



CONNECTICUT MIDDLE SCHOOL DEBATE LEAGUE

October 19, 2019 CTMSDL Scrimmage Topic:

This house supports the restitution of cultural objects

Proposition Case:

This case is just an example! It is NOT intended for use as a full case for CTMSDL teams!

Definitions:

TH: all owners of cultural objects (states, museums, private owners)

Supports: to agree to retribute objects as subject to the plan laid out below

Restitution: according to the Oxford English Dictionary, restitution is defined as “the action of restoring or giving back something to its proper owner.”¹

To determine which cultural objects should be subject to restitution, we will use the conditions set by Felwine Sarr and Bénédicte Savoy in their report entitled “The Restitution of African Cultural Heritage.”

The report supports the restitution of “any objects taken by force or presumed to be acquired through inequitable conditions.”² Such conditions include objects acquired through military force, by active military personnel, or through the illicit trade

Cultural objects: according to the Oxford English Dictionary, culture is defined as “the distinctive ideas, customs, social behaviour, products, or way of life of a particular nation, society, people, or period.”³ Thus, cultural objects are items that have specific religious, social or intellectual value to a specific nation, society or people.

¹ “Restitution, n.,” in *OED Online* (Oxford University Press), accessed August 12, 2019, <http://www.oed.com/view/Entry/163966>.

² Felwine Sarr and Bénédicte Savoy, “The Restitution of African Cultural Heritage. Toward a New Relational Ethics” (Ministère de la Culture, November 2018), 61.

³ “Culture, n.,” in *Oxford English Dictionary Online* (Oxford University Press), accessed August 12, 2019, <http://www.oed.com/view/Entry/45746>.

Plan:

For objects to be subject to restitution, they must be requested for return. The individual, institution, or state requesting the object will have to demonstrate “proper ownership” over the object. The “proper owner” will be defined as the person or institution that owned the object prior to the object’s inequitable acquisition as defined above.

If a state is requesting an object, it would have to prove that the object was inequitably taken from it or from its predecessor. Thus, Ghana could request an object that was taken from Ghana, or from the Gold Coast (the colonial name for Ghana), or from the Asante Kingdom (the power in the territory that is now Ghana prior to colonization).

The current owner will have to opportunity to present information justifying the current ownership of the object. If the current owner cannot prove that the object was *not* acquired through inequitable means, the object will be returned.

We will set up an international body through UNESCO to arbitrate disputed cases and rule on whether restitution should occur

Model:

To win this round, we do not believe it is necessary to prove that restitution is the correct action in all cases. Instead, if we can prove that restitution is best in *the majority of cases*, then we believe we will have won this round. We recognize that there is a very small chance that something goes wrong in a very small number of restitution cases. However, we intend to prove that, in the majority of cases, restitution creates great benefits.

Contention A: Restitution benefits marginalized societies**1. Restitution economically benefits marginalized societies**

Many of the cultural objects that would be subject to restitution are huge money-makers for the museums that display them. The Rosetta Stone, which Egypt has requested for return, is the British Museum’s most popular exhibit. The Parthenon Marbles, also called the Elgin Marbles, which Greece has argued should be returned to Athens, are other popular pieces. According to Forbes, the British Museum earned 2.2 million pounds between April 2017 and March 2018 in admissions revenue alone.⁴ If important artifacts were returned to their

⁴ Alex Ledson, “Macron’s Thorny Plan For The Restitution Of Historical Artefacts Is Costly,” *Forbes*, November 27, 2018, <https://www.forbes.com/sites/alexledson/2018/11/27/macrons-thorny-plan-for-the-restitution-of-historical-artefacts-is-costly/>.

home countries, it would economically invigorate those countries' museums by increasing visitors who want to see these important artifacts.

This would be especially true in many African nations. Currently, over 90% of the material cultural legacy of sub-Saharan Africa is housed outside of the continent.⁵ Many African nations have invested heavily in museum infrastructure—Senegal recently opened its Museum of Black Civilizations in Dakar. However, these museums will only be an economic boon if they receive visitors. In fact, the Senegalese museum's most important object is a sword that belonged to Omar Saidu Tall, a Muslim spiritual leader. The sword is on loan from the Musée de l'Armée in Paris but is at the top of Senegal's list of objects they would like to be permanently returned to the country.⁶ Given that many of African nations' most important cultural objects, such as Nigeria's Lander Stool, which resides at the British Museum, are outside of the country or on temporary loan, museums in Africa will have a difficult time attracting visitors and making money without a restitution initiative.

2. Restitution culturally benefits marginalized societies

When requesting the return of the Hoa Hakananai'a statue, which resides in the British Museum and was taken from Easter Island without islanders' permission in 1868, the Governor of Easter Island said: "you, the British people, have our soul."⁷ This quote exemplifies the emotional attachment that societies have to their missing cultural objects. Returning these objects allows their original owners to reconnect with their heritage. For example, Nigerians have argued that the Lander Stool, currently in storage at the British Museum, represents the beginning of the colonial history of Nigeria. They have argued that, if it were returned, the stool would be the centerpiece of the new John K. Randle Centre for Yoruba History and Culture in Lagos.⁸ Returning the stool to this new museum would help Nigerians more viscerally connect with their history. In storage, the Lander Stool serves no purpose—in Nigeria, it would be a visual reminder of African nations' troubled colonial history to the multitude of Nigerians who could view it each year. As Sarr and Savoy write, "on a continent where 60% of the population is under the age of 20 years-old, what is first and foremost of great importance is for young people to have access to their own culture, creativity, and spirituality from other eras that certainly have evolved since, but whose knowledge and recognition can no longer merely be reserved for those residing in Western countries."⁹

⁵ Sarr and Savoy, "The Restitution of African Cultural Heritage. Toward a New Relational Ethics," 3.

⁶ Dionne Searcey and Farah Nayeri, "Senegal's Museum of Black Civilizations Welcomes Some Treasures Home - The New York Times," *New York Times*, January 15, 2019, <https://www.nytimes.com/2019/01/15/arts/design/museum-of-black-civilizations-restitution-senegal-macron.html>.

⁷ Ledsom, "Macron's Thorny Plan For The Restitution Of Historical Artefacts Is Costly."

⁸ Gareth Harris, "Nigeria Calls for Return of Lander Stool from the British Museum," *The Art Newspaper*, February 4, 2019, <http://theartnewspaper.com/news/nigerian-culture-officials-seize-initiative-in-restitution-debate>.

⁹ Sarr and Savoy, "The Restitution of African Cultural Heritage. Toward a New Relational Ethics," 4.

Potential response:

Opposition teams might want to point out that permanent restitution is not the only way to accomplish these benefits given that long-term loan programs can also help museums economically and bring cultural objects back to their countries of origin.

An example could be King Tut's sarcophagus, which travelled the world.

Contention B: Restitution allows individuals to better understand cultural objects

1. Restitution places objects in their intended environments

When housed in the National Museum of the American Indian in Washington, D.C., individuals cannot properly understand the importance of the American Indian human remains displayed there. Viewed in this way, it is impossible to grasp the deep spiritual significance of these bones.

The purpose of museums is to educate visitors about the objects displayed there and to cultivate in visitors a deeper appreciation for those objects and the societies that created them. However, when cultural objects such as American Indian human remains are displayed in museums, the opposite is accomplished. By displaying bones in this way, museums demonstrate a disregard for American Indian religions and rituals. Billy Tayac, Chief of Piscataway Nation explains, "when these archaeologists come here and steal the ancestors, they've stolen these people's souls. They're holding their souls captive within some cardboard box."¹⁰ Allowing remains to be displayed in this way demonstrates to museum-goers the American government's fundamental disregard for native cultures and religions and is detrimental to the goal of the museum industry.

2. Restitution allows for the proper utilization of cultural objects

Many objects displayed in museums were intended to be used in rituals. Keeping them in museums prevents these objects from being correctly utilized. For example, Sarr and Savoy explain that certain African masks are traditionally buried for several years and then reproduced to renew the energies that grant them spiritual powers.¹¹ If repatriated, this ritual could be carried out. Not only will this allow individuals to practice their traditional

¹⁰ "Repatriation of Human Remains | The Pluralism Project," accessed August 12, 2019, <http://pluralism.org/religions/native-american-traditions/issues-for-native-peoples/repatriation-of-human-remains/>.

¹¹ Sarr and Savoy, "The Restitution of African Cultural Heritage. Toward a New Relational Ethics," 34.

religions, thus showing a greater respect for marginalized cultures, it will also be a great learning opportunity for viewers to better understand cultures.

In Mali, the National Museum loans out objects to communities for ritual practices and then collects the objects for preservation at the museum once such ceremonies are complete.¹² When objects are returned to their original homes, more programs like this are likely to occur that will better honor the purposes that cultural objects were intended to serve.

Potential response:

Opposition teams might want to contrast this point with an argument about how fewer individuals will see cultural objects if they are returned. This is a great opportunity for some weighing on magnitude!

Contention C: The mass collection of cultural objects in Western museums contributes to Eurocentrism and the “othering” of marginalized societies

As stated before, over 90% of the material cultural legacy of sub-Saharan Africa resides outside the African continent. Most African artifacts are held in European or American collections. The British Museum has 69,000 objects from sub-Saharan Africa, the Weltmuseum in Vienna has 37,000, the Musée Royal de l’Afrique Centrale in Belgium has 180,000, and the Musée du quai Branly-Jacque Chirac in Paris has 70,000. On the other hand, Alain Godonou, a specialist of African museums, estimated that “the inventories of the national museums in Africa itself hardly ever exceeded 3,000 cultural heritage objects and most of them had little importance or significance.”¹³

Why does this matter? The items that museum curators pick to display, and the ways in which they display them, have a huge impact on how individuals experience those objects. As we’ve discussed previously, seeing bones in a museum is a totally different experience to seeing an American Indian burial ground. Thus, museums not only present us with objects to look at, they also manipulate the ways in which we understand those objects. As American artist Fred Wilson explains, “curators, whether they think about it or not, really create how you are to view and think about these objects.”¹⁴ Because this is true, then we need to consider the ramifications of allowing Western museums in countries that are former colonial powers, with

¹² Sarr and Savoy, 32.

¹³ Sarr and Savoy, 15.

¹⁴ Fred Wilson, “Constructing the Spectacle of Culture in Museums,” in *Institutional Critique*, ed. Alexander Alberro and Blake Stimson (Cambridge, Massachusetts: MIT Press, 2011), 330–44.

generally white, male curators, to be the ones determining how we view, and thus how we think about cultural objects that generally hail from marginalized, oppressed societies. We believe this is a form of “neo-colonialism” and only serves to reinforce a Western worldview. If African nations and other marginalized countries and societies were given the power to display their cultural objects how they wanted to, we would be able to experience these objects and their relationship to history, culture, religion, and society in a less Eurocentric, more globally-focused way.

Potential response:

Opposition teams might want to think about how Westerners could benefit from seeing objects from marginalized societies. For example, how might Belgian citizens benefit from learning about the Belgian government’s massacres in the Congo?

Opposition Case:

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Model:

We believe that this resolution is asking proposition to support restitution *in all cases*. Thus, if we can prove there are a few cases in which restitution would be unwise, we should win this round. We believe that policies that are proven to be harmful, even if they would only be harmful in a few instances, are bad policies. Thus, we will not attempt to prove that restitution is always bad, only that there are enough detriments to make it a bad policy.

Contention A: Restitution is often politically fraught

1. Determining who an object should be returned to is often impossible

It can be difficult to determine to whom objects belong; especially ancient cultural objects created by societies that no longer exist. For example, Turkey argues that it is the proper owner of a sarcophagus discovered in Sidon, Lebanon in 1887 that resides in Istanbul’s

Archaeological Museum.¹⁵ The Turks argue that, because Lebanon was part of the Ottoman Empire at the time, the sarcophagus belongs to Turkey, which claims to be the successor of the Ottoman Empire. However, who is to say that the sarcophagus does not belong to Lebanon, the state that now governs the territory in which the object was discovered? Disputes over ownership will inflame diplomatic tensions if restitution is upheld as a policy. This will be confounded by the large number of states engaged in territory disputes. For example, which country should be considered the owner of an artifact that hails from Kashmir, an area claimed by both India and Pakistan? Disputes over restitution could escalate diplomatic tensions, leading to serious global conflicts.

NOTE: there is another very good example for this argument involving the return of documents to Iraq and Iraqi Jews' opposition to this plan. Find information here: <https://www.jta.org/2017/10/03/politics/schumer-dont-return-trove-of-jewish-artifacts-to-iraq>

2. Restitution can fuel dangerous forms of nationalism

As James Cuno, President of the Getty Trust, explains: “Many [countries] use ancient cultural objects to affirm continuity with a glorious and powerful past as a way of burnishing their modern political image... These arguments amount to protectionist claims on culture.”¹⁶ For example, many experts argue that Turkey’s requests for the return of objects is a form of cultural nationalism that is part of Turkey’s larger efforts to claim ownership over Ottoman culture. Turkey’s support of restitution is a part of President Erdogan’s strategy to gain power by stoking rising religious nationalist sentiment among the Turkish population. Promoting this brand of nationalism has helped Erdogan eliminate democratic institutions and implement policies that discriminate against minorities such as the Kurds. We believe that, in cases such as that of Turkey, where restitution is part of a larger, dangerous political strategy, objects should not be returned.

Potential response: Proposition teams could think about refutations that emphasize the low probability of disputes over repatriation and nationalism.

Contention B: Restitution harms cultural objects

¹⁵ Dan Bilefsky, “Turkey’s Efforts to Repatriate Art Alarm Museums,” *The New York Times*, September 30, 2012, <https://www.nytimes.com/2012/10/01/arts/design/turkeys-efforts-to-repatriate-art-alarm-museums.html>.

¹⁶ James Cuno, “Culture War, The Case Against Repatriating Museum Artifacts,” *Foreign Affairs*, accessed August 12, 2019, <https://www.foreignaffairs.com/articles/africa/culture-war>.

Some countries are too unstable to care for objects. There are many examples of priceless cultural objects being destroyed during war or in acts of terrorism. Two examples are the Taliban’s bombing of the two Buddhas of Bamiyan and ISIS’s destruction of the ancient city of Palmyra in Syria. ISIS has also sold antiquities looted from these regions—in fact, *Newsweek* reported in 2017 that the group was making up to \$100 million a year through the sale of ancient artifacts.¹⁷ Many of the nations that have requested the return of cultural objects have the same problems with instability and terrorism as Iraq, Syria, and Afghanistan. For example, while Mali has requested the return of a number of artifacts, its antiquities have previously been targeted by terror groups. In 2012, 15 of Timbuktu’s mausoleums were destroyed including nine World Heritage sites. In addition, 4,200 manuscripts at the Ahmed Baba centre were burned by terrorists.¹⁸ The destruction of cultural objects like these is a huge loss. Not only should these objects be preserved for future generations, they also provide important historical insights—their destruction prevents historians and archaeologists from using objects as valuable primary sources to increase our understanding of past societies. If we believe that these objects are important and should be preserved, then restitution, which puts objects in harm’s way, is not the answer.

Potential response:

Proposition teams could point out the bias in this argument given opposition is arguing non-European societies can’t care for their objects. Another response could be to argue that we can help societies care for their art.

Contention C: Restitution harms museums and their visitors

1. Fewer individuals will see important cultural objects

When cultural objects are returned to their places of origin, they leave high-traffic museums and end up in off-the-beaten-track locations. For example, the statue known as the Goddess of Morgantina, which was returned to Sicily from the Getty Villa in California, receives a much smaller number of visitors in Italy than it did in the US. In 2013, 30,767 people visited the Aidone Museum, where the sculpture now resides. In comparison, 400,000 people visited the Getty Villa in 2010, the last year the sculpture was displayed there.¹⁹ In another case, the Euphronios krater was returned to Italy by the Metropolitan Museum of Art. In

¹⁷ Callum Paton, “ISIS Makes up to \$100 Million a Year Smuggling Ancient Artifacts from Iraq and Syria,” *Newsweek*, August 7, 2017, <https://www.newsweek.com/isis-makes-100-million-year-smuggling-ancient-artifacts-iraq-and-syria-647524>.

¹⁸ “UNESCO Expert Mission Evaluates Damage to Mali’s Cultural Heritage,” July 6, 2013, <http://www.unesco.org/new/en/unesco/resources/unesco-expert-mission-evaluates-damage-to-malis-cultural-heritage/>.

¹⁹ Rachel Donadio, “Repatriated Works Back in Their Countries of Origin,” *New York Times*, April 17, 2014, <https://www.nytimes.com/2014/04/20/arts/design/repatriated-works-back-in-their-countries-of-origin.html>.

Italy, the krater resides in the National Etruscan Museum, which receives a small number of visitors per year. The Met, on the other hand, generally receives over 7 million visitors per year.²⁰ These cases prove that when objects are returned, they are seen by fewer individuals. We believe that cultural objects should be viewed widely, so that the greatest number of individuals can experience them in-person—restitution makes this impossible.

2. Restitution will destroy encyclopedic museums

James Cuno, president of the Getty Trust, writes: “repatriation claims...are also arguments against the promise of encyclopedic museums...By presenting the artifacts of one time and one culture next to those of other times and cultures, encyclopedic museums encourage curiosity about the world and its many peoples.”²¹ We define encyclopedic museums as those that present objects from many times and places to give visitors a global, cosmopolitan view of history and culture. Museums that fit this category—such as the Met and the British Museum—help visitors see the connections between different cultures rather than presenting different societies and eras separately. If objects are returned due to restitution, encyclopedic museums will die out. Not only will this diminish the museum experience, it will also promote dangerous forms of nationalism that are already on the rise around the world. In a time when many countries are disparaging immigrants and refugees, the last thing we should do is deny individuals’ access to a wide-array of cultures. Art and artifacts can help broaden peoples’ horizons and expose them to societies, religions, and traditions that they might never have known about otherwise. If we repatriate objects, we take this opportunity for learning away from individuals who need it. If we want open-minded societies, we should not support repatriation.

Potential response:

Proposition teams could argue that the only way to make smaller countries’ museums big tourist destinations is to place important artifacts there. Or, they could argue that these countries might want to loan out their objects to Western museums after repatriation occurs. Or, they might dispute the opposition’s conception of the purpose of museums entirely.

Sources for both cases:

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²⁰ “The Met Welcomed More Than 7 Million Visitors in Fiscal Year 2019,” The Metropolitan Museum of Art, July 10, 2019, <https://www.metmuseum.org/press/news/2019/fy-2019-attendance>.

²¹ Cuno, “Culture War, The Case Against Repatriating Museum Artifacts.”

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