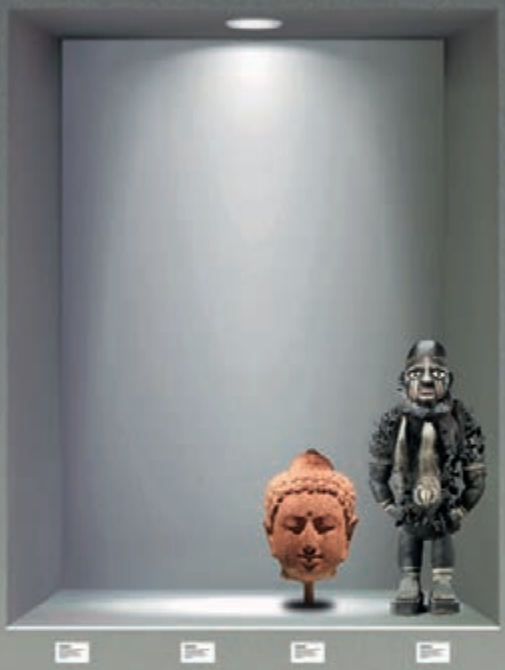
JOS VAN BEURDEN

THE EMPTY SHOWCASE SYNDROME



TOUGH QUESTIONS ABOUT CULTURAL HERITAGE FROM COLONIAL REGIONS

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TO THE READER

Where are they? Can't they come back? These statues are long gone, but don't think we have forgotten them. They belong here and we have a right to them. We miss them and need them to keep our traditions and rituals alive. They tell the stories of our ancestors, form the pages of our history book. Do you know where they are?

How beautiful they are! Precious, you might say. They have been here for so long and we take good care of them. See those colours, that craftsmanship, the skilled hands of the makers. They radiate purity and strength, and at the same time vulnerability. Some are endearing and quiet, others command respect, others look combative and even a bit frightening. Should we just let them go?

'They', for instance, are the famous statues of kings and queens from the Kingdom of Benin in Nigeria that can be seen in many museums in Europe. Or the famous blue cannon with silver and gold fittings that once belonged to the Ceylonese king of Kandy and has been on display at the Rijksmuseum Amsterdam for a very long time. Or those brooches, rings and gold snuff boxes made of precious metals: all war booty from the island of Lombok that

have spent many years in Dutch museums. Or that skull cap of the perhaps million-year-old Java Man in the Naturalis museum in Leiden. It is heritage that the countries of origin have reclaimed. But 'they' also include a lot of lesser-known missing objects, manuscripts and ancestral remains now in the hands of large and small museums, private collectors and art dealers in the global north.

The peoples who once lost these items are increasingly asking for their return and – though it has taken a long time – the Netherlands and other countries in Europe are prepared to respond to their requests. This is a completely new situation. In 2023, the first important pieces were removed from Dutch museum showcases and returned. This raises the question of how long we can enjoy many other objects with a disputable provenance here in Europe. One year, two years, five or ten years? How big will the gaps then become in our collections – how visible, how tangible? And if, for whatever reason, they do stay here, what will that mean for the people of Indonesia, Sri Lanka, Nigeria and other ex-colonies who had put them on their lists of items to claim?

When, on 10 July 2023, the Netherlands signed an agreement for the return of 472 cultural objects to Indonesia, and later, on 28 August 2023, the transfer of an ancient Kandyan cannon and five other objects to Sri Lanka, it heralded a new phase in how the Netherlands intends to deal with looted art and other controversial collections from colonial areas. These objects, according to outgoing State Secretary for Culture, Gunay Uslu, 'ended up in the Netherlands [...] unjustly during the colonial period'. The Wereldmuseum Leiden and Rijksmuseum Amsterdam, which held all 478 objects, generously cooperated.* This book argues

* In March of 2023, the National Museum of World Cultures in the Netherlands – the group made up of the Tropenmuseum in Amsterdam, the Afrika Museum in Berg en Dal, Museum Volkenkunde in Leiden, and the Wereldmuseum in Rotterdam – announced that it would continue under one name: that of 'Wereldmuseum'. In this book, we use the new names: Wereldmuseum for the group and – for the constituent members – Wereldmuseum Amsterdam, Wereldmuseum Berg en Dal, Wereldmuseum Leiden, and Wereldmuseum Rotterdam. In November 2023, one of the four, the Wereldmuseum Berg en Dal, was closed.

that these signatures are just a beginning. This type of deal has been in demand for a very long time, and for now these returns are about playing catch-up. Both Indonesia and Sri Lanka had indicated decades earlier that these objects were spoils of war and that they wanted them back.

In the agreements with the two Asian countries, State Secretary Gunay Uslu built on the work of her predecessor, Minister of Education, Culture and Science Ingrid van Engelshoven, and of the Dutch Council for Culture. In October 2020, a committee of the Council led by Lilian Gonçalves-Ho Kang You issued a recommendation on the handling of colonial collections. It stated that the Netherlands will return objects, if it is clear that the loss of possession was involuntary and if the country of origin requests a return. In January 2021, Minister van Engelshoven had largely adopted this advice (I have previously written on this in *Inconvenient Heritage*, 2022). Later, in July 2022, the State Secretary further elaborated the new policy in a letter to Parliament. She established a Colonial Collections Committee to advise her on restitution requests and a Colonial Collections Consortium to help improve provenance research. The advisory committee could start working immediately on requests from Indonesia, Nigeria, and Sri Lanka.

Many other European countries – Germany, France, Belgium, and the Scandinavian countries stand out – are also developing new restitution policies, usually in collaboration with their major museums containing ethnographic collections. In the UK, the situation is somewhat different: there, the government and some of the largest museums are still refusing to get out of first gear when it comes to restitution, while university museums are notable for their constructive role in returning objects and ancestral remains from colonial areas. Ireland, Spain and Switzerland recently started researching collections from colonial areas. In Italy and Portugal, diaspora groups, academics, museum professionals, and journalists are slowly cranking up the volume on the discussion.

How do former colonies react to the new Dutch policy? Those formerly ruled by the Netherlands – Indonesia, Suriname, and the Caribbean part of the kingdom – have an unconditional right of return. A *Tim Repatriasi* has been active in Indonesia since February 2021. This committee advises the government on restitutions and has submitted two claims to the Netherlands so far, in July 2022 and in November 2023. The first claim has largely been granted. Suriname has not yet submitted any claims because it first wants to improve its museum infrastructure and legislation, and to conduct more research into Surinamese collections in the Netherlands. A similar situation applies in the Caribbean islands. The Netherlands does impose conditions on returns to former colonies of other European powers (details are given in chapter 3). What do countries such as Sri Lanka, Nigeria, and other ex-colonies think about this?

This book examines developments in the restitution discourse since the early 2020s and shows the role played by the different stakeholders: governments, museums, and private parties in the Netherlands, other European countries, and the global south. Taking the lead are the three most awkward questions in the restitution of colonial collections.

The first concerns provenance research. Provenance research is crucial in determining the significance of a collection and how it ever came from a colonial territory to a public or private collection in Europe. Control of this research is now largely in the global north and we should question how desirable and effective this is, and how this is experienced in former colonies. This book argues for a radical change in the organization and design of provenance research. That change, like restitution itself, is part of the decolonization of cultural relations with former colonies.

While collections of museums and other public institutions are almost always at the centre of the restitution discourse, the second difficult question in this book turns the spotlight on collections held by private collectors and art dealers. Remarkably little is known about these. As a result, ex-colonies rarely know

what is circulating in such collections and may be missing out on a lot. This book shows that some private possessors and art dealers own extensive collections of objects and ancestral remains from former colonial areas and that some of them are of great cultural-historical value. If collections in the private sector are not similarly decolonized, the restitution process can never be fully completed. This also raises the question of whether former colonizers have a responsibility in this regard.

The third awkward question is sensitive in the global south, but cannot be avoided: to whom in a former colony should a returned object go? Is it the national museum in the capital, or is it more appropriate if it goes to a regional stakeholder, such as the royal family or the ethnic minority where it was once used but from which it was looted? Research into how different former colonies answer this question reveals approaches with multiple layers and exciting dilemmas.

For now, it is all about catching up, as I wrote above. What else needs to be done is still up in the air. Among some European governments, museums, individuals, and art lovers one sees a willingness to return collections from colonial areas, while fear and hesitation prevail among others. These others can be strong opponents of restitution. They are afraid of being left empty-handed if the restitution process really gets underway. Do they suffer from *horror vacui* – fear of emptiness? Many recognise the reasonableness of restitution requests from countries of origin, but still want to retain a firm voice in both the choice of collections that are eligible for restitution and the research into them.

Various governments and national museums of former colonies also experience anxious or worried feelings. They are caught between two fires. On the one hand, they have to deal with former colonizers in Europe who they fear will mostly talk about restitution while returning little, and that their showcases therefore will remain empty for a long time. Although the ex-colonizers consult representatives of former colonies often, they cede little real power to them. Former colonies have waited

for decades for the return of collections that they need to give meaning to their countries' history and culture, sometimes feeling shocked or even scandalized by the lack of response to their restitution requests.

On the other hand, these same governments and national museums in the south feel old royal families, communities, and other stakeholders all breathing down their necks, who insist that objects returned should not go to the national museum in the capital, but to the region whence they came. Governments and national museums fear that, if they heed these wishes, there will be empty spaces in their showcases.

The latter – that is, those from the region involved – fear in turn that they will get virtually nothing back and that they will never see their returned objects again, or that they will, at best, only be allowed to borrow them, and that hurts. They believe that they are entitled to them and that they need them to shape their own regional history and culture and to keep their ceremonies and rituals alive. Loans can be humiliating for them. Let them stay in Europe in that case, some say.

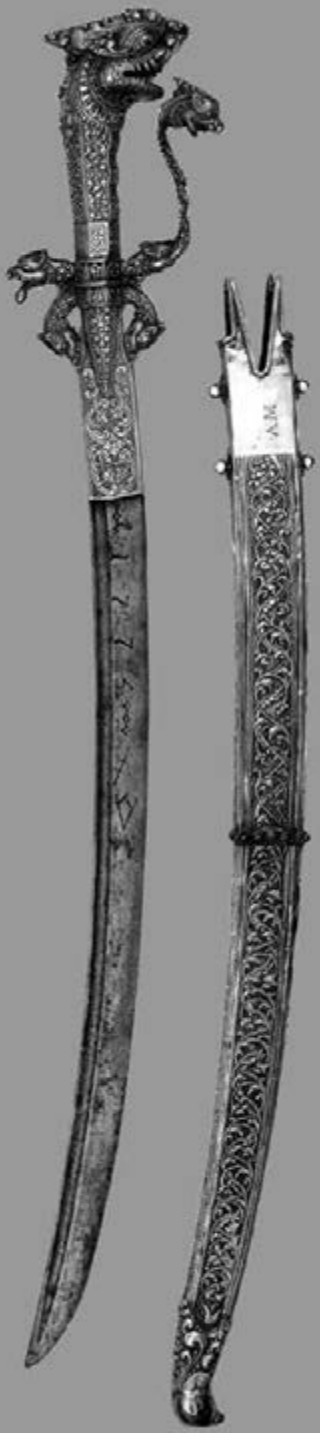
And then in the global north there are the diaspora groups – people with roots in ex-colonies, who are concerned with the restitution of their dispossessed heritage. They form a broad spectrum. There are those with little faith in all the nice Western words about restitution. They sometimes persist in a position that 'everything' must be given back. Others argue the opposite: not everything has to be returned. For example, some African-Americans believe that Benin objects claimed by Nigeria should remain in the country where they are now, so that the diaspora community can also see them. And then there are groups who want to collaborate on restitution with the government and museums in both their country of origin and also in the country where they now live.

So, there is a multitude of actors and a multitude of emotions and arguments – loss, anger, possessiveness, greed, fear of emptiness, or lack of trust in the other – against a backdrop of cen-

turies of power inequality and the slow pace at which European countries deal with restitution. Everyone involved has one thing in common: they are all afraid of being left empty-handed. This fear is often so deep that you can speak of a syndrome: the empty showcase syndrome[1].

This book is intended for interested lay people and people from the heritage sector who want to be updated about the return discourse and who like to be challenged. I wish you, reader, a lot of reading pleasure.

Jos van Beurden
Utrecht, 16 March 2024



1
THREE ENCOUNTERS, THREE QUESTIONS

What are the most difficult questions in the restitution discourse? A first answer comes from three people who don't know each other and know nothing about each other's work. Each faces a different issue regarding claims for colonial treasures, and each will reappear in other places in this book.

The first is a lawyer from Sri Lanka who enters a large museum and, standing among school classes and other visitors, enters a number into her smartphone, after which museum staff comes to greet her. Topic of discussion: the unsatisfactory course of provenance research into an old cannon from her country.

The second is a Dutch antiques dealer. On the opening day of an art fair, he sees an eager collector approaching him. He asks for an object from the catalogue. It is a piece that makes you wonder whether it would not be better off in Indonesia.

Ruby-encrusted silver and gold Sinhala kasthane, private property, offered at the PAN fair in Amsterdam of November 2022. © Röell & Zebregs

The antiques dealer doesn't think so. The two make a deal and the new owner immediately takes the precious piece.

The third is a senior Indonesian government official. He rushes to Jakarta for a meeting with representatives of a Balinese monarch. It concerns a valuable kris (dagger) that Indonesia wants back from the Netherlands, and in particular, who will get the stabbing weapon after its return: the Museum Nasional Indonesia in Jakarta or the monarch in Bali.

A VISITOR FROM SRI LANKA

On 3 November 2022 – it is a cold and windy day – Naazima Kamardeen is one of many in the large entrance hall of the Rijksmuseum Amsterdam. The professor from the University of Colombo's Law faculty only catches the eye when three museum staff members approach her, welcome her and make their way for her to a reserved table at the back of the restaurant in the same hall. There they immediately get into conversation about war booty from her country in the museum's possession, but it is difficult for the scholar to keep her attention. She is here mainly to see one of those pieces with her own eyes: the ceremonial cannon of the king of Kandy that soldiers of the Dutch United East India Company (VOC) looted from Ceylon (now Sri Lanka) in 1765 (inv. no. NG-NM-1015). The VOC was dissatisfied with the king's cinnamon deliveries because both the quantity and quality were substandard and the price was too high. Sri Lanka had been asking for the cannon to be returned for years. Neither Kamardeen nor the museum staff knew at the time that the cannon would be back in Colombo by December 2023.

Kamardeen is one of the Sri Lankan experts whom the Rijksmuseum had involved in their research on the cannon in 2019. At that time, this research had already been going on for two years and Kamardeen was quite annoyed by the domineering attitude of the Amsterdam institute. Even in 2019, the museum still largely determined the approach and questions of the research. Kamardeen is certainly not the only stakeholder from the global

south for whom the dominant stance of institutions in the global north is hard to accept.

By half past eleven, there has been enough talking and the group goes to Room 1.5, *Netherlands Overseas*. Kamardeen spends time taking in the brightly lit showcase housing the cannon, which is decorated with precious metals and gemstones, and some other Ceylonese weapons. She only realizes how much this sight affects her a few days later when she opens the front door of her house in Colombo. She later wrote to me: 'The cannon filled me with pride because it is Sri Lankan, just like me. But it made me sad because as a Sri Lankan, I can no longer say it belongs to Sri Lanka.' Chapter 5 delves deeper into unequal relations in provenance research.

A QUICK SALE IN AMSTERDAM

On 19 November 2022 the annual PAN fair opened its doors in Amsterdam for the first time since the Covid-19 pandemic. Despite a cold wind and rain, visitors still flocked to the fair. Many were dressed chicly or even extravagantly. Being seen seemed just as important here as seeing the art dealers' offerings. As usual, modern art predominated, but there were also objects from formerly colonized countries available to view, and these were the reason for my visit. Zebregs & Röell Fine Art and Antiques – two art dealers specializing in 'colonial art and antiquities from the seventeenth to nineteenth centuries' – offered some valuable objects for sale. I had been in contact with Dickie Zebregs, the younger of the two, for some time. Their catalogue showed an Indonesian kris from a private collection, which was special because it bore an inscription including the name of the donor (an Indonesian sultan) and of the recipient (a Dutch governor-general). Also shown was a series of eighteenth-century weapons decorated with rubies, gold, and silver from the Kingdom of Kandy. Both listings involved objects whose provenance raised questions for me – questions that not all private collectors and art dealers ask themselves.

When I enter stand 4, the Ceylonese hand-weapons are displayed on a large round table. As mentioned, they were used in the war between Kandy and the VOC (1764–1766) and come from a British private collector. They were possibly bought by British military in a Ceylon market in or after 1796, that is, decades after the Kandyan–Dutch war (1764–1766), by which time Great Britain had seized power in Ceylon from the VOC. I look at them one by one, make no judgement about their historical value as it is not my area of expertise, but wonder what the authorities in Sri Lanka would think if they were sold as historical artefacts. These authorities have no idea they are here. According to art dealer Zebregs, other such weapons circulate; they are not unique and their cultural-historical value is therefore limited. A year later, at the PAN fair of November 2023, I notice another art dealer offering the same type of weapons.

On that November day in 2022, I no longer see the Indonesian kris; it's already gone. On the first day a buyer came forward and immediately bought it. That is a pity, because it is special. The catalogue states that Sultan Panembahan Mangku Adiningrat VIII donated it to Governor-General Squire Johannes van den Bosch in 1834. Van den Bosch was quite famous in his time, as Angelie Sens writes in her biography *De Kolonieman* (The Colony Man, 2019). Van den Bosch founded the Maatschappij van Weldadigheid (Society of Benevolence) in the Dutch department of Drenthe. King Willem I commissioned him to bring the plantation economy in Suriname out of the doldrums, and thereafter to introduce the Cultivation System in the Indonesian archipelago that forced local farmer families to produce export crops on one-fifth of their lands. In Sens's book I find nothing about the donation of the kris.

For that, though, I turn to historian Caroline Drieënhuizen of the Open Universiteit. In a blog from 2023 she describes how Van den Bosch received the kris in the aftermath of the extremely violent Java War (1825–1830). She wonders whether this was really a 'gift': did the monarch make this gesture entirely voluntar-

ily or was it done to keep the peace? It was probably something between a gift freely given and enforced loyalty.

Drieënhuizen also asks this question about a similar inscribed kris. It is not owned by a private individual or art dealer but by the Rijksmuseum Amsterdam, and is part of the Dutch National Collection. Remarkably, this kris was donated by the same sultan in the same year, 1834, this time to Van den Bosch's predecessor, J. C. Baud (inv. no. NG-NM-7113). Back at the PAN, I speak to art dealer Zebregs. According to him, there is no need to question this donation; in his opinion, a 'gift is a gift' and you cannot continue to research it endlessly.

Be that as it may, the offer of this privately owned kris does provide new evidence that there are important objects from formerly colonized areas in circulation among private collectors and in the art trade. People in the objects' countries of origin don't know about them and if they did, they might want them back. The Dutch government pays little attention to such pieces in the private sector. This complicated issue is explored further in Chapter 6. There it also becomes clear that private individuals and art dealers not only have special objects in their collections, but also ancestral remains from colonial areas.

A CONVERSATION IN JAKARTA

In the last month of 2022, Pak Puja (in full: I Gusti Agung Wesaka Puja) rushes to the international airport of Vientiane, the capital of Laos. He is a former ambassador of Indonesia to the Netherlands and now chairman of the Tim Repatriasi, which advises the government about the return of treasures lost during the colonial period. He wants to get to Jakarta in time for a conversation with representatives of *Yayasan Bali Bersih*, an organization that is committed to recovering Bali's lost heritage.

Pak Puja takes the time to exchange ideas with Shandy Wijaya and Rodney Westerlaken of the Yayasan Bali Bersih. On the agenda is the almost 70-centimetre-long Kris Puputan. *Puputan* is the name of a ritual in which a monarch who was in danger of losing a battle opted for collective suicide with his

entire entourage in the face of the enemy. On 28 April 1908, the Balinese king of Klungkung and his followers had seen no other option. The result was a gruesome bloodbath for the royal court and extensive spoils of war for the Dutch army. The latter took with them, among other things, a number of ceremonial krisses, and one of these – the aforementioned Kris Puputan – has been in Wereldmuseum Leiden since 1956 (inv. no. RV-3600-193). Indonesia has asked for it back.[2]

The conversation in Jakarta is only briefly about the return – which was already almost certain; indeed, the kris arrived in Jakarta a year after this meeting, in November 2023 – but dwells much longer on the question of where the kris should go after its return: to the Museum Nasional Indonesia in Jakarta or to the palace of the King of Klungkung. The current ruler of the kingdom certainly believes that he is entitled to the weapon as it belonged to his ancestor and was stolen from him. He has little sympathy with the idea, put forward by Pak Puja, that the weapon should remain in Jakarta and that the monarch would be able to borrow it from time to time.

This disagreement between a national government and a regional monarch over who is entitled to manage returned objects is discussed in more detail in Chapter 7. Nigeria, Ghana, New Zealand, Nepal, Ethiopia, and other countries that have suffered from Europe's expansionism are struggling with it as well. In every country, dealing with this disagreement comes down to tailor-made solutions.

Naazima Kamardeen is confronted with Western dominance in much provenance research into colonial collections. The ideal of equal relationships is still far from being achieved. Antiques dealers Zebregs and Röell and their early customer deal in colonial objects in the private sector, the provenances of which are possibly questionable and which remain out of sight of their countries of origin. European governments do little

about this state of affairs, even if such an object is important to the country of origin. The Tim Repatriasi and the delegation from Bali face the problem of determining to whom objects that come home belong. It is a complicated question and the parties involved in former countries have different views on how to resolve it.

2
MUSEUMS: FROM LOOKING AWAY TO CHANGING

The restitution discussion usually focuses on objects from colonial areas in museums. A small number are on display in the exhibition areas; most others are in storage. These others can often be found on the museum websites, with or without additional information. There is much less focus on ancestral remains. Such remains are therefore rarely visible. Museums prefer

Javaman, Indonesia, Naturalis Biodiversity Center Leiden (inv. no. RGM.1332450/1/2). © Naturalis
This skull cap, molar, and bone were brought from Java to the Netherlands at the end of the nineteenth century. They are important pieces in the Naturalis Biodiversity Centre in Leiden. In September 2023, the museum's website still mentioned the 'Dubois skull cap', named after the Dutch palaeontologist Eugène Dubois who dug it up and took it home. In December 2023 it was described as a 'skull cap of the Homo erectus'. Indonesia wants it back. If it is repatriated, what will its name be? Indonesia says it wants clear and complete stories about the past of its cultural heritage. So, it will probably also mention the name Dubois, though not in an equally prominent way as in the Netherlands.

to keep them in storage. Yet ancestral remains play an important role in restitution requests. This is an imbalance that needs to be corrected.[3]

Based on visits to three museums in the Netherlands, we now look at how these institutes deal with objects and ancestral remains that might have been acquired in a questionable way. Without any pretence of completeness, the visits show how complicated the decolonization of collections is and how long the road remains. This has to do with differing visions, the nature of the collections, the attitude of museum managements and individual curators, but also relates to contacts with colleagues from the global south.

Our first visit is to the Naturalis Biodiversity Centre (Naturalis) in Leiden, which is confronted with a claim from Indonesia that would require them to repatriate a world-famous fossil collection. How does Naturalis deal with this? This is followed by a trip to the Drents Museum in Assen, which borrows objects and ancestral remains from fellow institutions at home and abroad for its temporary exhibitions. What was the museum's policy in the past and what does it do now (differently), if such a loan collection contains stolen items? The last visit brings us to the Wereldmuseum Leiden, which organized an exhibition on the Aztecs in which some of the objects on display came from its own collection and some were borrowed from Mexico. The museum worked closely with authorities in Mexico. How equal was that collaboration?

THE DUBOIS FOSSIL COLLECTION

Naturalis, within walking distance of Leiden Central Railway Station, is housed in a large, architectural masterpiece with a modern appearance. 'At Naturalis, marvel is the starting point of learning', states the museum's website. Marvel as a breeding ground for learning is a great foundation for both museum and visitor. But when Naturalis became aware of a claim from Indonesia on 1 July 2022, the museum's attitude seemed less one of marvel and a desire to learn, and more of digging its heels in.

The Indonesian restitution request from 2022 concerned – in addition to ethnological objects from other museums – the Dubois collection of approximately 40,000 fossils, housed in the Leiden institution. If the owner (that is, the Dutch state), were to honour the claim, it would be a major loss. The centrepiece is the skull cap of the humanoid 'Java Man', along with a molar and a femur (inv. no. resp. RGM.1332450/1/2). The bones are special because of their age – estimated at between 700,000 and 1 million years – and the skull cap even more so, because it is one of the first remains of the hominid *Homo erectus* found.

The collection takes its name from the Dutch physician and palaeontologist Eugène Dubois (1858–1940). Aided by assistants and forced labourers, he collected the fossils between 1891 and 1893 on the islands of Java and Sumatra. On his return to the Netherlands, he took the finds home as his personal possessions. Only upon the state's insistence did the scholar transfer them to the Dutch state, whereafter they ended up in what is now Naturalis. For years, Java Man's skull cap has been a real crowd-puller in the Leiden museum.

As early as 1975, Indonesia had agreed with its former colonizer that the Netherlands would determine through research where this fossil collection belonged: in Leiden or at its original site in Indonesia. But the Netherlands has never investigated this matter (Van Beurden, *Treasures in Trusted Hands*, p. 151). It is therefore no surprise that the Dubois collection was on the list of eight collections and objects that Indonesia submitted to the Netherlands in July 2022. I reported this in an interview with the Dutch newspaper *Trouw* (19 October 2022), which was the first to publish the list and thus open the discussion between the Leiden institution and the Indonesian Tim Repatriasi that had submitted the claim.

Museum Naturalis immediately went on the defensive: its position was that fossils could not be compared to looted objects, and there was nothing illegal about collecting this kind of material. Dubois had found fossils through excavations, but in the surroundings, there had also been pieces up for grabs. Why

shouldn't he have taken them with him? Unlike looted objects that are displayed in ethnological museums to the public, fossils are mainly used for scientific research and Naturalis is an internationally renowned hub where researchers from all over the world are welcome. The museum also emphasized the good cooperation with fellow scientists in Indonesia. According to Naturalis, the fossils could just as well remain in Leiden, and would perhaps be better off there.

In the spring of 2022, I visited Java Man on one of the top floors of Naturalis. What immediately struck me was the 'amputated' story that the museum offered about the fossils. Due to the limited space for captions, such a story must always be short and concise, but its content represents a choice. As a museum, do you go for a more technical explanation and describe the role of Dubois, or do you – at least in keeping with the spirit of the times – talk about the provenance of the remains and the manner of acquisition? Information on both aspects is sufficiently available in the literature, and the museum had opted for a more technical explanation.

As a result, the visitor did not receive any information about the fact that restitution requests had been made a long time ago: in 1931 by the colonial Geological Survey, and in 1951 by the Indonesian parliamentarian (and later minister of Education and Culture) Muhammad Yamin (Drieënhuizen and Sysling, 'Java Man and the Politics of Natural History', 2021). The captions did not mention that Dubois built on the research work of Indonesian predecessors. One of them was Raden Saleh (1811–1880), whom we mainly know as an Indonesian painter. Saleh had discovered fossils in the 1860s, in turn benefitting from a travelogue by an ancient Javanese monarch. Moreover, Dubois often treated his forced labourers poorly. Was the caption yet another example of a researcher or institution in the global north appropriating a find from a colonial area? (This question lingered when I revisited the Java Man in December 2023. Now it was accompanied by a short film, but it too focused on Dubois's work and does not mention Raden Saleh's work.)

According to Bonnie Triyana, secretary of the Tim Repatriasi, Indonesia is the rightful owner of the fossils. If someone digs something up on someone else's land, that doesn't mean he can just take it with him – at least, that's how Indonesia thinks about it. This applies to oil and gold, but also to fossils. Those fossils are part of prehistory, and Indonesia needs them to complete the picture of its history. In addition, Indonesia has sufficient museum and research capacity to responsibly house the Dubois collection and make it accessible to the public and scientists. Everyone is welcome, and researchers from Southeast Asia can more easily study the collection in Indonesia than in the Netherlands, if only because the Netherlands has a difficult process for issuing visas to people from the southern hemisphere.

The position Naturalis is taking is not unusual for a natural history museum. Most natural history museums have in common with ethnological museums that they were founded in the period of European colonialism and both types of museums have many collections from colonial areas. However, natural history museums like to emphasize their role as centres of scientific research into fossils, human remains, pinned butterflies, birds, shells, insects, spiders, and other finds from nature, while ethnological museums place more emphasis on their public function and mainly conduct anthropological and (art) historical research into objects, textiles, manuscripts, and the like. They have been collaborating with communities of origin for a longer time and are more easily able to put wishes for return above their own desire to research collections. Natural history museums find it more difficult to put their scientific research lower on the priority list. It would hurt them considerably.

When it comes to the public function of both types of museums, the dividing line is becoming increasingly thinner. The public-friendly design of institutions such as Naturalis, the Royal Museum of Natural History in Brussels, the Natural History Museum in London, and the Museum für Naturkunde in Berlin bears this out. Just as Naturalis shows off the Java Man, these

European museums do the same with their most famous pieces. And many smaller museums house both ethnographic and natural history collections from former colonial areas and conduct research into both.

In July and November 2023, Naturalis and the Tim Repatriasi held consultations in Leiden in the presence of the Dutch advisory Colonial Collections Committee. The Indonesian request is 'essentially about the skull cap, femur and molar': 'their return home has the highest priority', and Naturalis 'emphasizes' it fully understands the Indonesian request (Naturalis, press release 12 July 2023). The museum now considers it 'evident' that these fossils have not only 'a scientific but also a cultural and historical value' and looks forward to a more intensive collaboration with the Tim to 'explore how their value for Indonesia, the Netherlands and the rest of the world can best be guaranteed'. The return of the 40,000 other fossils appears to have been temporarily halted. The ball is now in the court of the Colonial Collections Committee, which must issue advise on the matter, and then with the Dutch cabinet member for culture, who will make the decision.

Without wishing to play devil's advocate, I see some pitfalls. The Tim Repatriasi is dependent on the Netherlands' smooth handling of the claim and the Dutch policy stipulates that Dutch museums in possession of claimed items will conduct the provenance research themselves, whereby they can consult experts from the country of origin. The museums must do this carefully, although the research should not take too long. However, there is no definition of what is meant by 'careful' or exactly how long the process may take. Of course, this is also a complicated question, but it can offer the museum a loophole allowing them to prolong provenance research and keep a colonial collection a while longer. Consulting fellow experts in the country of origin sounds fine in itself, but can also be an opportunity to sow discord in that country of origin, and an institution such as Naturalis can then claim that not everyone there thinks that the fossil collection – in whole or in part – should be returned. To be clear:

the scientific colleagues in Indonesia and Naturalis itself have no formal say on restitution, but may find ways to influence the negotiations informally.

While the Colonial Collections Committee completed its advisory report on objects from the Wereldmuseum Leiden and the Rijksmuseum Amsterdam relatively quickly, the report on the fossil collection had not yet been completed at the time of writing. Will the committee conclude that the way in which Dubois brought the collection to his private home in the Netherlands bordered on smuggling? And how will the committee weigh the fact that repeated restitution requests have already been made? Do these considerations, taken together, not place the acquisition of the fossils in the category of 'involuntary loss of possession' or classify the collection itself as one 'with special significance for the country of origin' – one that is perhaps needed more in Indonesia than in the Netherlands? And won't the collection be returned unconditionally if Indonesia requests it, as stated in the new policy? (This will be discussed further in the next chapter.)

That Naturalis can also be flexible with returns became clear in 2022, when Malaysia requested the return of a collection of thirty-seven prehistoric skeletons. These were excavated in 1935 by Dutch scientists on the west coast of the then British colony. Naturalis is working with Malaysian researchers to determine their exact age – through carbon dating. As far as the Dutch government is concerned, return is the starting point for claims on ancestral remains – which also includes remains from colonial areas. However, for the Leiden institution, these skeletons are of less scientific value than the Java Man. That skull cap is and remains 'a special case'. You don't just say goodbye to that.

COLLECTIONS ON LOAN

While the Java Man is part of a museum's own collection and is the property of the Dutch state, there are countless objects and ancestral remains in museums that have been borrowed for longer or shorter periods from foreign heritage institutions or

private collections. These, therefore, do not belong to the Dutch national collection and the museums that borrow them have no rights over them. But if such a collection on loan includes pieces of dubious origin, are the ethical questions that then arise the same as those for objects and human remains from a museum's own collection?

To answer this question, we turn to the Drents Museum in the northern city of Assen. It shows its own collections in the old main building and organizes temporary exhibitions of borrowed objects in a new extension, which opened in 2012. These are often blockbuster exhibitions: they are becoming more and more frequent and are vital for the museum if it wants to remain self-sufficient. If, say, over the past ten years, the loans have included pieces from former colonial areas with a potentially questionable provenance, how has the Drents Museum dealt with this?

In 2016, the exhibition *Mayans: Rulers of the Rainforest* was organized in Assen. The exhibits were old (between 250 and 900 years), were being shown for the first time in Europe, and were said to offer 'a voyage of discovery' through Central American treasure troves. Many of them had been collected in the nineteenth century and what was striking in the descriptions was that the organizers of the exhibition had not questioned this. Yet in 2016, it had long been known in museums and among archaeologists that collectors in the nineteenth and early twentieth centuries often used rather dubious methods. When I asked curator Vincent van Vilsteren about this, he replied that 'it was not our intention to make an exhibition about theft and export of cultural goods, but an exhibition about the Mayans [...] The problem of theft of cultural goods has, for us, never been an issue.' The message was clear: he did not want to discuss this ethical issue. He did not provide further explanation.

While I did visit the Mayan exhibition, I had missed the 2014 exhibition *Mummies: Survival after Death*, also in the Drents Museum. Visitors could see half- or fully undressed bodies and body parts of unknown people, some of them thousands of years

old. It is also entirely possible that some of these borrowed mummies were acquired through grave robbery or illegal trade. Grave robbers treated (and continue to treat) mummies with little respect. They often stripped them of their clothing or bandages because these alone earned them extra money.

At exhibitions with mummies and skulls, I often feel a bit like a voyeur. But the dead, with their empty eye sockets and nakedness, also seem to be watching me. In this sense, the dead are still alive and raise uncomfortable questions. Do you know my name? Do you realize what went wrong? Do you know if I died among loved ones or in solitude, was murdered or dragged from a grave? Do you have any idea how I was disrespectfully shoved into one and the same coffin, basket, or box with other dead people and objects that I have nothing to do with, how many money-grubbing hands my body has passed through and how I ended up here in this institution that is completely foreign to me?

In 2000 – fourteen years before the temporary mummy exposition in the Drents Museum – an exhibition was held at the Museum of Croydon in London and at the Burrell Collection in Glasgow: *Ancient Egypt: Digging for Dreams*. Visitors were invited to read the mummies' names aloud, writes Angela Stienne in her book *Mummified* (2022, p. 187). While I am bothered more by *questions and uneasy feelings* about seeing mummies and ancestral remains, Stienne has developed a rather distinct *vision* of how museum curators can go about exhibitions of mummies, which is far removed from the vision behind the exhibition of mummies in Assen. To begin with, she objects to the idea that museum visitors take for granted that they can view the remains of other people. It enables them to see these remains as 'a testament to other cultures being "savage", "primitive" or "gruesome"' (p. 196). She proposes to define mummies as forcibly displaced (p. 68), a term that evokes contemporary associations with flows of displaced people in vulnerable areas of the world. She even advocates that mummies are given a louder voice in storage and exhibition policies. In any case, their names must be

mentioned, if they are known. It is something that many other museums fail to do.

Back to the mummies exhibition in Assen. The catalogue shows, in colour, two tattooed Māori heads, on loan from the Reiss-Engelhorn Museums in Mannheim.[4] Even then it was unusual to show these heads in public. At the request of and in consultation with Māori representatives from New Zealand, many other museums in Europe were no longer doing this. Amber Aranui from the Museum of New Zealand Te Papa Tongarewa, who is closely involved in repatriations, writes to me that transferred heads are no longer available for outsiders to view. When being repatriated, they are transported in closed boxes. This happened, for example, in 2005, when the Wereldmuseum Leiden returned a tattooed head to a Māori delegation. Once in New Zealand, these heads return to the Māori community of origin, who then decide what happens next. If the community cannot be traced, the heads are given a final resting place in the *wahi tapu,* a sacred space in the museum in Wellington that is off-limits to non-Māori.

It is now almost ten years later, and the museum does not stand still. According to Bastiaan Steffens, Van Vilsteren's successor, the colonial problem is 'certainly important to us now.' He cites the 2018 exhibition *Nubia: Land of the Black Pharaohs* as an example. Nubia was an ancient kingdom that extended north of the current Sudanese capital Khartoum to the south of Egypt. In the early twentieth century, scientists from the Museum of Fine Arts in Boston had excavated and brought back several archaeological objects now on display in the Drents Museum. Steffens says:

> These objects and remains of temples were special for two reasons. First, they were collected because of the construction of the Aswan Dam, which was to provide a reservoir of water for agriculture in Egypt. Because its construction would cause a lot of damage to the Nubian archaeological heritage, extensive excavations were first carried out. The second reason was that the Boston scientists used the trea-

> sures they took to support an extremely false colonial story in their museum: that Nubia had always been subordinate to Egypt. The explicit purpose of our Nubia exhibition was to correct that history. For it was Nubia that ruled over part of Egypt from the eighth century BCE. And we told that correct story with the same objects that had previously served to prove the opposite.[5]

Countering faulty historiography is entirely justified, but there is more to a critical look at museum exhibitions. A critical look also examines the handling of (loan) collections obtained in dubious ways and the cooperation with countries of origin. 'Hopefully the context of the colonial story pushed the reader in a certain direction,' Steffens concludes. But is that not wishful thinking? And is there not another problem, one which other museums also struggle with? The Drents Museum is dependent on lenders, who also link their names to such exhibitions, making it difficult to criticize potentially questionable acquisition methods. Lenders would rather not have their good names tarnished.

One may wonder whose interests this museum serves. Probably not those of the Sudanese. I have visited Sudan several times since 1985. One highlight was a trip to the pyramids near the city of Meroë, not far from the Nile River. Due to the desertification of previously fertile banks, which stretched for miles, these stone structures now lie in the middle of a sandy plain. The Sudan Archaeological Service had a good reputation. Many employees were knowledgeable and worked with dedication. How would the Sudan Archaeological Service view the efforts of the Drents Museum? In the 1980s, they hungered not only for the return of lost archaeological heritage, but also of war booty and the skulls of national heroes – and they still do today.[6]

WORKING TOGETHER

Decolonizing collections from colonial areas requires other, more equal ways of interacting with each other. The Dutch Wereldmuseum considers this important. It knows how difficult it is and

that one effort sometimes goes better than another. In August 2021, I visited the exhibition *Aztecs: The Man behind the Myth* at the Wereldmuseum Leiden. This was a collaboration with museums in Stuttgart, Vienna, and Leiden in Europe, and the Instituto Nacional de Antropología e Historia (INAH) in Mexico. The exhibits came from collections in Mexico and Europe, and the catalogue was a European–Mexican co-production.

The exhibition was built on three pillars. The first consisted of findings from recent, collaborative archaeological research. They came from the Templo Mayor in Mexico City, built between 1325 and 1520, and unearthed by Mexican archaeologists and their European colleagues. The second focused on contemporary Aztec culture. Present-day Nahua communities, descended from the Aztecs, were quoted extensively at the exhibition. They spoke about old, still-current rituals and about traditional crops such as tomatoes and corn. The final pillar of the exhibition was the unravelling of prejudices about the Aztecs as a 'bloodthirsty people', as the Spaniards claimed. According to the exhibition makers, the conquistadors depicted them this way to 'justify their own atrocities'.

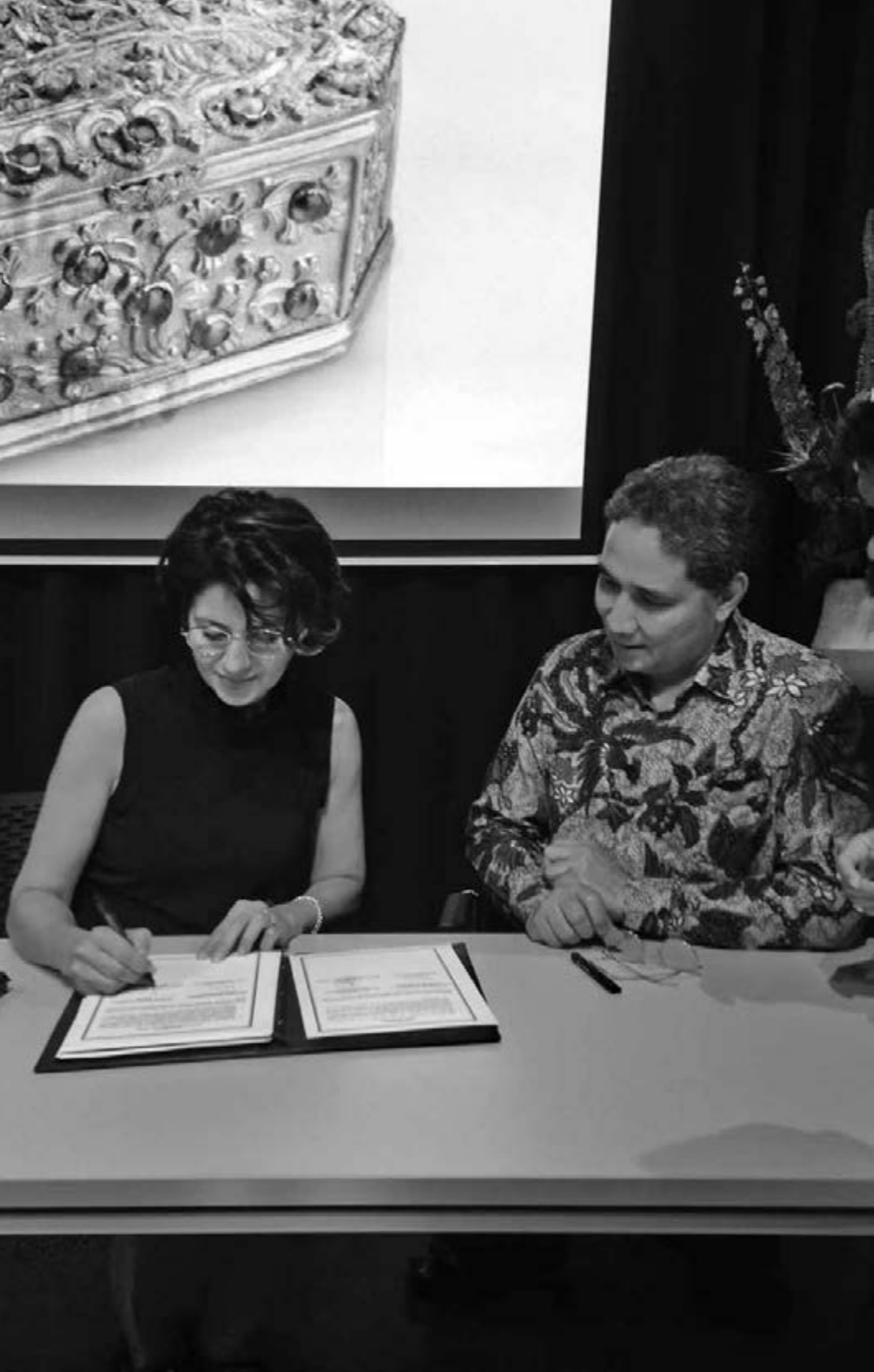
That the culture of the Aztecs indeed had very 'refined' features is evident from their ancient codices, in which they described their administrative customs, rules, genealogies, and history using text and colourful images. However, with the help of missionaries, the Spanish destroyed thousands of them, leaving fewer than twenty; these they shipped to Europe as curiosities. In Europe, the codices were stripped of their original names and named after the museum or library where they ended up. The catalogue mentions as examples the Codex Bodley in the Bodleian Library in Oxford and the Codex Borgia in the Vatican Library.

The showpiece of the exhibition was an enormous sixteenth-century Sunstone. Because the original – with a diameter of 3.6 metres and weighing 25,000 kilos – was too fragile for transport, the exhibition makers had made a 3D print of it. The stone tells the creation story of the Aztecs and how they related to their gods.

What was appealing about the approach was that descendants of the Aztecs were very present at the exhibition and that European museums and Mexican institutions and scientists collaborated fruitfully in its organization. The fact that this cooperation had been conducted on a fairly equal footing is due both to the strong cultural policy and long scientific tradition of Mexico itself and to the mutual respect of the Mexicans and Europeans involved.

The trips to these three museums have taught me how differently the colonial past is dealt with in museum land. The three institutions do not stand still and will have developed further in a few years. Some change reluctantly, only doing so because they have to. Others are taking the first steps, while it is unclear how quickly one step will follow the next. Still others see decolonization and equal cooperation with communities and colleagues from countries of origin as an opportunity for enrichment.

For many museums in small municipalities and for museums of missionary institutions, the idea of decolonization is far off, especially if they have difficulty keeping their heads above water. They want to do something in this vein – I noticed that during several visits – but many depend almost entirely on volunteers, who have often heavy workloads. Nevertheless, the number of people and heritage institutions that actively think about how collections from colonial areas came into their possession and how they can incorporate this into their exhibition policy is increasing.



3
THE DUTCH GOVERNMENT: A U-TURN AT LAST

The Netherlands is now taking real steps towards restitution. On 6 July 2023, the Secretary of State for Culture, Gunay Uslu, announced the first restitutions in response to claims from Indonesia and Sri Lanka. The decision to hand over the Lombok treasure, a kris of the Balinese king of Klungkung (more on this in chapter 7), four statues from the Singasari Hindu temple complex on Java, and 132 pieces of Pita Maha wood carving art from Bali was as obvious as that to return the ceremonial cannon and five others weapons of the king of Kandy.

One caveat is that the return of these items took place almost three quarters of a century after an Indonesian request, and almost half a century after Sri Lanka had claimed its treasures.

The Indonesian Director General of Culture, Hilmar Farid, and the Dutch State Secretary for Culture, Gunay Uslu, signed the agreement on 10 July 2023 in which the Netherlands would transfer the property titles of 472 looted objects to Indonesia. It was the first major restitution since the introduction of a new Dutch policy.

Indonesia has been submitting claims for collections from the Netherlands since 1949, while Sri Lanka did this officially for the first time in 1980. While Indonesia and the Netherlands had agreed upon a set of *Joint Recommendations* for dealing with lost treasures in 1975, the Rijksmuseum Amsterdam, the Wereldmuseum Leiden, and the Dutch government had all left the Sri Lankan claims to bite the dust. All in all, with these first steps the Netherlands are very much playing catch up.

Why did it take so long? What precisely has been done in the past and what did it take to start making this U-turn? What does the new policy behind it look like? And why did almost everyone on that Monday morning, 10 July 2023 in the Wereldmuseum Leiden, look so relieved when Uslu and the Indonesian Director General for Culture, Hilmar Farid, set their signatures on the agreement?

FRUGAL IN RETURNING

Looking back at the way in which the Netherlands dealt with the return of pieces to its former colonies, in the case of Indonesia (the largest ex-colony), three phases can be distinguished: the first starts immediately after the transfer of sovereignty in 1949, the second begins in 1975, and the third phase has been running from 2017 onwards. It is more difficult to discern the phases for the process in Suriname and the Caribbean part of the Kingdom of the Netherlands. However, there is talk of a turning point from about 2020.

First Indonesia. After the Second World War, the Netherlands was not inclined to return looted treasures. The country had to recover economically and was more concerned with itself as a victim of the German occupation than with its own role as an occupier of colonial territories. The relationship with the Indonesian government was extremely bad and a fruitful conversation on new cultural relations seemed still far away.

Yet restitution was important to Indonesia from the outset. Bonnie Triyana of the Tim Repatriasi says: 'In 1949, Indonesia and the Netherlands concluded an agreement on the transfer of

sovereignty. Attempts to include a paragraph on cultural relations had been in vain. Muhammad Yamin, a parliamentarian, urged for restitution in 1951, mentioning, among other things, Java Man. In 1954, as minister of Education and Culture, he visited the Netherlands and asked for the return of the extremely fine, thirteenth-century Buddhist Prajñaparamitra statue from Java and the fourteenth-century palm manuscript Nagarakertagama. In 1955, Indonesia presented a list of 1,151 objects in Dutch museums that it wanted back.'

Some prominent Dutch people had every sympathy for Indonesia's wishes. For instance, the Netherlands' highest-ranking representative in Jakarta, Tony Lovink, advised the government in The Hague to return some of the crown jewels from Lombok, Bali, and Java on the occasion of the transfer of sovereignty in 1949. However, the Minister for Union Affairs and Overseas Governments, J. H. van Maarseveen, was not in favour of this. It was not 'the right time', he declared. If negotiations on the transfer of sovereignty should end favourably for the Netherlands, perhaps a single piece of looted art could be transferred.

Because The Hague became fearful of claims for restitution, it commissioned an 'inventory' of Indonesian crown jewels in the state collections. The outcome was that only a few had potentially questionable provenances. Most had been obtained 'through purchase or as a gift' and therefore could not be claimed by Indonesia. Moreover, the colonial administration had collected many objects in a large museum in Jakarta and had transferred the building and collections to the Indonesian government after independence.

Yet Indonesia continued to press for the return not only of objects, but also of archives and manuscripts. It took a quarter century before this led to the *Joint Recommendations* (1975) on new cultural relations and the transfer of some objects: the painting *The Capture of Pangeran Diponegoro* from 1857, by Indonesian artist Raden Saleh – Prince Diponegoro was the great hero of the Java War – parts of the prince's equestrian gear, 243 pieces of the loot that the Netherlands had seized on the island of Lombok in 1894, and on top of that, the Prajñaparamitra statue.

Those who think this is quite a number should remember that it was only a fraction of what the government in Jakarta had requested, and an even smaller share of all the collections from the archipelago that were then in the Netherlands. Moreover, the *Joint Recommendations* contained several agreements with which the Netherlands has never, or only after a long wait, complied.

In 2017, this started to change. Then the Wereldmuseum Leiden began a long-delayed search for the important kris of Prince Diponegoro. To the surprise of many, it did not take long to find it and on 3 March 2020, the then Indonesian ambassador Pak Puja received the stabbing weapon. Regarding the motivation for her decision, Minister Van Engelshoven wrote that the return took place 'on the basis of the 1975 agreement'. The Netherlands had done nothing about two other agreements made at the time: finding out who owned the Java Man, or helping Indonesia in contacting private owners with important pieces from the archipelago.

Discussions about restitution with Suriname and the Caribbean part of the Kingdom were virtually non-existent in the 1970s. The only return took place in 1985, when more than 4,500 pre-Hispanic potsherds were shipped back to Aruba (Van Beurden, *The Return of Cultural and Historical Treasures*, 2012, p. 35). This was not exactly a loss for the Wereldmuseum Leiden, which kept them in its storerooms. By accident, several dozen potsherds were left behind in the Netherlands. The museum is willing to return them as soon as it receives a formal request.

The return of archives and documents is smoother and more generous. Regarding Suriname, there was a remarkable agreement between the colonial administration in Paramaribo and the government in The Hague. After an alarming report in 1899 about the condition of the archives – which were plagued by humidity, insects, and mice – the authorities in Paramaribo decided to ship them to the Netherlands, which occurred in 1916, and to leave them there until Suriname could establish a proper place for them (Van Dijk and Tjien Fooh, 'The Repatriation of Surinamese Archives from the Netherlands', 2023, p. 284). In similar cases, a temporary stay in the colonizer's country might

easily become de facto permanent. Not in this case. In 2010, Suriname opened a modern, fully-equipped archive building in Paramaribo and the National Archives in The Hague prepared the first shipment of archive records to the National Archives of Suriname. The last shipment left in 2018. Almost all the documents have now been digitized, so that Surinamese Dutch also retain access to them.

As early as 1968, negotiations with Indonesia over lost archives had led to an agreement. The two countries adopted a pragmatic approach: due to their vulnerability, old documents, especially from the VOC period, would remain where they were – in the National Archives in The Hague, or in the Arsip Nasional in Jakarta. The two national archive institutions then exchanged information, first through photocopying and later through digitization, to allow as much access to their files as possible.

Spread over many decades and given the size of collections from colonial areas in Dutch heritage institutions, this is a meagre harvest. We can conclude that the Netherlands avoided restitution unless it was difficult to do otherwise, or if the collections in question were of little importance to it.

Other countries in Europe certainly did no better (as I recorded in *Treasures in Trusted Hands*). The UK, France, and Germany returned objects only incidentally – for instance, on the occasion of the independence of a colony. Three other countries did something similar to the Netherlands and concluded agreements with a former colony.

Belgium transferred several hundred objects to the Democratic Republic of the Congo (1970), but these turned out to be of little cultural-historical value. Belgium was able to do this because it had neglected education in the African country, which therefore had no experts able to determine the value of objects.

Denmark, which had two 'cold' – as opposed to 'tropical' – colonies, shipped some 2,000 ancient manuscripts about local history and peasant life back to Iceland (1971) and 35,000 archaeological pieces to Greenland (1983). The Danish govern-

ment kept a large number of manuscripts and a lot of archaeological material for itself.

Australia responded best, with a generous return of thousands of objects to Papua New Guinea (1975). In this case, the former colonizer and the ex-colony were neighbours and possibly that proximity fostered mutual understanding and respect. Around 1900, colonial officials had collected the objects and had them sent to museums in Australia which would serve as safe havens, on the condition that they would be returned once Papua New Guinea had its own museum infrastructure.

So, little happened until deep into the twenty-first century. In addition, many former colonies had other concerns on their minds (stability, national unity, poverty reduction) and little confidence in the European willingness to face up to their colonial pasts and return collections.

The fact that heritage institutions in Europe only slowly became sensitive to the wishes of former colonies is clearly visible in the Wereldmuseum Leiden. This museum – which holds in excess of a hundred Benin objects – was still very reluctant to make any change in 2007, when the Oba (traditional king) of Benin requested European museums return some Benin objects. When I asked director Steven Engelsman whether his museum would respond to such a request, he answered that his museum's collection was 'not a grab bag'. Four years later, though, he no longer ruled out a positive response, 'if the Oba came to Leiden with a request'. At that time, he also hid a bit behind the British Museum – 'Let that set the example. It has most Benin objects of all museums in the world, and Britain is the country that looted them in 1897' – even though he knew the British Museum would do nothing. In 2021, the World Museum published on its own a detailed report on all the Benin objects in its museums in Leiden, Amsterdam, Rotterdam, and Berg en Dal: 184 pieces in total. The acquisition of at least 114 of them was a direct result of the looting of the Oba's palaces by British soldiers in 1897. The thousands of objects were then scattered all over Europe and North America, including in the Netherlands. In the report, the

Wereldmuseum offered Nigeria a helping hand to make a claim to the owner of the collection, that is, the Dutch state. A claim has come in and the Committee Colonial Collections is preparing a recommendation for the Dutch government.

Engelsman has been away from Leiden for years, but when we recalled his earlier statements recently, he said: 'I never thought then it would come to this. What a great development!'

GRADUAL SHIFT

Like some other countries in Europe (more about this in Chapter 8), the Netherlands has been developing a new restitution policy since the late 2010s, with the first fruits being the restitutions to Sri Lanka and Indonesia. But restitution has been a topic of discussion for much longer in all kinds of forums – in government departments, among museum staff and academics, and in the media. But these discussions were mainly held behind closed doors.

Dutch ambassadors, such as those in Indonesia and Sri Lanka, have sometimes played an important role. Thanks to their local contacts, they know what is going on in their host countries and pass on their insights to The Hague. Their main tool of quiet diplomacy ironically ensures that their role is often (wrongly) overlooked. Restitution has been a point of discussion in the Dutch Ministry of Education, Culture and Science (OCW) and some larger museums for decades. At the Wereldmuseum, it was often individual staff members who raised it. Those who did could have a hard time, because many colleagues wanted nothing to do with restitution. The media also slowly changed their tone. While they had long emphasized the limited ability of former colonies to take care of their heritage, as well as the right of museums in Europe to preserve and display objects from colonial regions, they began to pay more attention to the right of return of ex-colonies and the obligation of return of ex-colonizers.

The Benin dialogue, launched in 2010 between the Kingdom of Benin and Nigerian authorities on the one hand, and some European museums – including the Wereldmuseum Leiden – on

the other, certainly helped. Although the dialogue progressed with great difficulty, it nevertheless indicated a change in thinking in the museum world. At the launch of my book *Treasures in Trusted Hands* on 29 May 2017, seven Dutch-speaking museum directors from Germany, Austria, the UK, Belgium, and the Netherlands discussed the issue of restitution.[7] Some had already begun to embrace the idea; for others, the conversation was an incentive to become more involved. French President Emmanuel Macron's speech of 28 November 2017 at the University of Ouagadougou, the capital of Burkina Faso, about the gradual return of a part of Africa's lost heritage and the 2018 advice to Macron from Senegalese academic Felwine Sarr and French art historian Bénédicte Savoy were eagerly discussed at the OCW ministry. And of course, the wishes, requests, and claims from former colonies for the return of their pieces provided much-needed encouragement to the then-burgeoning restitution policy.

THE FIRST RESULTS

From 2019 onwards, the return discussion inside the Dutch government and museum world has come more into the open. In March of that year, the Wereldmuseum published a policy for claiming objects under the title *Return of Cultural Objects: Principles and Process*. Many of the return criteria mentioned therein can be seen, with some variations, in later policy documents: whatever is in violation of the laws of the time or was taken without the consent of the owners, or is, because of its religious nature, unsuitable for display or research, is eligible for return. The principles, of course, applied only to objects in the possession of the Wereldmuseum.

The publication caused some resentment within the Ministry of OCW, which was also drawing up such a policy, but for all objects and collections from colonial areas in national possession. Couldn't the museum have waited for this to be complete? One month later, in April 2019, Minister Van Engelshoven went public and announced to Parliament that she wanted to make the 'shared past and the colonial era-related history' more visible

and that this required a new 'national policy framework'. On 15 October 2019, she asked the Council for Culture to draw up advice on the handling of collections from a colonial context. It was to be ready within a year.

Right on time, in October 2020, the Council issued the groundbreaking Advice on dealing with colonial collections. It contained a lot of useful information. Over the centuries, the Netherlands has had colonial interests in no fewer than forty-seven areas, varying from trading posts, factories, and forts to full-blown colonies. At least fifty-five museums in the Netherlands possess collections from colonial areas that were subject to the Netherlands or other European countries, but only a limited number actually conduct provenance research into these collections.

The advice contained striking suggestions. The key proposal was that the Netherlands would recognize that, by taking possession of cultural goods without the consent of the original population of the colonial areas, an injustice had been done to that population, and the Netherlands should be prepared to correct this injustice 'where possible'. The Council further suggested that the Dutch government only negotiate claims with governments of countries of origin, and therefore not with, for example, the descendants of a sultan in Indonesia or an ethnic group in Suriname. The Council also advised that if an object was demonstrably taken against the wishes of the original population, it should be returned unconditionally if requested by an ex-colony of the Netherlands. If the claim originated from a former colony of another European country, restitution was conditional and, in making the decision, the Netherlands had to take into account two points: the interests of the Netherlands in keeping the claimed objects, and the claimant country's ability to manage them properly. The committee also proposed to 'invest in the exchange of knowledge, ideas, and views' with other European ex-colonial powers.

Shortly afterwards, in January 2021, the minister informed Parliament that she had largely accepted the advice. She wished

for dealing with cultural goods from colonial territories to occur 'carefully, in close cooperation with those involved in the country of origin and generously' and realized that those goods can painfully affect 'people and communities of today and tomorrow'.

In the summer of 2022, her successor, Secretary of State Gunay Uslu, informed Parliament that she would continue in this line. She established two bodies. The first was the advisory Committee Colonial Collections, led by lawyer Lilian Gonçalves-Ho Kang You, who had also chaired the advisory committee of the Council for Culture. The committee works independently and assesses the thoroughness of the provenance investigation into a claimed collection and whether there has actually been involuntary loss of possession. The collection manager – usually a museum – 'is responsible for conducting' this research. The museum report details the nature of the collection, the way it came to be in the Netherlands, and its broad context. It is striking that the heritage institution in question thus plays the role of the fox that guards the chickens. The entire process should not take too long because 'needless delay would detract from the perception of the desired redress of injustice', according to Uslu. The committee is also the place where restitution applications come in, and this was quickly effective: within a short time, there were such requests from Indonesia, Sri Lanka, and Nigeria.

The second body is the Colonial Collections Consortium, a point of contact for convening knowledge and expertise in the field of provenance research in the Netherlands and supporting museums and countries of origin in their research. It is made up of five institutions: the Wereldmuseum, the Rijksmuseum Amsterdam, Museum Bronbeek in the city of Arnhem, the NIOD Institute for War, Holocaust and Genocide Studies, and the State Agency for Cultural Heritage (Rijksdienst voor het Cultureel Erfgoed, RCE). Its office is located in the RCE. A digital platform is being developed with collections from colonial areas in Dutch museums. Researchers from around the world, and especially from former colonial countries, can gain insight into what is in the Netherlands. The consortium will study similar initiatives in

Europe, such as *Digital Benin*, which shows over 5,000 Benin objects in twenty countries, and the *Atlas der Abwesentheit*, with 40,000 objects from the ex-colony Cameroon in German museums. These two examples are the product of close collaboration between researchers in Nigeria and Cameroon, respectively, and their colleagues in Europe.

There are two more actors in the restitution debate: Parliament and diaspora groups. We will look first at the Dutch parliament, because a change might be in the air. On 4 October 2023, the Parliamentary Standing Committee on Education, Culture and Science held a discussion on heritage policies with Secretary of State Uslu. Restitution could have been discussed at length at that time, but the debate was mainly about monument conservation and archaeology in the Netherlands and hardly mentioned restitution to former colonies. I do not rule out the possibility that many MPs have tacitly agreed to the new restitution policy and that other files (ordered alphabetically these are: asylum, budget, discrimination, climate, Covid-19, gas extraction, house construction, nitrogen, social allowances) require more attention from them.

At the time, only one MP spoke about the recent returns to Indonesia and Sri Lanka: Martin Bosma of the populist Party for Freedom (PVV). He was strongly against it, stated that Democrats 66 (D66) – Gunay Uslu's political party – was a party of 'cultural barbarians', called the advisory Colonial Collection Committee a 'sell-out committee' and advocated the 'dismissal' and 'criminal prosecution' of museum directors who had participated in the restitution. At that point, you might have thought that MP Bosma was a loner, but since the parliamentarian elections in the Netherlands of 22 November 2023, this can no longer be sustained. The PVV won by far the largest number of seats (37 out of 150) and it is feared a very conservative wind is blowing in the country. It is still too early to determine what the consequences of this will be for the restitution file once a new cabinet has been formed, but it seems undeniable that the political forces pushing for a counter-restitution front have gained strength.

Unlike in some other European countries, for a long time Dutch people with roots in former colonies have participated only a little in the restitution debate. Dutch people with ties to the Indonesian archipelago focus more on the lost past of soldiers of the Royal Dutch East Indies Army (KNIL), or on what is now the Indonesian province of Papua. In the eyes of Papuans, their province has been illegally occupied by Indonesia. The restitution of cultural heritage is a matter between the governments of the two countries and many Moluccan and Papuan Dutch, and other Dutch people with links to the archipelago, have little sympathy for the Indonesian government in Jakarta or for the kind of objects (often connected to national heroes, royal houses, or ancient temples) that are discussed at the return table; as a consequence, they hardly talk about it.

In all the lee, a number of diaspora groups with roots in the archipelago appears to be concerned with restitution of ancestral remains or objects with a direct connection with their region of origin in the archipelago. Not only Moluccan and Papuan Dutch but also Surinamese and Caribbean Dutch feel supported by the new restitution policy and the development in the societal discussion about the colonial past. Chapter 7 discusses this further.

For several years now, there has been another diaspora group that works hard and seeks publicity: Black Lives Matter. Although their main themes are the history of slavery and racism, restitution is also discussed. In June 2020, tens of thousands of people protested against racism, discrimination, and other legacies of the colonial past in the Netherlands. From this movement emerged the *Black Manifesto* (2021), 'a living document with concrete advice and demands from and for Black communities on how to tackle racism and inequality' in the education, labour, and cultural sectors. For looted art from colonial territories 'arrangements should be made so that the art can be safely owned and management can be returned to its rightful owners'. The Netherlands must contribute to the cost of 'proper maintenance and management' of objects in the country of origin.

'THEY SHOULD HAVE NEVER BEEN IN OUR COUNTRY'

When we look at the European countries working on new restitution policies, sometimes one country appears to be in the lead, and then another takes over. On Monday 10 July 2023, the Netherlands had the honour of leading. What took place on this morning, at the signing of the agreement with Indonesia at the Wereldmuseum Leiden, was greeted not with excitement so much as with relief among many attendees. 'Am I happy? No. Relieved?' is what I heard several times, both from the Indonesians present and from Dutch people. 'This has been worked towards for such a long time… there could always have been a final hitch in the plan!' The fall of the government of Prime Minister Mark Rutte, which happened later that day, could have been one such disaster. At the signing, Gunay Uslu spoke of 'a historic moment', declaring that, '[for] the first time, we are returning objects on the basis of advice of the Colonial Collections Committee' – objects, she said, 'that should never have been in the Netherlands.' Indonesian Director-General Hilmar Farid spoke of 'pieces that are missing and can now be fitted back into the story of Indonesia. From now on, we can determine their significance and the story about them ourselves.'

The new Dutch policy also raises questions. The first concerns the distinction between unconditional return to one's own ex-colonies and conditional return to ex-colonies of other European countries. In whose interest is that? Not the other powers' ex-colonies: in their eyes, what is the difference between a looted Benin object from Nigeria and a confiscated princely kris from Indonesia? Should the motive behind this distinction be sought in European relations? Does the Netherlands fear that unconditional returns made to ex-colonies of other countries will lead to undesirable claims then being submitted to those other former colonizers? Think of the UK, currently governed by the right-wing Conservative Party: does the Netherlands want to avoid upsetting that country?

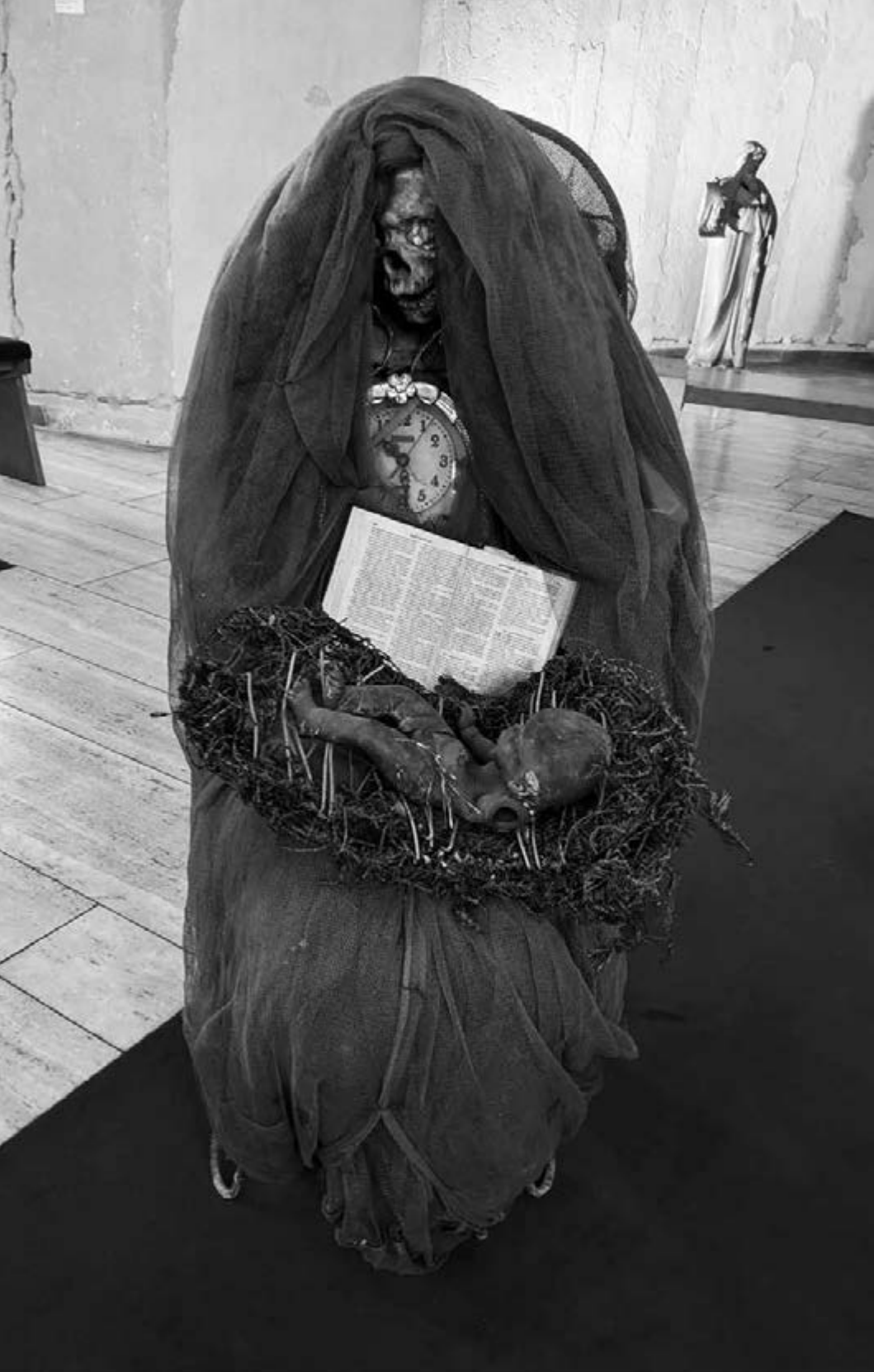
A next question is why the government, in line with a suggestion of the advisory Committee of the Council for Culture, only

wants to negotiate with the government of a former colony, and not with descendants of monarchs, sultans, or ethnic minorities in such a country – even though these people were the original owners of certain pieces and were robbed of them? Although the interests of the latter are mentioned in many policy documents, albeit briefly, the Netherlands does not grant them a seat at the 'claims' table. They don't want to interfere in the affairs of another country and do not want to be accused of neocolonial behaviour. The Dutch position on this issue is not unique. Belgium and France for instance, opt for the same approach. Absence at the claims table is already causing frictions in Indonesia, for example. I will come back to this in Chapter 7.

For a proper assessment of claims, thorough research into the provenance of a claimed item is of great importance. But have the policy makers given sufficient thought to a more equal approach to this? In the Dutch policy, the Dutch holding institution is charged with the provenance research and can of course determine a lot – matters such as the formulation of the questions that have to be answered, the experts to be engaged, or the planning. What is the situation for the ex-colony that made the claim? The possibility of giving an ex-colony a more decisive role in this process is discussed in Chapter 5.

For now, it will suffice to end with the words of Minister van Engelshoven, who stated in March 2020 that Diponegoro's kris goes back 'on the basis of the 1975 agreement'. This formulation implied that the return was about playing catch-up. We might think that the July 2023 announcement of returns to Indonesia and Sri Lanka is rather similar. A start has been made, then, but these two major restitution moves were quite obvious ones. But will the Netherlands succeed in properly completing more difficult claims, such as those for the Dubois collection, or for objects with questionable provenance in heritage institutions that hardly conduct provenance research? And will ex-colonies

quickly bring new claims? Is restitution a priority for them, or are they more interested in obtaining the admission of wrongdoing in the colonial past and an apology? Formulating claims is not an easy task and requires (art) historical, legal, and many other kinds of substantiation. The challenge is now to press ahead and avoid 'restitution fatigue'.



4
ETHICAL COMPASS: THREE PRINCIPLES

For a long time, the debate on the Dutch colonial past focused mainly on the years in which Indonesia, Suriname, and the Caribbean part of the kingdom became independent or autonomous. We can hardly imagine it now, but in those years the positive aspects of the Dutch presence – bringing education, healthcare work, infrastructure, the 'true' faith – often received more attention than the negative ones – exploitation, violence, and theft of cultural heritage. The latter were downplayed.

Those times are a few generations behind us, and this makes it easier to face up to the negative impact of colonialism and its knock-on effects in the present. King Willem Alexander did exactly this on 1 July 2023 when he apologized for the Dutch part in the slave trade and asked forgiveness for his own family's

Pieta*, Documenta Fifteen, St Kunigundis Church, Kassel, 2022. © Jos van Beurden*
Some communities avoid showing skulls of ancestors to the outside world. Others do it deliberately. It is their way of honouring them. The Atis Rezistans *from Haiti give this an artistic form.*

involvement in it. Six months earlier, the government had preceded him in this gesture. And in 2020, the monarch had expressed his regret and apologies for the violent atrocities of the Dutch army in Indonesia in the years from 1945 to 1949.

These are important steps, but are they enough? Are war violence and the slave trade the main crimes that need to be tackled? What did colonial injustice entail? What other forms did it take? Does Secretary of State Uslu's comment when announcing restitutions to Indonesia and Sri Lanka in July 2023 that looted objects 'should never have been in the Netherlands' mean that she regards their theft as colonial injustice? Are there ways of finding out?

To answer these questions, this chapter examines whether theft of cultural heritage in the colonial period belongs in the same category as physical violence, slavery, and the like, and how restitution is part of the broader concept of decolonization. In addition, it examines whether an ethical compass helps to figure out whether we can actually redress some of the injustices. However, the chapter begins with a warning.

BEWARE OF EXAGGERATION

Colonialism and looting: whose problem is it? Is it the problem of the people, peoples, and principalities of the global south who were robbed? That seems the obvious answer... however, though many of these groups are indeed very concerned, others are considerably less so. They are trying to survive, or prefer to look to the future, and therefore have little interest in pieces that were stolen in a distant past and may now be claimed. Moreover, ex-colonizers are often difficult about restitution: they want a big say in the process, they impose conditions, and there is bureaucracy, so getting the items back takes years. Besides, due to looting and long absences, many objects are no longer the same. There is a stain on them which will remain a reminder of a painful past. These people in former colonies prefer to move forward rather than settle old scores. There are plenty of craftsmen in their country who are able to create objects that show their his-

tory and culture, and these objects are not contaminated by a troubled past.

Is colonialism and the plundering of heritage perhaps more the problem of the predatory states in the global north? Are they now seeing the light? Please note: not everyone in the global north is bothered by it, either. 'You can't keep rehashing the past – those pieces have been here for so long and are well taken care of,' some people would say. Writing down this kind of commentary suddenly reminds me of the poem 'The White Man's Burden' (1899) by the English poet Rudyard Kipling, on the civilizing mission of American imperialists in colonial areas taken over from Spain.

But in the northern hemisphere there are also white people, especially young people, for whom colonial spoils are an uncomfortable possession. They don't understand why their restitution does not proceed faster. Perhaps this gives the title of Kipling's poem a new meaning: that of a self-civilizing mission. The new generation admits more readily than many older people that all violence in colonial areas – the great and small wars, plundering of resources, summary executions, rape, the slave trade, looting, and more – was committed in the name of 'the white man' and that it brought him wealth and power.

Does the current drive to undo some of these colonial injustices risk exaggerating the scale of the damage Europe caused? Are we making it too big? How important was European colonial rule in the history of countries in the south? Several writers from these countries argue for restraint. They find that Europe's role is easily overstated and that of the countries in question underestimated. Older examples are Indian historian Dipesh Chakrabarty's *Provincializing Europe* (2000), and Kishore Mahbubani's *The New Asian Hemisphere: The Irresistible Shift of Global Power to the East* (2009). The latter is a Singaporean political scientist and former chairman of the UN Security Council. More recent is Nigerian philosopher Olúfémi Táíwò's book *Against Decolonization: A Plea for Africa's Own Competence* (2022). Chakrabarty and Mabhubani criticize the overemphasis on Europe's role in

the colonial period and argue for a revaluation of the role of empires and nations. According to Mabhubani, China and India have always been the most important world economies. He sees the European presence in their continent as an interruption of China and India's centuries-long dominance on the world stage. Táíwò warns against erosion of the concept of 'decolonization', which has become an all-encompassing concept. He emphasizes Africa's own agency and other factors to understand current developments in the world. In Africa, Europe's rule was only institutionalized after the Africa Conference of 1884–1885 in Berlin. That is less than a century. Europe has lost some of its weight on the world stage. France's influence in Africa, for example, is rapidly declining. Germany is making diplomatic and various funding efforts to keep a foothold in the continent.

LOOTING AS A FORM OF COLONIAL VIOLENCE

These stimulating thoughts bring a note of caution, but should not prevent us from moving forward with the knowledge we have today and looking at the injustice and violence of the colonial past to see how the plunder of cultural heritage at that time fits into a broader framework. European colonial expansion stretched over a period of more than five centuries: from the early fifteenth century until well into the twentieth century. It took place in many different locations far away from Europe, in rather varying forms and with ever-changing intensities. This expansion was accompanied by a great deal of physical violence. Numerous major and minor confrontations took place to suppress resistance to it. Thanks to their superior weapons, the Europeans usually – although not always – emerged victorious from the battlefield.

More and more is being learned about this physical violence. One of the latest Dutch publications in this area is a series of books about independence, decolonization, violence, and war in Indonesia in the years 1945 to 1950 (KITLV ea., *Onafhankelijkheid, dekolonisatie, geweld en oorlog in Indonesië,* 2022). There is also a considerable amount of information available about the

violence in the 345 previous years of Dutch presence in the Indonesian archipelago. This is certainly the case with scholarship on Jan Pieterszoon Coen, who perpetrated a genocide on the Banda Islands in 1621, and for most readers probably also the brutal Java War (1825–1830) and the horrific Aceh War (1873–1904)[8].

In recent years, research into physical violence has been supplemented by mapping the Dutch involvement in the slave trade, first the trade in the transatlantic world and now also in the Indonesian archipelago. Some of the outcomes can be found in the collection *Staat & Slavernij* (State & Slavery, 2023). Cultural historian Nancy Jouwe argues that slavery is a crime against humanity (King Willem Alexander did this in July 2023 as well). Legal historian Raymund Schütz calculated that the profits from the slave trade of the governors of Orange amounted to 3.04 million guilders. In today's money, this is €545 million.

Much less do we realize that European expansion has always been accompanied by climate violence, and that its impact is still noticeable today – yet we could have known this a long time ago. The renowned Prussian explorer and scientist Alexander von Humboldt (1769–1859) had already addressed this around 1800. In a diary fragment, mentioned in Andrea Wulff's biography *Invention of Nature: The Adventures of Alexander von Humboldt* (2016), he criticizes the 'insatiable greed' of the Spaniards in acquiring gold and timber in South America by barter or by force. This not only led to the disappearance of ancient civilizations and the decimation of the indigenous population, but also to an enormous clear-cutting of the continent's natural resources.

Amitav Ghosh also writes about clear-cutting in natural ecosystems, albeit in two other geographical areas. In *The Nutmeg's Curse* (2021) he describes how 'Jan Coen' (as he calls him) had native trees and shrubs on the Banda Islands replaced *en masse* by nutmeg trees and what the disastrous short- and long-term effects have been. The Euro-Americans did the same to the First Nations territories when they arrived in North America. The historian Dan Sleigh tells a similar story about South Africa.

In his novel *Stemmen uit Zee* (Voices from the Sea, 2002) he meticulously reconstructs how Jan van Riebeeck and his men committed acts of climate violence at the Cape of Good Hope, where the Dutch arrived 1652. From the start, they deprived the pastoralist Khoi population of their best lands, which decimated that population. Ghosh argues that this act was worse than genocide: according to him, it was a case of omnicide, where everything and everyone could be cleared away to serve the interests of the newcomers. Omnicide became one of the pillars of prosperity in Europe.

Ghosh draws a direct line from this colonial violence to the current climate crisis, a challenging thought. Indeed, in many former colonial areas, this type of violence continues – even though the companies now operating are from continents other than Europe, and the colonial soldiers who once protected the commercial interests of Europeans in, for instance, Africa have now been replaced by non-African paramilitary units.

Another element of colonial expansion was cultural violence. This is a broad concept with both a material and an intangible aspect. Almost all forms of violence were accompanied by this intangible violence, with colonial governments, enterprises, missionaries, and others hammering home their own superiority and the inferiority of the 'other'. They presented this 'other' as underdeveloped, bloodthirsty, and incapable of effectively ruling their own country. They put away existing forms of government, religions, traditions, and customs as primitive and reprehensible. In this way they kept colonial subjects 'on the periphery of society' (Dimitrijovska-Jankulovska and Denkovska, 'Postcolonial "Otherness"', 2023, p. 50). The European occupiers have always tried to justify their arrival as a 'civilizing mission' to help 'the other'.

The material side of cultural violence was closely linked to this image and consisted of the unsolicited confiscation and/or destruction of cultural, ceremonial and religious objects, skulls and other ancestral remains, old manuscripts and archival doc-

uments of local rulers, families and communities. As a result, in many places the European civilizing mission led to a cultural clear-cutting and the deprivation of the local people's identity, spiritual values, and beliefs and imposed on them a Western–white veneer. Of course, the people didn't always accept this. There was resistance in many places, including against the taking of their material heritage, and this resistance ranged from open to covert. Many colonial subjects became inventive in finding strategies for escaping the European yoke. They worked with the newcomers, or pretended to, and saw it as an opportunity for a better future.

The diversity of the violence and its impact in the present make it hard to get to the bottom of it and to undo some of the resulting injustice. Decolonization therefore requires patience from ex-colonizers as well as ex-colonized peoples. It's about the breakdown of unequal colonial power structures and their replacement by more equitable and more respectful relationships. That's easier said than done. The apologies and some returns that now take place are important. But admitting past mistakes and making excuses or asking for forgiveness are not enough; these statements must also be accepted by 'affected communities', 'tackle the living legacies' of colonialism, and 'provide meaningful reparations', as human-rights lawyer Nani Jansen Reventlow reminds us (*Righting Imperialism's Wrongs, Past and Present*, 2023) – and we haven't gotten that far yet. These are the first pioneering steps in a journey that will continue for a long time.

THE THREE CONCEPTS: TRUST, EQUALITY, AND JUSTICE

How do we know if we are on the right track in our efforts to undo some of the injustices from the colonial period? How do we know whether the power relations between ex-colonies and ex-colonizers are becoming more equal? Are there principles that can guide us here, and also when it comes to the return of cultural heritage? I'd like to venture some suggestions. Based on many conversations, after reading and thinking a lot, three guiding

principles emerge: trust, equality, and justice. Great values, and I am aware that they can only be realized in small steps. Perhaps it is wiser to term them slightly differently: breaking down distrust, reducing inequality, and undoing injustice piece by piece.

In 2022, legal philosopher Cees Maris interviewed me extensively (*Filosofie & Praktijk*, 2023). According to him, justice is the basic principle: an injustice needs to be restored, and this is done through restitution of unlawfully obtained objects in our possession. His vision is partly based on the philosophy of Robert Nozick (1938–2002). Nozick argues that ownership arises because someone finds something in nature and that 'something' does not yet belong to anyone. The second and all subsequent owners can then lawfully possess that item through purchase, exchange, donation, inheritance, or by taking it over in another way; then there is nothing to worry about. But if an owner loses an object unlawfully – through theft, coercion, error, or deception – then the restoration principle applies, and the state must guarantee legal restoration in the form of restitution or compensation.

I endorse the principle of repair through restitution as such, although I also feel hesitant about this reasoning. If something is returned, there is no immediate repair. Alongside this, recognition and admission of past mistakes can be as important. Does the returning party acknowledge that there was an injustice and does the receiving party experience it this way? People involved in the return practice emphasize that recognition and admission, and restoration of the trust that was severely damaged in the colonial period, are at least as important. That's the sticking point.

But I mainly hear this during informal conversations. Few people – whether they come from the global south or the north – dare to say out loud, 'I do not trust the other party,' because then one runs the risk that a slightly opened door will close again. Trust had to grow before the Benin dialogue between Nigeria and European museums could bear fruit, or before partners in the global south were able to collaborate more effectively

with Dutch institutions. In addition, there is a growing insight among those in the global north that those who created the distrust should be the ones to take the first steps.

Another hesitation is that Nozick thinks in terms of individual, legal property. This may be common in legal thinking in Europe, but conflicts with the way the issue is addressed in many countries of origin or by indigenous communities. There, the idea of communal ownership often predominates. During Naazima Kamardeen's and my research into the ceremonial cannon of the king of Kandy (2022), Kamardeen pointed out that the king was not the owner of the cannon, but its guardian. Likewise, the land on which he lived was not his, but belonged to all the people, and even to the birds and other living beings, and the king was allowed to guard it. The idea that the duty of care towards nature, land, and cultural heritage can be more important than their legal ownership is sinking in painfully slowly in Western contributions to the restitution discourse.

Much has been said and written about the second principle – equality – both in everyday conversations and in weighty reflections in thick books. Breaking age-old, ingrained patterns does not happen automatically, as Gloria Wekkers argues in *White Innocence: Paradoxes of Colonialism and Race* (2020). Without being aware of it, many white people still show traits of racism and xenophobia. It is ingrained in their 'cultural archive' and doesn't simply go away. Directors, curators, and employees of museums often do not realize how old power patterns continue to work. They think they offer colleagues from the global south the same space as they occupy themselves, while in fact they keep holding the reins and determine what the collaboration will look like and how the funds available for it will be spent.

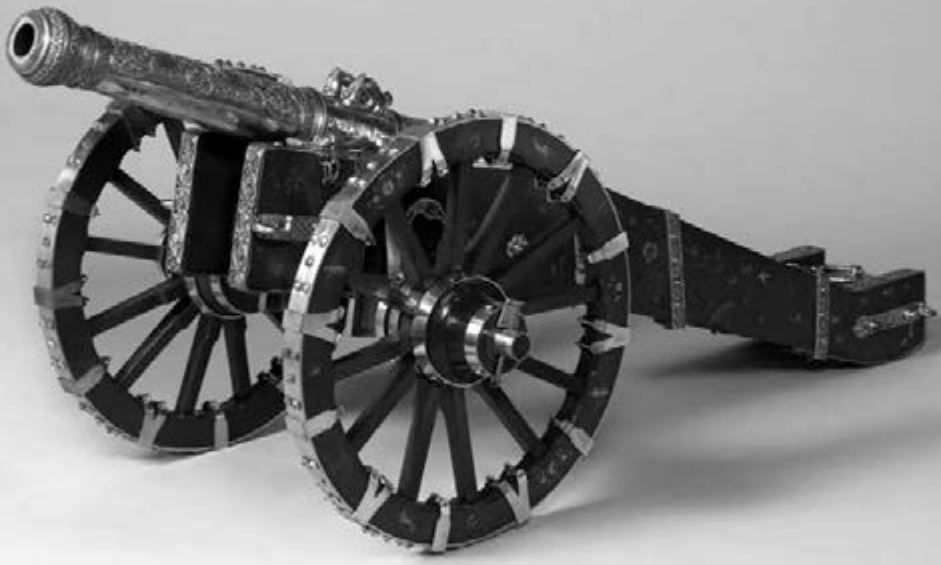
This inequality is often veiled or disguised, or is sometimes visible, as was the case on 19 December 2022, when the Dutch government apologized for the Netherlands' share in the slave trade. It happened without proper consultation with organizations of descendants of enslaved people. Heritage specialist

Wim Manuhutu called this 'a colonial blind spot' (interviewed by Kraaijenoord and Thielen, 'Multiperspectiviteit', 2023). We in the global north must learn to play our part in the restitution discourse without taking on the leadership role. At the same time, it helps considerably if the other side – the governments, museum professionals, and other people in former colonies – also takes strong steps to claim that equity and approach their northern partners in a new way.

For the third principle, justice, I would like to refer to *The Idea of Justice* by the Indian economist and Nobel Prize winner Amartya Sen (2009). According to Sen, it is difficult to say exactly what justice is, though most people know when something they do is unjust and when they have crossed a line. With colonial cultural violence and unsolicited seizing of other countries' cultural and historical treasures or ancestral remains, borders have been crossed very seriously, both literally and figuratively. The idea of undoing this completely is an illusion. The colonizers took too much with them and it is often no longer known where exactly it came from, while the direct victims are no longer alive. But their pain and anger and that of their descendants remain. Recognizing this and partially undoing this through an apology, restitution, or other (financial) means is possible. If ex-colonies get a lot of say in this, those actions can simultaneously help to decrease both distrust and inequality.

Isn't there a considerable amount of overlap between trust, equality, and justice? Is one principle – justice or equality – not enough? Yes, this could be the case, but I fear that ingrained mistrust, unequal power relations, and colonial injustice are too extensive to tackle with one concept alone. Do the three carry the same weight? For the most part, yes, even though the relevance of each principle depends on the concrete situation, and even though restoring trust is slightly more pressing. In the restitution

discourse, the three cannot exist without each other. Each offers a complementary perspective, a different entry point, and together they form the ethical compass that helps us assess whether a step in a restitution process leads to greater healing of violated relationships.



5
NO RESEARCH ABOUT US WITHOUT US

In the restitution discourse, provenance research has become a buzzword. It is buzzing not only in the large ethnological, natural history, and art history museums and university libraries, but also in smaller institutions, among private collectors, and in the art trade. Provenance research is not new, but centuries old. Taken literally, it answers the question, Where does a work of art come from? When it is from antiquity or from Europe, what is usually researched is its authenticity (is it real or fake?), its creator (how famous is he or she?), the names of its last owners, the exhibitions where it was shown, and the books, articles, and catalogues in which it was described.

Cannon of the King of Kandy from Sri Lanka, Rijksmuseum Amsterdam (inv. no. NM-1015). © Rijksmuseum Amsterdam
As early as 1980, Sri Lanka claimed this cannon, then in Dutch hands, as it was war booty. Decades later, the Rijksmuseum Amsterdam began its own investigation as to how the cannon came into its possession. Since the end of 2023, Sri Lanka has been the cannon's rightful owner once more. This increases confidence in Dutch intentions.

In the provenance research of cultural-historical items from colonial areas, the emphasis for a long time was on their 'life' after arrival in Europe. Usually little was known about the makers and first users; they remained shrouded in mystery. That changed at the end of the last century. One of the reasons for this was an increasing number of assessments of claims about artworks looted by the Nazis. Not long afterwards, claims of stolen and involuntarily lost items from former colonies and research by northern museums led to a new interpretation of the concept.

Provenance research in a new style portrays, as far as possible, the life of objects from the moment of their creation to their use in the present. This is an arduous task, not only because of the limited documentation, but also because of the enormous quantities of objects, ancestral remains, manuscripts, and archives from colonial areas in Western public and private collections. How does this new-style research proceed and does it mean the same for former colonies as for northern institutions? 'Nothing more about us without us' is the motto in the global south – an ideal about the organization of provenance research that is far from being realized – and this raises the question of whether the decolonization of collections should be explicitly accompanied by the decolonization of provenance research. In other words: should power over decision-making about provenance research shift more to the global south?

The impact of such a shift extends beyond the content and methodology of the provenance research. What is little realized is that it further undermines the cultural internationalism of the 1980s and 1990s. During these decades, large museums in Europe and North America promoted cultural internationalism. They considered themselves 'encyclopaedic' or 'universal' museums, with a core belief that cultural heritage belongs to all mankind and is best displayed and preserved in institutions that attract many visitors and where security is not an issue – in other words, in their own institutions. Returns are then much less necessary.

In 2002, they made this position public in the *Declaration on the Importance and Value of Universal Museums.* In it they declared themselves universal museums and drew a line under discussions about abuses from the colonial past. In return, museums promised to henceforth acquire objects ethically. Postcolonial provenance research, however, 'damaged the reputation of museums which refused to address the colonial past of their collections', writes Anaïs Mattez of the University of Hong Kong ('Restitution of Cultural Property', 2023). It not only leads to more complete biographies of pieces but also brings to light all sorts of abuses surrounding the acquisition of their collections and their relations with countries of origin. Until then, the stories of these abuses had remained largely untold. Many of the 2002 signatories are now de facto distancing themselves from the *Declaration*.

To better understand how power over provenance research programmes is shared in practice, this chapter examines two major research programmes in the Netherlands. Who decides whether collections should be investigated and, if so, which ones? What questions should be answered in the research, who should answer them, and where should the research take place? And who will pay for it?

INEQUALITY IN PROVENANCE RESEARCH

When someone from a country of origin and myself visit a museum with collections from his or her country for the first time, I hold my breath for a moment. What is going through his mind, and does he or she want to share this with me? For example, years ago, I looked at Benin objects in the Wereldmuseum Leiden with the Nigerian lawyer Folarin Shyllon. What he mainly talked about afterwards – and this surprised me – was that the restitution discussion is usually about objects and rarely about the (often large) numbers of people who died when the objects were stolen. Thousands of African soldiers and civilians had also perished in the British war of 1897 against the Kingdom of Benin, in which thousands of Benin objects had been robbed.

As Naazima Kamardeen, Dilip Tambyrajah, the Sri Lankan-Dutch secretary of the Netherlands – Sri Lanka (Ceylon) Foundation, and I walk to the captured cannon of the King of Kandy in Room 1.5 in the Rijksmuseum on 3 November 2022, I wonder what is going through her when she sees it. I see tension and emotion in her. Afterwards she looks less tense, but doesn't talk much. A few weeks later I invite her to write down what the confrontation with the ancient weapon on that windy day did to her:

> To be honest, I don't remember much of the conversation with the staff members. On the way to Room 1.5 we passed many precious, rare and memorable objects, but I just wanted to go to the cannon. When we got there, someone said, 'It's here!', I didn't approach it straight away because it would take me too close to the showcase too quickly, but walked past it and turned around to first take in the beauty of the whole. I had seen it in photos and studied it in detail, and yet that didn't prepare me for what I felt then. It was real, it was really there and it wasn't something drawn by anyone's imagination. It was as royal and perfect as I always imagined. Every angle from which I looked at it offered a different perspective. The photos had not provided that experience. I stood there for a long time and yet not long enough. It filled me with pride because it was Sri Lankan, just like me. But it made me sad because as a Sri Lankan, I could no longer say it was from Sri Lanka. When I look at the selfies that I made, they are different from the photos. The selfies bring me back to the breathtaking experience that is now deeply etched in my memory.

In 2017, the Rijksmuseum Amsterdam started an investigation into the Kandy cannon and nine other objects in its collection with possibly problematic provenances. The aim was to develop a better methodology for provenance research. After two years of research in the Netherlands, the museum sent an employee

to Sri Lanka for additional information about the cannon. The employee had a list of Sri Lankan experts, including Naazima Kamardeen. In the Dutch media, the museum had given the impression that the research – although intended to provide a better method for provenance research – could also lead to return. That impression also existed in Sri Lanka and that is why Kamardeen cooperated.

However, once in Colombo, the employee informed the local experts that the purpose of the visit was only to improve research methods. There could be no talk about restitution because a decision about this was not up to the museum, as the cannon was the property of the Dutch state. This greatly disappointed Kamardeen and some of her colleagues. Why all this research when both sides already agreed that the cannon is war booty? When I mentioned this to director Taco Dibbits of the Rijksmuseum, he showed understanding about the Sri Lankan experts' disappointment. However, he also emphasized that for good provenance research, cooperation with countries of origin is 'necessary' and that 'their views on the objects and their research could be written into the report on an equal basis.'

But it was precisely this equality that bothered Kamardeen and some other experts in Sri Lanka. They feared that their involvement in the investigation would be an 'exercise without equality', a fear that was reinforced by the long questionnaires that the Rijksmuseum drew up concerning, among other things, the materials from which the cannon was made. There were fears that the answers could reduce Sri Lanka's chances of retrieving the cannon. Kamardeen feared that the project would become a 'new kind of robbery': the theft of information under misrepresentation. Dibbits also understood this: 'The museum understands the critical attitude and distrust towards Western museums and other institutions that have not cooperated with return requests in the past.'

After the employee's return, the Rijksmuseum took a different path: it started collaborating with the Wereldmuseum, which

has a lot of experience with partners in the southern hemisphere, and with the NIOD, which has been conducting provenance research into Nazi-looted artworks for decades. The three partners made the research into the cannon a case study in a much broader project from which an assessment framework for provenance research of colonial collections could emerge. This second phase lasted three years. In March 2022, the three Dutch institutions presented their *Provenance Research Pilot Project Final Report on Objects of the Colonial Era (PPROCE)* to Secretary of State Uslu. It consists of a main report and fifty case studies about objects from Indonesia and Sri Lanka.

Of these, the case study on the King of Kandy's cannon became the longest and most detailed. The main authors were two Dutch historians, Alicia Schrikker and Doreen van den Boogaart, while experts from Sri Lanka, the Netherlands, and other countries contributed sub-studies. Although there was greater equality between the partners in the south and the north in this second phase, the northern researchers had the lead and largely determined its course. The inequality that characterized the first phase had reduced, but not disappeared. Moreover, the authors had neglected to write about the troubles of the first phase. The conclusion of the case study was predictable: the cannon is war booty.

SURPRISING APPROACH IN THE 1990S

How difficult is it to work together on an equal basis when the partners' shared past is fraught with unequal power relations? Very difficult – and until recently it was attempted only sparingly. One serious attempt was a research project funded by the Dutch Ministry of Development Cooperation in the 1990s. I was involved in providing information about it. Were there any experiences in this project that could help provenance researchers of the present moment?

Shortly before becoming Minister for Development Cooperation in the third cabinet of Prime Minister Ruud Lubbers in 1989, Jan Pronk – whom I interviewed in July 2023 – pondered

about the need for a 'reappraisal of the Dutch research policy for poverty reduction'. He thought a radical change was necessary, a change that would give poor farming families in developing countries more say over what should be researched. In the explanatory memorandum to the national budget of 1992, he presented this new research policy under the heading *Multi-annual, Multi-disciplinary Research Programs* (MMRPs). At that time, eight countries received an MMRP: Vietnam, India, and Bangladesh in Asia, Egypt, Tanzania, and Mali in Africa, and Peru and Nicaragua in Latin America. Why these countries in particular? After a brainstorming with Dutch researchers, Pronk had made a list of like-minded academics and research institutions in the global south. He found them in the countries mentioned. 'This selection was the only decision I made. I trusted that those selected could put together a new style research program. All further decisions – on sub-studies, choice of researchers, spending of the subsidy – had to be taken in each southern country, and the trick was not to exert influence on their decisions as a donor country.'

Not all Dutch researchers and research institutions embraced Pronk's new policy. They feared that developing countries had insufficient capacity to implement them. Moreover – but this they said less openly – their own research work in those countries could be jeopardized. Pronk solved this pragmatically: 'I then had the budget for development-oriented research increased by several million guilders.'

The eight southern countries responded positively to the new policy. The shift in control over the programme and the spending of the money was particularly impressive. In the beginning they had to get used to it, as I recall: was a northern donor really able and willing to hand over power? Could this donor be trusted? What would happen if the quality of the research would not meet the high standards of Western academic research? Would they really be allowed to set the research agenda and to decide whether – and who – they wanted to attract from outside, and possibly do the work without Dutch consultants and their institutions?

A process began in which the participating countries mainly engaged local researchers, who in the past had often lost out to their generally better educated and more articulate Western colleagues. Economist Syed Hashemi from Bangladesh appreciated that Bangladeshi researchers were no longer an 'appendix' to Dutch programmes and institutions, but could build 'their own research community'. In his country this became *Research Initiatives Bangladesh* (RIB, 2000) for participatory action research and self-development. Researchers – women and men, especially from poorer population groups and minorities, and not always having completed academic education – worked closely with poor communities and made plans for feasible improvements.

A 2007 evaluation of the MMRPs found that they had become a success, although not in all countries. But a lot has been achieved in Bangladesh. During my last visit to RIB (2005), I noticed that the organization mainly attracts young researchers. They are trained in research methods that are relevant to their country and learn to listen to their often poor and illiterate compatriots. With this training many of them later enter the broader research world.

Of course, research into poverty alleviation in the global south in the 1990s was not the same as provenance research into colonial collections in the Netherlands in the 2020s. While the first is mainly about people in relation to national, regional, and local economies and power structures in the present, the focus of the second is on people and the loss of their cultural heritage in the past and the impact of this loss in the present. The two research methods differ from each other. However, the two types of research share a central theme: reducing inequity, the one between rich and poor, the other between possessors of cultural heritage and those who lost it. The direct relationship between the wealth/full showcases of the one, and the poverty/empty showcases of the other can be seen in the restitution discussion. This is also about the haves and the have-nots, about closing a gap and redistributing the rich cultural heritage from former colonies.

The most important lesson from the MMRPs for researchers of colonial collections is this: begin to listen and cede authority to those most affected by the plunder of their cultural heritage. Other lessons are that the shift in control over programmes and their financing could spark resistance in the global north and that the approach will not be effective in every former colony. Implementing this approach will require courage and high-level leadership on both sides.

WORKING TOWARDS EQUALITY NOW

At the start of new exhibitions, in both large and small museums, at conferences, and also during the recent collection transfers to Indonesia and Sri Lanka, a buzzword almost always does the rounds: *provenance research*. And without exception you hear: 'Yes, we are also engaged in it.' Universities offer training courses. Manuals and guidelines are being developed. Museums recruit the best researchers from within and outside their country through advertisements. Motivated by this topical issue and the stories attached to many colonial collections, self-employed people are in the starting blocks. But what about equality there? Does the way in which provenance research is now organized and financed in the Kingdom of the Netherlands help to break down unequal relationships?

With this question in mind, alongside Kamardeen's criticisms and the lessons from the MMRP approach, we can take a closer look at the two large, subsidized provenance research programmes in the Netherlands and one in the Caribbean part of the Kingdom of the Netherlands. The first is the aforementioned and now completed PPROCE project by NIOD, Wereldmuseum, and Rijksmuseum Amsterdam, which has produced an assessment framework for provenance research. The second is the four-year project *Pressing Matter: Ownership, Value and the Question of Colonial Heritage in Museums* (Pressing Matter) by the Wereldmuseum and the Vrije Universiteit of Amsterdam. This includes several studies into what colonial collections mean for the present, and provenance research is

an important part of this. The third concerns archaeological excavation near a former sugar plantation, where enslaved Africans were buried.

In the approach of the PPROCE and Pressing Matter programmes, the research is no longer simply a *scientific* activity involving the study of archives and documentation in the Netherlands (although these remain very important and can yield a lot), but also a *social* activity in which exchange with colleagues in the global south is important. Both programmes aim to involve institutions and experts from countries of origin. The PPROCE researchers – the majority of them Dutch – did this by asking the Museum Nasional Indonesia in Jakarta which objects from Dutch public collections it wanted to be investigated. The first fourteen of the fifty case studies in the PPROCE report are about these objects. Due to the Covid pandemic, there was little travel and few physical meetings between experts and authorities in Indonesia and Sri Lanka. However, there were regular remote consultations.

Pressing Matter also strives for a solid southern input. Nevertheless, its website parades mainly Dutch partners and most of the leaders of the programme components are also Dutch, while in the implementation of the programme people with roots in the global south are also involved. A sticking point is that subsidy providers – in the case of Pressing Matter, the Dutch Organization for Scientific Research (NWO) – often require broad support in the Netherlands.

Both programmes were thus conceived here, their management is in the hands of Netherlands-based institutes, and they have to meet to the standards of the academic world and grant providers in the Netherlands. As a result, much is already fixed and highly institutionalized before they even start. In most other European countries, too, institutionalization frequently clashes with the pursuit of greater equality with the global south. Most provenance research programmes suffer from an ingrained imbalance.

Some scholars in the south criticize this continued inequality. We already heard this from Naazima Kamardeen, but this criticism also comes from others. According to former director Jyotindra Jain of the National Crafts Museum in New Delhi ('Objects and their Journeys', 2021, pp. 121–124), the whole concept of provenance research is 'integral to the very formation of the idea of the museum as a repository of cultural objects', which were often collected haphazardly or by force. As far as he is concerned, provenance research should serve an 'academic objective' and a 'restitutive objective'. Western museums should help former colonies establish research centres that combine both objectives. These centres should not be expected 'to produce legal evidence for the provenance of their objects in Western museums' but let the Western museums come up with 'valid documentation for the objects' acquisition' themselves.

According to art historian and filmmaker Nana Oforiatta Ayim from Ghana, not only provenance research but the entire restitution process is at risk ('Repatriation Is Changing but Colonial Dynamics Remain', 2023). She fears that 'old colonial mechanisms will persist' and that it will be very difficult to break through them. The Netherlands should take these concerns into account. Decolonization is about dismantling unjust structures. Those structures exist not only in collections from colonial territories but also in the organization and financing of the research into them.

When it comes to equality, there is still a lot of work to be done for research programmes in both the Netherlands and other European countries. In the PPROCE report, the persistent effects of unequal power relations from the colonial period into the present receive little explicit attention. The authors argue that 'provenance research is not a neutral scientific practice' and that the selection of objects always takes place 'in a political force field. [...] Ideally, the prioritization of provenance research takes place at the recommendation of or in consultation with experts

and communities in countries of origin' (p. 20). And sometimes 'it can take patience and the building of trust before people are prepared to cooperate with such research' (p. 30), and distrust is 'unsurprising considering the prior history of various restitution applications' (p. 41).

The fact that these authors do not really grasp the nettle is also evident from an omission in the report that has already been mentioned: neither the main report nor the case study on the Kandy cannon mention the first phase of the research in which distrust among several experts in Sri Lanka has increased rather than decreased.

The authors of the PPROCE report aim at engaging with former colonies in 'a fruitful and productive way [...] to reach a "common understanding" in the present and future' (p. 14). But the report's assessment framework for good provenance research exudes the atmosphere that Dutch heritage institutions are taking the lead, and former colonies can join in... while all the time the report is about their objects! 'No research about us without us' – that's what former colonies want.

Provoking Provenance, Pressing Matter's first working paper, is perhaps less provocative than the four authors' title suggests. They do not address the problem of inequality, either. However, one of them, François Janse van Rensburg, states that provenance research focus more on transnational collections in Europe, rather than on a single object or collection in a single museum, as is often the case. He is also of the opinion that objects or ancestral remains of famous persons from colonial territories dominate too much in provenance research and that this comes at the expense of research into pieces taken from 'ordinary people'. I agree with both points, but the authors do not address the question of why they do not conduct their own research at the request of, or in collaboration with, the countries or communities where the collections come from.

The third research programme is a smaller one, but the friction between researchers and a local community illustrates well the

equality dilemma. On St. Eustatius – this island, known locally as Statia, is a special municipality of the Kingdom of the Netherlands –residents protested against excavation activities by Dutch and American archaeologists at a cemetery near the former Gouden Rots (golden rock) plantation. They had excavated seventy bodies of enslaved Africans who had been put to work there at the end of the eighteenth century. A review committee led by Jay Haviser wrote a critical report about their approach (*Report of the Statia Heritage Research Commission [SHRC] for the Government of St. Eustatius, Netherlands Caribbean*, 2022). It concluded that the time of 'the "blind-eye" approach of conducting scientific research' is over and that in the case of this research effort 'appropriate communications with the public and among the key stakeholders, failed to be inclusive and engaging for representation of a community perspective'. The reviewers also criticized the island administration for 'systemic and administrative failures'. Future research proposals should be based more 'on international standards for respectful practices'.

PARADIGM SHIFT

To break the ingrained inequality in provenance research, it would have to be put on a different footing. This requires a big change, a change that is complicated and demanding, but there are good reasons to do so. Much more than in past, there is now common agreement between the global south and the north that many objects, ancestral remains, and archives from former colonies have been acquired in questionable ways, that former colonies have more of a right to them than former colonizers, or that these pieces are more at home in their place of origin than in a Western collection. These pieces once belonged to monarchs, families, or peoples, who still often miss them. They would like to use them in their ceremonies or rituals. They often remember them, want to rehumanize and reactivate them, and restore their former function. Aren't these good reasons to give countries of origin the lead in researching their own ancestral property?

In current provenance research, study of archives and documents in the former colonizers' countries outweighs by far study of sources of knowledge in the global south. Such knowledge can also be found there in archives and documents, but many southern countries have more: rich oral traditions, poems, songs, old stories, and other sources. Even the heaviness of the loss of studied collections can be a source of information. In the eyes of some Western researchers and institutions, these types of sources are less hard-hitting and do not sufficiently meet Western academic standards, but this is viewed very differently in countries of origin. There is often the feeling that Western researchers and institutions feel uncomfortable with their sources and have not learnt to appreciate their value.

Certainly, an ethnic group like the Ka'apor from the Amazon region in Brazil feels that way. In 2013, Ka'apor representatives had already advised the Wereldmuseum Leiden on how it should handle objects from their area in line with the values of the Ka'apor. Ten years later, their representatives came again, this time to exchange their knowledge with Naturalis, also in the city of Leiden. Shortly afterwards I met them at a conference in the German city of Marburg, where they told me how their ancestors lived in Nova Holanda, ruled by the Dutch West India Company (1630–1654), and that during that period they were valued for their knowledge of, for example, indigenous medicines. This is described in *Historia Naturalis Brasiliae*, a book from the year 1648 by the Dutchman Willem Piso and the German Georg Marcgraf.

Approaching their heritage in a museum at the University of Marburg, the three first performed a ritual and sang songs, while rhythmically tapping their sticks on the ground. They then engaged with their audience and emphasized the relevance of their indigenous knowledge for museums and universities in Europe. 'Take note of our ancient knowledge and merge it with yours,' asked their leader, Valdemar Ka'apor. 'It is proof that the two halves of the world – north and south – need each other to make the stories of objects and ancestral remains more complete.'

Several researchers from Africa and Asia with whom I have spoken in recent years mention another argument in favour of the need to radically revise the approach to provenance research. It is the same argument Syed Hashemi used in the 1990s. Old colonies are eager to create their own research communities. 'Now we are often an extension or appendage of northern programmes,' laments cultural anthropologist Jimson Sanga from Tanzania, 'but we want to be able to write our own story. This is primarily about kinship, collective memory, and identity. This we have to do ourselves, separate from the North. And yes, we do need, in the case of the Iringa Boma Regional Museum where I work, ancestral remains and weapons for this, and these are now often in Europe.' The museum, located at about 500 kilometres from Dar es Salaam, uses cultural heritage resources in community development programs.

Mirjam Shatanawi, author of a manual for provenance research for the NIOD institute in Amsterdam, also argues that former colonies should be enabled to build their own research communities and set their own agendas. According to her, this research now focuses heavily on objects with dubious provenances that might be claimed, making the question of 'whether an object has been acquired properly or was involuntarily lost' central to many research efforts. This narrows the central question to 'good or bad' and the research therefore automatically becomes a search for Dutch or European perpetrators and their actions, and relies heavily on Dutch or European sources. However, if the central question is about the importance of an object to a community of origin and about how it is part of their long history, 'then the research content also becomes different', explains Shatanawi to me.

My conclusion is that it is time for a paradigm shift, for the power over provenance research to shift to ex-colonies, for an adjustment of the conditions that government and funds in the Netherlands and Europe place on this type of research, and for a new approach by European research departments

involved in this.

In this new approach, countries of origin indicate which collections are to be researched, what the questions are and which answers must be found, where the research will take place, and who will conduct it. The role of museums in the countries of former colonizers is to make their collections and documentation visible. Northern museums and research institutions must learn to wait and see if, and when, countries of origin indicate that they need them. It is no longer self-evident that former colonies will call on them, although in practice, it will happen more often than it did with the poverty reduction research programme in the 1990s.

Among the countries of origin, some will be more eager to embrace this new approach than others. The countries that want to do so should be given the opportunity to do their own research and ask the questions they want, no matter how uncomfortable and unexpected they may be, in order to show respect to their objects and remains, and allow emotions to arise. Such respect and emotions are important for many peoples in former colonial areas – think not only of the Ka'apor but also of the Kalinya, Papuans, and Moluccans, whether they live in the Netherlands, Suriname, Papua, or the Moluccas. Based on the outcome of their research, a country of origin will go into a conclave with the Netherlands or another European country to discuss the future of the collection in question. To finance the new approach, European governments will have to release additional funds.

Something of a decolonized approach to provenance research is already shining through. More and more of the major museums are making their collection and the relevant documentation digitally accessible. According to Shatanawi, institutions subsidized by the Dutch Ministry of Education, Culture, and Science are obliged to do this. But this is much less the case with museums supported by municipal or provincial administrations or by charities: 'They often have no policy at all.' The same applies to university libraries and archives with

colonial collections. Shatanawi observes: 'Isn't it strange that the Leiden University Library with its rich collection of manuscripts from colonial territories is not mentioned in the new Dutch restitution policy?' After all, many manuscripts were acquired through the same violent intentions as objects were.[9] Most smaller museums – do not underestimate their number, nor the difficulties they face – are still at the very beginning of the first step of making their collection visible through digitization. A few conduct provenance research, but they rarely do this in consultation with or the participation of the relevant community of origin.

BUMPS IN THE ROAD

There is still much work to be done, and this sometimes causes frictions on both sides. Why did the Netherlands allow the investigation into the cannon of Kandy to continue for so long (2017 to 2022), even though it was clear that it had been looted? What is all this provenance research needed for? Why, if an object is known to have been looted, is it not returned through a simpler procedure? These questions are troubling to two very different groups: those in the art trade – the average antiques dealer apparently comes to a conclusion more quickly than a museum – and communities of the global south. If it is certain that an object has been looted, offer to return it immediately and do not go anymore after all sorts of details.

Museum consultant Hans van de Bunte worked for a long time in the Sarawak Museum in Kuching. He regularly heard his Malaysian colleagues say that seeking more details and facts may be interesting for scholars in the global north, but it does not necessarily benefit the restitution process. Admittedly, it sometimes does indeed yield new insights, but it is also time-consuming; is this in the interest of the former colonies, with their limited resources?

Many smaller museums that I have visited struggle with the issue of 'return'. They rarely have a network of contacts in former colonies, communication is difficult due to language barriers or

poor internet connections, so working together, let alone on an equal basis, is out of reach for most of them. Moreover, they have to deploy their staff (mostly volunteer forces) on this work and then look for documentation to continue. But sometimes there is no documentation at all, or it can no longer be found.

During a February 2023 visit to the Natuurhistorisch en Volkenkundig Museum (Natural History and Ethnographic Museum; founded in 1860) in the small Dutch town of Oudenbosch, the busy staff-volunteers assured me that the museum is 'open to provenance research and if anyone comes to do it, he or she is welcome'. In 1940, the Roman Catholic White Fathers had donated a large number of objects from Central Africa to the museum, some of which are really impressive. But there was no documentation accompanying the transfer and, in those years, the museum itself had to start keeping an archive. Contacts with Central African colleagues are non-existent. None of the fathers from that time are still alive and if there is any documentation, no one has found it. So, what can you do?

After Naazima Kamardeen had seen the cannon of Kandy with her own eyes, she left the Rijksmuseum Amsterdam feeling different from when she had entered it. She did not know then that six months later the Netherlands would decide to return the cannon, and that another six months later she could say: the cannon is from Sri Lanka again. The visit encouraged her to intensify her work in Sri Lanka. The country has 'a committee to prepare an action plan for repatriating Sri Lankan artefacts in various countries', as the *Colombo Gazette* reported on 7 June 2023. More claims may be forthcoming. Director Taco Dibbits says he 'appreciates' the decision to return six objects in the Rijksmuseum Amsterdam and sees this 'as a good step in the collaboration'.

Both he and Kamardeen realise that 'it takes two to tango', not only on the dance floor but also on the unploughed fields of

restitution and provenance research. And the ex-colony should take the lead on the research floor: the decolonization of museum collections cannot succeed if the research on them is not also decolonized.

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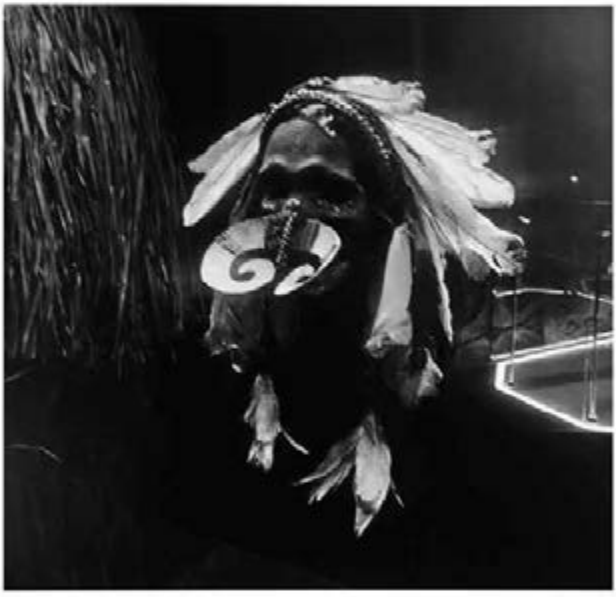

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Beschrijving

6
COME OUT, PRIVATE COLLECTOR AND ART TRADER!

There is something special about objects from colonial territories owned by private collectors and art dealers. There are many, but no one knows how many; and there are certainly valuable pieces among them, but we don't know the details about them. A few are visible, but only because they are in museums – via donation, long-term loan or for a temporary exhibition. About others there are mainly suspicions. Very occasionally they turn up during a visit to an antiques dealer, at an art fair, or in the catalogue of an auction house.

Asmat skull, offered on the Dutch internet auction Marktplaats on 20 August 2023. Screenshot by Jos van Beurden
For many countries of origin, ancestral remains or objects lost in the colonial period are hard to claim while they are in the possession of art dealers or private collectors. Cultural authorities, scholars and communities rarely know what is circulating among these two groups. Very rarely do such objects or remains show up – but how do they find out?

To be clear: private collectors and art dealers possess countless objects from colonial areas that were acquired in a proper manner: they were once bought at a local market, ordered, or given. For the latter case, think, for example, of gifts to a colonial doctor who had healed a child, or to a helpful teacher.

Many private collectors and art dealers claim to check the provenance of each object, but they do this differently from museums: most of them mainly check whether it appears on a database of stolen objects. In practice, this has little effect, because objects from former colonial territories are rarely registered there. If they do not appear on a database, they can be traded. Many museums look a little further, delve deeper into their history, pay more attention to the possible obscure acquisition practices during the colonial period, and are more open to the wishes of countries of origin.

What do we know about collections from former colonial territories that are now in the private sector and are of questionable provenance? Do they include only objects or do they also contain ancestral remains? How easy is it to find out how they were acquired? And not least: does the new Dutch restitution policy have any effect when it comes to looted items in the possession of private collectors or the art trade? I discussed these questions with several antiques dealers and found one who was willing to talk openly about it.

GROWING INSIGHT

I have become increasingly convinced that collections from colonial areas that are privately owned or circulate in the art trade are just as worth investigating as those in museums, and that the line between collections of public museums and collections in the private sector is very thin. In the following chapter I look for evidence of this. To start, I would advise those who disagree to look back at *The Great Indonesia Exhibition* at the Nieuwe Kerk in Amsterdam (21 October 2023–1 April 2024). Early in the exhibition, temple statues from both private collections and the Wereldmuseum were shown, the private and

museum pieces possessing comparable cultural-historical value. However, my visit to the exhibition was not the first time that I realized that. This began a decade earlier, when I researched two valuable objects in the Asian Pavilion of the Rijksmuseum Amsterdam.

In 2012, I discovered that the Rijksmuseum Amsterdam had purchased an eleventh- or twelfth-century Hindu statue – 'Durga killing the buffalo demon', originally from Bangladesh – from a gallery in New York (inv. no. AK-RAK-1992-1). This was in 1992 and the museum had paid $65,000 for it. At first, I didn't see anything special about it, until I read the following short note at the bottom of the transfer form (which the museum had provided): 'Ex Collection: David Nalin'. Now it just so happened that I knew who David Nalin was. In 1968, the US Peace Corps had sent this young American doctor to what was then East Pakistan. At the Cholera Hospital in Dhaka, he helped to distribute oral rehydration solution for dehydration caused by cholera and diarrhoea. When, in 1973, I went to work in this country for a few years, East Pakistan had become the People's Republic of Bangladesh and Dr Nalin was still working there.

During the short but very bloody war independence of 1971, soldiers from West Pakistan had either killed or expelled to India countless Hindus and Buddhists in East Pakistan, and destroyed or taken away many of their religious objects. However, the exodus of Hindus, and also Buddhists, had begun much earlier, in 1947, when British India was partitioned into a Hindu-dominated India and a Muslim-led Pakistan, whereby Pakistan was made up of two parts that were hundreds of kilometres apart. Millions of Hindus left West and East Pakistan for India, and about as many Muslims exchanged India for either part of Pakistan. Due to the rapid decline in the number of Hindus and Buddhists in East Pakistan, the supervision of their temples quickly deteriorated, and it became easy to purchase temple statues from local art shops.

In the first few years after independence, the situation in Bangladesh remained very unstable. There was a lot of violence,

several (attempted) coups, and a terrible famine, and meanwhile the looting of Hindu and Buddhist treasures continued. I noticed that Bangladeshi traders with their Islamic background didn't have much difficulty with this. Moreover, many 'expats' – diplomats, aid workers, researchers – worked in the country and stimulated the demand for Hindu and Buddhist items. Doctor Nalin was one of these expats. Because of the instability, the US government allowed Peace Corps members to use the diplomatic pouch to send their purchases back to America. And if this did not work, customs employees then turned a blind eye 'in exchange of a small gift'. I learned all this from Enamul Haq, former director of the National Museum in Dhaka, with whom I last spoke in 2005.

Commissioned by the International Council of Museums (ICOM), Haq had written a report on the seepage of heritage from Bangladesh as early as 1980. It is striking in his report that he only mentions one 'perpetrator' by name: Dr Nalin. It cannot therefore be ruled out that the Durga statue in the Rijksmuseum Amsterdam – 'Ex Collection: David Nalin' – was smuggled out of Bangladesh.

In 2012, I passed on the contents of Haq's ICOM report to the museum and asked if there was a problem with the statue. A staff member needed three words for an answer: 'Nice to know.' That was it. The museum was not concerned, nor had the American gallery cared about the provenance of the Durga statue. It is still part of the collection of the Rijksmuseum Amsterdam.

The second piece is a stone Buddha head from the Javanese temple complex Borobudur (inv. no. AK-MAK-239), which the Rijksmuseum has on long-term loan from the Royal Asian Society (Dutch: Koninklijke Vereniging van Vrienden der Aziatische Kunst, KVVAK). I have often looked at this too. In my study room there is a similar sculpture, also nearly 30 centimetres high. However, the stone statue in the Rijksmuseum dates from around the year 800 CE, while the bronze head in my study is from the late 1990s and a fine piece of tourist art. An

antiques dealer in Utrecht asked 225 guilders for it – the price tag is still on its back. It is one of my favourites: I like it, look at it often, and put my hands on it. It offers peace, quiet, and sometimes comfort.

I have already written in *Uncomfortable Heritage* about the Buddha head in the Rijksmuseum and how the Netherlands had promised in the 1975 *Joint Recommendations* on restitution to help Indonesia in establishing contacts with private owners of items that had possibly been smuggled during the colonial period, including this Buddha head. But the Netherlands never fulfilled the promise. When I interviewed Taco Dibbits about it in 2012 – he was then the Head of Collections at the Rijksmuseum – he said he did not want to rule out restitution, but the decision on that was not up to him but to the owner of the sculpture, the Royal Asian Society. As noted about loans for temporary exhibitions in the Drents Museum, loans of items with a questionable provenance can put a museum in an awkward position. The Buddha head from the Borobudur is still in the Rijksmuseum.

I know that in Indonesia restitution of Borobudur Buddha heads is a point of discussion. Now suppose that the Asian country submits a claim: there is then a difficulty stemming from the difference in how the Dutch government is dealing with objects in private hands and in public collections. The private collections do not fall under the new restitution policy, while the public ones do. This must be confusing in the eyes of a country of origin. The Wereldmuseum holds several Borobudur Buddha heads, the owner of which is the Dutch state. Indonesia can claim these, but not the one owned by the Royal Asian Society.

That this is no exception becomes evident when we examine the chances of the restitution of two Qurans that may have been spoils of war. One was on display at the exhibition *Revolusi – Indonesia Independent* at the Rijksmuseum Amsterdam (2022); it was on loan from cultural historian David van Reybrouck, author of the book of the same name (2020). According to the accompanying text, Joop Hueting, a twenty-year-old conscript

soldier, had 'possibly' taken it 'from an imam's house during a looting in the town of Kotagede, near Yogyakarta' in December 1948. Later, Hueting became one of the whistleblowers about war crimes committed by Dutch soldiers in the archipelago. Van Reybrouck spoke extensively with Hueting for his book. Because his Quran is private property, Indonesia cannot lay claim to it. However, the country has claimed the second Quran, once owned by Teuku Umar (1854–1899), a national hero who led an uprising against the Dutch in Aceh on north Sumatra: this item is in the Wereldmuseum Rotterdam (inv. no. WM-74931). This Quran is on the list of eight collections claimed by Indonesia in 2022.[10]

If you continue your search for looted items in the possession of private collectors and art dealers in Europe and North America, you will soon come across sources and publications about China. In March 2016, Peng Lei, employee of the then Chinese State Agency for Cultural Heritage, and historian Zuozhen Liu spoke about the three periods during which China was deprived of many cultural and historical treasures. In 1860, French and British soldiers had looted the Summer Palace in Beijing on a massive scale. By 1900, after suppressing the Boxer Rebellion, Western armies had plundered palaces and other important places in the Chinese capital *en masse*. And between 1937 and 1945, Japan had occupied large parts of China and done the same. According to both experts, numerous pieces looted in 1860 and around 1900 'were mainly funnelled to France and Britain in particular' and 'ended up there in private hands at least as often as in museums'. A well-known example are the bronze heads of a rabbit and a rat in the collection of French fashion king Yves Saint Laurent, which his widower wanted to auction in Paris in 2009. They had been part of a precious zodiac in the Summer Palace.[11]

If I limit myself to studies made about the Netherlands, it is not hard to find more. Historian Caroline Drieënhuizen (*Koloniale collecties, Nederlands aanzien,* 2012) discovered in

diaries, letters, and other documents of elite families with ties to the Indonesian archipelago, that they had Balinese textiles and paintings, Javanese family cribs, flags, and Qurans in their collections that had been purchased at a price considered insultingly low, stolen, or taken as war booty. Some are still in the hands of these families, while others have been donated to museums. These gifts were made in times gone by, when museums asked few questions about the provenance of acquisitions and much documentation remained with the donors or was lost.

In *Bitter Spice* (2016), curator Harm Stevens of the Rijksmuseum Amsterdam tells how two descendants of Governor-General J. C. Baud (1789–1859) approached him because they wanted to return some objects from J. C. Baud's private collection to Indonesia. The most important was a pilgrim's staff that had belonged to Diponegoro, prince and hero of the Java War. On receiving it in Jakarta, the authorities were visibly moved.

In *Buit* (2020), a study on the looting of colonial museums and archival and scientific institutions in the period 1942–1945, when Japan occupied Indonesia, Louis Zweers gives examples of private pieces that were confiscated or which disappeared, such as the painting *Diëngplateau* by the Indonesian artist Raden Saleh (1872). While studying old photographs, Zweers discovered that, in 1946, the painting was still on display in the Governor's Palace at Buitenzorg. It then disappeared until it turned up in 1997 at Sotheby's auction house in Singapore. However, the canvas was not sold. According to Zweers, it has been on display at the National Gallery of Singapore since 2018.

In *Making and Unmaking Indonesian Islam* (2022), Mirjam Shatanawi also exposes the connections between museums, art dealers, and private collectors. In the colonial past, museums asked collectors and traders to look for pieces, and sometimes specified their wish-lists. Thanks to these arrangements, museums obtained many objects, including artefacts from Indonesia's Islamic material culture. They also accepted many small donations from private individuals. How the suppliers ever acquired

them remained largely shrouded in mystery. Nowadays, most museums no longer accept objects without provenance.

UNABLE TO RETURN

Recently I came across another striking case of looted objects, researched by the art dealer in question himself. On 7 November 2022, I received an email from Dickie Zebregs (the man who, together with Guus Röell, runs antique shops in Amsterdam and Maastricht). He had a question: 'If we have krisses that may have been taken from the bodies of fallen Indonesian fighters, can they be claimed by Indonesia? And are we then legally (our morals aside) obliged to hand them over?' I found the question intense. They were spoils of war, so I thought they should be returned, if Indonesia wants it. Fortunately, Zebregs shared my opinion. But this was loot in the hands of an antiques dealer; the new Dutch restitution policy concerns objects from the national collection and contains nothing for the art trade. I said as much in my email when I replied to him.

The matter concerned two krisses that had presumably been part of the Lombok treasure. This loot was captured in 1894, similar in terms of size and weight to the Benin objects seized by British soldiers in 1897 and other large consignments of war booty from around 1900. The Lombok treasure consisted of around a thousand, often extremely valuable krisses and other ceremonial weapons, snuff boxes, and jewellery, 230 kilos of gold coins, 7,000 kilos of silver money, and 400 ancient Javanese manuscripts from the prince of Tjakranegara on the island of Lombok. By order of the colonial administration, a specialist official distributed them among the museum of the Bataviaasch Genootschap van Kunsten en Wetenschappen (now Museum Nasional Indonesia in Jakarta), the Rijksmuseum Amsterdam, and the Wereldmuseum Leiden. The pieces in the latter two museums belong to the national collection and, as mentioned, the Netherlands decided to return them to Indonesia in July 2023.

On this type of expedition, many colonial soldiers put beautiful pieces in their own pockets, took them home and then kept

them there, sold them to others, passed them to a museum, or left them to heirs. According to Zebregs, something similar had happened with the krisses he now held: 'There was an officer who did not hand over these two royal valuable weapons to the authorities at the time, but smuggled them to the Netherlands. We don't know whether he did so out of greed or for some other reason.' One of them had even still contained 'human material', which was secured by a previous owner. He had bought the stabbing weapons in the 1970s from a gold dealer in The Hague, 'thus de facto saving them from the smelter.'

Zebregs emphasized that he had bought them 'to make sure that they end up in a good place, i.e. with an Indonesian or an institution in Indonesia, and not in white Dutch or European hands.' He took the risk into account that Indonesia could put in a claim for them; they could even be confiscated, in which case his reputation as a 'progressive dealer in colonial and cross-cultural art' would go to shit and he himself could go 'financially head over heels. And', he added, 'I could also have sold them without the whole story, then there would have been nothing wrong and I would have made a lot of money.' To increase the chance of them going back, I advised him to contact someone close to the Tim Repatriasi in Jakarta. He did so, and both sides believe that the stabbing weapons should be returned.

When the Tefaf art fair opens in Maastricht in early March 2023, the weapons take up as many as four pages in the catalogue of Zebregs & Röell. Above it is written 'The Lombok Treasure'. It concerns two 'royal, gold and silver krisses of a nobleman and his wife'. The stabbing weapons themselves date from the seventeenth century, the scabbards in which they are kept from the nineteenth century. At the end of the entry, it says in small letters that they will be sold to 'selected buyers only'. Zebregs knows he certainly doesn't stand a chance with museums in Europe or North America; they don't burn their fingers with colonial war booty. But thanks to the publicity at the Tefaf, he might be able to find a well-to-do individual or

museum in Indonesia. 'We want them to go back to Indonesia. At the same time, we have paid a considerable amount of money for them, and we have to earn that back one way or the other.'

When I ask him to show the two weapons, Zebregs explains that the Art Loss Register, which checks objects at the Tefaf, has declared them 'tainted', as they came from a colonial raid, and that the fair management has therefore prohibited the sale. Yet he succeeds in his goal of finding a 'selected buyer'. It is a benefactor who eventually wants to donate them 'to Lombok or possibly to the Rijksmuseum Amsterdam so that they can be used for education there'. The benefactor has explicitly stated that no publicity is allowed and that he certainly does not want to become involved in any discussion.

At the time of writing, the chances are very slim that the two weapons will go back to where they came from. A destination is being sought for them in the Netherlands. I have seen this outcome before: attempts to return objects, requiring substantial sums of money to be put on the table, fail easily.

ART DEALERS, PRIVATE COLLECTORS, AND THE MEDIA

The way antiques dealers Zebregs & Röell operate – in reasonable openness and with at least the intention of selling to the country of origin – is exceptional. One of the biggest hurdles in research into colonial collections in the private sector is the wall that private collectors, antiques dealers, and auction houses build around it. They do not like prying eyes and suffer from the empty vitrine syndrome. They have a circle of customers to whom they are somewhat open, but avoid inconvenient questions from media and researchers, especially about the provenance of what they now hold. Nowadays, according to several dealers I speak to at fairs or in their stores, the slightest blemish on an object can lead to headlines in the media or other complications.

They are not entirely wrong, as has been demonstrated several times in recent decades. In 2006, French and internation-

al media reported that a nineteenth-century Fang mask had been auctioned at Maison Drouot in Paris for €5.9 million, a record. The Gabonese mask is said to have inspired Picasso and other early twentieth-century artists in Europe. The question of how the private individual who auctioned it had ever acquired it in the first place was not raised. When sixteen years later, in 2022, a Fang mask was auctioned at the Hôtel des Ventes de Montpellier in the south of France, reactions were quite different. A certain René-Victor Fournier, a colonial administrator from the early twentieth century, had taken it with him. The anonymous buyer paid more than €4 million. When Fournier's descendants, who had sold it to an art dealer, learned from media reports that the mask had made millions, they filed a lawsuit as they had only received €150 for the mask and therefore felt cheated. The couple wanted a share of the auction proceeds but the court rejected the claim because the couple had made no attempt to find out the value of the mask at an earlier stage. When the government of Gabon learned of the auctioned mask, they in turn filed a lawsuit demanding that the sale be cancelled. In the Gabonese view, the rare mask – 'one of only a dozen known to exist' – was taken illegally from Gabon during French colonial rule and should be returned. The court also threw out the motion by the government of Gabon.[12]

In the summer of 2021, an auction house in the UK and one in the Netherlands also felt the impact of media attention. The two houses, independently, were offering ancient objects from Ethiopia. When the Ethiopian embassies in London and The Hague got wind of this, they asked the auctioneers to withdraw the objects. Ethiopian experts argued that the ancient bibles, cross, and three horn cups that the Auction House in Bridport, England, was offering came from the palace of the Abyssinian emperor Tewodros (c. 1818–1868) in the former stronghold of Magdala. In 1868, British soldiers had looted this palace and the surrounding churches. The three antique bibles and the two seventh- or eighth-century textile fragments that the Venduehuis

in The Hague wanted to auction may have come from the same looting. Both auction houses initially held firm and asked the embassies for hard evidence, but withdrew the items after British and Dutch newspapers mentioned the Ethiopian objections to the auction. The reports were short and did not make the headlines, but apparently this had been sufficient. Both auction houses were afraid of reputational damage.

The British and Dutch private owners both wanted to get rid of the old objects, but only against payment of the stake that the auction houses had listed on their websites. Eventually, an Ethiopia-supporting Dutch benefactor and the UK-based Scheherazade Foundation put the money on the table. (The latter foundation does this more often, it may be noted.) After that, the objects were flown back to Addis Ababa where the National Museum welcomed them with a small exhibition.

INTERMEZZO: IS IT 'HUMAN REMAINS' OR 'ANCESTRAL REMAINS'?

So far, the chapter has mainly dealt with objects found with collectors, art dealers, and at auctions: weapons, manuscripts, a cross, and some horn cups. But human remains from colonial territories also circulate in the private sector. They are traded, exchanged, and shown to a selective audience. About these remains even less is known than about objects. We know about remains from medical institutions that hold foetuses, bones, skulls, tufts of hair, and other body parts for teaching and research purposes. Some of them are displayed, but most are stored in glass jars or closed boxes in long racks in storerooms. As far as I know, the numbers of body parts from former colonial areas are usually smaller in private and trade collections than in public collections. Private owners store remains on shelves or in showcases. A few possessors like to see them daily. They have a skull on their desk or in their bookcase, or an entire skeleton in their study.

Since 2017, the international ICOM Code of Ethics for Museums has asked museums to take into account the interests

of families, communities, scientists, and curators from the areas such remains come from, as well as those of visitors, when managing, researching, and exhibiting them. But it is very difficult to take the feelings of these groups into account because the numbers are often enormous and, in many instances, it is unknown from which ethnic group certain body parts come. Their descendants can therefore not be traced. In these circumstances, they are easily talked about as if they were things; certainly, this is the case if remains come from people who died long ago (De Clippele, *Restes humains et patrimoine culturel*, 2023, p. 30).

This is painful for many people from the remains' areas of origin. For them, the strict distinction between living and dead made in the Western world is less pronounced. They feel connected to the remains of their ancestors. The *thingification* of the remains and their reduction to a category in biology repels those from the areas of origin. In their view, biology does not show enough care and respect. They do not talk to them, do not feed them. 'These are our ancestors, we miss them and still have an emotional and spiritual connection with them,' they say. They visit burial places to consult them. To them, these ancestors still have the role of traditional elders and are still alive. Therefore, they prefer to speak of 'ancestral remains' and emphasise that objects related to them represent them and should also be approached with respect.

In the global north, understanding of this sensitivity is growing. While the term 'ancestral remains' does not appear in the 2017 ICOM code, museums increasingly use it, especially when they have contacts with communities of origin. They certainly do so with the remains of national heroes – think of King Badu Bonsu ii from Ghana (d. 1838; Leiden University Medical Centre [LUMC], given back in 2009), Demang Lehman from Kalimantan (1832–1864; possibly still at the LUMC) or Lusinga Iwa Ng'ombe from the Democratic Republic of the Congo (c. 1840–1884; still at the Royal Belgian Institute of Natural Sciences, Brussels). Their skulls were once war trophies. Many peo-

ples in the global south use the term *ancestral remains*, even when they no longer know exactly which community a dead person came from, yet feel connected to him or her.

The peak of colonial collecting of ancestral remains was in the nineteenth and early twentieth centuries. Comparing native and European skulls and other body parts was scientific business and had to serve a new world order that would affirm the superiority of the white race. Researchers and students in Europe needed remains for measurements and classifications. There was also keen interest among private collectors. To meet the demand, rough methods were not shunned. Not only were Europeans guilty of these methods, but also local traders and intermediaries. While Europeans were often after the skulls of defeated insurgents, local suppliers hunted for the skulls of the 'enemies' of their own family or community. Enemies were beheaded, their heads prepared for preservation and shipped to Europe. Graves were looted and people were even murdered. Hospitals and prisons in colonial territories also supplied dead people to institutions and collectors in Europe. They were anonymous; no one knows their names.

But anyone who thinks the trade in body parts from colonial areas is a thing of the past is wrong. Countless skulls circulate on auction sites and physical auctions, in the trade and in informal circuits of collectors. Researchers Damien Huffer and Shawn Graham ('The Insta-dead', 2017) have been monitoring internet auctions and social media for years and have discovered 'a thriving trade as well as a community of collectors around ancestral remains'. Among the skulls and other skeletal remains they found; many came from former colonial areas.

If you do an internet search for the keyword 'authentic Dayak skull', you will find plenty. On a random day in January 2023, it was no effort to find online stores in the Netherlands, Belgium, France, or the United States selling authentic, colonial-era Dayak skulls from Kalimantan (beware of fakes, though!). Asmat skulls from Papua are also readily available.

On the Dutch website *Marktplaats*, someone from the Dutch city of Delft offered one for €4,000 in August 2023. Apart from these open sites, there are also sites that are only accessible to members.

Sometimes skulls come out into the open, for instance when they are auctioned. At the end of 2022, investigative journalist Michel Bouffieux found that auction house Vanderkindere in the city of Uccle, south of Brussels, offered for sale three skulls from ex-colonial territories: two anonymous skulls from the northwestern part of the Democratic Republic of the Congo and one belonging to an Arab leader, killed in 1893 by the Belgian army in the Congo basin. The latter was decorated with jewels (the auction house did not mention who did this and when). All three came from the collection of Namur army doctor Louis Laurent. In 1894, he had attended a Belgian military expedition and had taken the skulls with him. Due to national and international protests, the auction house withdrew the skulls and publicly apologized – another example of the impact of the media on art traders and auction houses. The skulls returned to obscurity, and it is not unthinkable that they will be sold privately.

WHAT IS THE DUCTH GOVERNMENT DOING?

Sometimes a private collector or antiques dealer conducts extensive provenance research, makes the results public, and also speaks out on ethical issues. Art dealers Zebregs & Röell did this in the case of the krisses. Another example is the Dutch royal family. At the end of 2022, the Dutch Rijksvoorlichtingsdienst (Government Information Service) announced that the Royal House will have objects from ex-colonial regions in its private collection examined. It considers this 'essential when answering the question about legality and justice of managing these objects'. So far, no other European royal family has done this, including the lavishly endowed British royal family, although King Charles III has taken some tentative steps in a new direction.[13] Nor should we forget the kings, (grand) dukes, and princes of

nineteenth-century Germany, with their often-extensive private collections.

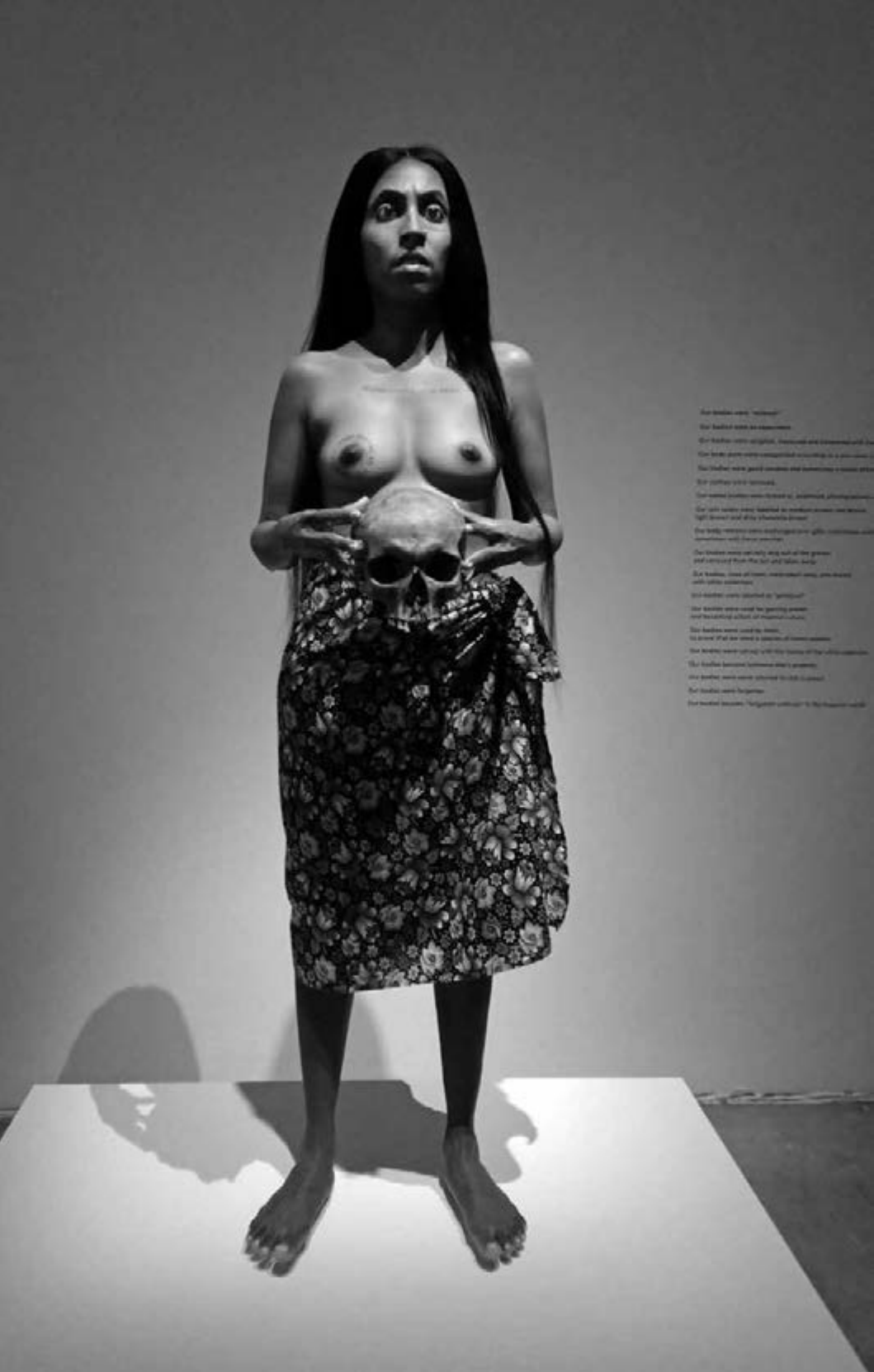
We can now conclude that the sharp distinction between collections in the art trade and with private collectors or friendship associations on the one hand, and collections of the government and public institutions on the other, is hardly sustainable in practice. Drieënhuizen ('Dossier Roofgoed', 2023) calls it an 'artificial separation'. For her, this 'dichotomy [...] between public and private collectors does not exist in reality'. This supposed division limits the 'social-ethical discussion' about the future of colonial collections in private hands. Describing the cultural violence of the colonial period without including the private collecting, trade, and auction of objects, manuscripts, and ancestral fails to provide a complete picture.

It seems that the advisory committee of the Council for Culture and the cabinet members responsible think differently. They continue to believe in the separation between public and private sector, leaving the private sector untouched. Their advice does mention a procedure for restitution requests for colonial items from 'other owners', but this concerns public legal entities, such as provincial and municipal governments and university museums, and not art dealers and private owners.

The Netherlands thus deprives former colonies of a way to discover where or from whom they can find important items. It echoes the situation in 1975, when Indonesia asked for help and the Netherlands did nothing. For the government, what is legally feasible and the respect for private property weighs more heavily than redressing injustices from the colonial period. This is a shortcoming.

The two major provenance research programmes mentioned in the previous chapter, PPROCE and Pressing Matter, also suffer from this blind spot and hardly involve private collectors and art dealers in their work. They are aimed at national and semi-public bodies such as university museums. The Pressing Matter programme has one research arm that focuses on private collections, but this only concerns collections from missionary institutions.

Can the Dutch government do nothing at all? This is not the case – there are certainly things it can do. At the very least, they could put public pressure on the private sector and make a moral appeal to collectors and art dealers. And museums? Museums should think more about the sometimes-strained ties with art dealers, private collectors, and friendship associations that donate or lend objects to them. The latter claim to conduct provenance research and pay more attention to the provenance of new acquisitions, but in the meantime objects with a questionable history remain in their storerooms. If museums say 'no' more often, or cut ties if there is no other option, they can strengthen their efforts to deal more fairly with collections from colonial areas.



7
EX-COLONIES: TO WHOM DO THE RETURNED OBJECTS GO?

Many governments of former colonies want their lost heritage back. They especially ask for objects, manuscripts, archives, and ancestral remains that tell something about the history and culture of their country and may strengthen its unity and identity. Their requests show what they consider important heritage. When objects return from Europe, they like to house them in the national museum in the capital. The governments of most European countries go along with this. For these European governments, negotiating restitution is a matter between two states. They avoid contacts with regional actors and accept that it is the government of a former colony

Deneth Piumakshi Veda Arachchige, Self-Portrait as Restitution – From a Feminist Point of View*, Berlin Biennale for Contemporary Art 2022. © Jos van Beurden*
Artists are playing an increasingly important role in the restitution debate. Deneth Piumakshi from Sri Lanka has a special contribution. She also stands up for the losses of ordinary men and women in the colonial period.

and now a sovereign state that determines what happens to objects after their return.

However, there is a problem here, because the state-to-state approach can be at the expense of old royal families, local authorities, as well as ethnic minorities in a former colony. They feel passed over and not heard or sufficiently included. Perhaps they would prefer to select other collections to return, collections that relate more to the traditions of their palace or their ethnic group. And they certainly want returned collections from their region to end up not in the capital, but where they originally belonged before they were stolen.

This friction partly has its origins in colonial history. In many areas, the occupying power forced ethnic communities, principalities, and other entities into one colony. Existing boundaries were ignored; no one then living in the region was consulted on anything. But often those entities had not opted for such a merger. In many former colonies this still has a painful effect and in some it has led to civil wars. This chapter maps out how these frictions are dealt with in some former colonies – among them Indonesia, Suriname, and Sri Lanka – and how regional entities respond. The Dutch government's response to this difficult question is also discussed.

AN INSTALLATION THAT TOUCHES

I found inspiration to think about this at the Berlin Biennale for Contemporary Art in the summer of 2022. There, one installation attracted me like a magnet: *Self-Portrait as Restitution – From a Feminist Point of View* by Deneth Piumakshi Veda Arachchige. It was located on the ground floor of the Kunst-Werke Institute for Contemporary Art Berlin, one of the Biennale's six locations. What did it entail? On a small dais you saw a brightly lit statue of a woman, whose upper body and feet were bare, while on her lower body she wore a knee-length, traditional Vedda sarong. In her hands she held a replica skull. 'What courage!' was my first thought; 'What does the artist want to say with this?' was my second.

Text boards and photos on the wall showed the way. Deneth Piumakshi has been searching for Adivasi skulls that disappeared during the colonial period for years. The Adivasis or Vedda are a small population group living throughout South Asia and are often the oldest inhabitants. They were living in Sri Lanka long before the arrival of Sinhalese and Tamils. The word 'Veda' in the artist's surname indicates her roots in this group. She is in discussions with museums in Basel, Paris, and Leipzig about the return of Adivasi skulls and is also looking for them in other European collections. Yet her self-portrait is more than an indictment of the colonial invasion. Piumakshi also criticizes the Sri Lankan government's lack of interest in minority groups.

When I got home, I contacted her to compliment her with the installation and to tell her about my own research into the ceremonial cannon of the King of Kandy. She answered that she sees her work as a 'follow-up project' to that of Hemasiri de Silva, former director general of the national museums in Sri Lanka. 'De Silva started talking about restitution as early as the 1970s', she wrote. 'He established contacts with heritage institutions in European and North American countries and requested the return of items important to Sri Lanka'. In the 140 institutions in twenty-seven northern countries that De Silva visited, he found 5,000 objects, manuscripts, and ancestral remains – including the cannon of Kandy and the Adivasi skulls – that had originated from Sri Lanka. Based on this, Sri Lanka filed claims with several European countries for 300 items on the list in 1980. However, the countries in the northern hemisphere did not budge and the claims were rejected. Shortly before his death in 2021, De Silva 'gave me his blessing to continue this work,' Piumakshi said.

The artist confronts me with a problem that I have known for some time, but I don't really know what to do with it. She grew up, as she said, 'with all ethnicities, including Vedda, of Sri Lanka' in herself and wants to 'represent and respect' them. And so, she thinks 'that we as Sri Lankans should focus not only on saving Sinhala heritage and investing money and time in its

restitution, but also on issues such as equal rights, recognition of the other ethnic groups and the current Sinhala colonial pressure on those groups'. According to her, reclaiming the heritage of a minority like the Adivasis is as important as claiming Buddhist temple statues or ceremonial weapons, such as the Kandy cannon.

WHO DETERMINES WHAT CAN BE CLAIMED?

For Piumakshi, the restitution issue is about more than just items from palaces or grand temples. Objects and ancestral remains of communities lower on the social ladder are as much a part of it. Because the essence of restitution is the recognition of injustice committed in the colonial past and the healing of wounds inflicted at that time, which may be followed by a return, the question naturally follows as to whether this goal will be achieved if the descendants of less powerful victims do not have pieces important to them returned, as their own governments and the former colonizers pay less attention to these.

The authority to determine what constitutes significant heritage is sometimes referred to as the *authorized heritage discourse*, a concept calibrated by Australian heritage specialist Laurajane Smith (*Uses of Heritage*, 2006). Briefly, it means that the group in power in a country determines what important cultural heritage is and therefore what should be preserved, exhibited, subsidized and – in the event of theft – reclaimed. In the colonial period, European countries ruled the global south and determined this discourse and thus the hierarchy of cultures and the associated heritage. This had far-reaching consequences.

The historian Tular Sudarmadi, who conducted research on the island of Flores (*Between Colonial Legacies and Grassroots Movements*, 2014), describes how the Dutch colonizers labelled the culture of the islands Java and Bali as 'high culture', while they treated islands like Flores as parts of the 'outer regions' with cultures of a 'lower order'. Art historian Wieske Sapardam ('The Return of Cultural Property and National

Identity in Postcolonial Indonesia', 2021) discovered how, in 1937, the Wereldmuseum Leiden – then called the National Museum of Ethnography – opened rooms in its new building it moved into for 'primitive' objects from those outer regions and other rooms for 'high-quality' statues of Hindu or Buddhist temples. The museum curators reasoned that the 'signifiers' of high art were not to be mixed with those of the 'primitive'.

But why were temple statues seen as of a higher order than, for example, objects from an ancestral home of an important woman on Flores? Sudarmadi argues that such a traditional house connects its inhabitants with the past and that their ancestors provide harmony and fertility, and the people living there still need that. Was the motive for the distinction, perhaps, the gap between this 'simple' local ancestor worship and the 'exalted' world religion of the ruler (that is, Christianity)?

Provenance researcher Mirjam Shatanawi raises the same question about another category of objects. Why did the colonizer of a largely Islamic country pay so little attention to Islamic pieces and why were these not part of the heritage discourse? Objects from that culture did go to the Netherlands, but they were rarely classified as 'Islamic'. According to Shatanawi, this had less to do with their quality than with politics: anticolonial resistance in Indonesian archipelago became increasingly religious, local Muslims versus European Christians. Therefore, the colonizers ensured that the rich expressions of Islamic culture did not become part of the dominant discourse.

How did this discourse develop after the independence of the colonies? The governments of many new states wanted to break with the colonizers' cultural policies and show that their country, in terms of history and culture, was not inferior to that of the outgoing rulers. At the same time, they had many concerns on their minds and, when deciding on a new cultural policy, easily fell back on the policy that had functioned under the col-

onizer. This often resulted in a cultural policy that was nationalistic in tone and offered little room for regional differences. In doing so, they sometimes continued the colonial heritage discourse.

Only later did they continue their search for their own identity. That a country like Indonesia is trying to break through the old hierarchy was evident from the 2017 exhibition *Archipelago – Kingdoms of the Sea* in Liège, Belgium. There, Indonesia presented itself as an ancient (read: precolonial), large seafaring nation with many international partners and a population that earned their living on the coasts of all those islands, or in agriculture. This diminished the colonial distinction between inner and outer regions.

The composite nature of states is also a problem in African countries. Every time I see the straight lines with which the European powers divided the African continent among themselves at the drawing board in 1884 and 1885 in Berlin, I feel a mixture of shame and anger. Without any consideration, they split and rearranged previously unified ethnic groups and kingdoms. The population of the once-mighty Kingdom of Congo was scattered over the colonial possessions of several European powers. The powerful Kingdom of Benin, on the other hand, had to merge with other kingdoms in Nigeria, conquered by Britain. This brought more problems – problems that still exist today.

After independence, the governments there had to forge the new state into a unified whole. They did this by considering what the important symbols of the country's unity and identity were. This is reflected in many contemporary restitution requests. Objects or ancestral remains from regional groups often receive less attention. Population groups must therefore simply do their best to get something back. And if a government pays attention to wishes of these groups, it prefers to keep what is returned in the national museum in the capital.

FRICTION OVER A WEAPON AND A GEMSTONE

Two precious objects, one from Bali and one from South Kalimantan, illustrate this dilemma. Both are spoils of war; one has already been returned, the other is still in the Netherlands – the aforementioned kris Puputan Klungkung in the Wereldmuseum Leiden, which was part of Indonesia's first claim in 2022, and the precious Banjarmasin diamond in the Rijksmuseum Amsterdam, which the Tim Repatriasi has not yet claimed but which the descendants of the sultan of Banjarmasin want back. Both objects occupy the minds of the people in the region of origin.

First, the kris. Until the beginning of the last century, the island of Bali stood out because it did not fall under Dutch authority. There were nine kingdoms on Bali, of which Klungkung was the most powerful. Its king opposed the occupier most forcefully, especially the Dutch monopoly on the opium trade. Governor General Van Heutsz wanted to put an end to the resistance and sent a fleet with orders to lay siege to the king's palace and remove him from office. The Dutch military succeeded in this on 28 April 1908, albeit with an exceptional amount of bloodshed.

According to Wereldmuseum curator Francine Brinkgreve (2006), more than 500 valuables were looted during the subsequent plundering of the palace, including ritual objects, precious statues, and ceremonial weapons. Brinkgreve estimates 200 of them have disappeared; it is possible that Dutch soldiers or local traders and residents had taken them. Of the rest, 157 are in the Museum Nasional Indonesia in Jakarta and 133 in the Wereldmuseum Leiden.

From this haul, both museums have one important item, in both cases a weapon: the Museum Nasional has the kris Ardawalika, which left Bali but never left Indonesia, and the Leiden museum has the kris Puputan Klungkung. The current ruler, a descendant of the king who died with many others in 1908, has been asking the Leiden museum for years for the return of the

spoils of war and is emphatic that he wants them to be transferred to him, and not to the Museum Nasional in Jakarta. He is supported by the Yayasan Bali Bersih, a Balinese organization committed to returning the lost heritage.

This organization has already bought back several lost items at auctions. To be able to store them properly and show them to the public, a schoolroom near the palace has been converted into a museum. A place would also be reserved there for the kris Puputan. According to Rodney Westerlaken of the organization, the king understands 'that Klungkung may not yet be ready to receive this historic weapon and that it is therefore better if it can stay in the Netherlands longer, but Klungkung is and remains the rightful owner.'

In 2022, the Tim Repatriasi included the kris Puputan Klungkung in the first list of items claimed from the Netherlands. The Wereldmuseum quickly completed the provenance research and the Netherlands transferred ownership of the kris to the Indonesian authorities on 10 July 2023; it was shipped to Jakarta a few months later. The discussion about where the kris should go and who would be its owner had taken place a year earlier between chairman Pak Puja and members of the Tim Repatriasi, and Shandy Wijaya and Rodney Westerlaken of the Balinese organization (see chapter 1). According to the Balinese, this conversation had gone well. Pak Puja, who is Balinese himself, had emphasized that the Tim Repatriasi is in charge of consultations with the Netherlands, but is responsible solely for submitting claims. It does not determine where an object goes after return. Responsibility for this lies with the Minister of Education and Culture. During his speech in Leiden in July 2023, Director-General of Culture Hilmar Farid announced that the kris would be given a place in the Museum Nasional Indonesia in Jakarta.

Now, the diamond. Banjarmasin is the capital of the province of South Kalimantan. In 1857, the Netherlands waged war here, on this occasion to bring a Dutch-friendly monarch to power. Colo-

nial soldiers confiscated the regalia of the then recently deceased monarch. Among the valuables was a special 70-carat diamond. On behalf of the government, it was shipped to the Netherlands and cut down to 37-carat. After several failed attempts to sell the gem, it ended up in the Rijksmuseum Amsterdam in 1902. Descendants of the sultan now want it back. However, their wishes are quite complicated, in a way that is not present in the wishes of the present ruler of Klungkung.

In the BNN/VARA TV-documentary *De Diamant van Banjarmasin* (26 May 2023), Farid clearly explained what this complication entailed: several descendants of the sultan claimed the diamond. The old man had children by different women; his descendants are divided and several of them believe they have best claim. How do you determine who is most entitled to the precious gemstone? Therefore, as far as the Indonesian government is concerned, the future of this gemstone is in the Museum Nasional in Jakarta.

The claims of descendants made Farid sigh that if Museum Nasional returns the diamond to a member of the old royal family, it may have to hand over many more objects to claimants in other regions of the country and they may have to close the national museum. Does this not sound like a symptom of empty showcase syndrome? His remark is reminiscent of museums in the global north, which for years argued that those who begin to give back risk losing everything. We now know that this argument does not apply to the north, because no country of origin is known to want everything back and museums in Europe often have more than enough special objects in their collections.[14]

The court of Klungkung or that of Banjarmasin may borrow such a weapon or gemstone for a ceremony. This has already happened once. In 2008, the monarch of Klungkung asked to borrow the other Balinese stabbing weapon mentioned above, the kris Ardawalika in the Museum Nasional. He needed it to add lustre to the commemoration of the centenary of the puputan Klungkung. He made the request reluctantly, because he

considered the kris as his property, and his annoyance further increased when, on being informed that he would first have to make a large down payment. Thanks to the regional government of Bali, which made the money available, everything turned out well and the king was able to show the kris at the commemoration.

If Indonesia lists the diamond of the sultan of Banjarmasin in a future claim, the Netherlands will almost certainly comply. In the same documentary, *De Diamant,* I reiterated the three principles of the ethical compass in restitution: restoring trust, reducing inequality, and making up for past injustices. I realized more and more that the process is not over when the former colonizers are guided by these three values. Once back in the country of origin, a new phase begins. From this point, trust must be built between the national government and regional rulers, local authorities, and ethnic minorities.[15]

Is the Indonesian government's choice exceptional? Yes and no. In February 2024, the Fowler Museum in Los Angeles returned a gold necklace, an ornamental chair and a beater with an elephant's tail, looted from the Ashanti kingdom in 1874, not to the government of the country but to the current king at Manhyia Palace in Kumasi, the capital of the Ashanti region.[16] In Nigeria, the Oba of Benin is seen as the guardian of returned Benin objects (more about this in chapter 8).

Other ex-colonies have made the same choice as Indonesia and decided that the government owns returned objects and creates the opportunity for other stakeholders to take them on loan. An example is Cameroon: a new museum has been built there that will manage returned sacred objects and, on request, lend them for traditional ceremonies (Andrew Curry, 'Are Museums Celebrating Cultural Heritage', 2023).

The situation can be different with religious objects. I have personally noticed in Ethiopia that it is preferred for religious objects to go back to the church or monastery of the Ethiopian Orthodox Church that they originally came from. In Nepal, the

government lets returned statues of gods go back to the temple from which they were stolen, as Belgian heritage specialist Elke Selter discovered ('Returning the Gods', 2022).

In the coming years, more and more former colonies will have to find a balance between the interests at national level and those of regional, non-state actors. Anaïs Mattez's (2023) conclusion that the earlier mentioned demise of cultural internationalism 'has had the inadvertent effect of retreating into an increasingly *nationalisationalist* framework on cultural property' (my italics) is understandable, but in my opinion, overly general and premature. Former colonies not only differ greatly from each other, but they are also entitled to more time to resolve these differences.

PAPUAN AND MOLUCCAN SKULLS

Governments of former colonies and regional stakeholders argue less about where ancestral remains should go after repatriation. As already indicated, numerous skulls and other body parts from the colonial period are in both public and private collections in Europe and North America. Much ongoing research focuses not only on technical, physical, and anthropological data, but also on the collection history. The vast quantities of *sans papiers* – undocumented skeletons, skulls and other body parts – and the often extremely limited information on them make repatriation difficult for both the global north and communities in the global south.

For example, to whom can the remains be repatriated if the only information available is 'from Papua', and it is not known from which ethnic group they once came? Museum Vrolik of the Amsterdam Medical Centre has remains from Papua. Although their research into this collection has not yet been completed, anthropologist Paul Wolff Mitchell and museum director Laurens de Rooy (2023) are working in close consultation with Dutch people with Papuan roots and have already encountered a number of different questions. To begin with, the 'nationality' or the 'region' of the remains: they discovered that the region of

origin is written on only one skull. Some of them belonged to non-Papuans. Next, the number. At the beginning of the twentieth century, the collection contained skulls of 103 Papuans; now there are ninety-five, and it is not known where the missing eight have gone. Then there is the question where the decorations on some skulls have gone. According to old documents, some skulls were decorated, and the disappearance of these ornaments makes it more difficult to determine the region of origin. The two researchers have determined that the skulls come from people in villages in the northern, western, and southern coastal regions. Museum Vrolik is prepared to repatriate the skulls, but both the museum and Papuan contacts would find it very embarrassing if returned ancestral remains were to end up with the wrong ethnic group.

Very rarely, more documentation can be found, but sometimes it succeeds. Thanks to hard searching, the Moluccan-Dutch group Budaya Kita (in Bahasa Indonesia: Our Heritage) has discovered the name of the village from which skulls disappeared, and also the museum where they are now. The names of the families and whether the skulls are of male or female individuals are not known. Chairman Menucha Latumaerissa found them in a publication of ethnographic essays from 1917 (*Volkenkundige Opstellen: Mededeeling IX*), in which the anthropologist Jan Pieter Kleiweg de Zwaan (1875–1971) wrote that he had received 'sixteen skulls from a colonial health officer'.

Latumaerissa found fifteen of them in Museum Vrolik. These are not the skulls of national heroes but of 'ordinary' islanders. According to the old article, the skulls come from the village of Amtoefoe on Yamdena island, the largest of the Tanimbar Islands in the Moluccan province. In an interview, Latumaerissa says: 'The village elders still remember where they were at the beginning of the last century: on an elevation in a niche in a rock. There they were revered. They also know how and why they disappeared: when a Dutch health officer wanted them removed for examination and transferred to the Netherlands,

the village agreed, because they were promised that they would only be absent for a short time and then return. But they never came back.' Under the guise of 'we need them for research for a while and then, as promised, they will come back', more often than not, ancestral remains and objects disappeared from colonial territories. Latumaerissa confirms: 'The village elders still want them still back.' Budaya Kita is in discussions with Museum Vrolik about repatriation and the museum is cooperating wholeheartedly.

But does the Tim Repatriasi in Jakarta also cooperate? Ancestral remains are not currently a priority for this restitution committee. It is relatively new and its members have their hands full sorting out objects that Indonesia may want to reclaim and preparing follow-up claims to the Dutch government. As such, it will not lay claim to ancestral remains, but may be willing to give Budaya Kita a helping hand when the skulls have to be cleared at Indonesian customs. The Indonesian embassy in The Hague cannot officially do much, either, but it does encourage Budaya Kita to continue. Latumaerissa says: 'We are now waiting for a formal restitution request from the village elders. They have already decided where the skulls will be kept – in the village's Rumah Adat, the traditional common room – and are already making plans on how they will welcome back the ancestral remains.' The skulls are expected to go back before the end of 2024. Budaya Kita will seek funds for the cost of transporting the remains and an accompanying delegation from the Netherlands.

This is not the end, however, of Budaya Kita's work. Latumaerissa adds: 'Apart from the sixteenth skull mentioned in the 1917 article, that we are still looking for, we have discovered that the London Museum of Natural History has thirteen skulls from Tanimbar and we will contact it, and a Dutch missionary organisation is said to have three skulls from Tanimbar. Other museums in Europe may also have them.' In addition, the group will be looking for missing objects. Latumaerissa points to the catalogue of the 1995 exhibition *Vergeten Eilanden* (Forgotten Islands) in

the Wereldmuseum Amsterdam – then called the Tropenmuseum. Objects confiscated by missionaries were displayed there. 'They are still part of the Wereldmuseum's collection and we want to discuss this with the museum.'

Smaller groups like Budaya Kita, for which ancestral remains are important, have a different, much looser relationship with the government in Indonesia than the descendants of the ruler of Klungkung or the sultan of Banjarmasin. These smaller groups must find their own way through the maze of the restitution process.

INDIGENOUS GROUP CLAIMS 'BABY IN STRONG WATER'

A group in Suriname, which is also seeking ancestral remains, has a similarly loose relationship with its own government. In October 2022, the Repatriation Council to the Kalinya Terewuyu Nation asked the Dutch state and the Wereldmuseum Amsterdam for the repatriation of, what is known as 'baby in strong water' (inv. no. A-6491). The request came after the museum invited artist Manuwi C. Tokai to create a poem for the exhibition *Our Colonial Legacy*, a poem about ancestors in Suriname. While searching to find out what documentation the museum had about the Kalinya, she came across a newborn baby, preserved in formaldehyde. Within the Kalinya community in the Netherlands, there had been suspicions for some time that this baby had once been part of their community. Tokai's poem and her way of reciting it became a powerful testimony of the pain of loss and the need for repair and restitution.

Although the young human has been in the museum since 1923, where he was called for a long time 'little Indian in strong water', the Kalinya had not forgotten him. Because of his age, some now affectionately call him *Wayam'membo*, baby turtle. For years, the baby was a true icon in the museum and was displayed to the public in a glass jar. But times have changed: the museum has not exhibited ancestral remains for years and would prefer to repatriate them to their country of origin. The icon was last seen at the 2012 exhibition *Unexpected Encounters: Hidden*

Stories from our Own Collection. There it was presented as an 'uncomfortable possession' and no longer visible: the glass jar was packed in a wooden box. After the exhibition it was immediately returned to the depot.

The Kalinya Council submitted the return request without consulting the government in Paramaribo. Justifying its claim, the council wrote:

> Our community has never forgotten our baby, [nor] that the baby was taken away shortly after delivery [...] When the baby was found in the depot, he was surrounded by dozens of other children in strong water. These children come from several other nations. We stand in solidarity with the descendants of these ancestors. [...] Our ancestors deserve to come home and find their peace after an honourable burial.[17]

The Wereldmuseum Amsterdam, through Wayne Modest, welcomes the request: 'It comes from an indigenous group itself and with ancestral remains this works better than the route via the government of a country of origin.' To be sure that the baby indeed belongs to the Kalinya Terewuyu Nation, the museum has invited representatives of the Association of Indigenous Village Chiefs Suriname for consultations on how the research should be conducted and what will happen to the baby once its origins are known.

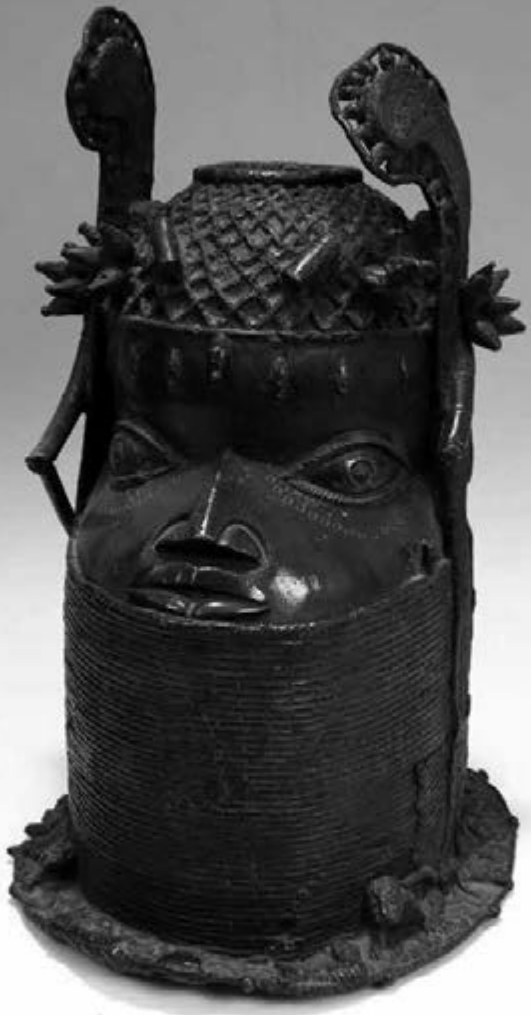
The Kalinya request came 'at a good time,' Modest adds. The museum plans to use it 'to develop a protocol for dealing with ancestral remains from colonial areas.' As far as the museum is concerned, ancestral remains are repatriated 'unconditionally' to the region of origin. When it is known whether the baby in strong water belongs to the Kalinya community and the Wereldmuseum Amsterdam prepares the repatriation, it remains to be seen how the Surinamese government will view this. Unlike Budaya Kita, the Kalinya Council has not yet contacted the Surinamese government about the claim.

WEAKNESS IN DUTCH POLICY?

The Netherlands, like other European countries, mentions the wishes of regional stakeholders in policy documents or explanatory notes to laws. However, they leave it to the governments of former colonies themselves to decide whether minorities – such as the Adivasi in Sri Lanka, the Kalinya in Suriname, villagers of Amtoefoe, or the descendants of the rulers of Klungkung and Banjarmasin – are entitled to the returned pieces and to regain ownership. This was also the advice of the Council for Culture. The Colonial Collections Committee will not open the door to a claim by a minority or former royal family, unless it has been submitted by, or at least has, in some or other way, the support of the government of the country of origin.

Aren't the countries in the global north ridding themselves of this complex problem too easily? Are they afraid of being accused of neocolonial interference if they comment on claims made by non-state actors? They must, of course, take precautions themselves against this possibility, but they could perhaps draw more on their soft power to ensure that governments in former colonial areas give more space to minorities, old royal families, and other regional actors who were once deprived of their cultural heritage. In a number of these countries, the European countries can turn to their ambassadors and other diplomats who know very well what is going on locally and how the host government thinks about this problem, and who have the right contacts to exert influence informally. The Netherlands and other European countries could financially support an exchange between former colonies regarding this difficult dilemma – this book has already mentioned the experiences of New Zealand, Indonesia, Nepal, Ghana, Ethiopia, Nigeria, the Democratic Republic of the Congo, and Cameroon. The way the Netherlands and other European countries are dealing with it now is poor and arouses surprise among diaspora groups and many students and young researchers.

There is not one answer or one solution to this difficult question. Those involved in each country's claims have to look for the best solution, which is tailor-made and takes time. European countries should give them that time. In Nigeria, as the next chapter shows, this approach is beginning to bear fruit. Just as distrust plays a role between former colonizers and former colonies, it also affects the relationship between many national governments and regional actors in those former colonies.



8
GIVING BACK: THE NEW NORMAL?

The discussion about restitution proceeds largely the same way in the Netherlands as in other European countries. Germany, Belgium, France, and Britain are also decolonizing museum collections and discussing with some former colonies whether they seek the restitution of objects, manuscripts and ancestral remains and, if so, which parts of these. Sometimes one European country leads the way, sometimes another. In practice, I find that a country often takes a step forward, followed by a step back, especially when opponents of restitution stir.

Head of a Benin ruler, Kunstkamera, Saint Petersburg. © Kunstkamera
Benin objects were looted on a large scale in 1897 and spread throughout Europe. You come across then in the most unexpected places, such as the Muzeum Narodowe in Szczecin, Poland. The object here is part of a collection of twenty-eight Benin objects in Kunstkamera in Saint Petersburg. They will remain in Russia for the time being, while other countries, such as Germany, have opted for their return. They will not be seen much longer in a number of German museums.

There is a lot of discussion about it, but does this mean that pieces will actually go back? And do these returns substantially improve the relationship between the countries involved and heal the wounds inflicted during the colonial period? Many ex-colonies draw courage from developments in Europe and North America. They consider which parts of their cultural heritage they miss most and set up their own restitution commissions. Obviously, there are noteworthy differences in approach and pace in both the countries seeking restitution and the countries who currently hold the items.

In a *tour around Europe,* this chapter explores how various Western countries deal with this question. *A tour around countries in the Global South* shows the steps taken by some countries in Africa, Asia, the Pacific, and Latin America. The Benin dialogue between Nigeria and European museums about war booty from the palace of the Oba of Benin has continued for more than a decade and is now starting to bear fruit. What's the secret behind it? These are already big questions, but the most exciting is saved for last: are we moving towards a time when giving back is the new normal?

SLOW STEPS OF EUROPEAN COUNTRIES

You hardly hear them, and they remain somewhat inconspicuous, but if you really engage with them, they will tell you that there is a ghost haunting Europe – the ghost of restitution. 'I am done with repatriation,' I hear a curator from Scandinavia sigh. He can no longer hear the word and wants to keep his natural history collection from former colonial territories intact. 'Repatriation? None of that!' A few years ago, I heard similar noises from Dutch people who had donated or loaned objects to Museum Nusantara in the Dutch city of Delft. In 2012, the Delft municipality stopped supporting the museum financially, after which it had to close its doors. In order to deaccession 15,000 objects from the Indonesian archipelago, the Delft municipal government then offered them to Indonesia. This decision horrified many people close to the museum, who did not want this

to happen under any circumstances. Their pieces belonged in Delft and had to remain visible here. Moreover, they did not trust Indonesian museums (Van Beurden, *Herplaatsing collectie voormalige Museum Nusantara Delft,* 2019).

'They' are 'restitution opponents' and can be found in heritage institutions, conservative and populist political parties, the art trade, and among private collectors. They fear that their influence is waning and are looking for ways to regain it. 'The media now determine the discussion, they often just say whatever,' is a complaint from several art dealers with whom I spoke for this book. Objects that have been undisputedly looted, they argue, should be returned ('immediately!', as several of them advocated), but people here in Europe should be able to enjoy other pieces from formerly colonized areas. Their alarmist tone suggests that they fear empty showcases.

On the other hand, there are those who say: finally, something is moving, we are living in the 'age of restitution'. Look at what is happening in many European countries and what their museums are doing. Decolonizing and giving back have become regular fixtures on the agendas of these advocates, as may be seen at conferences and in publications. Especially among many young people, the connotations of *restitution* are far less negative than for many older generations.

My response is more cautious. Something is indeed moving in Europe, but is it really bearing fruit? Are these serious steps and how long can we keep this up? Do they substantially change the relationship between former colonizers and former colonies? Do the latter really gain more control over their lost treasures? How does the restitution of colonial collections fit into the broader picture of the reparation for all colonial violence? I would say, rather, we in the global north are living between two eras: that of talking about restitution, which is indeed *in vogue*, and that of actually returning items and restoring the relationship.

Take France. With much fanfare, President Emmanuel Macron announced at the end of 2017 that within five years he would re-

duce the disparity between the number of objects from France's former colonial possessions now in French museums and the number now in Africa. Ninety per cent of Africa's cultural heritage is said to be in Europe. He sought the advice of the Senegalese scholar Felwine Sarr and the French art historian Bénédicte Savoy. In this matter, the two independent experts were radically in favour of restitution. To convince former colonies of the sincerity of his intentions, Macron arranged the return of some objects from Paris's Musée du quai Branly: twenty-six to the Republic of Benin, one to Senegal, and one to Madagascar; one more object is nominated for return to Côte d'Ivoire.

While the president seemed to be making rapid progress, museums were moving forward rather slowly. This was the conclusion of the French section of the International Council of Museums (ICOM) (*Restitution – Les musées parlent aux musées*, February 2019). The Musée du quai Branly and other museums have since stepped up their efforts in the field of provenance research and the government is preparing legislation to reduce legal obstacles to restitution. Most importantly, as Xavier Perrot of the Clermont Auvergne University shows ('Colonial Booty and its Restitution', 2022, pp. 367–368), the strict principle of inalienability of public collections also includes collections form colonial regions and the government wants to replace this principle with a generic statute for dealing with claims involving war booty from former colonies.

These moves look like one big step forward and maybe a few small steps back. A big step backwards might be a second recommendation to the president: *Patrimoine partagé: universalité, restitutions et circulation des œuvres d'art*, published in April 2023. It appears to be addressed to domestic restitution-opponents. In this case, Macron had not sought an independent expert, but approached a member of the French cultural establishment: Jean-Luc Martinez, former director of the Louvre and current ambassador for International Cultural Policy.[18] He stands up for France's National Collection, emphasizing its inalienability, and applies a remarkably narrow definition of looted art eligible for

restitution. Martinez believes that weapons confiscated in the colonial period are excluded because their seizure was legal under French law at the time. Translated to the Dutch situation, Indonesian claims for the return of krisses and Sri Lanka's call for weapons from Kandy would be rejected, if the decisions were based on Martinez's advice. Cultural goods, such as the books and clothes of rebel leaders in former French colonies, would be included. Their status is 'unlawful, according to the legislation at the time'. This also applies to everything that French soldiers donated to French museums, since taking personal loot was not allowed.

If Macron adopts Martinez's advice, the Musée du quai Branly could consider that they had get off very lightly, because – based on Martinez's calculations – out of 85,000 objects with a colonial provenance in its collections, only 300 are eligible for restitution. Moreover, Martinez imposes the condition that the receiving ex-colony must be able to properly store and exhibit the objects. Many African cultural and academic authorities view this condition as paternalistic and neocolonial.

Has Macron kept his promise, five years later? The president likes to make a good show of his restitution policy and is also using it to curb China and Russia's growing grip on Africa and thus prevent further weakening of French influence on the continent. But most of the former colonies of France who wish for restitution are still in the waiting room.

In Great Britain, the UK government and the British Museum in London often determine the outside world's impression of how the discussion of restitution proceeds there. This impression, however, is one-sided. It's true that these two institutions oppose restitution and rely therefore on a legal ban on the alienation of national property objects. The Conservative prime ministers of recent years are all in agreement in this respect. Several countries of origin are having great difficulty with this position. The most famous dispute, over the iconic Parthenon Marbles in the British Museum,[19] flared up again in November 2023: Greek

president Kyriakos Mitsotakis and British prime minister Rishi Sunak were scheduled to meet in London, but Sunak cancelled the meeting at the last minute because he had been annoyed by certain statements made by his Greek visitor.

While in London, he reiterated to the BBC that the Parthenon Marbles 'look better in the Acropolis Museum [...] that was built for that purpose', and also said that the dispute 'is not a question of returning artefacts whose ownership we question. [...] This is a reunification argument'.[20] Both Great Britain and Greece are signatories to UNESCO's 1972 World Heritage Convention, which requires member-states to cooperate and conform with their universal responsibilities to identify, protect, and conserve monuments on the World Heritage List. But despite Mitsotakis's frantic efforts to get this conversation moving, it is still stuck. There is also no progress in bilateral talks between the British Museum and the cultural authorities of Ethiopia, Ghana, or Nigeria on the future of the Magdala treasures (confiscated in 1868), Ashanti gold objects (captured in 1874), or the Benin objects, as far as they are in national museums. All this delay is reminiscent of the comment of an African expert after the release of the aforementioned 2002 *Declaration on the Importance and Value of Universal Museums*. He saw the blow-up by major museums in Europe as a rearguard action. With hindsight he was right. Could this also be the case with the British government and the British Museum's ongoing fuss over the Parthenon Marbles?

Nevertheless, steps forward are also being taken in Great Britain. University museums in particular – and the quantity and quality of their collections from colonial territories should not be underestimated – and diaspora groups are pushing for restitution. Neil Curtis and Steph Scholten, representing museums in Scottish cities write that their governance structures and national and international networks give university museums 'a much greater independence from political intervention in order to pursue their own strategies and policies' ('Repatriation of Scot-

tish Museums', 2022, p. 435). They listed thirty-four efforts to repatriate ancestral remains, objects, and manuscripts to countries of origin between 1990 and 2020 (pp. 437–439). The English university museums in Oxford, Cambridge, and Manchester and the Horniman Museum in London have also returned ancestral remains and Benin objects.

These museums are increasingly aware of the need for greater trust and equality with their southern partners. Since 2019, the Pitt Rivers Museum in Oxford, the Cambridge Museum of Archaeology and Anthropology, the Horniman Museum and Gardens in London, and the World Museum Liverpool have been collaborating in a 'Rethinking Relationships' project 'to develop and adapt museum practice to build trust with communities and improve access to collections from Kenya, Tanzania, Ghana, Nigeria and Uganda'.[21] In addition, the Pitt Rivers Museum is holding conversations with, amongst others, the Bunyoro Kingdom in Uganda, the indigenous Shuar in Ecuador, the Maasai from Tanzania and Kenya, and partners in Australia. These conversations are likely to lead to a claim, a return, or a different way of exhibiting.

But for a real breakthrough, which includes the big museums that are closely linked to British imperialism, the countries of origin may have to wait for a national government with a different political colour.

In a striking first, the Belgian federal parliament approved the so-called *Restitution Bill* in 2022. This stipulates that objects proven to have been looted from the region of Belgium's former colonies in Africa (the Democratic Republic of the Congo, Rwanda, and Burundi) become the legal property of the country of origin. This country will have full control over them and can decide whether Belgium will return them immediately or only at a later stage, and whether they may be loaned – with or without payment – to the museums that had to relinquish them. Joint scientific committees will be established to determine which objects are eligible for return. The implementation

of the law will be laid down in a bilateral agreement with each ex-colony. It is a historic step as the bill 'is the first of its kind to be adopted by a former colonial power', Belgian legal experts Marie-Sophie de Clippele and Bert Demarsin assert ('Pioneering Belgium', 2022, p. 325).

However, according to these two authors, the law also has some limitations. First, it only covers objects in federal institutions, which is a double limitation: only objects, which implies that archives and ancestral remains are not covered; and only in federal institutions, which means the law does not cover objects owned by provincial and municipal institutions and universities. In practice, this means that the bill mainly affects the federal AfricaMuseum in Tervuren. Another limitation is that only items looted from what was once Belgian Africa is covered by the law. The bill is therefore of little use to First Nations in North America, Māori in New Zealand, or Sri Lanka's restitution committee, who all might want to claim objects or ancestral remains.

The Restitution Bill distinguishes three categories of collections: objects acquired 'by force or as spoils of war', lawfully acquired objects, and objects for which it cannot be determined whether or not they were lawfully acquired. In theory, this may sound reasonable, but in practice this categorization becomes problematic: of the more than 80,000 objects in the AfricaMuseum from the Democratic Republic of the Congo, only 883 were acquired by force or as war booty, 45,000 were lawfully acquired, and the provenance of 35,000 is unknown. The small total of 883 looted objects is reminiscent of the equally questionable number of 300 in the Musée du quai Branly, defined as such in Martinez's advice and eligible for return. As in the French recommendation, the cause lies in the narrow definition of *looted art*. If the umbrella term 'involuntary loss of possession' were used, as it is in the Netherlands, it would also include items acquired through extortion, enforced gifts, smuggling, and theft. As to those 35,000 objects, a large proportion of this total still needs to be investigated, but the law does not determine who decides which collections will be under scrutiny first and whether

there is money for this.

De Clippele and Demarsin also criticize the new law because it only allows negotiations with the governments of countries of origin and not with communities of origin and other non-state actors. The authors claim that this consideration was included in an earlier draft of the bill, but this point has been deleted. In this respect, Belgian policy does not differ from that of the Netherlands.

Nothing has been arranged with regard to archives. A regulation for ancestral remains is forthcoming. A recommendation on this matter was issued in January 2023, but it, too, only applies to federal institutions. The vast majority of body parts come from the Democratic Republic of the Congo; they were originally brought to Belgium by military personnel, colonial agents, scientists, medical personnel, and missionaries. Their repatriation requires a law, which must not be 'distant and purely administrative [...] and not backward-looking'. Instead, there must be 'an informed, sincere and serene dialogue' in view of 'the often-considerable trauma' among the communities of origin.

Belgium has thus taken an important step, but otherwise remains relatively quiet. So far, a draft agreement on the return of looted objects is being prepared only between Brussels and Kinshasa, and is awaiting signature.

In recent years, two events in Germany have attracted international attention: the opening of the ethnographic departments of the Humboldt Forum in Berlin and the transfer to Nigeria of the ownership titles of more than 1,100 looted objects from the Kingdom of Benin. The opening of the Humboldt Forum in 2021 evoked mixed reactions. To understand this, we have to go back to the year 2002. At that time, seventeen major museums in Germany, in other European countries, and in the United States of America signed the aforementioned *Declaration on the Importance and Value of Universal Museums*. The predecessors of the Humboldt Forum were among the signatories. The declaration led to angry reactions, especially from cultural officials in Africa,

about the signatories' 'self-appointment' as universal museums and their attempt to stifle the restitution debate. Who had given them the right to do that? Certainly no one in Africa!

In the same year, 2002, the Bundestag and the municipality of Berlin decided to build the Humboldt Forum. It would be on the site where the Berliner Schloss once stood – a winter palace for the princes of Brandenburg and Prussia. This went down badly with Afro-diaspora organisations, as it evoked associations with Germany's violent colonial past. When the art temple opened in 2021, the tone of its design and layout appeared to go up and down between 2002 and now.

On the one hand, there is a pompous, neoclassical building, described as 'a monument to the era of colonialism' (Teoman Tulun, *German Colonial Legacy*, 2021). In the eyes of Peruvian museum director Natalia Majluf, it had become 'the universal museum in the twenty-first century'. During a July 2022 visit, I found the way some collections were displayed old-fashioned: temple statues from Asia were hung on the wall, or were exhibited in showcases without much explanation, and looked primarily pretty, reminiscent of the museum in 2002.

On the other hand, visitors could view a film about how Namibian and German researchers genuinely work together to tackle a piece of early twentieth-century war booty – in this case, a doll that a child probably lost to German soldiers. And in the museum bookstore you will find the collection *(Post) Colonialism and Cultural Heritage: International debates at the Humboldt Forum* (2021). Critics of the pace of the restitution debate are given plenty of room in this. Natalia Majluf emphasizes that 'dedicated professionals' at the Humboldt Forum cannot solve the problem of Germany's colonial legacy alone; it also requires institutional changes. Former director general of museums in Kenya, George Okello Abungu, has little confidence in the new set-up. He thinks it is an example of how the 'resourceful' West 'comes up with new approaches to circumvent restitution issues.'

The second event of 2021 was the transfer by the Federal Government of the ownership title of over 1,100 properties from the

Kingdom of Benin to Nigeria. Museums with extensive Benin collections in Berlin, Hamburg, Cologne, Leipzig, and Stuttgart cooperated generously, while the Nigerian diaspora in the country had also pushed hard for this result. The transfer was an important deed, which was perhaps made somewhat easier to carry out because it touched more Britain's past than Germany's. In a way, Germany was giving back the spoils of war captured by another country. As I will recount later, the transfer led to intense debates in the German Bundestag.

A third event has recently been added: the publication of the *Atlas der Abwesendheid: Kameruns Kulturerbe in Deutschland* (2023), a co-production by experts from Germany and Cameroon. Based on often previously unpublished sources, they traced 40,000 objects in German museums from Cameroon from the period it was administered by Germany (1886–1916). The museums once registered them as 'acquisitions from around 1900', whereas they often involved 'looting, extortion, fraud, bribery and in some cases purchases'. Among the 'suppliers' there were also male and some female missionaries (*Atlas der Abwesentheit*, p. 20).

It would be beyond the scope of this chapter to outline developments in all European countries in this brief overview. From a bird's-eye view, cautious steps in Scandinavian countries, Austria, Ireland, Switzerland and Spain also deserve mention. Italy and Portugal have been silent for a long time, but some academics and museum professionals there are breaking this silence and discussing the decolonization of collections. The standstill phase is over there, too.

WHAT DOES THE EUROPEAN–NIGERIAN BENIN DIALOGUE YIELD?

It appears that Nigeria has made the most progress among African countries. In recent years it has regained control of a large number of Benin objects. It owes this success largely to its own key players: the National Commission for Museums and Monu-

ments (NCMM), the Kingdom of Benin, and the substate of Edo in which the kingdom is located. In addition, some museums in Europe have contributed the Nigerian success. To get to this point, Nigerians have had to iron out some serious internal frictions. In this they have, if not completely, largely succeeded.

Many people know the story behind the Benin objects: British soldiers raided the palace grounds of the Oba of Benin in 1897, buildings went up in flames, and when the ash and dust settled, thousands of extraordinary objects of bronze, copper, and ivory became visible. The soldiers took them all away. Soon, art dealers and auction houses in Great Britain and elsewhere in Europe began offering Benin items, and in this way these items became scattered among museums and private collections in Europe and North America. Nigeria has been asking for their return for decades.

What determines Nigeria's success? I can think of four factors. The first is the determination of the Kingdom of Benin and the two other Nigerian actors to recover lost objects. They are convinced of their right to pursue this and are supported by many in Africa, and now also in Europe. Nigerian experts such as art historian Peju Layiwola (related to the Oba of Benin), prominent lawyer Folarin Shyllon (d. 2021), and many others in their wake have continued to put pressure on foreign governments and museums to acknowledge this right for years. The ever-growing literature on the looting of 1897, both of by Nigerian and African writers and likewise by European authors, has broadened and deepened knowledge about these iconic objects.

Thanks to Nigerian–German cooperation, we now know better which museums in the world have Benin objects and how many. Until recently, estimates ranged from 2,400 to 4,000 outside Nigeria. However, according to the website Digital Benin,[22] there are at least 5,246, spread across 131 heritage institutions in twenty countries. The British Museum tops the list (944 Benin objects), followed by the Humboldt Forum in Berlin (518), the Field Museum in the United States (393), and the Museum of Archaeology and Anthropology of the University of Cambridge

(350). There are two national museums in Nigeria on the list: the one in Benin is at number 5 (285) and the museum in Lagos comes in at number 14 (81); together the two possess 366 Benin objects, or 7 per cent of the total. The Dutch Wereldmuseum comes twelfth with 122 objects. At the bottom are thirty-four institutions with only one object each. Thanks to Digital Benin we know that 93 per cent of the known Benin objects in public collections are in Europe or North America. Digital Benin does not provide insight into Benin objects in the art trade and among collectors.

Another factor is Nigeria's conversation with a group of European museums: the Benin Dialogue. Starting in 2010, it initially had two goals: knowledge exchange and cooperation, and restitution. After almost ten years of talking, they were no closer to the second goal. The main reason was that the most conservative link in the chain of European museums – the British Museum – set the pace. This institution was against restitution and at most was willing to lend Benin objects to Nigeria. But Nigerians rejected the idea of a loan. It was only when the Benin Dialogue Group abandoned the restitution goal in 2019, meaning that negotiations on this could be conducted at a bilateral level, that things started to move. This began with some isolated returns from university museums in Great Britain and gained considerable momentum thanks to the aforementioned German transfer of title of ownership of more than 1,100 Benin objects.

A fourth and final factor was the solution that Nigeria found to the problem of who would be in charge of the restitution process and to whom European institutions would have to return pieces. The solution was a matter of fierce and prolonged wrangling, as each of the three actors wanted to take the lead, but in late March 2023, Nigeria's outgoing president Muhammadu Buhari untangled the knot. In one of his last official decisions, he declared the Oba of Benin the 'owner, custodian and administrator' of returning Benin properties. It is therefore up to him to decide where objects go after their return (Federal Republic of Nigeria, 'Notice of Presidential Declaration', March 2023). His

decision was an unpleasant surprise for European museums participating in the Benin Dialogue, who had already agreed with the governor of Edo State on a new museum to be built under his supervision and supported financially and organisationally by Europe, where returned Benin objects would have a place. This has slowed down the speed of the returns.

Unfortunately, in Germany a real debate erupted over the decision of Nigeria's outgoing president: the gist of this debate was that objects from public collections in Germany would not end up in a Nigerian public collection but with a private individual, the Oba of Benin, and he, as a private individual, could therefore easily decide that some pieces would go to (royal) family members.

The anthropologist Brigitta Hauser-Schäublin (Georg-August Universität Göttingen) spoke about it indignantly in the *Frankfurter Algemeine Zeitung*. The federal government might have fallen for something; this return was a 'fiasco'. In the German Bundestag, the political parties Alternative für Deutschland (AfD) and the Christian Democrats (CDU) adopted her position. However, in the opinion weekly *der Freitag*, historian Jürgen Zimmerer (University of Hamburg) fiercely attacked these critics. He accused them of creating a scandal that was not a scandal. Nigeria itself determines how it handles returned pieces and Germany has no say in this. This was also the government's position during a debate in the Bundestag in May 2023. It called the critics' positions 'neocolonial'. The debate is still ongoing.

HOW ARE OTHER FORMER COLONIES DOING?

The Nigerian experience shows that the chance of restitution may increase when claimant royal houses or communities join forces with large museums and the governments of their countries. This approach has pursued the greatest effect in New Zealand. There, Māori communities, the National Museum of New Zealand Te Papa Tongarewa, and the government in Wellington have, since 2003, joined forces in a campaign for the repatriation

of tattooed Māori heads and funeral objects. The government funds this goal, the museum draws on its international network and does much of the provenance research, while the communities provide information and determine what happens to the returned ancestral remains. The approach has led to hundreds of repatriations of heads from New Zealand itself and from Europe and North America. It is estimated that there are still about 600 heads outside New Zealand. The campaign has resulted in hardly any repatriations from private collectors and dealers outside New Zealand.

How are other former colonies faring? Do they have their affairs in order in case objects are waiting to be shipped from a European capital? How will the winds of restitution blowing through Europe affect them? Recently there have been reports that several countries in the global south are developing their own restitution policies. Some are clearly further along in this process than others, find it politically more important, or are in a more stable period, which means there are more resources and time for this.

It is impossible to describe developments in all countries in this short overview. The changes in former colonies of the Netherlands and in Sri Lanka and Nigeria have been described on the previous pages. In this short *tour around countries in the Global South,* we will limit ourselves to the West Africa region, two countries in Latin America (Mexico and Peru), and two in the rest of Africa (Tanzania and Namibia).

Among the countries of the ECOWAS (Economic Community of West African States), it is not only Nigeria (a former British colonial possession) that stands out as active, but also the Republic of Benin (French), Senegal (French), Ghana (British), and Togo (German/French). Along with other ECOWAS member states, they are discussing how to improve the legal and operational frameworks that determine who can file claims on behalf of a country and who will be involved, the role of the diaspora, minimum facilities required to receive restituted items, and budget-

ary issues. This regional consultation strengthens their approach and mutual trust. It is not yet clear how the recent withdrawal of Burkina Faso, Niger and Mali from ECOWAS will affect it.[23]

In at least two Latin American countries, political leaders have been noted for their roles in restitution, much as Greek president Kyriakos Mitsotakis is now noted for his own role in claiming the Parthenon Marbles. In Mexico, the aforementioned Instituto Nacional de Antropología e Historia (INAH) has been working to protect and recover lost heritage for decades. Thanks to President Andrés Manuel López Obrador, inaugurated in 2018, restitution has moved up the priority list. As a result, more than 5,000 archaeological objects have been recovered, most of which are related to the pre-Hispanic empires. The majority had been stolen recently, a smaller number much longer ago. Mexico has not yet succeeded in retrieving from the Weltmuseum in Vienna the world-famous headdress that the Aztec emperor Moctezuma is said to have worn before he was captured by the conquistador Cortés in 1520. The Weltmuseum continues to reject any request for this.

The Mexican government is not always as committed to the return of lost objects that belonged to the minorities in their own country. The documentary *The Yaqui Case*, commissioned by the Museum of World Cultures in Gothenburg (2023), provides evidence. The Yaqui are a small minority who have long felt discriminated against and receive little support from the government in reclaiming a number of objects that disappeared in the 1930s and ended up in Gothenburg. In the end, it was the Swedish museum that provided support to the Yaqui. However, once the return was secured, says an insider in Sweden, political forces in Mexico City were suddenly interested in the return and used it for their own political purposes.

For a long time, Peru made little progress in claiming lost treasures, writes Blanca Alva Geurrero ('Repatriation of Cultural Properties', 2009). From 2006 to 2017, she was responsible for Peru's heritage at the Ministry of Culture. For years, her coun-

try had submitted claims, but 'the procedures often stagnated' due to high costs, complicated procedures, and lack of storage space. This changed in 2007, when President Alan García allocated money for restitution. More than a thousand objects were returned in 2008 alone, and in 2011, García agreed with his US counterpart Barack Obama on the return of 4,000 archaeological objects. Between 1912 and 1916, the explorer Hiram Bingham was permitted to take them from Machu Pichu to Yale University for research, on the condition that he would return them afterwards. Peru had to wait a century for this.

Peru also obtained from Sweden some 2,000-year-old textiles, which robbers had removed from graves on the Paracas peninsula in the early twentieth century. Archaeologists and others in Paracas would have liked to have seen them returned to the peninsula, but the textiles remained in the national museum in Lima.

In East and Southwest Africa, Tanzania (called Tanganyika until 1964) and Namibia play a prominent role. The two countries suffered similarly under German colonialism. Massive carnage occurred: in Tanganyika during the Maji-Maji uprising, between 75,000 and 300,000 people died; in Namibia, tens of thousands of Nama, Herero, and San perished. In both Tanzania and Namibia, the conquest of skulls and ritual and ceremonial objects was part of the colonial violence. Both African countries made claims on Germany, but one made faster progress than the other.

After years of wrangling, the German federal government recognized the Namibia massacre as genocide in 2021 and offered reparations and the repatriation of skulls and objects. Whether Germany will also recognise the colonial crimes in Tanzania as genocide remains to be seen. The first breakthrough occurred in late 2023, when German President Frank-Walter Steinmeier visited President Samia Suluhu Hassan of Tanzania. He asked descendants of the Maji-Maji 'forgiveness for what Germans did to your ancestors', proposed having 'open negotiations' on this 'dark chapter' in the history of both countries and promised

repatriation of ancestral remains and artefacts (Deutsche Welle, 31 October 2023).

Why the situation in Namibia moved faster than that in Tanzania cannot be said with certainty. Perhaps Namibia was able to combine its national forces better, formulate its demands more forcefully, and insist on them more steadfastly. However, Namibia's government is facing a domestic problem: it is yet to come to an agreement with the population groups that have suffered most from the German presence – the Nama, Herero and San – over who will get what share of the reparations and who will take care of the recovered ancestral remains and objects. Descendants of the genocide victims feel they were not given enough leverage in negotiations with Germany.

WILL RESTITUTION BECOME THE NEW NORMAL?

It is difficult to say in general terms how far the restitution debate has progressed, and in any case the answer to this question must come from two sides: from the global south and the global north. There is no denying that there has been progress but neither can it be denied that progress is slow. An increase in provenance research does not mean an increase in the number of restitutions. Those involved in the north must be careful that their assessment of this progress is not clouded by success stories that are now emerging, because it is only one side of the coin. Because there is another.

I was confronted with these two sides at the Second Global Summit of Research Museums, held in October 2022 in Munich. On the first day, Radio 1 of the Netherlands called me for a reaction to the announcement of Indonesia's claim to eight collections in Dutch museums; I was asked to respond to the statement on this by director Marieke van Bommel of the Wereldmuseum (which had most of these collections). To my surprise, Van Bommel responded very positively. She assumed that the museum would give up pieces – the research into them had already largely been completed – and said she was open to more claims. In my own reaction I could only echo her positive tone. I added that

European countries – if they want to complete the restitution file properly – need strong counterparts in the former colonies and that the Tim Repatriasi in Jakarta is an example. The trust between the Netherlands and Indonesia is beginning to grow slightly, making cooperation smoother. In Jakarta, there is now a long list of objects currently in Dutch museums that may be of interest to Indonesia. So, something has been achieved, but a lot of work remains to be done. This is how far we have progressed.

The next morning, I was confronted with the other side of the coin, in the conference speech by Rachel Warren from the Catholic University in Malawi, the former British colony's first female anthropologist and archaeologist. Warren spoke after the director of the Museo Galileo in Florence. The latter, suited and booted, did so standing from behind a lectern and enlivened his text with beautiful images of ancient museum exhibits in tall, well-maintained rooms. When Warren was given the floor, she remained seated. She had no images and supported her argument with small gestures of her hands. I wrote down her first sentences: 'I have nothing to show. Colonialism obliterated us. Literally. We no longer exist, we have nothing, everything has been taken from us. We have no idea where it is in Europe and North America. At the same time, caring for our cultural heritage is not a priority for our government. It has other concerns on its mind.' Malawi is one of the poorest countries in the world.

Warren's call for audience members to help search Western museums for objects and ancestral remains from Malawi was received with loud applause, but also had something painful about it. She and the people who applauded her realized that this search has yet to begin and her country hardly has the resources or (wo)manpower to do it. Rachel Warren did not sound victim-like; she portrayed the situation in her country as it is. She wanted to work on it with some other women in Malawi. At the time of writing, it is now almost a year and a half after the Munich conference, and as far as I can tell, little progress has been made. Malawi is certainly not the only country in this situation. So, this is also how far we have progressed.

Demands for restitution will continue to reverberate for decades to come, and the time when all parties involved will have shaken off the empty showcase syndrome is still a long way off. Governments and major museums in some European countries are working on it. However, other heritage institutions, private collectors, and art dealers in those same countries hardly make any positive moves, or even resist. Many former colonies had already lost confidence that they would ever regain their missing treasures. Because some former colonizers are now moving, however, confidence is returning in some countries seeking restitution.

The restitution discourse is old and has known its peaks and valleys. In most former colonies it started long before their independence. Independence brought a new impetus, which led to some limited returns. Now, both sides – former colonies and former colonizers – seem to be entering a new phase.

Governments, museums, and individuals in European countries need not fear. There is enough here, so much has been taken away. They will have to let several showpieces go, but they increasingly realise that tainted objects smell. They need to face this and curb their fear of empty showcases. These countries and institutions must take actions that give their partners in the global south confidence in their willingness to help redistribute the cultural heritage taken from colonial regions.

Governments and others involved in the claims by former colonies need to insist on equal standing and become stronger counterparts, actively claim collections, and trust that empty showcases will gradually become something of the past. Giving back heals wounds and restores relationships. There is still a long way to go, but it must become the new normal. This way, there will be two winners – and the world will become a little better.

NOTES

1 The empty showcase syndrome is a nod to the empty nest syndrome, which parents can experience when their children leave home.

2 Researchers agree that the kris was part of the spoils of war, but do not agree about what exactly happened. In A Short History of Bali (2004, p. 106), Robert Pringle assumes that the 1908 puputan was one of many that took place in Bali from 1906 onwards, in which a total of 1,100 Balinese are said to have died. In Koloniale Oorlogen in Indonesië (Colonial Wars in Indonesia, 2018, p. 377), Piet Hagen questions this, writing that the king and his entourage had thrown themselves 'dancing into a rain of colonial bullets'. This is not suicide, but rather, being killed. In a Provenance report regarding Staatsiekris (2022) about this dagger, Tom Quist concludes that it cannot be determined whether the kris was confiscated on the battlefield or later in the royal palace. It is therefore uncertain whether the kris was used for suicide. It is not even known whether the kris belonged to the Balinese monarch himself or to someone close to him.

3 In 'Restitution Day: Remembrance and Reckoning' (10 November 2023), Kwame Opoku also emphasizes this need for greater respect for the remains of ancestors lingering in Western heritage institutions, and the need for their repatriation.

4 On 25 April 2023, the Südwestrundfunk reported that the municipal council

of this German city had decided to return these two heads, along with another Māori head from the collection of the Reiss-Engelhorn Museums in Mannheim, to New Zealand.

5 The history of the rule of Nubian pharaohs over parts of Egypt was also discussed twenty years earlier at the exhibition *The Black Pharaohs* in the Nieuwe Kerk in Amsterdam (1 October 1997–1 February 1998).

6 Since fighting broke out between the Sudanese Armed Forces and the paramilitary Rapid Support Forces in April 2023, the National Museum of Sudan and several other museums in Khartoum (the Sudanese capital), and also in Omdurman, on the other side of the Nile, have been in the danger zone. The Sudan National History Museum is known to have been damaged in shootings. This was reported by Sara Saeed, director of the Sudan Natural History Museum in the capital and repeated in the Cultural Heritage Monitoring Lab Rapid Report of 17 May 2023. At the time of writing, the pyramids of the city of Meroë are still outside the combat zones.

7 Nanette Snoep, Grassi Museum, Leipzig; Laura van Broekhoven, Pitt Rivers Museum, Oxford; Marieke van Bommel, MAS, Antwerpen; Steven Engelsman, Weltmuseum, Wenen; Taco Dibbits, Rijksmuseum, Amsterdam; Stijn Schoonderwoerd, Nationaal Museum van Wereldculturen; Pauljac Verhoeven, Museum Bronbeek, Arnhem.

8 Some authors cite 1942 as the last year of the Aceh War. Skirmishes took place for decades. Resistance to the colonial ruler never ceased (Hagen, 2018, p. 477).

9 In February 2024, the library of Leiden University decided to examine collections of manuscripts from colonial territories. Among them is much material 'collected' by the Royal Dutch East Indies Army during the Aceh War of around 1900.

10 There is a complication, Mirjam Shatanawi reports: the Quran of Teuku Umar is not part of the national collection but property of the municipality of Rotterdam (the owner of the entire collection of the Wereldmuseum Rotterdam). The State Secretary is therefore not authorized to take the decision as to whether the Quran is to be returned; this decision requires the municipality's consent.

11 China protested against the auction, but a French judge found the Chinese arguments insufficiently substantial, so the auction continued. Finally, China's Cai Mingchao bid the highest amount. His refusal to subsequently pay the offered amount was international news. Ultimately, the wealthy French Pinault family put money on the table and thus secured its own commercial interests in

China. This case study has been described in *Treasures in Trusted Hands* (2017, p. 26). In the episode of the BNN/VARA TV-documentary *Roofkunst* (Erik Dijkstra and Hans Pool, 16 June 2023), on the looting from the Summer Palace, the rat and the rabbit also appeared in detail.

12 This event has been widely covered in the French and international media. A provisional summary appear in *Amandla* on 5 December 2023: https://amandlanews.com/gabon-seeks-return-of-rare-fang-mask-sold-in-france-for-over-e4-million/.

13 Several media outlets pointed out the King wore a tie with a pattern based on the Greek flag in the days following the row between Prime Minister Rishi Sunak and Greek president Kyriakos Mitsotakis, over a cancelled meeting about the Parthenon Marbles scheduled for 28 November 2023. Buckingham Palace said it had been just a random choice of ties. See, for instance, BBC News, 'King's Tie Features Greek Flag after Elgin [Parthenon] Marbles Row' https://www.bbc.com/news/uk-67589075 (11 December 2023). In February 2024, the Royal House agreed to Westminster Abbey's Dean's idea to return a Tabot to Ethiopia. The abbey is a 'Royal Peculiar' outside the control of the Church of England and technically under the jurisdiction of King Charles. The sacred tablet had been looted by British troops in 1868. See, for instance, *The Telegraph*, 13 February 2024, https://www.telegraph.co.uk/news/2024/02/13/westminster-abbey-tablet-to-ethiopia-consulting-with-king/ (15 February 2024).

14 The fire in September 2023 that damaged parts of the Museum Nasional Indonesia in Jakarta must have been very painful for the Indonesian government. It announced shortly afterwards that 817 objects had been affected; some could be restored, others had to be considered lost. There were no objects among these that had already been returned by the Netherlands, as State Secretary Uslu immediately reported. Such disasters do not only occur in former colonies, but also in the countries of the former colonizers, as evidenced by reports from August 2023 about the theft of over two thousand objects from the British Museum in London. See https://www.britishmuseum.org/our-work/departments/recovery-missing-items (15 February 2024).

15 There was hardly any of this friction with the return to Indonesia in 2023 of war booty from the Moluccan island of Lombok. This is remarkable, given that this transfer was not about a single object, but hundreds. The reason may be that a segment of the people on Lombok in 1894, when the Netherlands captured the treasure, had little regard for the Balinese king who ruled the island. This is

still the case today. So far, no descendants have claimed the treasures. The West Nusa Tenggara State Museum in Kota Mataram, part of the Museum Nasional in Jakarta, may display some of the treasures in the future.

16 See https://www.pulse.com.gh/news/filla/otumfuo-osei-tutu-ii-receives-looted-royal-artefacts-from-us-museums/1v8ps4m?fbclid=IwAR10xjp5w5NbiuYz_0K-c7atKN8JTXDOsKwAMhNNwYCGBjdpOEjJ5DumgM4E (15 February 2024).

17 My translation from Dutch.

18 The appointment of Jean-Luc Martinez was particularly notable because, in May 2022, he was accused of laundering trafficked antiquities for the benefit of the Louvre Abu Dhabi in the period 2014–2018. In November 2023, the charge against him was still pending. The case was widely reported. See, for instance, https://news.artnet.com/news/louvre-antiquities-case-high-court-2394978 (accessed 5 December 2023).

19 The British government and the British Museum use the term 'Elgin Marbles', after Lord Elgin, who claimed to have received permission from the Ottoman rulers to take away parts of the Parthenon in the early nineteenth century. The Ottomans had then colonized Greece. According to this version, they were taken legally. Greece speaks of the 'Parthenon Marbles'. According to the Greek view, the pieces were stolen and should not be named after a robber (Elgin). They lost them at a time when the Ottomans, the British, and the French dominated southeastern Europe and the Near East. Greece puts the loss of the Marbles in the same category as other extensive losses during the colonial period. Since UNESCO also speaks of the 'Parthenon Marbles', that term is used here.

20 See https://www.primeminister.gr/en/2023/11/26/33095 (30 November 2023). Alexander Herman emphasizes the argument of reunification in *The Parthenon Marbles Dispute* (2023).

21 See https://www.prm.ox.ac.uk/rethinking-relationships (accessed 8 December 2023).

22 www.digitalbenin.org.

23 Some countries in Central and South America also hold regional consultations on the issue of restitution, although not on a regular basis. Countries in Southeast Asia do the same, but their discussions focus more on curbing contemporary theft and smuggling of their heritage, and less on retrieving treasures lost during the colonial period. Cambodia and Thailand are taking the lead in this initiative. Indonesia is more concerned with recovering items stolen during colonial rule.

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The three questions I have tried to answer in this book – about control over provenance research, the visibility of colonial collections in the private sector, and the frictions between governments and regional actors in ex-colonies – are not the easiest ones to answer. In recent years I have tested my answers during speaking engagements and in conversations. Numerous experts from Europe, Asia, the Pacific, Africa, Latin America, and the Caribbean have spoken with me in person or remotely. The generosity of many who allowed me to share their knowledge made me feel extremely privileged and I am immensely grateful. With their help I was able to sharpen my answers and transform the writing of this book from a reflection of my own thoughts and their reactions into an ongoing and unfinished thought process. After many conversations, I immediately went back to the computer to make adjustments. This was certainly the case when responding to the comments of the co-readers. In the hope that no one will be forgotten, I list these people below in alphabetical order.

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