

Translocations, National Heritage and the Restitution of Cultural Property in the 19th and 20th Century (6 ECTS)

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Works of art and cultural properties have been forcefully transferred from one location to another since the beginning of history, especially in times of war and revolution. During the 19th century, displacing cultural items became increasingly considered as a barbaric and illegal practice, violating international law and the cultural heritage of nations. In this seminar, we examine the attempts to legally protect cultural property against translocation and analyse current debates on the restitution of disputed items from an interdisciplinary perspective (law, history, cultural studies). We go back as far as to the Napoleonic Era, when masses of cultural assets were looted all over Europe and brought to France, and contemporaries heavily contested the legitimacy of these displacements. We also follow the development of legal instruments for the protection of cultural property from the 19th century to the UNESCO conventions of the 20th century. We discuss the role of Western museums in the collection of cultural items from European colonies and learn about the debates on the restitution of artworks to their countries of origin in the Global South. Particular attention is given to the mass plunder of art during the Nazi era and World War II and the restitution of Nazi-looted assets, which has been a contested issue until the present. Seminar members are assigned with an oral presentation in which they present individual cases of objects and their contested histories of displacement and negotiations over restitution. We are planning to make an excursion to the Humboldt Forum Berlin and/or other museums in one of the sessions.

GRADING (see example below):

Home essay (8 pp.):	40 %
1 presentation (10 minutes):	20 %
Participation/Engagement:	40 %

TERMS

Presence

Students are requested to attend to classes in order to get graded. **More than one absence will automatically lower your final grade after your point total is calculated**, unless you can **document** that **all** the absences are related to an illness and/or official university event. For each additional absence your final grade will be lowered by 1/3 (a B becomes a B-, etc.). Late

arrival and early departure will not be tolerated.

Policy on Academic Integrity. Students who violate University rules on scholastic dishonesty are subject to disciplinary penalties, including failure in the course and/or dismissal from the University. Since such dishonesty harms the individual, all students, and the integrity of the University, policies on scholastic dishonesty will be strictly enforced.

Your writing must be your own work. If you plagiarize egregiously on an assignment, you will fail the course. Simple rule of thumb: “If you use words or ideas that are not your own you must cite your sources. Otherwise you will be guilty of plagiarism.”

COURSE STRUCTURE

	Topic	Readings	Recommended
1	The Translocation and Restitution of Cultural Property during and after the Napoleonic Wars	Cecil Gould: Trophy of Conquest. The Musée Napoleon and the Creation of the Louvre, London 1965.	Bénédicte Savoy: Kunstraub. Napoleons Konfiszierungen in Deutschland und die europäischen Folgen, Wien/Köln/Weimar 2011.
2	The Law of War and the Protection of Cultural Property since the 19 th Century	John H. Merryman: Thinking About the Elgin Marbles. Critical Essays on Cultural Property, Art and Law, Alphen 2009.	Francesco Francioni / Ana Vrdoljak (eds.), The Oxford Handbook of International Cultural Heritage Law, Oxford 2020.
3	Archaeology and the Translocation of Antiquities	Peter France: Rape of Egypt. How the Europeans Stripped Egypt of Its Heritage, London 1991.	Suzanne L. Marchand: Down from Olympus. Archaeology and Philhellenism in Germany 1750–1970. Princeton 1996.
4	Museums and the Collection of Colonial and Indigenous Art	Dan Hicks: The British Museums. The Benin Bronzes, Colonial Violence and Cultural Restitution, London 2020.	Elazar Barkan / Ronald Bush (Hrsg.): Claiming the Stones, Naming the Bones. Cultural Property and the Negotiation of National and Ethnic Identity. Los Angeles 2002.
5	The Plunder of Artworks during World War II and the Restitution of Nazi-looted Art	Lynn Nicholas: The Rape of Europa. The Fate of Europe's Treasures in the Third Reich and the Second World War, New York 1994.	Michael J. Kurtz: America and the Return of Nazi Contraband. The Recovery of Europe's Cultural Treasures, Cambridge 2006.

6	The Quest for Restitution of Colonial Art since the 1970s	Bénédicte Savoy: Africa's Struggle for Its Art. History of a Post-Colonial Defeat, Princeton 2022.	Jos van Beurden: Treasures in Trusted Hands. Negotiating the Future of Colonial Cultural Objects. Leiden 2017.
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COURSE READINGS (Suggestions)

- Elazar Barkan: *The Guilt of Nations. Restitution and Negotiating Historical Injustices*, New York 2000.

Elazar Barkan / Ronald Bush (Hrsg.): *Claiming the Stones, Naming the Bones. Cultural Property and the Negotiation of National and Ethnic Identity*. Los Angeles 2002.

Jos van Beurden: *Treasures in Trusted Hands. Negotiating the Future of Colonial Cultural Objects*. Leiden 2017.

Elliott Colla: *Conflicted Antiquities. Egyptology, Egyptomania, Egyptian Modernity*. Durham 2007.

Margarita Diaz-Andreu: *A World History of Nineteenth-Century Archaeology. Nationalism, Colonialism and the Past*. Oxford 2007.

Peter France: *Rape of Egypt. How the Europeans Stripped Egypt of Its Heritage*, London 1991.

Francesco Francioni / Ana Vrdoljak (eds.), *The Oxford Handbook of International Cultural Heritage Law*, Oxford 2020.

Elisabeth Gallas et al. (eds.): *Contested Heritage. Jewish Cultural Property after 1945*, Göttingen 2020.

- Bianca Gaudenzi/Astrid Swenson: *Looted Art and Restitution in the Twentieth Century - Towards a Global Perspective*, in: *Journal of Contemporary History* 52 (2017), No. 3, pp. 491-518.

Jeanette Greenfield: *The Return of Cultural Treasures*. 3rd ed., Cambridge 2007.

Dan Hicks: *The Brutish Museums. The Benin Bronzes, Colonial Violence and Cultural Restitution*, London 2020.

Michael J. Kurtz: *America and the Return of Nazi Contraband. The Recovery of Europe's Cultural Treasures*, Cambridge 2006.

Federico Lenzerini (ed.): *Reparations for Indigenous Peoples. International and Comparative Perspectives*, Oxford 2008.

Staffan Lundén: *Displaying Loot. The Benin Objects and the British Museum*. Diss. Gothenburg University 2016.

Suzanne L. Marchand: *Down from Olympus. Archaeology and Philhellenism in Germany 1750–1970*. Princeton 1996.

John H. Merryman: *Thinking About the Elgin Marbles. Critical Essays on Cultural Property, Art and Law*. Alphen 2009.

John H. Merryman (ed.): *Imperialism, Art and Restitution*. Cambridge 2006

John H. Merryman/ Albert E. Elsen: *Law, Ethics and the Visual Arts*. Den Haag et al. 2002.

Lynn Nicholas: *The Rape of Europa. The Fate of Europe's Treasures in the Third Reich and the Second World War*, New York 1994.

Donald M. Reid: *Whose Pharaohs? Archaeology, Museums and Egyptian National Identity from Napoleon to World War I*. Berkeley 2002.

Thomas Sandkühler / Angelika Epple / Jürgen Zimmerer (eds.), *Historical Culture by Restitution? A Debate on Art, Museums and Justice*, Wien/Köln 2023.

Felwine Sarr / Bénédicte Savoy: *Rapport sur la restitution du patrimoine culturel africain*.

Vers une nouvelle éthique relationnelle, November 2018, <https://restitutionreport2018.com>.

Bénédicte Savoy: *Kunstraub. Napoleons Konfiszierungen in Deutschland und die europäischen Folgen*, Wien/Köln/Weimar 2011.

Bénédicte Savoy: *Africa's Struggle for Its Art. History of a Post-Colonial Defeat*, Princeton 2022.

Julius H. Schoeps / Anna-Dorothea Ludwig (eds.): *Eine Debatte ohne Ende? Raubkunst und Restitution im deutschsprachigen Raum*, Berlin 2014.

Elizabeth Simpson (ed.): *The Spoils of War. World War II and its Aftermath. The Loss, Reappearance and Recovery of Cultural Property*, New York 1997.

Ana Filipa Vrdoljak: *International Law, Museums and the Return of Cultural Objects*. Cambridge 2006.