Can Dominant Narratives of Colonialism and Identity Explain the Divergence of Approach to the Restitution of African Artefacts in France and the United Kingdom

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ABSTRACT

This thesis investigates whether dominant narratives of colonialism and identity can explain the different approaches taken by France and the United Kingdom to restitution. This assertion is grounded in the contention that a shift in the dominant narrative surrounding restitution has occurred in recent years, and that France has leaned into this narrative shift. This is evidenced through the return of 27 artefacts to African nations as part of Macron's 2017 promise to return African heritage to Africa, while the United Kingdom, despite holding the largest collection of Benin bronzes in the world, have failed to recognize and act on this development. This thesis engages in a narrative analysis to observe whether this difference can be explained by the interaction of the configured and successional narratives of colonialism and identity promulgated in both contexts.

CHAPTER ONE

Introduction

1.1 Preliminary Matters

Efforts to decolonise Western institutions have recently made their way from the fringes of academic philosophy into the mainstream social conscience, manifesting in tangible movements that have set their weight against established facets of Western society. Movements to tear down statues that celebrate racially controversial figures,[1] the Black Lives Matter protests, and the depiction of plundered African artefacts in Marvel's 'Black Panther' (Cascone, 2018), reveal a tangible change in attitudes towards the reclamation of cultural identity. A fundamental cornerstone of this public awakening is the debate surrounding the fate of cultural artefacts obtained by European powers from former colonies in the nineteenth and twentieth century, which rest to this day in Western museums and private collections.

Movement towards restitution has been a Sisyphean task for the governments of former colonies. Despite decades of requests (Gbadamosi 2022), Western museums have been historically steadfast in their refusal to return disputed artefacts, relying on perennial arguments that museums are a universal repository of culture,[2] that the artefacts can no longer be said to 'belong' to any particular group[3] (see; Appiah 2016, p.213), or that countries of origin lack the necessary resources to protect these artefacts[4] (Willet 2000) The end of the last decade however, saw a monumental shift in favour of former colonies being reunited with their cultural heritage. The Nigerian Government have been partially successful in forming agreements with institutions such as the University of Aberdeen (Bakare 2021), Berlin's Humboldt Forum (Greenberger 2021) and the Smithsonian (Ault 2022), to return the

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[1] See; 'Confederate and Columbus statues toppled by US protesters' BBC News, (11 June 2020) available at: https://www.bbc.com/news/world-us-canada-53005243

[2] See; (Curtis 2006) for a discussion of the universalist language in the 2002 Declaration on the importance and value of universal museums.

[3] Appiah asks what it means to 'belong to a people?' he notes that 'most of Nigeria's cultural patrimony was produced before the modern Nigerian state existed.' Giving the example of the Nok sculptures created in western Africa thousands of years ago, he tells us that we do not know who they were commissioned by, or for what purpose, or whether they were considered to be the property of deities, a kingdom, an individual or a lineage; 'One thing we know for sure, however, is they didn't make them for Nigeria.' (*ibid*.)

[4] Despite Nigerian requests, the British Museum did not return the Mask of Queen Ida during the FESTAC celebration in 1977 despite her being the mascot of the festival due to concerns of potential damage during transit (see; Phillips 2021).

Benin Bronzes, a series of thousands of historically and culturally significant works of art removed by British forces during a punitive raid of the former Benin Kingdom in 1897. Similarly, France have been proactive in the return of 26 articles to modern-day Benin,[5] along with a sabre to Senegal and a crown to Madagascar (Harris, 2022) all within the past year.

Despite this seemingly unanimous progression in favour of the return of artefacts to their countries of origin, a glaringly obvious discrepancy emerges between the approaches to restitution taken by two former imperial powers; France and the United Kingdom. Both nations carried out similar historical attacks against African kingdoms, which resulted in the removal and circulation of thousands of items of cultural importance. France plundered the former Kingdom of Dahomey, in modern day Benin in 1892 in the process of converting it into a colony (Nayeri and Onishi, 2021), while the United Kingdom carried out a 'punitive expedition' against the Kingdom of Benin (located in modern day southern Nigeria) in response to the killing of a British party, and to force the kingdom to comply with their trading terms (Igbafe 1970, p392, 397).

Despite the contextual similarities, France is considered a European trailblazer for restitution. Most notably, President Macron made a promise in 2017 that he intended to temporarily or permanently return all African heritage to Africa within five years (Macron 2017). He has so far followed through with this promise with the return of the aforementioned 28 artefacts.[6] Meanwhile, in the United Kingdom, national institutions such as the British Museum and the Victoria and Albert Museum, despite holding the largest collection of Benin Bronzes in the world, have remained notoriously stubborn in their refusal to return disputed colonial artefacts, grounding their position in the universalism of museums and the provisions of the British Museum Act 1963.

Their response to this shift has been to adopt a 'retain and explain' policy which allows institutions to circumvent the pressure to return artefacts, while ensuring accurate historic context is given for their history and provenance. The UK's Culture Secretary expounds this position by arguing that instead of removing and ignoring controversial objects, they ought to be left to educate the public about the past (Dowden, 2021).

Both jurisdictions have similar national legislation in place that created obstacles to restitution, as will be explored in more detail in the following chapters. In fact, the nature of

[5] The former Kingdom of Dahomey, not to be confused with the Kingdom of Benin which is located in modern day South-West Nigeria.
[6] Although the crown returned to Madagascar is on a long-term loan, and not a permanent return (Harris 2022).

the legal obstacles facing the French government were considerably more difficult to circumvent, while the UK have made exceptions to their national legislation in the past to allow for the restitution of Nazi looted art. Therefore this discrepancy cannot be attributed to legal differences. The law however, remains a prominent aspect of the analysis within this thesis due its use by institutions to justify retention and the ability to trace the change of narrative through its application.

In researching potential reasons for these different approaches, it became apparent that one area of difference between both contexts was the dominant narratives of colonial history promulgated among both nations. Perhaps then one of the most potentially salient and under researched elements that could explain the discrepancy between the French and British approach lies with the role of dominant narratives. Specifically how narratives of colonialism and narratives of national identity intersect to shape the laws and cultural policy of that nation, as they apply to the restitution of cultural heritage.

While disciplines such as critical race theory (see; Williams 1991) and feminist scholarship (see; Abrams 1991) have already turned to the study of narrative, the study of the role of narrative in international relations or law is relatively novel and lacks a large body of precedent. We as human beings are a social species who came to evolve as we did as a result of our ability to tell stories (Smith 2017). Narratives are the cognitive mechanism we make use of to interpret and make sense of the world (Scwab and Malleret 2022), and are therefore a lucrative heuristic tool we ought to employ when engaging with academic subjects that have thus far relied on more traditional scientific metrics of study.

Narratives are also inherently prone to the erasure of nuance. Understanding of a given matter is often constructed in terms of binaries; good or bad, success or failure. The conceptual lens of narrative, although useful, inherently relies on essentializing and reducing issues to digestible and familiar components of a story, to the detriment of other elements.

Secondly, the term ‘narrative’ can have numerous connotations. It can refer to a strategic or active action employed by an actor in order to frame an issue in a particular way, or it can be used to describe dominant public discourse, which stems from prior shared narratives. Windsor describes this distinction as 1) configurational and 2) successional narratives (Windsor 2015 p.744). More often than not, dominant narratives are formed through a combination of both pre-existing and purposefully reinforced narratives. There is therefore a feedback loop between the creation and the perpetuation of narratives. An example of the configuration of a narrative in popular culture with a direct impact on policy is the 1975 film ‘Jaws.’ Despite being ‘generally considered harmless’ throughout the

majority of history (Romeo 2020), the narrative configuration of sharks as blood-thirsty villains who must be destroyed, subsequently legitimized Western Australia's shark culling programs (even of endangered species), despite evidence that such programmes were ineffective in preventing attacks[7] (Neff, 2015).

It is therefore the aim of this thesis to turn to the study of narrative in order to investigate whether the difference between France and the United Kingdom's attitude, and subsequent response to the question of restitution, can be attributed to differences in the composition of the various stories perpetuated and believed about colonialism and identity in both contexts. I hope to demonstrate that a focus on the operation of narrative can be a lucrative tool to make sense of legal and political developments in the context of cultural restitution, and hope to encourage the application of similar studies to a diversity of contexts in the future.

1.2 Theoretical Framework

The subject matter and aim of this thesis allow it to fall within the theoretical scope of postcolonialism, however this is something that will only be adhered to in a loose capacity. The critical project of postcolonialism emerged in response to the idea that following the conquest and colonisation of non-western lands, European powers set about establishing control of world affairs by 'writing the history of 'Man' in its own self-image' (Grovugui 2013, p.247). However, as Leela Gandhi notes, the problem with the 'loose and nebulous' term of postcolonialism is its lack of 'originary momentum and coherent methodology' (Gandhi 2019, p.xiii) which makes its scope notoriously difficult to define. The most helpful conceptualisation for the purpose of this thesis is the one given by Watson and Wilder which firstly narrows its scope to the period and processes that emerged after the end of colonialism, it secondly gives specific attention to the social formations that arose out of this time. Thirdly, it deals specifically with the epistemological implications of these two elements (Watson and Wilder 2018, p.3). The following quotation provides the core assumption of the postcolonial project as follows;

> 'how colonial assumptions, logics, and arrangements shaped the Western concepts through which a purportedly universal (social) science claimed to produce knowledge

[7] In fact, Peter Benchley, the author of the book 'Jaws' upon which the movie is based spent the rest of his career engaged in conservation efforts to protect sharks from the stigma his creation had unleashed. (Dowling, 2014)

of the (non-Western) world during the colonial epoch" and even into the present' (*ibid*).

Although this thesis will engage in the an analysis of the aforementioned pursuits, the reason for only loosely situating this thesis within postcolonialism, apart from the lack of clarity surrounding its theoretical components, is due to two other criticisms. Firstly, postcolonialism depends on a narrative of a cultural centre of power (the West) and the peripheral 'other.' Instead of dismantling the binary, the focus on recentring, or subverting it inadvertently reinforces its reality. As Kaps and Komlosy put it, postcolonialism; 'locates the centre of gravity of historical agency in north-western Europe' (Kaps and Komlosy 2013, p.238). I am conscious that by focusing on Western narratives this thesis could inadvertently contribute to this narrative that continues to strip former colonies of agency in the name of progress.

A second common criticism is that the framework of postcolonialism is overly reductive and doesn't apply in many complicated geographical contexts outside the strict relationship of former coloniser and former colony (Niazi 2021). This thesis pertains to colonial relationships between European powers and former sub-Saharan colonies, rendering this criticism irrelevant in this case, but as a theoretical flaw it offers another reason to avoid a strict adherence to postcolonial theory.

1.3 Research Design and Methodology

The primary methodology that will be employed in this thesis is a comparative case study analysis. This comparative study will include elements of both inductive and deductive research, as the purpose of comparing the British and French approaches to restitution is with a view to testing the general hypothesis that the disparity could be explained through the different dominant narratives surrounding colonialism and identity in both contexts.

The second methodology employed in this thesis is therefore a narrative analysis. This analytic methodology hinges on a common supposition that stories are a mechanism used by individuals to create a sense of order and logic in their interpretation of the world (Figgou and Pavloupos 2015, p.6). However, approaches to narrative analysis can vary drastically, and have been described as a 'cluster of analytic methods' (*ibid*.) For the purpose of academic clarity however, the two primary aspects of narrative analysis that will be employed in this thesis are as follows: Firstly, the idea that narratives are the means by which events are made digestible, implies that familiar binaries are employed both at the level of

narrative creation and at the level of narrative interpretation. The use of these binaries implies that consciously or not, certain elements are emphasised while others are reduced or hidden all together (Hicks 2020, p.47).

Secondly, this thesis relies on Windsor's conception of narrative as configurational and successional (Windsor 2015 p.744). Narratives can be configured, or constructed (whether consciously or not) and they can be successional, or passively perpetuated once established. Dominant narratives therefore often emerge as the result of the interplay between both configurational and successional narrative creation and perpetuation. In order to carry out a narrative analysis in the comparative case study of this thesis, relevant events will be examined in terms of 1) the elements that are polarised and either emphasised or reduced and 2) their configurational and successive value to establish what constitutes the 'dominant narrative.' Although there is no way to prove that a given policy is explicitly the result of a particular narrative, this study can trace the correlative relationship between the dominance of a particular narrative and the enactment of a particular policy to draw tentative conclusions to that effect.

i. Thesis Structure and Chapter Outline

The following chapter contains a literature review in order to provide an outline of the pre-existing academic work in this area and to provide context for the content of this thesis. The third chapter examines how the narrative of civilisation was used to legitimise the removal of the Benin Bronzes and other colonial artefacts, tracing how this narrative was perpetuated through codified and customary law and including a brief history of the Benin Bronzes and how they came to be in Western museums. The fourth chapter will then engage in tracking the events that lead to a shift in the dominant narrative in favour of restitution. The fifth and sixth chapters explore the case studies of France and the UK. These chapters will analyse how both states have responded to the shift towards restitution before analysing the respective narratives of colonialism and identity in both contexts in order to draw conclusions about the influence of these narratives on the response to restitution. The final chapter will contain a conclusion and summation of the findings of this research.

ii. Positionality

The first limitation in undergoing this thesis is the potential manifestation of any of my own unconscious subjectivities that might emerge in my role as a narrator. Although I have been conscious of writing from a position of neutrality, I am aware that the means by

which I present the information I have researched may bias opinion. To situate myself as narrator, I am a white Irish female writing from within the theoretic location of 'the West.' Ireland also sits in the periphery of the postcolonial binary as a western country that was a former colony.

iii. Limitations and Delimitations

Despite being a lucrative heuristic for analysis, the fluid and undefined nature of narratives naturally create difficulties in the formulation of concrete conclusions. Although this is something that other academic disciplines such as sociology have learned to contend with, it can be difficult to argue the validity of such an academic pursuit of more traditional academic contexts. It is my belief that such approaches may however be of genuine academic value as they can reveal truths that would otherwise remain hidden, even if they don't meet the metric of strict science.

Secondly, in dealing with the topic of narratives that stretch back throughout history, I am aware of the risk of essentializing and overly-reducing the construction of narrative, and correlatively, national identity, throughout a given timeframe. I believe I have gone some way towards rectifying this potential error through limiting the scope of my thesis to the common elements of dominant narratives, as opposed to nuanced or outlying narrative strands. The purpose of this is not to reduce or essentialise, but to trace the strongest components of narrative as they correspondingly have generated the largest impact on policy.

Thirdly, the scope of this study has been limited to the examples of France and the United Kingdom as former imperial powers, while the scope of the contested artefacts have been limited to those from former African colonies, with a specific emphasis on the Benin bronzes. This delimitation ensures that the content of the thesis remains within the traditional bounds of postcolonial theory. In carrying out any comparative case study there is a danger of drawing generalised conclusions based on specific realities. In order to offset this, the conclusions drawn from this thesis are limited to the specific context of this study.

CHAPTER TWO

Literature Review

The purpose of this chapter is to situate this investigation within the pre-existing literature to provide academic context and to demonstrate how this thesis will be a valuable contribution to the academic literature within this field. The question under consideration is whether narratives of colonialism and identity in France and the United Kingdom can explain the different approaches taken by those nations to the problem of restitution. In order to achieve this, this section will first engage with the broader academic debate surrounding restitution to contextualise the present analysis, before expanding on work done specifically on narrative in this area. The debate surrounding restitution has demanded significant academic attention in recent years, due to its ethical, historic and political ramifications. The central source of academic tension lies between the role of museums as either universal depositories of culture that ought to be protected, or as bastions of colonial imperialism that ought to return artefacts to the cultural groups to whom they are said to belong. There has also been a movement within academia to embark on re-storying missions to challenge perceptions of history and colonialism. Although this thesis does not embark on a re-storying mission, it build on the ideas of these academics to trace the content and configuration of dominant narratives, in a novel attempt to explain why two similar nations have taken diametrically opposing approaches to restitution.

i. The Culture of Mankind

The primary academic debate in this area lies at the tension between the universality of museums and the postcolonial view that artefacts belong with the groups from which they have originated. Some critics endorse the notion that museums are universal institutions, thus rendering the need for restitution futile. (Ortiz 2007; Jones 2015). The position that museums are the repository for the culture of the world relies on the logic that culture belongs equally to all of mankind. Such a position is supported by critics from the school of cosmopolitanism who believe that a link between a specific group of people and a given object ought not to be emphasised over the cosmopolitan connection between said object and all other people. (Appiah 2009, p.221) This stance arises from a constructivist position that understands the

connections between all people and objects as imagined. Therefore one connection should not be prioritised over another . Similarly other critics of restitution argue that artefacts transcend their original meanings once in a museum (Jenkins 2016), or that the restitution debate itself is an unnecessary politicisation of culture (*ibid*.). Naturally many other critics disagree, and argue that museums are an inherently political field that wield vast amounts of soft power (Muscat 2020, p.2; Sylvester 2016, p.6). Similarly, the cosmopolitan argument has been criticized for postcolonial naivety. Although the argument to explore 'other connections' between an object crafted by a people and all other people on earth is not to be immediately dismissed, it should not be used to negate or diminish the colonial power dynamic that might be somewhat restored through restitution.

Despite its criticisms, the argument for museums as a universal repository for culture is endorsed in a 1939 IMO report for the League of Nations, further protected in the 1954 Hague Convention and more recently, reinstated in the 2002 Declaration on the Value and Importance of Museums. The 'culture of mankind' logic made sense during war time as collectivist rhetoric to instil a responsibility for cultural protection during conflict. In post-war times however, an awareness of the role played by cultural heritage in national and cultural identity emerged. (Lewis 1981, p.437) Despite this, the aforementioned 2002 Declaration, which protects the universal role of museums was initiated by the British Museum and signed by a number of other institutions.

ii. The Decolonial Turn and Cultural Identity

The counter argument to universalism has two main tenets, both can be understood in the context of what has been described as the 'decolonial turn' or 'postcolonial shift' in academia (Bahari-Leak 2019, p.61; 64), which emphasises challenging the dominance of colonial epistemologies. The first tenet consists of the idea that cultural heritage is meaningful for national identity. Critics argue that access to cultural heritage in order to cultivate a sense of history and identity is not only necessary for self-actualisation on an individual level, but is a necessary element of nation building (Light and Dumbraveanu-Andone 1997, p.30). The retention of African artefacts in western museums can therefore be understood as perpetuating colonial power dynamics by depriving the countries of origin, not only of their artefacts, but of their ability to evolve as a coherent and self-actualised nation. This position is also grounded in research which corelates mental and physical well-being with a strong sense of cultural identity (Simpson 2009, p.122).

The second tenet of the counter argument to universalism is grounded in the postcolonial idea that the language of universalism inherently traces, and thus perpetuates, the language of colonialism. This is done by implying that the Western museum is universal, but the countries of origin are specific (Ahmed 2020). Critics contend that 'universalism' is in fact grounded in a Western essentialism of other cultures as opposed to true universalism, as Western museums exist in a subjective context like all other cultural groups (Curtis 2006, p.117). Universalism is also argued to perpetuate the narrative of European nations as 'benevolent saviours' and 'protectors' of artefacts (Duhennois 2016, p.124). Such a construction casts the countries of origin in a light of uncivilised inferiority, reminiscent of colonial narratives (*ibid*.). There are however, some critics of restitution who ground their argument in postcolonialism. Nilsson Stutz, while acknowledging the importance of access to cultural heritage for cultural identity and nation-building, also expresses concern that the process of restitution, in establishing the ownership rights of different cultural groups, inherently involves biological essentialism of non-white groups, equally reminiscent of colonial times. (Nilsson Stutz 2013, p.17).

However, the dominant postcolonial position can be said to lie on the side of restitution, as evidenced by the Sarr-Savoy report commissioned by President Macron as a precursor to the French returns of artefacts. The ultimate message of this report is that amends through restitution must be made for colonial wrongs against Sub-Saharan African nations. The authors limit the scope of this argument to this context, due to the fact that Western museums hold a disproportionate amount of artefacts relative to what has been left in sub-Saharan countries of origin. This report demands a rethinking of the narratives surrounding museums and artefact acquisitions that have gone unchallenged in the past. The analysis within this thesis is grounded in the context of this and other re-storying efforts, outlined below. It builds on their retellings to analyse the causative role of narrative in shaping restitution policy, with a view to providing an explanation for the reason for France and the United Kingdom's opposing responses.

iii. A Move Towards Re-storying

Academic discourse on restitution is gradually turning to look towards narrative as a heuristic. The work done by Igbafe in his article 'The Fall of Benin: A Reassessment' (1970) and Home in his book 'City of Blood: Revisited' (1982) established the precedent for challenging established narratives about the history of the plunder of Benin. Hick's book 'The Brutish Museums' (2022) builds on these works and extends their critical challenge to

the narratives that have legitimised the retention of artefacts in museums. He introduced the notion of 'white projection' to demonstrate how a narrative of victimisation of white people was constructed in order to legitimise the actions taken against African countries. He contends that there is a 'lag' in progress due to the British failure to come to terms with its colonial past (Hicks 2022, p.38).

Satia embarks on a similar re-storying process to challenge the history of the discipline of history itself. She argues that the discipline developed to provide Western liberals with 'ethical tools' which allowed them to justify the violence being carried out against colonised people (Satia 2020). In the context of France, Duhennois' work engages loosely with narrative in analysing how French identity is being reconstructed in conjunction with restitution. She builds on Bancel, Blanchard and Vergès' (2003) work to analyse the challenges France underwent in processing their colonial legacies, along with other French works which focus on the manipulation of narratives of colonialism in order to shape French national identity (Le Cour Grandmaison 2006; De Cock and Schill 2010). She argues that the political act of restitution is being used to reconstruct postcolonial French identity in a positive light, designed to obscure the colonial history of the republic and circumvent the need to implement authentic structural reform (Duhennois 2016).

ivi. A gap in the literature

The study of the role of museums in IR is a relatively novel area of research, as outlined by Sylvester in 'Art/Museums – International Relations where we least expect it.' (2009), Poovey (2004) and Carrier (2006). Even less attention has been paid to the role of restitution specifically within the discipline of international relations (Duhennois 2016). Similarly, the 're-storying' efforts previously outlined are an amalgamation from different academic disciplines, and don't engage in the function of explanation inherent in the study of international relations. There has yet to be an attempt to apply these efforts to rewrite narratives of colonial plunder within the discipline of international relations as a research tool to actively solve a specific problem. This is the gap that this thesis aims to fill by building on works done on narrative in the context of restitution to create a hypothesis that can be applied to a specific issue, namely; why France and United Kingdom, despite similar colonial histories have taken polarised approaches to the return of African artefacts.

CHAPTER THREE

A Shift in Narrative: Civilisation and the Plunder of Benin

The first point I wish to establish is that a shift in the dominant narrative, or a collective 're-storying' (Hilson 2022, p.14) has occurred surrounding the presence of African artefacts collected during the colonial era in Western museums. I argue that dominant narratives underwent two transformations in this regard. Firstly, the successional power of the narrative of civilisation, dominant during the nineteenth and twentieth century, configured through codified and customary law, legitimised the looting and display of artefacts,[8] which will be illustrated with the example of the Benin bronzes. The next step is to then trace the gradual, decades long shift in this narrative, which reached something of a critical turning point by 2018 following the publishing of the Sarr-Savoy report and the widespread success of Marvels' 'The Black Panther.' Before this point, as the narrative against colonialism became stronger, museums reconstructed a new narrative to legitimise the retention of artefacts, the idea of western museums as universal repositories for culture. This narrative was successful in silencing dissenting voices until the second 'transformation' which built on the combined impact of events such as the Black Lives Matter movement, President Macron's speech, and Marvel's 'Black Panther.' For decades, the Benin Bronzes have been emblems of the African struggle against colonial plunder (Duhennois 2016, p.121; Shyllon 2015), however I argue that the dominant narratives of colonialism in a Western context only aligned with this view after this aforementioned critical turning point.

This turn, or re-storying, saw the meaning of the Benin Bronzes, and colonial era African artworks shift in the dominant western narrative, first from curiosities or 'treasures,' legitimately obtained as trophies of conquest, to legitimately retained pieces of 'universal' history, and finally to indefensible symbols of colonial shame.

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[8] It is important to note that there were many notable voices of dissent. As Herman notes; 'Following the Maqdala expedition by the British Army into Abyssinia … Prime Minister Gladstone stated in Parliament that he "deeply regretted" that the treasures had been taken, expressing sorrow that items so sacred to the Abyssinians "were thought fit to be brought away by the British army". Noting that the Kebra Nagast, the holiest book taken from Maqdala during this expedition was in fact returned four years later. (Herman 2018)

3.1 The Narrative of Civilisation

The traditional position that legitimised the retention and display of colonial loot was grounded on the construction and perpetuation of the narrative of civilisation, which was codified in written law and reinforced through customary law and media representations of artefacts. This Eurocentric narrative was a primary building block in the development of the international legal system, yet it has been ignored in its capacity as 'a catalyst for the international development of cultural heritage norms.' (Spitra 2020, p3) The story told by this narrative was that powerful European nations had reached an optimal level of civilisation, and therefore it was their moral obligation to raise other nations to that same standard. Consequentially, this narrative obscured the reality that the institutions created in colonised countries established a remote and patrimonial type of politics that did not encourage participation of its subjects (Ikejiaku 2013, p.344), in order to legitimise the actions of Imperial powers.

Spitra argues that modern cultural heritage law still reflects its colonial roots, and that modern restitution debates therefore arise from the 'ongoing problematic legal constellation' that result from the failure to address the embedding of these imperial values within the law. (Spitra 2020, p.329). Ikejiaku puts it as follows; 'in the past, international law was used by the Westerners to legitimise colonialism and all their acts of exploitation in the developing countries. In the modern period, international law is predominantly used to protect, project and promote (3Ps) the interest of the Westerners' (Ikejiaku 2013, p.337).

The legal and social reinforcement of this constructed, or 'configurational' narrative of civilisation meant that in the nineteenth and twentieth centuries, a state had to fit the criteria of 'civilisation' in order to be considered a member of the community of states and fall under the protection of international law (Anghie 2001, p.25). The function of the codification of this narrative was to create a dual system of 'universal' principles of law, such as the rule against the plunder of cultural artefacts, that applied to 'civilised' countries, but did not interfere with the process of colonialism, and events such as the 'scramble for Africa.'

This was codified in numerous different ways. Article 22 of the Covenant of the League of Nations employed a tiered system to distinguish between the 'civilisation stage' of nations to coordinate the control of antiquities. The distinctions were drawn between the Turkish Empire, Central Africa, and thirdly, South West Africa and some south pacific islands. (The Covenant of the League of Nations, 1919).

The final draft of the International Museums Office Convention for the Protections of Cultural Artefacts in 1939 contained openly discriminatory policies that allowed for a double standard according to 'civilisation.' Although never ratified, this is a clear demonstration of the dominant narrative surrounding the acceptability of discrimination on the basis of 'civilisation' (Spitra 2020, 339). Article 12 of this Convention states that the contracting parties had no obligation towards its colonies or protectorates whatsoever in the application of cultural heritage norms, reinforcing the dual narrative of the rule against plunder depending on civilisational status.

In a 1926 report referring to the artefacts of the French colony of Indochina, colonial minister of France, Édouard Daladier states that 'the protection of these treasures is a task that imposes itself imperially on the French authority […]' (Le Ministre des Colonies, 1926)

The active, configurational reinforcement of the narrative of civilisation was necessary in order to ethically legitimise the act of colonialism itself, and subsequently the removal and display of artefacts. As O'Farrell notes; 'Any ethic of conquest (and civilisation demands ethics if not morals) postulates the inferiority of those subjugated; ethical inferiority, not merely inferiority in strength.' (O'Farrell, 1971, p.25). Not only was the active propagation of a narrative of inferiority through the narrative of civilisation an element of colonisation, it was critically dependant on it.

We can see the configuration of this narrative in the context of written law, but its passive or successional strength can be seen by its presence in customary law. Customary law is law that is not codified but is considered binding as it has become a tacitly agreed upon element of state practice. Customary law has a subjective and material element. General and widespread state practice being the material element and '*opinio juris*' which is a feeling or belief of acceptance being the subjective element (Zhang 2018, p.947). It therefore relies on an unspoken agreement of a certain principle, and the reinforcement of this agreement through state practise.

Zhang argues that although prior to the Hague Convention of 1899 no reference was made to the protection of cultural property in any conventional law, the rule against plunder had in fact become an established part of customary international law by the beginning of the nineteenth century (*ibid*. 946). While Zhang conducts an intertemporal law analysis and argues that the rule against plunder was founded in eighteenth century customs of war, and that the only remedy for violation of this rule is restitution, for the purpose of this thesis it is sufficient to note that by the nineteenth century this principle was undoubtedly in force. Following the 1813 defeat of Napoleon (85 years before the plunder of Benin), it was

unanimously agreed that his collection of European artworks in the Louvre were to be returned as a matter of customary law (*ibid*. p.952).

Notably, the most prominent figures advocating for the restitution of Napoleon's loot were Foreign Secretary Castlereagh and the Duke of Wellington, the heads of the British delegation to Paris at the time (Herman 2018). Wellington personally assisted the King of the Netherlands in having the Dutch collection returned, while Castlereagh is quoted as describing Napoleon's actions as 'contrary to every principle of justice, and to the usages of modern warfare' (*ibid*.)

Wolfke notes that; '[i]llegal acts can, and often do, create opportunities for emphatically confirming the customary rule which has been violated, thus in fact strengthening it.' (Wolfke 1993, p.8) The reaction to Napoleon's looting, which occurred decades before the plunder of Benin, along with instances that occurred years after, such as the theft of art during both world wars, demonstrated this. This outrage did not extend to crimes against customary international law in Africa, however. For example, while the Laocoön returned to the Vatican, Medici's Venus returned to Florence, and a collection of cranachs returned to Prussia (Herman, 2018), Egypt's Rosetta Stone, the item which contains the key to the translation of Egyptian hieroglyphics, was taken from the French and handed over to the British, where it still sits to this day. Articles 47 and 56 of the Hague Convention enshrined the rule against plunder, an instrument that was introduced the year after the plunder of Benin. Considering the lengthy process of finalising such a convention it is evident that its sentiments were prevalent prior to the plunder of Benin (Herman 2018).

The example of Napoleon's loot reveals the clear double standard surrounding colonial and European artefacts, legitimised through the narrative of 'civilisation.' This was the context within which the Benin Bronzes were first displayed in 1897 and even as recently as 2018, as noted in the following section, the narrative of a justified retaliation in which the artefacts 'fell' to the soldiers has been perpetuated to justify their retention.

3.2 The Benin Bronzes

It is in the context of this split narrative surrounding the rule against plunder that the Benin Bronzes, a term that refers to the thousands of plaques and sculptures stolen from the city of Benin in 1897 were taken by British forces. Although this term also includes objects created using materials such as ivory and brass, the majority consist of bronze cast plaques, heads and figurines made by artists who were part of a guild employed by the Oba of Benin. These artists developed a style wholly unique from that of other nearby regions (Konde 2014,

p.6), which involved a 'lost wax' or *circe-perdue* technique in which molten metal is poured into a wax covered mould (Philips 2021, p.7). This guild still exists, and to this day, the work of the crafters can be seen on Igun Street, five minutes from the Oba's palace. (*ibid*. p.10)

One story traces the tradition of casting to 1280 while other stories trace the origin of the craft in Benin to hundreds of years earlier. (*ibid*.) Animal symbolism including leopards and mudfish feature heavily in these pieces as they represent the oba, whose palaces and shrines these carvings were intended to decorate. These symbols also reflect the animist spiritualism of the edo people (*ibid*. p.12). One significant purpose of these casts were historical record keeping. Each time an Oba died, a bronze cast would be made of them, maintaining an artistic record that dated back centuries.

The work produced by the casters today has been criticised as not comparable with the works of their forebearers. Philips poses the pertinent question however, of where inspiration ought to come from without access to the originals:

> 'Today's casters can see only a small proportion of the old art and rely on magazine and internet photographs to study their ancestor's greatest works. The canon of Benin's art, the encyclopaedia of its civilisation, was stolen, and is scattered across the globe' (*ibid*. p.10).

i. Benin and the British Empire

The premise for the 1897 plunder of Benin was established twelve years in advance during the 1885 Berlin Conference (Tuggar 2021). This period of time (1884 – 1914) is referred to as the 'Scramble for Africa' in which European powers carved up the African continent into protectorates, colonies and free-trade areas. (Michalopoulos and Papaioannou 2016) Although Benin managed to maintain its independence during the 'Scramble' (Igbafe 1970, p.389), Britain's possession of the Niger Delta Atlantic Coast as a 'foothold' created the means by which they could drive a punitive force towards the inland kingdom of Benin when it was in their interests to do so.

The Benin Kingdom was established in 11AD and had maintained largely friendly economic relations with Europe for over four centuries. The Oba operated within the traditional close-door system of his ancestors with total control over trade and customs duties. Relations between Britain and the Benin Kingdom took a turn when a Treaty was brought to the Oba by British officials in 1892 which delivered Britain with the legal grounds to hold the Oba accountable for trade practises that they considered 'obstructionist' (Igbafe

1970, p.387). There is a significant question mark over the extent to which the contents of this treaty were explained to the Oba and thus the validity of his consent, (*ibid*.) Despite this treaty the Oba continued his trading practises, thus leading Sir Ralph Moor, the Consul General at the time, to write to the Foreign Office seeking permission to use force to depose the Oba (Moor 1896).

The Foreign Office had not yet replied to sanction the use of force when James R. Phillips, who took over as Commissioner and Consul-General of the Niger Coast reissued the request; 'I am certain that there is only one remedy, that is to depose the king of Benin from his stool' (Philips 1896). Without following proper protocol and waiting for a response from the Foreign Office, Phillips set out for Benin with several trading representatives and protectorate officials, they were met on arrival by messengers who brought the Oba's thanks and refusal to meet with them as there were traditional festivities happening in the kingdom. They noted that he would however be happy to meet with them the following month. Despite this, and despite being warned by Itsekiri traders that Benin soldiers were taking up defensive positions along the Ughoton Creek, Phillips party decided to continue, sending the messengers back to the Oba with their intentions. The following day they were met once more by the messengers, again warning the party to delay their journey, a request which was again refused. The following day the party were met by an ambush and all but two members were killed.

The consequence of these events was the organisation of a large punitive expedition with the intention of destroying Benin to the point, as Moor wrote, that; 'the echoes of the fall of Benin would be heard .. for hundreds of miles.' (Moor 1897)

The protectorate now had cause to destroy the obstacle Benin posed to the expansion of their political and economic empire using a three-point attack in February 1897. Within a few weeks the city of Benin was captured and looted of its treasures before being burned to the ground. Oba Ovaramwen was deposed and fled, allowing the city to fall under the control of the protectorate administration.

ii. Narratives of Legitimisation

The first auction of the Benin Bronzes took place in London, four months after the destruction of the city in May 1897. The following September saw the first Exhibition of the bronzes in the British Museum, which is where the largest collection (over 900 pieces) rests to this day. Only one hundred of these are on display, while the rest reside in storage (The British Museum, 2022). In addition to the narrative of civilisation, two other interrelated

narratives were promulgated that legitimised this expedition and the subsequent retention of artefacts; the vilification of Benin and the victimisation of the British protectorate. These narratives were constructed in some cases by the perpetrators of the acts in question, while the events unfolded (Hicks 2020, p.39).

Examples such as Bacon's *City of Blood* (1897) and Boisragon's *The Benin Massacre* (1897) painted a picture of Benin as a dark and barbarous place rife with evil customs and violence. As Hicks notes, 'each new story of the Oba's barbarity sought to outdo the last,' (Hicks 2020, p.29). The narrative of violence and 'evil' of Benin purposely obscured and legitimised the violence of the British protectorate. The actions of the British were further legitimised by the victimisation of white people through similar accounts. A report published in the Graphic in 1897 referred to Benin as 'the White Man's Grave.' (The Graphic, 1897)

Hicks refers to the framing of the European oppressors as the victims in order to justify their violence as 'white projection.' (Hicks 2020, p.41). The narrative was now not only of a violent kingdom, but that of a villain, not only obfuscating the extent of British violence in comparison, but casting them as the heroes, all of whose actions were fully therefore justified.

Accounts that regurgitated these narratives can still be found in recent years. Former Deputy Keeper of Ethnography at the British Museum, William Fagg, noted in a book contribution, that the expedition was a justified response to the massacre, it was not intended to destroy the city, and that there was no 'significant looting.' (Fagg 1981) Plankensteiner in 2007 similarly takes the position that the expedition was justified on grounds of 'retribution' (Plankensteiner 2007).

This narrative was similarly employed by museums to justify the presence and retention of these artefacts. An article from 2018 cites the British Museum website on the Benin Bronzes as follows;

> 'In 1897, following an attack on a British consular mission, a British punitive expedition took Benin City and sent the king, Oba Ovonramwen into exile. Many of the brass objects from Benin City fell to the troops and others were sold abroad to defray the costs of the expedition and compensate the victims…' (Elevado 2018)

Passive terms such as ‘fell’ and the presentation of a story of justified retaliation perpetuate the legitimising narrative configured during 1897, built on the successional narrative of civilisation. Today, the museum website reads as follows;

> ‘By the end of the 19th century, the Nigerian coast and its trade were largely dominated by the British. It is in the context of this aggressive expansion of colonial power that the Benin Bronzes came to the British Museum… Benin suffered a bloody and devastating occupation. The occupation of Benin City saw widespread destruction and pillage by British forces. Along with other monuments and palaces, the Benin Royal Palace was burned and partly destroyed. Its shrines and associated compounds were looted by British forces, and thousands of objects of ceremonial and ritual value were taken to the UK as official 'spoils of war' or distributed among members of the expedition according to their rank.’
> (The British Museum 2022)

In response to the change in narrative that will be traced in the following chapter, the British Museum have altered their approach, and taken a stronger stance of acknowledgement within their museum explanations. This is part of the ‘retain and explain’ policy which has been employed in order to go some way towards reconciling British identity with the shift in narrative, while avoiding a proactive response that would pose too great a challenge to that identity.[9]

[9] See; ‘New Legal Protection for England’s Heritage,’ (January 17, 2021) Press Release, GOV.UK https://www.gov.uk/government/news/new-legal-protection-for-england-s-heritage
‘The law will make clear that historic monuments should be retained and explained’

CHAPTER FOUR

A Shift in Narrative: Curiosities to Symbols of Colonial Shame

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The dual nature of narrative as both successional and configurational makes it difficult to isolate the elements that caused, as opposed to responded to a change in narrative. We can, however, trace a number of elements that contributed to a shift towards restitution which snowballed into an overarching narrative change by the late 2010s.

As more states gained their independence in the 1950s and 60s, there was a move towards cultural protection which resulted in some legal developments such as the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.[10] Bénédicte Savoy's book 'Africa's struggle for its art: history of a postcolonial defeat,' (Savoy 2022) traces the efforts of African nations and activists since the 1960s to have their artwork returned. Bingo, a pan-African magazine, featured Beninese writer Paulin Joachims' request to western museums to 'liberate the black deities which have never been able to play their role in the frosty universe of the white world where they are held captive' before the 1966 World Festival of Black Arts. European museums agreed to lend some artefacts while barring any discussion of restitution. (Savoy 2022, p.8) The Director General of UNESCO Ahmadou-Mahtar M'Bow pleaded the case for plundered artefacts to the UN in 1978;

> 'Everything which has been taken away, from monuments to handicrafts—were more than decorations, … They bore witness to a history, the history of a culture and of a nation whose spirit they perpetuated and renewed.' (Lucas, 2022)

It is argued that western museums were successful in silencing these pleas;

> 'Africa's first campaign for restitution died quietly. In 1978, West Germany succeeded in diverting UNESCO's new committee from colonial plunder to contemporary smuggling.' (*ibid*.)

[10] This Convention does not operate retroactively and its provisions are non-self-executing, meaning it only applies as of the date it is adopted in a given nation, and it is the responsibility of that nation to implement it. However for the sake of a demonstration of narrative development, it marks a shift from the civilisational narrative.

The Benin Dialogue Group was established in 2007 to discuss the fate of artefacts plundered from Benin and the establishment of a museum in Benin City, however it has been criticised for its inaction, and at its most recent meeting at Leiden in 2018, rejected the idea of restitution in favour of loans where Western institutions retain ownership. (Shyllon 2018, p.345).

The 2013 'Black Lives Matter' movement generated large scale public awareness and collective action for racial injustice. One of the first movements of its type to play out in the internet age. The significance of this was that the source of narrative generation had been decentralised through the ubiquity of the internet, dismantling the dominance of mainstream news and media as beacons of narrative generation within the west. The 2015 'Rhodes must fall' movement built on this sentiment, and generated a consciousness surrounding statues and monuments with racially problematic histories and meanings in the US.

This coincided and symbiotically fuelled the protests against a Benin Bronze cast cockerel on display at Cambridge University. (Phillips 2020)

Macron's 2017 speech in Burkina Faso was something of a lynchpin in this narrative shift. Politically recognising the legitimacy of the struggle for restitution and establishing the Western narrative as progressive and in favour of restitution. Consequentially casting the previous narrative of acceptance of these artefacts into a light of archaic obsoletion.

While this speech recognised restitution as legitimate in the political realm, Marvel's 2018 film 'The Black Panther,' which closed on more than $900 million worldwide at the box office, (Mendelson, 2018) performed a similar function within popular culture. As the first Marvel superhero film featuring a predominantly black cast and turning on issues of colonial legacies, its success generated rampant social discourse. In particular, the scene in which the antagonist outlines his motivations takes place in an imaginary 'museum of Britain' in front of a display case of Benin Bronzes. The conversation with the museum curator plays out as follows;

Killmonger: I was just checking out these artifacts. They tell me you're the expert.
Curator: Ah. You could say that.
K: They're beautiful. Where's this one from?
C: The Bobo Ashanti tribe. Present-day Ghana, 19th century.
K: F'real? What about this one?
C: This one's from the Edo people of Benin, 16th century.

K: Now, tell me about this one.

C: Also from Benin, 7th century. Fula tribe, I believe.

K: Naaaaah.

C: I beg your pardon?

K: It was taken by British soldiers in Benin, but it's from Wakanda. And it's made of vibranium. [Chuckles.] Don't trip. I'mma take it off your hands for you.

C: [Confused] These items are not for sale.

K: How do you think your ancestors got these? You think they paid a fair price? Or did they take it like they took everything else?

This scene can be understood as configurative narrative generation, building on the gradual successive narrative brought about through the previously mentioned configurative events. The binary of good and evil, victimiser and victimisation has been flipped on its head from the days of 'white projection.' The story that European powers have committed atrocities that must be accounted for have now been conflated to the status of superheroes and supervillains.

This scene generated significant discourse, a month after the film's release, the Brooklyn Museum announced the appointment of Kirsten Windmuller-Luna, a Caucasian woman, as curator of the African department. This provoked massive public outcry with viral posts on social media comparing the appointment with stills from this scene. (D'Souza, 2018) Leaving the issues surrounding ethnicity and career opportunities to one side, the purpose of this example is to demonstrate the power and influence of this moment in popular culture in channelling this anti-colonial energy that had been building throughout the years into one accessible narrative.

I also contend that unlike other contested objects in Western museums with cloudier stories of provenance, the indisputably violent way in which the Benin Bronzes were obtained allowed them to become a relatively uncontroversial synecdoche, and catalyst for anger towards larger issues of colonisation. In the way that the mask of Queen Idea became the symbolic face of FESTAC and colonial anger in Nigeria, the narrative of the Benin Bronzes were woven into the narrative of restitution in an irrevocable way that spurred on other actions for restitution. It allowed people to collect and channel their outrage towards a familiar example. By this point the narrative can be understood as having fully shifted from disconnected voices of dissent to a collective majority. Thus, creating an environment in

which the public embarrassment that accompanied being on the wrong side of this narrative, is something that is ultimately responsible for the influx of restitutions seen in recent years.

Chapter Five

Narrative and Restitution: France and the UK

The previous chapter traced the shift in the dominant successive and configurational narratives surrounding restitution in recent years in favour of the return of artefacts. This chapter will turn its attention to the central question posed by this thesis; can dominant narratives of colonialism and identity explain the divergence of approach to the restitution of African Artefacts in France and the United Kingdom?

Both nations obtained controversial artefacts through similar conquests of African kingdoms in the context of colonialism, and both jurisdictions were faced with comparable legal challenges to restitution. Despite this, Macron chose to bend with the weight of the shifted narrative and the French government have already begun the process of restitution. Meanwhile in the UK, the shift in the narrative surrounding the presence of these objects has resulted in a 'retain and explain' policy whereby these institutions continue to display these artefacts, disregarding the links that tie the UK's colonial past with its present.

This chapter will outline the approach taken by both of these nations before exploring the hypothesis that this discrepancy can be attributed to differences in how the narratives of colonialism and identity interact in these contexts.

The theory of narrative identity proposes that identity is constructed through assimilating life experiences into an internal story that creates a sense of purpose and cohesion within an individual (McAdams 2013 p.233). This logic also applies on a national scale, national identity is constructed through the internalisation of narratives that are created and reinforced through shared myths, imagery, histories and cultural heritage (Githens-Mazer 2005, p.20). A strong sense of cultural identity is important on an individual level (Fukuyama 2018, p.5) but also a necessary element of nation building (Light and Dumbraveanu-Andone 1997, p.30) in order to foster a sense of cohesion and shared identity.

How nations have chosen to reckon with their colonial pasts, in other words, how the dominant narrative of colonialism in a particular nation has been integrated or reconciled with the broader narrative of national identity could therefore potentially explain different approaches taken to restitution.

5.1 The French Approach

As of 2021, 46,000 of the 90,000 African cultural objects in French institutions were obtained during colonial times. (Abrams, 2021). As previously referred to, in November of 2017 President Macron gave a speech in Burkina Faso to an audience of university students on the subject of Franco-African relations, making his radical promise to return African heritage to Africa within five years (Duhennois, 2020, p.119). This act succeeded in acknowledging the legitimacy of the history of ignored African requests for restitution, much to the chagrin of other European leaders who were concerned about the floodgate effects of such a move.

Felwine Sarr and Benedicte Savoy were commissioned to prepare the 'Sarr-Savoy report' which outlines a three-phase restitution process. Two days after publication, the return of 26 artefacts held in the Quai Branly Museum to Benin was announced. This museum is currently undertaking a project to identify which of its artefacts might have been obtained through violence, without consent, as the spoils of war or colonial coercion (Kasarhérou, 2021). This demonstration of acceptance and effort to rectify colonial wrongdoing stands in sharp contrast to the position taken to restitution traditionally.

Since 1566, France has had a statutory law in place that explicitly prevents the restitution of artefacts. The Edict of Moulins established what's known as the 'inalienability' principle. This meant it was legally 'impossible' to transfer the ownership of the French collections (Wetzel, 2020). Historically, this principle, and similar iterations in other European contexts acted as 'a constant counterforce against the development of laws and policies for the return and restitution of cultural articles in European museum collections generally.' (*ibid*.) In fact, it was relied on in 2006 by former French Prime Minister, Jean-Marc Ayrault to refuse Benin's official attempt at restitution.

In the wake of Macron's promise however, a Bill[11] was authorised that allowed exceptions to be made to the inalienability principle on a case-by-case basis. Despite the fear instilled in many sceptics that French museums would be left barren, it is necessary to note that this Bill leaves the principle of inalienability intact, it also does not create legal precedent for restitution. In effect this Bill is an enormously watered-down manifestation of Sarr and Savoy's wishes. (Herman 2020) The original bill proposed by the French Senate involved the establishment of a national council that would be responsible for restitution cases. This was

[11] Bill no.3221 relating to the restitution of cultural property to the Republic of Benin and the Republic of Senegal, National Assembly, Paris, July 15, 2020.

diluted to a case-by-case approach in which all power lies with the executive branch. This would in fact require separate formal requests for more than thirteen thousand objects. (Rea 2020)

Both those in favour and opposed to restitution criticised the format of the bill. Those concerned for the fate of the French collections believe that allowing the executive branch unrestricted freedom to 'empty the museums' was unwise, while those in favour of restitution argued that the failure to overturn the principle against alienation and return objects on a case-by-case exceptional basis means no real progress has been made. As Mwazulu Diyabanza, an activist known for attempting to take an object from the Quai Branly museum in France states; 'one exceptional law does not recognise the crimes [of colonialism]' (Rea 2020).

Belgian State Senator Thomas Dermine acknowledges Macron's progress on the issue but accuses him of playing with symbols.' On his 2021 trip to Congo he notes that;
'It was easy to ask Guido Gryseels, the director of Tervuren, for two problematic, symbolic masks and a statue – we know which ones – and to take a couple of photos, but aren't we reproducing colonial patterns by clearing our conscience through acts of symbolism?' (Michel, 2022)

Abrams notes that the return of these 26 objects can be understood as an 'effort to improve France's image in the eyes of Africans (Abrams, 2021). Duhennois argues that Macron was relying on the optics of this action to gloss over some of the more damning aspects of Franco-African relations; 'At a time where French troops are overwhelmingly present in Africa, and African migrants are left to drown in the Mediterannean Sea, it is crucial to look critically at the offer of 'friendship' formulated by Macron' (Duhennois, 2020, 121).

Whether a genuine gesture of intent to repair the damage of a colonial past, the mere manipulation of French identity to cater to political strategy, or even an attempt to perpetuate colonial power dynamics under the guise of progress, France's actions demonstrate two things. Firstly, that a shift in narrative surrounding the acceptability of colonial artefacts has occurred, and secondly, unlike the United Kingdom, France has decided to publicly lean into this narrative. In the following section, narratives of French identity and how it relates to narratives of colonialism will be examined in the hopes of explaining how this situation came to be.

i. French narratives of colonialism and identity

The role of narrative as an intrinsic element of national identity has already been stated in this thesis. Myths and histories about a nation or culture are internalised in narrative form and used to cultivate individual identity, social cohesion among members of a nation and the nation itself. The French national identity contains certain conflicting stories due to its dichotomised history as an Empire and as a Republic. Contrary to the narrative promulgated by French Governments, France committed colonial acts of violence as a Republic under its universal doctrine of 'liberté égalité fraternité.' In fact colonising projects in Africa were one of the few endeavours that maintained unity among the divided nation towards the end of the nineteenth century (Duhennois 2020). Despite this reality, critics contend that modern French governments have compartmentalised the history of the country, creating a narrative that attributes blame for colonial wrongs to the Empire and seeking to promote the Republic as postcolonial and progressive (Blanchard et al. 2008, p.9; Duhennois 2020, p.126). This is exemplified in a speech given by former President Sarcozy in Algeria in 2007 in which he declared; 'Oui, le système colonial a été profondément injuste, contraire aux trois mots fondateurs de notre République: liberté, égalité, fraternité' (Libération 2007) This translates to 'yes, the colonial system was profoundly unjust, contrary to the three founding words of our Republic: liberty, equality and fraternity.' In this example, the narrative of Republican France is being reconstructed as inherently contrary to the colonial acts of imperialism.

Duhennois applies a constructivist analysis to understand France's approach to restitution as the conscious reshaping of French identity to fit within this more palatable, dichotomised narrative of identity. France is comfortable acknowledging the colonial wrongs of its nation because it does not accept accountability for those wrongs at the level of national identity. In narrative terms, France is reconfiguring the narrative so as not to cast themselves as the 'villians' of the story, instead they are the heroes rectifying the wrongs of their imperial predecessors, from whom they can distinguish themselves as a modern-day Republic.

Duhennois also argues that the French restitution efforts are a means of smoothing over colonial tensions without having to implement any structural reform necessary to alter the underlying power dynamics. For the purpose of this thesis, it is sufficient to note that not

only does the symbolic act of restitution benefit France, as it distracts attention from other problematic aspects of Franco-African relations, but that the narrative shift in favour of restitution doesn't post a challenge to the French narrative of colonialism and identity. In fact it is a helpful mechanism to further reconstruct said postcolonial identity as apologetic, but separate from, the colonial crimes of the past.

The French government were in a position to publicly lean into the narrative shift in favour of restitution as it benefitted its narrative of identity, and its efforts to further reconstruct it. Therefore, despite the legal obstacles relied on in the past to refuse restitution, France have manipulated the law and longstanding French policy to accommodate this shift in narrative.

5.2 The British Approach

The UK is home to the world's largest collection of Benin Bronzes, despite this and recent renewed requests for their restitution, the most recent being put forward in October of 2021, British institutions have been steadfast in their refusal to permanently return artefacts. The British position is summarised clearly by the following statement of the British Museum in response to German Broadcaster Deutsche Welle's request for comment;

> 'The Museum understands and recognizes the significance of the issues surrounding the return of objects [...].We believe the strength of the British Museum collection resides in its breadth and depth, allowing millions of visitors an understanding of the cultures of the world and how they interconnect over time — whether through trade, migration, conquest, or peaceful exchange.'

The British Museum and the Victoria and Albert Museum have both cited 'insurmountable legal hurdles' as a defence against deaccessioning, (Rea, 2020) The British Museum Act of 1963 acts as a restriction against deaccessioning. The wording of the Act is as follows;

> 5(1) The Trustees of the British Museum may sell, exchange, give away or otherwise dispose of any object vested in them and comprised in their collections if—
>
> (a) the object is duplicate of another object, or

> (b) the object appears to the Trustees to have been made not earlier than the year 1850, and substantially consists of printed matter of which a copy made by photography or a process akin to photography is held by the Trustees, or
> (c) in the opinion of the Trustees the object is unfit to be retained in the collections of the Museum and can be disposed of without detriment to the interests of students

Although it is not within the remit of this thesis, it appears self-evident that a legal argument could be made that artefacts of violent or coercive colonial origins may be considered 'unfit' to be retained in the collections. Nevertheless, the rules preventing deaccessioning are not as unsurmountable as they appear. A good example of this can be seen in the exceptions made to return Nazi stolen artwork. In fact, in 2017 the UK government announced an extension of the 'Holocaust (Return of Cultural Objects) Act 2009 which had been set to expire in 2019. This act allows for the British Museum and the National Gallery to bypass the British Museum Act and restitute objects looted during the third Reich. Unlike France, non-national museums in the UK are not subject to any such statutory restrictions. (Rea, 2020).

Although an exclusively postcolonial argument grounded in colonial discrimination could be used to rationalise the disparity of response between Britain and France, the British response to other European disputes show that this may be an oversimplified summation. The notorious case of the Parthenon marbles, taken (allegedly fraudulently (Small 2020, Rudenstein, 2020) by Lord Elgin in 1816 from Greece, a fellow European nation, and resting to this day in the British Museum despite emphatic efforts of the Greek government; (Smith, 2022) are one such complicating example.

The theory posed by Art Historian Alice Proctor might be more helpful in this case. She argues that the reason exceptions are made for Nazi artefacts, but not in the case of other colonial looted work, such as African artefacts and the Parthenon marbles, rests with the simple fact that Britain is not responsible for the atrocities. (The Economist, 2021) It supports, rather than challenges the dominant narrative of British history within Britain which has not undergone the same transformation as other former European colonisers, and therefor hinges on a narrative of Britain as predominantly 'good.' This narrative is supported through the return of Nazi looted work, but would be disrupted by the return of objects such as the Benin Bronzes or the Parthenon marbles. This is due to the fact that the return of such objects would involve a public acknowledgement that they ought not to have been there, or taken in

the first place, thus casting doubt on the heroic narrative of British history internalised within the narratives of identity of its citizens.

i. British Narratives of Colonialism and identity

Britain has not undergone a transformation in postcolonial identity in the way that France has. Its monarchy is still intact, and some scholars argue, a crucial pillar supporting British national identity (Tranter and Donoghue 2021, p.992). There has been no robust break in narrative to disrupt the continuity between imperial Britain and the Britain of today. It can be argued that narratives of British identity are therefore necessarily warped in order to cultivate a positive narrative identity for its citizens, often at the detriment of colonial justice.

The striking results of a poll carried out in March of 2020 showed that a third of British nationals surveyed believed that the British Empire was responsible for doing 'more good than harm' for the colonies. (Jasanoff 2020). Over a quarter believed the empire should be reinstated. (*ibid*.) These figures are higher than any other former imperial power including France (Booth 2020). It is evident, therefore, that the narrative surrounding Britain's colonial past incorporates a distortion of history.

A body of sociological theories have presented suggestions as to why this might be the case. Jasanoff argues that the legacy of colonialism is simply too ubiquitous to be easily challenged. Referring to the toppling of former slave owner, Edward Colston's statue she notes that; 'The Colston statue stood on Colston Avenue, in the shadow of Colston Tower, on Colston Street, around the corner from Colston Hall. Scratch almost any institution with roots in Britain's era of global dominance and you'll draw imperial blood.' (Janasoff, 2020) To put it differently, due to the omnipresence of imperialism in the fabric of all aspects of the nation, efforts to unravel the colonial values and histories of any one aspect poses too great a challenge. Both the nation and national identity will unravel with it.

A similar argument might be made for many European countries who have built their nations on the backs of colonialism and imperialism. Why then does the United Kingdom distinguish itself as reluctant to challenge its engrained stories of colonialism? Janasoff postulates the idea that the UK's failure to require students over the age of fourteen to study history leaves little for 'nuance' in recollecting the past (Janasoff 2020). Similarly, Priya Satia argues that the fact that British narratives of colonialism remain 'hostage to myth' is a result of the active creation and perpetuation of narratives, returning to the idea of 'civilisation' discussed in Chapter five. (Satia 2020)

She notes that James Mill's 1817 'History of British India' became extremely influential amongst colonial administration. This account reinforced the narrative of 'civilisation' and depicts Britain in a heroic light as under a moral obligation to raise other countries to their level of development. (*ibid*.) The narratives conjured by barbaric depictions of colonial nations and the constructed narrative of white victimisation (Hicks 2022, p.42) through heavily biased media accounts of Benin as the 'white man's grave' (*ibid*.) create a story of exploration and conquest by a nation with the best interests of its colonised nations at heart. There is a pattern in British narratives of history to expunge the nation of any wrongdoing. Ferguson gives the example of the slave trade, noting that celebrations at its abolishment tend to overshadow its origins. The narrative of Britain sacrificing its Empire for the sake of winning the second world war 'expunge[s] all the Empire's other sins.' (Ferguson, 2002).

Proctor's aforementioned theory that the reason exceptions are made for the return of some artefacts over others rests with whether or not Britain are to blame for the atrocities that brought them there sheds further light on this pattern. In the case study of France, national identity has been reconstructed as distinct from the crimes of the empire, and therefore easy to reconcile with the acknowledgement of wrongdoing inherent in the return of artefacts. Considering the extent to which imperialism and colonialism is engrained within all institutions of society in the United Kingdom, the disruption in the narrative of colonialism and identity that would occur as a result of the explicit acknowledgement of wrongdoing through the return of the Benin bronzes and other colonial artefacts can be argued to pose too fundamental a threat to the fabric of British national identity in its current form.

CHAPTER SIX

Conclusions

The primary conclusion of this thesis is that a divergence in the narratives of colonialism and identity offer a likely explanation to justify the different responses to restitution taken by two former imperial powers; France and the United Kingdom. This conclusion is grounded on the contention that a shift in the dominant narrative of restitution occurred at the end of the last decade in favour of the return of contested colonial artefacts. An analysis of the narratives of identity, and how narratives of colonialism are integrated within them, indicate that France has reconstructed the narrative of its postcolonial identity as distinct from the actions of its imperial past, while no comparable transformation in the narrative of identity has transpired in the context of the United Kingdom.

I argue that a shift has occurred in the dominant narrative of restitution, as evidenced by the narrative analysis in chapters three and four. The narrative of 'civilisation,' which was configured in part through its codification in discriminatory laws, and reinforced through customary law demonstrates the position at the end of the nineteenth century. It was in this context that the Benin bronzes were taken during a punitive expedition. Accounts from the time promote two other narratives; the villainization of Benin as barbaric and evil, and the victimisation of white people. The combined influence of these narratives were used to legitimise the actions of the protectorate in 1897, and are reflected in more recent depictions within books and museum displays. The justificatory narratives of 1) civilisation, 2) the barbarity of the soon-to-be colonised African kingdom, and 3) the victimisation of white people, is reflected by narratives internalised in other colonial European contexts at the end of the nineteenth century.

The shift in this narrative is traced by an analysis of the cumulative effects of events such as Macron's 2017 speech, the Black Lives Matter movement, and the success of 'Black Panther' (2018). These events simultaneously acknowledged and created a new narrative in favour of restitution, shifting the role of colonial artefacts from curiosities or treasures, to indefensible symbols of colonial shame. Having established the existence of this shift in narrative, the next step was to look at how the case studies of France and the United Kingdom responded to this shift. Macron's speech publicly acknowledged the legitimacy of African nation's efforts to have their artefacts returned, following which France took steps to

enact a bill that would allow for the return of 27 artefacts. Meanwhile, the United Kingdom have maintained the position that museums are universal repositories of world culture, while turning to a retain and explain policy which circumvents the need for returns. Despite having looser laws, and having made exceptions in the past for the return of Nazi looted artwork, British national institutions have not returned disputed colonial works.

This thesis then turned to analyse how narratives of colonialism in those nations intersect with narratives of identity. In the French context, it is argued that France is in the process of reconfiguring a new postcolonial identity, relying on the transformation of France from an empire to a republic. The argument, grounded in political statements by French politicians, demonstrates that despite the colonial history of France as a republic, the narrative attributes colonial actions to the empire, reconstructing republican national identity as fully postcolonial. As a result, the narrative shift in favour of restitution is of benefit in the construction of this new narrative of identity.

In the context of the United Kingdom, no such transformation in identity has occurred. Colonialism and its legacy are engrained in every aspect of the nation of the United Kingdom, while the distorted narratives promulgated to justify colonial activity have been incorporated into the narrative of national identity. I contend that the narrative of national identity as 'hostage to myth' results from the strength of these narratives, and their integral role within narratives of identity. It is contended that the UK's refusal to acknowledge any narrative of history that disrupts this narrative can be attributed to the failure to reconstruct its national identity in a radical way since the colonial era. This offers an explanation for the willingness to return Nazi looted artefacts, but not those looted in colonial contexts.

In conclusion, the different approaches taken to restitution by France and the UK can be explained through understanding how different colonial narratives have been reconciled within narratives of identity in both contexts. The secondary goal of this thesis is to highlight the overlooked value of applying narrative analysis as a heuristic to explain phenomena within politics and culture. It is the aim of this thesis to go some way to creating a precedent to this effect, encouraging similar research pursuits in a diversity of contexts.

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