

# Art of the Past: Who Owns It?

by Joan Altabe



## STOLEN ART

Close to 700,000 art objects that were illegally excavated and exported out of Italy have been recovered. Some say that looted treasure approaches four times that number. But no one knows for sure how much cultural property has been stolen. Besides *objets d'art*, nearly 10,000 books and manuscripts have also been pilfered. Which is only the number reported missing. Not all libraries know their losses.

Some collectors of stolen property are returning it. Last year, Princeton University Museum agreed to return eight antiquities. Maurizio Fiorillo, a government lawyer in Italy in charge of restitution issues, told the press that talks were “cordial but tough.”

How tough? The talks took eighteen months. And with the agreement to return stolen property came a reward: possession of seven other works, plus four-year loans of four additional works. Why the largess? Fiorillo said, “Italy doesn’t demand the return of looted art. It just wants to develop cooperation and fight clandestine excavations.” The thinking seems to be that if returned loot is rewarded, looting will stop.

## PLEA BARGAIN

The deal with Princeton is said to be the fourth between Italy and American museums, the other institutions being the Getty in California, the Met in New York and the Museum of Fine Arts in Boston.

Negotiations between Italy and the Boston museum, for example, focused on more than thirteen archeological artifacts proven to be swiped from Italian soil, including a statue of Sabrina (second-century consort to Emperor Hadrian). In a public statement, deputy director Katie Getchell said, “We didn’t want objects that weren’t rightfully ours.” It looks like the museum got a long-term loan for that acknowledgment.

Italy’s Culture Minister, Francesco Rutelli has characterized negotiations with institutions holding art of other lands as “complex.” You wouldn’t think that arranging to give back things that aren’t yours would be “complex,” especially given the number of codes in the U.S. that ban illicit exports.

## RULES OF THE ROAD

In 1970, a UNESCO convention banned illicit circulation of a country’s cultural property. In 1986, the International Council of Museums adopted codes that asked for due diligence

*The Elgin Marbles in the British Museum, London. Photograph © Andrew Dunn, 2005.*



for items entering a collection. The code was revised again in 2004.

But here's the thing. Compliance is voluntary. Another limitation has been pointed out by Manlio Frigo, a member of the Heritage Law Committee of the International Law Association: "Codes aren't neutral because they are the expression of the worlds which produced them."

Even despite all codes and ethical guidelines – national and international – several disputes remain unsolved – the 253 Elgin Marbles,

for example, which Lord Elgin, the British ambassador to the Ottoman Empire, removed from the Acropolis in Greece two centuries ago and sold to the British Museum. The museum has yet to return them.

Lord Elgin's excuse for taking the temple art and selling it to the British was that the Greeks didn't care about the sculptures and wouldn't take proper care of them.

But the fact is that when the Turks, who occupied Athens in the early 1800s, ran out of bullets in battling the Greeks and began

melting down the Parthenon's 2,300-year-old lead clamps for bullets, Greek soldiers sent bullets to the Turks to stop the defacing.

So much for the Greeks not caring.

### WHO'S MINDING THE STORE?

As for taking proper care of the marbles, the record shows that it's the British who haven't been careful.

William St. Clair, a British authority on the Elgin Marbles, told the *London Observer* about a British Museum cover-up he discovered in the diaries of museum official Roger Hinks, who disclosed that the antiquities had been badly damaged at the museum. Apparently, London's polluted air ate away at the marble because the museum didn't use proper air-quality filters until 1962.

St. Clair also blamed the museum for a bungled cleaning in 1938 when metal scrapers were used to scrub the marble to an alabaster white in order to show classical perfection. To mask the damaged surface, the museum coated the carvings with wax.

The cleaning was ordered by Lord Duveen of Milbank, the British Museum's benefactor, who, St. Clair said, made his fortune retouching old masters and selling them to gullible Americans.

### STATUTE OF LIMITATIONS?

Given all this, one may well ask, shouldn't the British Museum return the Marbles? The answer would be easy if Elgin's robbery occurred after 1954. That's when an international convention was adopted requiring all art expatriated in times of war

to be returned. A similar convention was adopted in 1970. It was on that basis that Iraq returned what it took from Kuwait's museum in 1990. It's on the same basis that the Seattle Art Museum has agreed to return a painting by Henri Matisse to the heirs of an art dealer whose collection the Nazis stole in France during World War II.

One can sympathize with the effort that film star Melina Mercouri made in 1983 when, as Greek Minister of Culture, she pleaded with the English to return the Elgin Marbles.

But robbing another country's art is an old story. Art has changed hands almost as often as political power has changed. If every museum were to return art treasures to their original owners, the walls of treasure houses worldwide would empty. The Louvre, for instance, would have to return its numerous old masters that Napoleon's armies looted from Italy and neighboring lands. And in Florida, where I live, the state art museum would have to return to the island of Cyprus its Cypriot collection, which archaeologist Luigi Palma de Cesnola dug up and carried off to the United States in the last century.

### WHO'S THE BEST CARETAKER?

Maybe it should come down to who best can care for the treasures. Greece has built a new museum at the foot of the Acropolis to house the Parthenon frieze. Given the British Museum's careless handling of the temple carvings, maybe it's time to return the Elgin Marbles to the Greeks.

Not according to Neil MacGregor, the Director of the British Museum, who told the

press, “You cannot reconstruct the building and you cannot put the sculptures back on the building – roughly half the sculptures have been destroyed completely... We’re talking about fragments, fragments of what was a great work of art, but which is now a broken and partial work of art. You simply can’t reconstruct it. So the current arrangement is more or less the ideal one. That is, you can see about half of what survives in the context of an Athenian story, and the other half in the context of a world story.”

At the very least, England ought to rename the work. Why are Greece’s antiquities called the Elgin Marbles? Shouldn’t they be known as the Parthenon Marbles?

### WHAT A REVOLTING DEVELOPMENT THIS IS

A report from a November fact-finding mission to Salonika (Greece’s second largest city) – soon to appear in *Image Magazine* – has come to my attention and it dashes the country’s righteous indignation to dust.

The report, complete with pictures, demonstrates that when it comes to stealing, Greece is not innocent. What’s more, the stolen property in question is not a cultural artifact, but a sacred resting place.

Two thousand-year-old gravesites in the Jewish cemetery of Salonika, which held more than 400,000 graves, have been robbed. After the Nazis razed the burial ground in 1942, witnesses say that the Greeks used the dislodged marble headstones to build their houses.

Then, in 1946, the Greek government gave

the Jewish cemetery to Aristotle University to build on. Some remaining headstones in the untouched forested area on the university campus have been spotted, but there is no official memorial to the thousands of Jews buried on the campus.

The U.S. State Department, responding to letters of complaint, says that the Greek authorities deny damage to Jewish burial sites. But the fact-finding commission, with aerial photos taken as recently as the middle of November, shows otherwise. The fact-finders also witnessed workers exhuming whole skeletons.

Until this desecration is addressed, all bets are off, and the British Museum can keep the Elgin Marbles. Not that keeping the marbles does the ancient gravesite any good. But a country that profanes hallowed ground warrants zero consideration. ☞

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