countless Greek vases used by the Etruscans on display in Italy, where the krater might stand out as much among all these antiquities.

The importance for national identity, and also the mentioning of locality is almost exclusively done by the stakeholders in favour of restitution. Those against repatriation mainly argue in all three of the cases that these are pieces of world heritage that belong to all mankind, not necessarily to just one nation. It has often been argued that encyclopedic museums would make a connection among world cultures, this idea greatly overlaps with the scientific value of the antiquities.

Apart from aforementioned cultural/symbolic values, the Elgin Marbles and the Bust of Nefertiti have also functioned as symbols for universal concepts, for example the marbles and the Parthenon as symbols of democracy and the roots of Western civilization, and the bust as an icon of beauty. In these functions, its images have been reused many times over, souvenirs and imagery. This is not the case for the Euphronios Krater, which has been a pioneer in the restitution debate and the fight against illicit excavations and trafficking, but does not represent such abstract concepts as democracy and beauty.

Scientific value

The scientific value of the antiquities is discussed in various ways. Especially with the Euphronios krater, the academic value has been under discussion, as the scientific worth of an illicitly excavated object without context is questioned. The Met takes the view that an archaeological object does not need context to be aesthetically appreciated and that the object can still have research value. On the other hand, we find Italian government officials, and many archaeologists who argue that an object without context loses its scientific value. However, the debate on its scientific context is not necessarily relevant to the cultural restitution debate, because artefacts such as the Euphronios Krater have already lost their context and cannot be restored. This discussion is not addresses in the other cases, as it

specifically concerns illegal excavations, in which the object's context is destroyed. The context of both the marbles and the bust is well known.

The discussion on the scientific value in or outside its context is also relevant to the educational value and the museum display of the antiquity. The opponents to restitution often argue for the encyclopedic museum, in which antiquities have educational value when presented among many different cultures, where they can promote intercultural connections and understanding. At least, that is the argument by museum professionals, such as Cuno and other scholars, but also by representatives of encyclopedic museums such as the directors of the Metropolitan Museum of Art and the Trustees of the British Museum. Even though the Egyptian Museum is not exactly encyclopedic museum, because it does not display art works from all over the world, but mainly from Egypt, the museum does embody the encyclopedic values and it shows the bust as 'the good ambassador' for Egypt in Berlin. These parties, and often the current owners of these antiquities, foremost focus on the principle of the 'universal museum', which emphasizes the idea of accessibility of the art of the world for everybody. They highlight the visitor getting to see how cultures influenced each other and making connections on their own. However, I doubt to what extent this comparison of cultures by visitors really takes place. We see this for example in the promotional video on the Elgin Marbles by the British Museum, where the Trustees explain these intercultural relations, by emphasizing cross cultural influences of art. However, the visitors express aesthetic appreciation, but do not express the cultural connections. It would be interesting to research how visitor's make connection in an encyclopedic museum versus a museum that contextualizes artefacts in its original culture. Furthermore, the objective to reach cultural understanding and to present the overlapping diversity of culture is not exclusive to encyclopedic museums, since tourists visiting museums such as the Acropolis Museum or an Egyptian museum, already get confronted with this diversity, because it stands in contrast to their own culture.

The encyclopedic museum criticizes the nationalist museum. According to Cuno, national museums are '...important instruments in the formation of nationalist narratives: they are used to tell the story of a nation's past and confirm its present importance.'²⁸² Even if this is the case, the ones calling for restitution also acknowledge the importance of an object's context for its scientific value. Oddly, this contextualisation among objects of its own period is frowned upon by the supporters of the encyclopedic museum. The Trustees of the British

²⁸² Cuno (2008), xix.

Museum, for example, have argued that in the Acropolis Museum, the marbles are only contextualized and appreciated ‘against the backdrop of Greek and Athenian history’, but in London they are the delegates of the ancient Athenian civilization in the context of world history.²⁸³ The same contextualisation that is often foregrounded by scholars and museum professionals, is disregarded in the cultural restitution debate.

One group prefers contextual and local representation of antiquities, while another prefers this representation of the world’s diversity. I believe both these representations have their pros and cons, and it is the combination of both possibilities existing in the world that makes for true diversity.

Economic value

The monetary value of the antiquities discussed here is not so relevant, given that only the Euphronios Krater had a market price, but also because the economic value of the artefacts is better understood through cultural capital. The extent of cultural capital is dependent of the other values; the more historical, aesthetic, cultural/symbol and/or scientific value an object has, the more it prestige and economic advantages it will bring to the owner. Economic value, therefore, does not hold its own, like for example aesthetic value does; an artefact’s economic value is dependent of other values. The cultural capital of all the objects is considerable, and in all the cases, ownership can generate more status for the museum as well as more visitors.

The Euphronios Krater has been deliberately used as a tourist attraction by both the Met, and later the Italian government. As a highlight of any collection, no matter where it is located, the owning of the krater adds considerably to the social standing of a museum and can draw visitors. The same can be said about the Elgin Marbles, however, it is rarely being used as an argument, and the economic value of the marbles is overshadowed by arguments of accessibility. The arguments are about which museum is more widely accessible, so that more visitors can admire the marbles. The additional effect of this accessibility to more visitors, is that the museum who owns the marbles, gains all these visitors. For the Bust of Nefertiti, the economic value is a considerable bigger factor than with the other two cases, as on the one hand the bust is the biggest tourist attraction for the Neues Museum and on the other hand, Egypt’s ancient history is being used to generate economic development and more tourism in Egypt.

²⁸³ “The position of the Trustees of the British Museum.”

Preservation and accessibility

Because of the values attributed, the preservation of these cases is of utmost importance. However, the preservation of the antiquities at stake here has been debated in different manners. The preservation of the Euphronios Krater has not been explicitly discussed, as its protection and conservation has been assured both in the Met and in the Italian museums. The preservation of the Elgin Marbles has been at the heart of the debate, since the removal of the marbles had, according to some, been done out to preserve the marbles. It has both been argued that the marbles had been saved and had been destroyed by Lord Elgin. Even until recently, Greece's capability to preserve the marbles properly has been questioned, even though damage has been done to the marbles under British care. Since the new Acropolis Museum, it is withal clear that Greece is capable of preserving the marbles, and arguments stating the opposite reflect rather imperialistic notions. Also, the preservation risks of the Bust of Nefertiti have been argued. First of all, the bust is supposedly too fragile to be loaned to Egypt, and second, the current political climate and instability in Egypt also deter the considerations of a loan. The British Museum and the Egyptian Museum legitimize their ownership of the antiquities by arguing that they have saved these antiquities from destruction, reinstating imperialist power relations.

Accessibility is also mentioned as an argument against the restitution of antiquities, and is especially used in the cases of the Elgin Marbles and the Bust of Nefertiti. However, the accessibility of antiquities is not a decisive argument for or against restitution, since both the local people and tourists and scholars from all over the world should be able to visit these museums. Looking at the Purchasing Power Parity of these countries in 2015, the we see that on average, Egypt and Greece do not have the same means as the Western countries to travel, making the artefacts less accessible to them when they reside in the US, the UK or Germany.²⁸⁴ In general, in this age of globalization and digitization, accessibility has become less of an issue, since high definition pictures, scans, graphics, information of all sorts are available online. Accessibility is a bit of an excuse it seems, which is always in favour of the encyclopedic museum, to reinforce their cultural capital and their status as leading museums,

²⁸⁴ US: 18 Trillion international dollars), ranking 2nd.

Germany: 3,85 trillion, ranking 5th.

UK: 2,7 trillion, ranking 9th.

Italy: 2,19 trillion, ranking 12th.

Egypt: 998 billion, ranking 22nd.

Greece: 228 billion, ranking 54th.

“GDP per capita, PPP (current international \$).”

without giving the others the opportunity to do so as well.

Results

In this thesis, I have reviewed which values have been attributed to the antiquities.

The arguments in the debate move in all directions, meaning that there is no core point or argument, that is found in all three of the cases. Even though the restitution debate is always about where and to whom a cultural object belongs, the way in which belonging is discussed is different in every case. All values, historical, aesthetic, cultural/symbolic, scientific and economic, are attributed to the three case studies, but the values that are emphasized differ per case and per stakeholder. The key issues are also contrasting; the case of the Euphronios Krater is about preventing illicit excavations and trade, the acquisition policies of museums regarding unprovenanced antiquities and nationalist retentionist cultural property laws, while the Elgin Marbles and the Bust of Nefertiti are about correcting historical wrongs executed under imperial reign, and about the importance of antiquities for national identity. Also, the UNESCO 1970 Convention is an important dividing line, after which national and international laws and agreements have taken shape that restrict the export of cultural goods. Therefore, the debate on the Euphronios Krater is very different from the marbles and the bust. The way in which an antiquity has been removed, and in what era, is thus determinative for the type of debate that is taking place.

The historical and aesthetic value of the antiquities themselves rarely cause dissonance among the stakeholders, with the exception of the set value of the Elgin Marbles and the Bust of Nefertiti. I have argued that the Elgin Marbles have set value, because they were part of one artwork, and even though they cannot be reinstated on the Parthenon, the marbles themselves can also be considered one artwork and should be reunited, whether this is in the UK or in Greece. The Bust of Nefertiti, however, was not part of one intended artwork and need not to be reunited with the rest of the artefacts from Thutmose's workshop. The historical and aesthetic value of the antiquities is what causes their desirability and their high economic value.

The debate on ownership is very complex, because of the diversity in argument and accentuation. Because the debate is so multifaceted, and there is no one issue to be resolved. I would like to argue that many seemingly opposing value attributions co-exist alongside each other and are both legitimate. This has most prominently emerged in the debates on cultural/symbolic and scientific value. First, in the cases of the marbles and the bust, the

cultural/symbolic value for national identity versus the universal value for all mankind are argued. The value for national identity is critiqued, and some valid rational points are made, for example the discrepancy between the ancient cultures and the modern nation-state. But even though these feelings of identity have been constructed and do not always make sense logically, they are very real for a considerable amount of stakeholders, for example the Greek and Egyptian people. Their value attribution deserves to be taken seriously, and not to be dismissed. Second, both the encyclopedic museum and the nationalist or contextualizing museum have their pros and cons as different types of representing antiquities. The encyclopedic museum promotes cultural understanding, but loses much contextual information. Also, the artefacts at display are often reduced to their aesthetic quality and the lack of contextual understanding, makes it difficult for the visitor to place these objects. On the other hand, the 'nationalist' museum, is critiqued for legitimizing the identity of local people. However, feelings of national identity should be taken seriously, and so does the nationalist representation in museums. Also, often in the source nation, the artefacts are contextualized among objects of their own time and place. Both the encyclopedic and the contextualizing 'nationalist' display have their strengths and weaknesses. All values that are attributed by different stakeholder are legitimate in some way and are important to be included in the resolution of the cultural restitution debate.

The three cases all important have important economic value to its owner. In the restitution debate, the economic value is seldom explicitly expressed by the stakeholders, but is an important underlying factor in arguments for and against repatriation. The attracting of visitors and tourism has been highlighted, however, the market nations emphasize the accessibility for all visitors rather than the economic benefits they enjoy.

Regardless of which values or arguments are favoured, the one thing that all stakeholders have in common is that these objects are important and need to be preserved for future generations, and that they need to be accessible for visitors and scholars. However, preservation and accessibility are often unconvincing argument, which are used by the market museums to argue against the repatriation of their antiquities. First, the British Museum and the Egyptian museum has legitimized their ownership of the marbles and the bust by claiming that they safeguarded the artefacts from destruction in their source nation. This reflects an ever present imperialist notion of the source nation not being able to take care of their heritage. Second, it has been argued that the objects would be more accessible in the British Museum and the Egyptian Museum, because these have more visitors. However, I have argued that in the age of digitization and globalisation, the artefacts would be accessible

anywhere. Even though digital access is not the same as and does not replace seeing the physical artefact, it does overcome barriers to distance for scholars and those looking for inspiration. Even more so, in their source nation they would also be accessible to those who do not have the means to travel to London or Berlin. Accessibility seem to be a dissimulation of economic value as well.

Moving towards a resolution

The main result of this research is the insight that all values attributed by the stakeholders have merit in some level, and should be incorporated in a heritage management approach in which all stakeholders and the values they attribute are incorporated. The concept of ownership has proven to be incompatible with the many different values that are attributed to these antiquities. We should thus move away from the concept of ownership entirely, and advance towards an including approach of preserving and curating these antiquities, which are both important to all mankind and national and local groups. The artefacts thus need to be accommodated in such a way that all these different approaches and views on heritage can exist. Even though, the stakeholders and the values they attribute to the antiquities conflict at some points, they are not mutually exclusive.

Since the matter of the Euphronios Krater has been resolved to the satisfaction of both the Met and Italy, even though it has opened a floodgate of American museum returning antiquities to Italy, which is an outcome that has been heavily criticized by scholars. Because the debate on the Euphronios Krater itself has been settled, I will continue reviewing the two unresolved cases: The Elgin Marbles and the Bust of Nefertiti.

If we keep thinking about the Elgin Marbles and the Bust of Nefertiti in terms of ownership and those excluded from ownership, we can never resolve the debate, which has been in a stalemate position for a long time. To eliminate this connotation of ownership and the adverse event of exclusion, I would like to argue that we need to work towards a concept of shared stewardship. Stewardship is ‘the conducting, supervising, or managing of something; the careful and responsible management of something entrusted to one's care’.²⁸⁵ The idea of stewardship has been mentioned by several authors, such as Cuno and Merryman.²⁸⁶ ‘We should all work together to counter the nationalist basis of national laws

²⁸⁵ Merriam-Webster, s.v. ‘stewardship, accessed January 20, 2017, <https://www.merriam-webster.com/dictionary/stewardship>.

²⁸⁶ John Henry Merryman, “The Nation and the Object,” *International Journal of Cultural Property* 1 (1994), 61–76.

and international conventions and agreements and promote a principle of shared stewardship of our common heritage.’²⁸⁷ Cuno is discussing the stewardship to future excavations here, in which the system of *partage* is reinstated (all though we have seen with the Bust of Nefertiti that this system is not trouble free). However, I would argue that we could apply the idea of shared stewardship as well to antiquities which have been removed under imperial rule, such the marbles and the bust. In the shared stewardship as discussed in Merryman and Cuno, the antiquities still end up in one museum. I would like to argue shared stewardship not over antiquities as a whole, but for these specific cases.

Different from ownership, stewardship has the connotation of unfixed and the allocation of caretaking without being definite or exclusive of other. This shared stewardship would mean that they would both have the artefacts an equal amount of time, provided that the pieces are fit to travel. Also, we would not speak about loans, since a loan implies one true owner who loans it to a non-owner. Through shared stewardship, both would have an equal amount of say, and a ‘loan’ would thus not apply. There should be an overarching committee, consisting of both stakeholders, for example both Trustees from the British Museum and Greek museum professionals from the Acropolis Museum, and ‘neutral’ professionals as well. This committee should then also examine the possibilities of travel objectively, especially in case of the Bust of Nefertiti, to ensure that the preservation of the object is foregrounded at all time. In examining the possibilities of shared stewardship in the future, I would suggest that the museums should be assisted by international organisations such as UNESCO and the International Council of Museums (ICOM), to find any form of solution in stewardship, if these parties are not able to work this out themselves.

There are several obstacles to consider in examining the possibilities of shared stewardship. First, shared ownership might be a utopian solution, because in the current situation, the British Museum and the Berlin Egyptian Museum have the legal control and do not have to do anything about the current state of affairs. These museums have the economic benefits of owning the marbles, and it would not be beneficial to them to resolve the issue in this matter. However, in light of Britain’s most used argument of the encyclopedic museum and being accessible to all, they should want to cooperate with Greece and share this love and fascination for this object with them, instead of appropriating the marbles and disregarding the importance of the marbles for Greece. The current division of the marbles compromises the integrity of the art work. This argument of cooperation and creating mutual understanding

²⁸⁷ Cuno (2008), 154.

also applies to the Bust of Nefertiti, thus the shared stewardship of the object would be in line with the mission of the Egyptian Museum. Second, the legal situation of the British and the Egyptian Museum prevent the museums from disposing their collections. For example, the trustees of the British Museum have a duty to preserve the objects entrusted to them and no trustee could legally dispose of the property entrusted to them.²⁸⁸ Thus, the possibilities and obstructions in the legal system should be scrutinized in order to establish shared stewardship. Third, the British Museum, the Egyptian Museum and the Greek government have not shown much signs of forbearance in the past. These parties do not seem open to negotiation, as their discourse mainly concerns ownership. While the stance of Egypt is already one seeking collaboration, Greece still proves to be just as obstinate as the British Museum in terms of coming to a resolution. The stakeholders thus first need to dispose of their hard-headed attitude towards resolving the cultural restitution debate.

²⁸⁸ “The Parthenon Sculptures: Facts and Figures.”

Conclusion

All values distinguished here are attributed to all three of the cases, meaning that all the artefacts have historical, aesthetic, cultural/symbolic, scientific and economic values attributed to them by different stakeholders. However, what those values exactly entail, and how much they are emphasized in the debate differs considerably from case to case and from stakeholder to stakeholder. Which value is most emphasized in each individual case depends heavily on the stakeholder and his or her position in the debate, namely for or against restitution. The cultural restitution debate thus differs per case and present a very complex discussion with a wide variety of views and approaches.

The era and the way in which an object was removed from its source nation seem determinative for the type of debate that is being held. This is especially true for the attribution of cultural/symbolic value. In the case of the Euphronios Krater, which was illegally excavated and traded in 1971, after the 1970 Convention in which international and national rules on illicit trade were established, the core discussion is about illicit excavations, museum policies on acquiring unprovenanced objects and nationalist retentionist cultural property laws. The key issue of debate with the Elgin Marbles and the Bust of Nefertiti, which were removed under imperial times, is the correcting of historical wrongdoing and the value of the object for national identity.

The attribution of cultural/symbolic value and scientific value, namely ideas on where and to whom an object belongs and in which narrative it should be represented, are the most heated points of discussion. Especially the cultural/symbolic discussion about the belonging of these objects to all mankind versus the nation-state reoccurs in all three cases, albeit there are different nuances in the discussion. Also the scientific value or educational value of the antiquities are debated in similar manners, as is questioned whether these objects should be displayed in an encyclopedic museum, or in a museum in the source nation. The divide as presented by Cuno between encyclopedic and nationalist museums in the cultural restitution debate has proven not to be so clear cut, and the idea of an object belonging to a nation-state is overshadowed by the idea that an object belongs to its original location, which hints at cultural localism. I have suggested that there is also a contextualising museum, often branded as a nationalist type of museum, that reinstates the idea of national history. For a professional and scholarly world, in which context is highly valued in every way, it is rather odd that those

opposed to restitution also seem to turn away from the importance of context.

There are several problems in the current cultural restitution debate. First, those opposed to restitution tend to downplay the cultural/symbolic value of national identity, and the concept of nationalism in general, highlighting the universal value of heritage. However, both these values are valid and should be able to co-exist alongside each other. Second, the importance of local affiliation with these antiquities is underestimated and is dismissed as nationalism. The idea of an object returning to its original location is thus not only to its nation-state, but also as close as possible to the exact original location. Third, imperialist notions still part of the discourse as is demonstrated by arguments of preservation. It is argued that because of the interference from the UK and Germany, these antiquities have been saved from destruction. Even today, there are still people who argue that Greece and Egypt cannot take sufficient care of their antiquities, which is absurd considering their well-equipped museums and eminent professionals. Fourth, accessibility is often used as an argument by the museums who do not want to return the antiquities, such as the British Museum and the Egyptian Museum. However, in both options – the market nation or the source nation – these objects will be accessible, and when housed in the source nation, of which the people often have less means to travel, it would be even more accessible. Also, in this current digitalizing and globalizing world, this is hardly an argument against the return of these objects, even though the digital access to an object could not replace the experience of seeing the artefact in real life.

Most of the arguments and value attributions to the antiquities at stake here, are valid on both sides of the spectrum. There is not one argument that trumps the other, or not one stakeholder who should have ownership over the other. For example, the Bust of Nefertiti is important for the people in both Berlin and Egypt, despite of feelings of national identity being critiqued. The Elgin Marbles have been in Britain for over 200 years and are important to London, as well as Greece. Also, antiquities are both important to the nation-state and its people, and simultaneously to all mankind. These parallel viewpoints occur alongside each other, so why do we need to designate which one is more important than the other? Both of these values attributions are important. Similarly, both representations of the encyclopedic museum and the nationalist/contextualizing museum have their pros and cons, and it is the combination of both possibilities existing in the world that makes for true diversity. Its coexistence can be very valuable and these forms should exist alongside each other.

Because of these problems in the debate on cultural restitution, and considering that all values attributed by the stakeholders have merit, even though they are often critiqued, the

concept of ownership has proven to be discrepant with the idea of culture and precludes the sustainable and mutually agreeable resolution of the restitution debate. There is no winning outcome to this debate if we keep approaching the restitution debate through the idea of ownership, because ‘one side will always feel the loss of cultural patrimony whether the object is repatriated or not.’²⁸⁹ This is at the root of the idea of ownership and cultural patrimony; it is incapable of sharing and including multiple stakeholders and multiple attributed values. As long as these ideas stand, these feelings will exist, no matter what the solution is. Therefore, we must move towards an inclusive and shared heritage approached, which takes all stakeholders and all the values that are attributed to antiquities into account. I would like to suggest that we move away from the concept and language of ownership, and start investigating the possibilities of the idea of shared stewardship, in which both parties will alternately house the antiquity at stake for an equivalent period of time. Rather than urging market museums such as the British Museum and the Egyptian Museum to loan the artefacts, which maintains the excluding framework that entitles one party and diminishes the claims of the other, they will both be equally responsible for its preservation and both share in its benefits. A shared stewardship committee should be resurrected, which consist of representatives of both museums and independent professionals, and which should also objectively investigate whether the objects are safe to travel, ensuring the preservation of the antiquities.

Of course, there are certain objections to this idea. First of all, seemingly, the British Museum and the Egyptian Museum would lose the objects for certain periods of time, which they will probably not perceive as beneficial to their cause. This could perhaps be resolved if the source nations also compensate the British Museum and the Egyptian Museum by loaning them centrepieces, such as Tutankhamun’s mask for example, or the remaining Parthenon marbles from the Acropolis Museum. Second, there are current laws in construct which prevent the British Museum and the Egyptian Museum from disposing their collection. These legal obstacles should be investigated in moving towards resolving the restitution debate. Third, the past reactions to restitution claims and the willingness of the British Museum and the Egyptian Museum to negotiate offer little optimism on a resolution in the near future. The stakeholders need to dispose of their hard-headed attitude towards these antiquities, which is not only directed towards the British Museum and the Egyptian Museum, but also towards Greece, who has maintained its inflexible position in refusing to ask for a loan, instead of

²⁸⁹ Bearden (2012), 12.

permanent restitution. These obstacles should be investigated in moving towards resolving this issue.

The approach of shared stewardship would be inclusive of all stakeholders and their attributed values. In correcting historical wrong and overcoming these imperialist setbacks for the source nations, the idea of stewardship is also beneficial, because once again, it includes rather than excludes these people from their own heritage. Also, in the case of the Elgin Marbles, and perhaps other cases that are torn between the encyclopedic and nationalist/contextualizing museum, the antiquities will interchangeably be displayed in both types of museums, thus extending the educational value of these objects, rather than limiting the display to one type of museum. If those arguing for encyclopedic museums truly stand behind the concepts of sharing, universalism and access to all kinds of visitors, the idea of stewardship would truly provide the opportunity for sharing the wonders of antiquity with all mankind. And even though there are objections to take into account, my conclusion is that the notion of shared stewardship should be given honest consideration and scrutiny, if needed with the support and mediation of independent international organizations such as UNESCO and ICOM, because shared stewardship would be a good point of departure to resolve the cultural restitution debate and to endeavour an inclusive form of preserving and curating the exquisite artworks of ancient cultures.

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Images

Figure 1 Euphronios and Euxitheos, obverse of the Euphronios Krater, 515 BCE, calyx krater, Museo Nazionale Etrusco, Cerveteri, Italy. Photo by Jaime Ardiles-Arce, available from: https://en.wikipedia.org/wiki/Euphronios_Krater. 113

Figure 2 Euphronios and Euxitheos, obverse of the Euphronios Krater, 515 BCE, calyx krater, Museo Nazionale Etrusco, Cerveteri, Italy. Photo by Rolf Mueller, available from: https://en.wikipedia.org/wiki/Euphronios_Krater. 113

Figure 3. Close up of the observe of the Euphronios Krater with the autograph of Euphronios. 114

Figure 4 The Euphronios Krater, once the centrepiece of the Metropolitan Museum's ancient-vase collection, at the Villa Giulia in Rome. Photo by Chris Warde-Jones for The New York Times, from: <http://www.nytimes.com/2009/07/08/arts/design/08abroad.html>. 114

Figure 5. Phidias, The Parthenon, The Parthenon, 447-438 BCE, Acropolis, Athens, Greece. Photo by Steve Swayne, from: https://commons.wikimedia.org/wiki/File:The_Parthenon_in_Athens.jpg. 115

Figure 6. Part of the Parthenon frieze in the Duveen Galleries in the British Museum, London. From: Ian Johnston, "Elgin Marbles row: Greece tells British Government to stop stonewalling on return of Parthenons cultpures," March 7, 2015, <http://www.independent.co.uk/news/world/europe/elgin-marbles-row-greece-tells-british-government-to-stop-stonewalling-on-return-of-parthenon-10093558.html>. 115

Figure 7. the Elgin Marbles, Duveen Galleries, British Museum, London, UK. Photo by Andrew Dunn, from: https://en.wikipedia.org/wiki/Elgin_Marbles#/media/File:Elgin_Marbles_British_Museum.jpg. 116

Figure 8. Figure 6.3. East pediment of the Parthenon, Duveen Galleries, British Museum, London, UK. From: Retrograde Canvas, "Why the Elgin Marbles Should Stay in London," May 26, 2015, <https://retrogradecanvas.wordpress.com/2015/05/26/why-the-elgin-marbles-should-stay-in-london/>. 116

Figure 9. The Parthenon Marbles, Acropolis Museum, Athens, Greece. From: http://www.theacropolismuseum.gr/sites/default/files/styles/exhibit_large/public/090629_nam_7819e_723_396_1.jpg?itok=4_2x6jpS. 117

Figure 11. Little Warshaw (Andras Galik - Balint Havas), The Body of Nefertiti, May 26, 2003 Life-size bronze with the limestone bust of Nefertiti (1340 B.C.), Ägyptisches Museum und Papyrussammlung Berlin–Charlottenburg, video installation for the Hungarian Pavilion on the 50th Venice Biennale. Photo by Sven Spieker, from: Artmargins, <http://www.artmargins.com/index.php/interviews/503-the-shifty-art-of-andras-galik-and-balint-havas-interview>. 118

Figure 12. Thutmose, Bust of Nefertiti, ca. 1340 BCE, Limestone, gypsum, crystal and wax,

found in Amarna, Neues Museum, Berlin, Germany. Photo by J. Liepe, from: the Society for the Promotion of the Egyptian Museum Berlin, <http://www.egyptian-museum-be.> 118

Figure 13. Isa Genzken, Nofretete, 2014, 7 Nefertiti plaster busts with glassed on wooden bases, wooden plinths on casters and 4 steel panels, each 190 x 7 x 40 x 50 cm, installation dimensions variable, Courtesy Galerie Buchholz, Cologne/Berlin/New York, David, New York/London and Hauser & Wirth, from: Stedelijk Museum, Amsterdam, <http://www.stedelijk.nl/tentoonstellingen/isa-genzken.> 119

Figure 14. Copy of the Bust of Neferriti in Samalut, Egypt. Available from: “Minya’s ‘ugly’ Nefertiti Bust to be replaced with peace dove,” from: The Cairo Post, July 6, 2015, http://thecairopost.youm7.com/news/158529/inside_egypt/minyas-ugly-nefertiti-bust-to-be-replaced-with-peace-dove. 119

Euphronios Krater



Figure 1 Euphronios and Euxitheos, obverse of the Euphronios Krater, 515 BCE, calyx krater, Museo Nazionale Etrusco, Cerveteri, Italy. Photo by Jaime Ardiles-Arce. From: https://en.wikipedia.org/wiki/Euphronios_Krater.



Figure 2 Euphronios and Euxitheos, obverse of the Euphronios Krater, 515 BCE, calyx krater, Museo Nazionale Etrusco, Cerveteri, Italy. Photo by Rolf Mueller. From: https://en.wikipedia.org/wiki/Euphronios_Krater.



Figure 3. Close up of the obverse of the Euphronios Krater with the autograph of Euphronios.



Figure 4 The Euphronios Krater, once the centrepiece of the Metropolitan Museum's ancient-vase collection, at the Villa Giulia in Rome. Photo by Chris Warde-Jones for The New York Times. From: <http://www.nytimes.com/2009/07/08/arts/design/08abroad.html>.

Elgin Marbles



Figure 5. Phidias, *The Parthenon*, The Parthenon, 447-438 BCE, Acropolis, Athens, Greece. Photo by Steve Swayne, from: https://commons.wikimedia.org/wiki/File:The_Parthenon_in_Athens.jpg.



Figure 6. Part of the Parthenon frieze in the Duveen Galleries in the British Museum, London. From: Ian Johnston, "Elgin Marbles row: Greece tells British Government to stop stonewalling on return of Parthenons cultpures," March 7, 2015, <http://www.independent.co.uk/news/world/europe/elgin-marbles-row-greece-tells-british-government-to-stop-stonewalling-on-return-of-parthenon-10093558.html>.

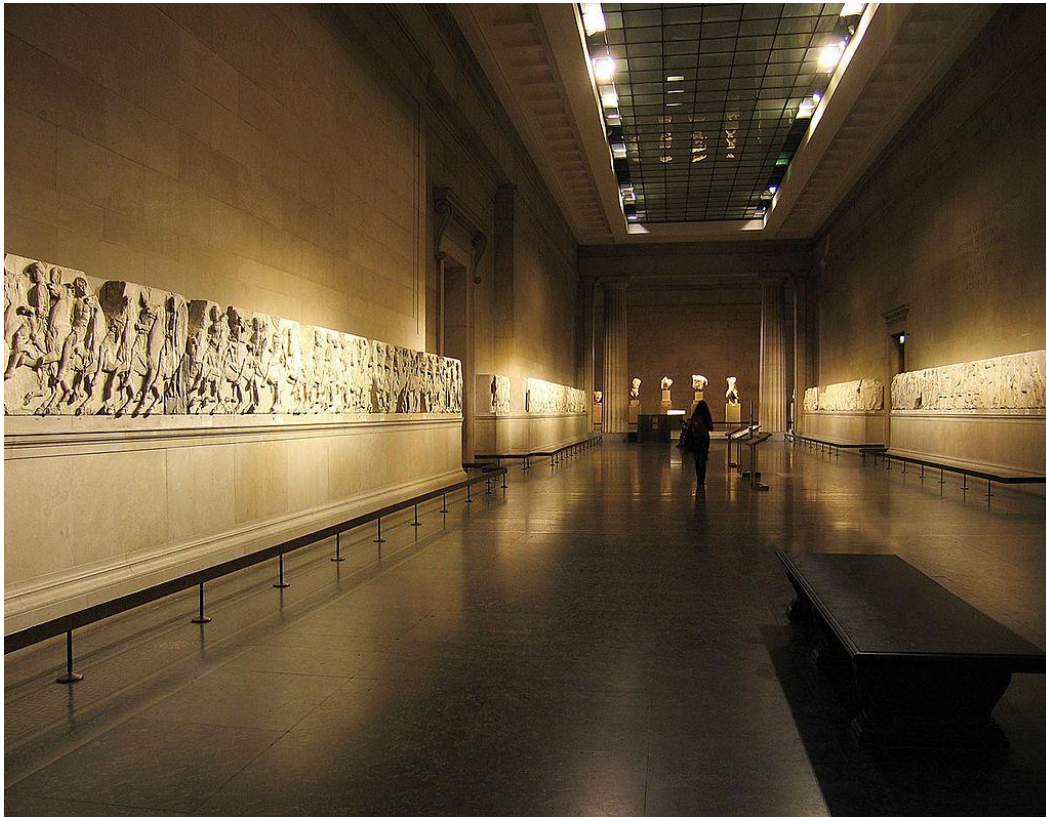


Figure 7. the Elgin Marbles, Duveen Galleries, British Museum, London, UK. Photo by Andrew Dunn, from: https://en.wikipedia.org/wiki/Elgin_Marbles#/media/File:Elgin_Marbles_British_Museum.jpg.

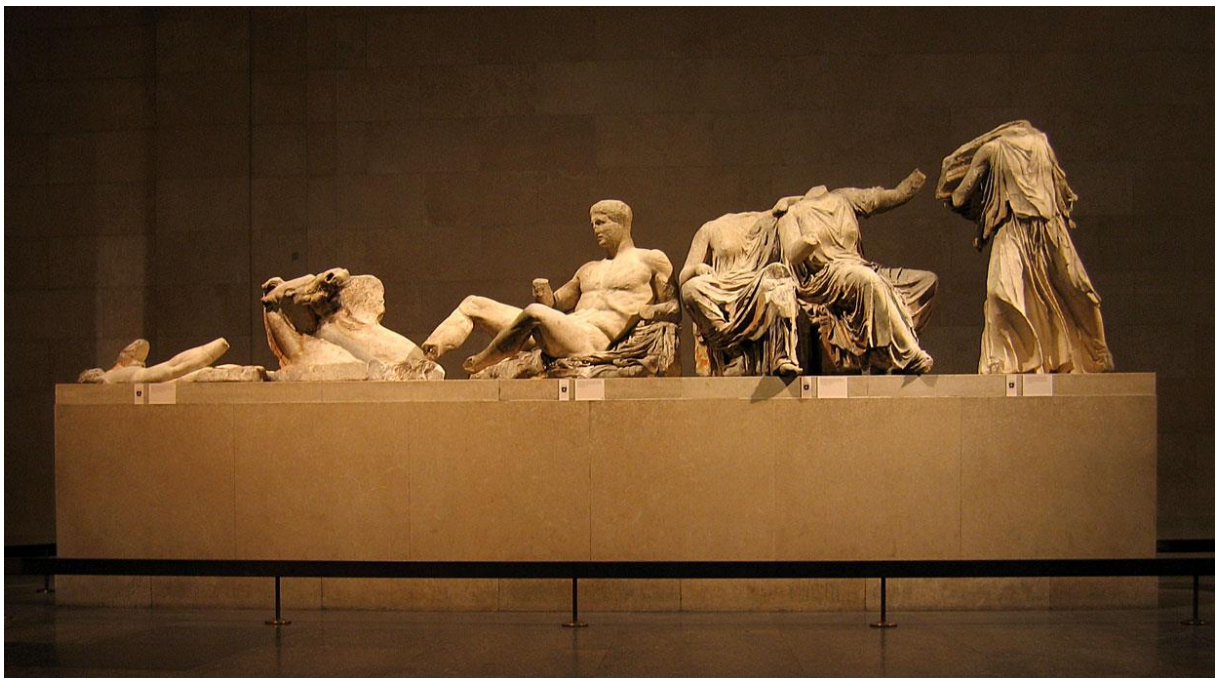


Figure 8. Figure 6.3. East pediment of the Parthenon, Duveen Galleries, British Museum, London, UK. From: *Retrograde Canvas*, "Why the Elgin Marbles Should Stay in London," May 26, 2015, <https://retrogradecanvas.wordpress.com/2015/05/26/why-the-elgin-marbles-should-stay-in-london/>.



Figure 9. The Parthenon Marbles, Acropolis Museum, Athens, Greece. From: http://www.theacropolismuseum.gr/sites/default/files/styles/exhibit_large/public/090629_nam_7819e_723_396_1.jpg?itok=4_2x6jpS.

Bust of Nefertiti



Figure 11. Thutmose, *Bust of Nefertiti*, ca. 1340 BCE, Limestone, gypsum, crystal and wax, found in Amarna, Neues Museum, Berlin, Germany. Photo by J. Liepe, from: the Society for the Promotion of the Egyptian Museum Berlin, <http://www.egyptian-museum-be>.

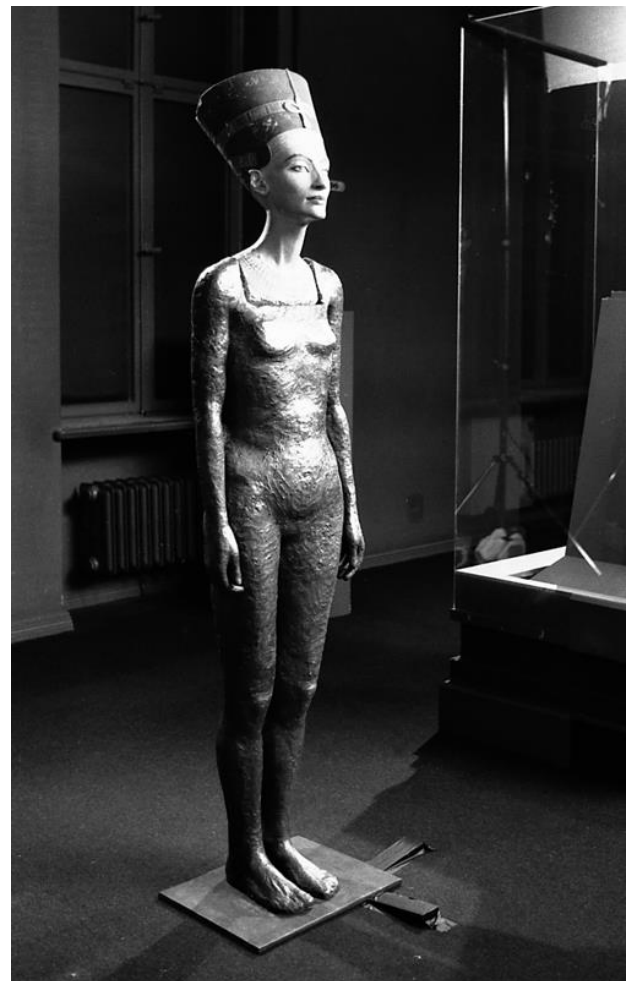


Figure 10. Little Warshaw (Andras Galik - Balint Havas), *The Body of Nefertiti*, May 26, 2003 Life-size bronze with the limestone bust of Nefertiti (1340 B.C.), Ägyptisches Museum und Papyrussammlung Berlin-Charlottenburg, video installation for the Hungarian Pavilion on the 50th Venice Biennale. Photo by Sven Spieker, from: Artmargins, <http://www.artmargins.com/index.php/interviews/503-the-shifty-art-of-andras-galik-and-balint-havas-interview>.



Figure 12. Isa Genzken, *Nofretete*, 2014, 7 Nefertiti plaster busts with glassed on wooden bases, wooden plinths on casters and 4 steel panels, each 190 x 7 x 40 x 50 cm, installation dimensions variable, Courtesy Galerie Buchholz, Cologne/Berlin/New York, David, New York/London and Hauser & Wirth, from: Stedelijk Museum, Amsterdam, <http://www.stedelijk.nl/tentoonstellingen/isa-genzken>.



Figure 13. Copy of the Bust of Nefertiti in Samalut, Egypt. Available from: “Minya’s ‘ugly’ Nefertiti Bust to be replaced with peace dove,” from: *The Cairo Post*, July 6, 2015, http://thecairopost.youm7.com/news/158529/inside_egypt/minyas-ugly-nefertiti-bust-to-be-replaced-with-peace-dove.