

Forum: GA4- Special Political and Decolonization

Issue: Encouraging the return of cultural treasures to colonized countries
and acknowledging historical responsibility

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Table of Contents

I. Introduction

II. Key Terms

- A. Colonialism**
- B. Assimilation**
- C. Repatriation**
- D. Provenance**
- E. Reparations**

III. General Overview

- A. Effects of Colonialism on previously colonized nations**
 - 1. Economic**
 - 2. Social and Political**
- B. Cultural Artifacts**
- C. Historical responsibility**
 - 1. Financial reparations**
 - 2. Recognition**

IV. Major Parties Involved

- A. UNESCO**
- B. France**
- C. Nigeria**
- D. The Herero and Nama people- Namibia**

V. Previous & Possible Solutions

- A. Provenance research**
- B. Museum Loans**
- C. Existing International Frameworks**

VI. Conclusion

VII. Questions to Consider

VIII. Bibliography & Sources for further research

IX. Works Cited

I. Introduction

Possibly one of the most widespread injustices in history, colonialism has shaped the historical background, political landscape and societies of many nations. Areas in Africa, the Americas, Asia, and the Pacific all have felt the effects of colonialism at some point in history, many of them lasting until today. While colonialism did have few positive effects on previously colonized nations such as access to education, the overall impact of colonialism was overwhelmingly negative, as colonialism often led to human and economic exploitation, discrimination and oppression in the colonized area.¹ Since it is not possible to reverse historical injustices, many previously colonized nations have been demanding reparations for colonial oppression, as well as the return of cultural treasures that were taken during the colonial period. Despite many nations agreeing that colonialism was unjust and offering official apologies, some nations have been reluctant to comply with the reparation demands. When considering the return of cultural treasures, many nations have exhibited willingness to return pillaged artifacts, however these commitments are often lacking in practice.

However, because the effects of colonialism varied from colony to colony, and therefore the demands of each nation are also individual, it is difficult to generalize the issues of returning cultural artifacts and properly acknowledging responsibility for colonialism across a global scale. Disputes on the issue must be regulated on a case-by-case basis. Therefore, there is little that can be done on an international scale on this issue. However, some solutions such as ensuring there are sufficient existing legal frameworks in place to mediate conflicts caused by this are possible.

¹ "A controversial article praises colonialism. But colonialism's real legacy was ugly." *The Washington Post*, last modified September 2017, <https://www.washingtonpost.com/news/monkey-cage/wp/2017/09/19/colonialism-left-behind-a-long-legacy-most-of-it-bad/>

II. Definition of Key Terms

A. Colonialism

The Merriam-Webster dictionary defines colonialism as the “domination of a people or area by a foreign state or nation”.² It is closely related to the concept of imperialism, the policy of using power or influence to control groups of people. Modern colonialism began in the 1500s, with many European nations looking to expand their spheres of influence overseas.³

B. Cultural Assimilation

Assimilation is the process where a minority group is absorbed into the dominant culture. This includes taking on traits of the dominant culture and conforming to societal norms of the dominant culture.⁴ Assimilation was used as a style of governance in some colonies, which led to local culture being repressed.

C. Cultural Repatriation

Cultural repatriation refers to the act of returning a historical artifact to its nation of origin, and often at request of the government. It often refers to ancient and/or looted art or archeological findings. In the context of colonial history, it refers to the return of artifacts taken during colonial times. Repatriation is similar to restitution, however restitution refers to the return of cultural artifacts to an individual or a community.⁵

D. Provenance

The term “provenance” refers to the history of ownership of a particular artwork or piece of literature.⁶ When discussing the return of cultural treasures to colonized nations, knowing the ownership of the object is vital to be able to return it. Additionally, more extensive research into an artifact’s provenance can also be helpful in determining if the object was obtained legally or not.

² “Colonialism”, *Merriam Webster Dictionary*, <https://www.merriam-webster.com/dictionary/colonialism>

³ “What is Colonialism?”, *National Geographic*, last modified February 2019, <https://www.nationalgeographic.com/culture/article/colonialism>

⁴ “Assimilation”, *Encyclopedia Britannica*, <https://www.britannica.com/topic/assimilation-society>

⁵ “Restitution and repatriation”, *Collections Trust*, <https://collectionstrust.org.uk/cultural-property-advice/restitution-and-repatriation/>

⁶ “Provenance”, *Merriam Webster Dictionary*, <https://www.merriam-webster.com/dictionary/provenance>

E. Reparations

Reparations are formal repayments for some sort of loss, harm or damage. This can include material damage, or harm to human lives, as is often seen in cases of colonialism. Many previously colonized nations demand reparations for crimes committed during colonial rule such as political oppression, exploitation, and other human rights violations.⁷

III. General Overview

A. Effects of Colonialism on previously colonized nations

Given the very differentiated nature of colonialism, it is difficult to generalize a nation's colonial past and experiences. The effects of colonialism varied from nation to nation depending on the colonizing power, length of colonization, how recently it occurred, motivations behind colonialism, etc. However, some trends can be observed across some colonies:

1. Economic

One of the most common motivations for colonization was the hope for economic benefits such as access to natural resources such as precious metals, rubber, cocoa and sugar. This led to the natural resources being severely depleted through mining and growing cash crops. Today, this exploitation has led to economic instability and poverty.

2. Social and Political

Colonialism had many far-reaching effects into the social structures of previously colonized nations today. The social impact of colonialism depends on a number of factors such as the motivations behind colonization and the style of colonization that was utilized. Colonialism laid the foundation ethnic rivalry, political oppression and instability, corruption and violence.

Colonization also led to the loss of local culture and heritage, which was

⁷ "Reparation", *Cambridge Dictionary*, <https://dictionary.cambridge.org/dictionary/english/reparation>

caused in part by cultural assimilation and repression and the loss of many important cultural artifacts.⁸

B. Cultural Artifacts

Article 11 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) urges nations to restore cultural treasures “with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs”.⁹ Colonizing powers often took various cultural artifacts such as artworks and human remains to be put on display or to be subject to questionable scientific study in the colonizing nation. Many of these pillaged treasures still remain in these nations today, or have been sold to other museums worldwide. Cultural artifacts are important components to cultural identity and heritage, and some previously colonized nations have been requesting the return of these artifacts. And while most European museums are willing to return some, if not all of these artifacts, there are still many barriers to achieving complete repatriation of these artifacts.

Firstly, some art historians argue that there is something to be said for foreign artifacts being held in museums. This would allow for individuals to learn about other cultures without having to travel to these areas. Additionally, displaying foreign artifacts could also be used to raise awareness of colonial wrongs of the past. While promoting interest in other cultures could theoretically lead to more international communication, estimates show that between 80 and 90 percent of Africa’s cultural artifacts are stored in various European museums. This percentage far surpasses the amount of objects that would be necessary to initiate interest in other cultures. In addition, these artifacts have significantly more cultural importance to the areas that they were taken from. Additionally,

⁸ “Colonial Style and Post-Colonial Ethnic Conflict in Africa” *Journal of Peace Research*, last modified July 2001, <https://www.jstor.org/stable/424898?seq=1>

⁹ “Should museums return their cultural artefacts?” *The Guardian*, last modified June 2019, <https://www.theguardian.com/culture/2019/jun/29/should-museums-return-their-colonial-artefacts>

some museums have been reluctant to repatriate artifacts due to lack of museum space and proper storage conditions in the places of origin.¹⁰

Another issue when returning cultural treasures is lack of knowledge and evidence of the circumstances that artifacts were taken under. Some nations had agreements with local governments, especially in fields such as archeology, to divide findings between nations. And while the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property does support repatriation claims, would this override agreements made prior to 1970? This is only one example of the gray area that can surround the return of cultural artifacts. One option to shed light on the dispute would be to conduct further research into the origins of the artifact, however this research is difficult to do and leads to often very ambiguous results.¹¹

C. Historical responsibility

Colonialism caused many issues such as human rights violations in former colonies. Slavery, oppression, economic exploitation, and in some cases genocide were all crimes that took place in many areas during colonial rule.

In response to their colonial pasts, many nations are willing to take responsibility for their actions during the colonial period. This can be done in many different ways, and depend on the requests of the previously colonized nation, however two of the most widespread are financial reparations and recognition of crimes that were committed.

1. Financial reparations

One of the most common forms of responsibility for colonialism is reparations. While some nations have paid reparations for crimes committed during colonial times, such as the Netherlands, some nations have not agreed to paying formal reparations for colonialism. Instead of

¹⁰ "Africa's lost heritage and Europe's restitution policies", *Deutsche Welle*, last modified November 2021, <https://www.dw.com/en/africas-lost-heritage-and-europes-restitution-policies/a-59763966>

¹¹ "Culture Wars: The Case Against Museum Artifacts", *Foreign Affairs*, November/December issue 2014, <https://www.jstor.org/stable/24483927?seq=1>

paying reparations, nations have instead offered money for developmental purposes. One reason for this may be the concern that by giving one nation reparations, one would set a precedent for other former colonies to also request reparations.¹²

2. Recognition

Another form of historical responsibility for colonialism is the recognition of crimes that the colonizing power committed during colonial rule. Many nations have requested and also received formal recognition and an official apology for colonization. Many nations are more willingly offering recognition for crimes committed in colonial times than formal reparations.¹³

IV. Major Parties Involved

A. UNESCO

The United Nations Educational, Scientific and Cultural Organization (UNESCO) is the primary organization responsible for international cooperation in the field of science, education, and culture. The organization has undertaken numerous actions to improve cross-cultural communication and the return of cultural artifacts. In 1978, UNESCO established the Intergovernmental Committee for Promoting the Return of Cultural Property (ICPRC), which deals with facilitating dialogue and mediating conflicts between nations concerning the return of cultural artifacts. The organization also deals with research into the origins of the artifact to determine ownership and oversees the return of these artifacts.¹⁴

¹² "Enough of aid- let's talk reparations", *The Guardian*, last modified November 2015,

<https://www.theguardian.com/global-development-professionals-network/2015/nov/27/enough-of-aid-lets-talk-reparations>

¹³ "Germany agrees to pay Namibia 1.1bn over historical Herero-Nama genocide", *The Guardian*, last modified May 2021, <https://www.theguardian.com/world/2021/may/28/germany-agrees-to-pay-namibia-11bn-over-historical-herero-nama-genocide>

¹⁴ "Return and Restitution Intergovernmental Committee", UNESCO, <https://en.unesco.org/fightrafficking/icprc>

B. France

As one of the largest western colonizing powers, the French government has been planning to return numerous cultural artifacts. In November 2018, two French art experts published a report commissioned by the French government entitled “Restitution of African Cultural Heritage”. This report strongly recommended the return of treasures taken from colonized nations instead of being on loan to European museums for extended periods of time. Following the publication of the report, French President Emmanuel Macron agreed to return numerous artifacts, such the so-called Benin Bronzes, which were requested from the President of Benin in 2016.¹⁵ However, despite agreeing to return cultural artifacts, the French government has yet to pay reparations to its various former colonies.¹⁶

C. Nigeria

Following its independence, Nigeria has been especially vocal about the return of cultural objects to Nigeria, most recently the return of various artworks known as the Benin Bronzes. These were pillaged during the colonial period and were distributed to museums across Europe in the UK, France, Austria and Germany. These artworks hold great cultural significance and could encourage further return of cultural artifacts.¹⁷

D. The Herero and Nama people- Namibia

Namibia has been very vocal about reparations from Germany for the genocide committed against the Herero and Nama people during German colonial rule. Namibia initially did not demand reparations, however due to internal pressure from the Herero and Nama peoples, the Namibian government is

¹⁵ “France to return artworks to Benin as report on African treasures published”, *Deutsche Welle*, last modified November 2018, <https://www.dw.com/en/france-to-return-artworks-to-benin-as-report-on-african-treasures-published/a-46430150>

¹⁶ “The Greatest Heist In History’: How Haiti Was Forced To Pay Reparations For Freedom”, *National Public Radio*, last modified October 2021, <https://www.npr.org/sections/money/2021/10/05/1042518732/-the-greatest-heist-in-history-how-haiti-was-forced-to-pay-reparations-for-freed>

¹⁷ “Two of Nigeria’s looted Benin Bronzes returned to traditional palace”, *The Guardian*, last modified February 2022, <https://www.theguardian.com/world/2022/feb/19/nigerias-looted-benin-bronzes-returned-to-traditional-palace>

demanding compensation.¹⁸ Additionally, the Herero and Nama have demanded an official apology and recognition of the genocide from the German government and have sued Germany in an American court, however this was not successful.¹⁹

V. Previous & Possible Solutions

The issue of returning cultural artifacts and acknowledging historical responsibility is a subjective matter, as disputes are generally between two nations, and action that can be undertaken on an international scale is limited. However, some means can be taken to help mediate these disputes:

A. Provenance research

Research into the history of an artifact can in theory be a useful tool to mediate disputes over the ownership of the item and to determine if an artifact was acquired legally or not. However, in practice, this method is not as effective as hoped. This branch of research is difficult to conduct due to many obstacles such as missing documentation, and the results are often unclear. Additionally, not all artifacts have a solely colonial background, and some were distributed under certain agreements between nations, which further complicates the issue as to whether there is a legal basis for the return of artifacts. Joint provenance research also could be used to further intercultural dialogue and understanding, as well as reconciliation for crimes committed during colonial times.²⁰

B. Museum Loans

Another solution to the issue of returning artifacts that has been suggested by some museums is that instead of returning treasures is that museums could lend museums in the previously colonized nations artifacts. While this approach does ensure that cultural artifacts are being displayed in their area of origin, it

¹⁸ "After Namibia, could other former German colonies demand reparations?", *Deutsche Welle*, last modified August 2017, <https://www.dw.com/en/after-namibia-could-other-former-german-c-olonies-demand-reparations/a-39924695>

¹⁹ "Lawsuit against Germany over Namibian genocide is dismissed in American court", *Reuters*, last modified March 2019, <https://www.reuters.com/article/us-namibia-genocide-germany-idUSKCN1QN2SQ>

²⁰ "The long arm of colonialism", *Goethe Institut*, last modified December 2018, <https://www.goethe.de/en/kul/wis/21447279.html>

does little to ensure reconciliation between nations, as the previously colonized nation does not have ownership of the artifact.

A counter-suggestion to this idea is artifacts being successfully returned to their place of origin and then loaned out to museums in the rest of the world that wish to display them. This way, cultural artifacts belong to their rightful owners, but the treasures can still be viewed worldwide. This does, however, mean that the artifacts are not being displayed in areas where they originated from, and that local individuals would not have access to the artifacts. This option would also allow for artifacts to be kept in good and safe conditions, in the case that local museums are not equipped to properly care for delicate artifacts.²¹

C. Existing International Frameworks

Despite the issue of consequences for colonial wrongs being relatively subjective, there are international frameworks and organizations that deal with object repatriation. One example of this is the aforementioned Intergovernmental Committee for Promoting the Return of Cultural Property (ICPRC), which encourages the return of artifacts to the original owners. However, there is still a lot of gray area surrounding the origins and legality of ownership of cultural objects. The 1979 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property aims to tackle this issue by both preventing the illicit trade of artifacts and encouraging restitution and international cooperation on the issue. Numerous other conventions also supplement the 1970 Convention, such as the 1995 Convention on Stolen or Illegally Exported Cultural Objects, which deals with more specific cases relating to private law.²² The overall effectiveness of these various legal frameworks is limited, as many disputes involving repatriation claims are individual, however they do lay the foundation for additional international agreements regulating the issue.

²¹ "Looted colonial art: Is there the political will to return pilfered artifacts?", *Deutsche Welle*, last modified January 2019, <https://www.dw.com/en/looted-colonial-art-is-there-the-political-will-to-return-pilfered-artifacts/a-46961670>

²² "About 1970 convention", *UNESCO*, <https://en.unesco.org/fighttrafficking/1970>

VI. Conclusion

When returning cultural objects or acknowledging historical responsibility, there is no one-size-fits-all solution. Colonial rule was different for every nation, and whether or not to demand reparations or request the return of cultural treasures is the decision of each previously colonized nation. Because of the subjective nature of the issue, there is little that can be done internationally to solve the issue. There are, however, existing committees such as the ICPRC to mediate disputes regarding the issue and to encourage the return of cultural treasures. The return of artifacts is often riddled with complexities and gray areas, as it can be difficult to determine under what circumstances objects were taken, and research into these artifacts is often equally unclear and difficult to do. Colonialism caused many different forms of injustice, from illegally removing cultural artifacts to human rights violations that have been points of contention until today. Therefore, returning pilfered artifacts and assuming responsibility for colonial injustices not only is vital to furthering reconciliation between nations, but also to promote friendly international relations and international cooperation and communication.

VII. Questions to Consider

- Does your delegation have a history of being colonized? If so, does your delegation demand reparations (financial, cultural treasures etc)?
- What effect did colonization have on your delegation?
- Does your delegation have a history of colonizing others? If so, has your delegation paid reparations?
- Is your delegation currently in possession of artifacts from colonized areas? How were these obtained?
- Does your delegation plan to return artifacts to former colonies?
- Has your delegation returned cultural artifacts to former colonies?

VIII. Sources for further research

[Africa: States of independence - the scramble for Africa](#)- Al Jazeera documentary

This documentary outlines the effects that colonialism had on the economy and society of African nations and how independence was attained. It also gives some insight into the requests for reparations that are being made.

[What is colonialism?](#)- Blakemore, Erin (February 2019)

This article by National Geographic gives a good overview of the historical context of colonialism. It also provides an overview over many different aspects of colonialism and the effects it has had on nations today.

[A controversial article praises colonialism. But colonialism's real legacy was ugly.](#)-Kendhammer, Brandon (September 2017)

This article is a response to an article published in support of colonialism. It gives a lot of insight into the legacy of colonial rule by European nations

[Should museums return their colonial artefacts?](#)- Hunt, Tristram (June 2019)

This article deals with the disputes surrounding the return of artifacts during colonial times. It outlines a few recent examples of nations struggling to agree on measures that should be taken in response to colonial crimes.

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