

The Repatriation and Restitution of Cultural Property: From the Nineteenth Century to Today

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In September 1990, the Metropolitan Museum of Art in New York opened an exhibition titled, ‘Glories of the Past: Ancient Art from the Shelby White and Leon Levy Collection.’ Among the numerous pieces from the couple’s collection displayed at the museum was the top half of a marble statue known as the Weary Herakles, a Roman copy of an original Greek bronze. Weary Herakles was jointly owned by the couple, Shelby White and Leon Levy, and the Museum of Fine Arts (MFA) Boston. While the exhibition was still on view, the government of Türkiye hired a New York-based law firm to investigate allegations that the statue had been illegally smuggled out of Türkiye into the United States. The allegations were rebuffed by White, Levy, and the MFA Boston.¹

Türkiye’s allegations against Weary Herakles were based on excavations conducted at the archaeological site of Perge in southern Anatolia, where what appeared to be the lower half of the sculpture had been discovered in 1980. Despite the collectors’ and the museum’s persistent denials that the sculpture was looted, a cast of the lower half was sent to the MFA Boston in 1992, where the statue had returned after the ‘Glories of the Past’ exhibition closed. The cast confirmed that the two parts of the sculpture were two halves of a whole.² Turkish attempts to repatriate the sculpture dragged on for years, until White turned full ownership of the sculpture to the MFA in 2004, and the museum returned it to Türkiye in 2011. Weary Herakles thereafter entered the collections of the Antalya Museum, the regional museum closest to the archaeological site where it had been found, where it was reunited with its lower half. Since it was put on display in 2014, the statue has held pride of place at the museum, drawing substantial crowds of visitors, both local and foreign (Figure 1).³ As recently as 2022, Weary Herakles featured on the museum’s admission tickets (Figure 2).

In July 2023, the *New York Times* reported that the Manhattan District Attorney’s office had removed seventy-one items, all believed to be looted antiquities, from Shelby White’s home over the previous two years. An additional seventeen objects, also believed to have been stolen, were seized from the Metropolitan Museum of Art, where they were on loan from White. The Attorney’s office did not suggest that White or her late husband knowingly brought stolen antiquities, but critics have since condemned the couple’s collecting practices as either

careless or naïve.⁴ The objects are now in the process of being returned to their countries of origin.

The saga around Weary Herakles and the collections of Shelby White and Leon Levy are representative of a broader shift in public attitudes towards and institutional responses to calls for the repatriation and restitution of cultural property, the former term referring to the return of objects to a country of origin and the latter referring to the return of objects to an individual or a community. Over the past thirty years, both official (that is, legal and governmental) and unofficial requests for individual collectors and museums in North America and Europe to return stolen or dubiously acquired antiquities and artworks to their countries of origin or their previous owners have increased in frequency and urgency. Allegations of looting that could have been dismissed by collectors and museum administrators in 1990 are now subject to close scrutiny by law enforcement personnel, independent researchers, and institutions themselves.

This short essay will place the calls to repatriate and restitute cultural property into their historical context, considering the factors that have led to shifts in the landscape over the past thirty or so years. It will then offer the case study of the British architect-archaeologist John Turtle Wood's excavations at Ephesus in present-day Türkiye as an example of how attempts to limit the export of antiquities were being made at the same time as archaeological excavations were ongoing in the nineteenth century. The essay will then conclude with some reflections on how the revelations that a former British Museum curator had stolen artefacts from the museum's collections, which came to light in August 2023, might impact the conversation around restitution going forward.

Restitution in context

Calls for the restitution of cultural property did not begin with Türkiye's attempt to repatriate Weary Herakles in 1990. Official requests for the return of antiquities have been ongoing since the nineteenth century, the most famous, or infamous, of which being the calls by Greece to the British government and the British Museum to repatriate the Parthenon (Elgin) Marbles. As early as 1835, the Greek government began petitioning for the return of the building's sculptural features, which had been removed from the structure by the British diplomat, Lord Elgin, between 1801-1812. As Greek territories were then under the rule of the Ottoman Empire, Elgin claimed that he had received a firman, a document issued by Ottoman officials, that authorised his removal of the marbles. Subsequent research has made

contradictory conclusions about the firman's authenticity: some historians, like Edhem Eldem, argue for its legitimacy, while others, including Vassilis Demetriades, maintain that its status as an official document cannot be confirmed.⁵ The Trustees of the British Museum, for their part, support the conclusion that the acquisition was authorised and argue that there is 'great public benefit to seeing the [Parthenon] sculptures within the context of the world collection of the British Museum.'⁶ Legally, the British Museum is also prohibited from repatriating or deaccessioning objects by the British Museum Act of 1963.⁷ As a result of the British Museum and the Greek government's diametrically-opposed positions on the restitution requests, the return of the Parthenon Marbles has continued to be a live issue well into the present day.⁸

Attempts to reclaim cultural property accelerated in the second half of the twentieth century, spurred on by the declaration of two international legal frameworks: the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property and the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects. Although both of these conventions are not considered entirely effective – particularly because they require nations to opt in and do not necessitate that holders of artefacts return the cultural property that they possess – these frameworks nevertheless served to set the legal conditions by which cultural property could be restituted or repatriated.⁹ Following the Second World War, restitution claims began to be made to return artworks stolen or purchased under duress from Jewish families during the Holocaust to their owners or their families. Such restitutions continue: in 2022, a Dutch museum returned a painting by Wassily Kandinsky to the family of a German-Jewish couple who had purchased it before the Holocaust.¹⁰ Following decolonisation, calls also began to emerge from newly independent nations seeking restitution for objects often forcibly removed from their territories during the colonial period. After gaining independence in 1960, for example, Nigeria began to request the return of the Benin Bronzes, a vast group of fifteenth- and sixteenth-century metal sculptures and plaques that decorated the royal palace of the Kingdom of Benin and which were looted by British soldiers during the Benin Expedition of 1897.¹¹

Despite decades of calls for the restitution of antiquities, countries like Türkiye and Nigeria have only begun to receive responses to their enquiries in the past thirty or so years and repatriated objects themselves only in the past ten to fifteen. While wider processes of decolonisation and the West's broader reckoning with its colonial and imperial histories have undergirded institutional decisions to engage with restitution efforts, recent restitution attempts have also been prompted by the United Nation's 2007 Declaration on the Rights of Indigenous Peoples. Article 11 of the resolution urged state actors to provide redress, particularly through

restitution, to indigenous communities whose cultural, intellectual, religious, and spiritual property was taken without free, prior, and informed consent.¹² Publication of the declaration inspired renewed attention to questions of restitution and saw Western political and museum leaders begin to address these questions directly, including French President Emmanuel Macron, whose 2017 speech in Ouagadougou, Burkina Faso directly acknowledged the vast numbers of objects with African patrimony now held in France and committed to the permanent or temporary restitution of these objects.¹³ Another direct response that followed the UN declaration was the formation of the Benin Dialogue Group, a coalition of representatives from Western museums, the government of Nigeria, the Royal Court of Benin, and the Nigerian National Commission for Museums and Monuments intended to facilitate productive conversation between the parties on the repatriation of the Benin Bronzes. Since the early 2010s, museums, institutions, and private collectors across Europe and the United States have begun repatriating the Benin Bronzes to Nigeria and to the Nigerian National Commission for Museums and Monuments.

The past several decades have also seen other changes in the landscape of repatriation and restitution of cultural heritage that have led to more and more objects being returned to their communities or countries of origin. The foundation of law enforcement offices, including the Federal Bureau of Investigation's Art Crime Team in the United States, and the deployment of virtual resources, such as INTERPOL's Stolen Works of Art Database, have enabled trafficking networks to be uncovered and individual artworks, looted and placed on display at museums, to be identified. Non-governmental organisations dedicated to the repatriation of cultural heritage, such as the Nepal Heritage Recovery Campaign, the Antiquities Trafficking and Heritage Anthropology Research Project, and Yanka Nku, led by activist Mwazulu Diybanza, have also led to the identification of looted artefacts.¹⁴ Within the realm of academia, research on the subject of imperial collecting practices has been developing since the emergence of postcolonialism in the 1960s and continues to critically consider the ways museums and other institutions were complicit in the project of imperialism. Dan Hicks' book *The Brutish Museums* and Lucia Patrizio Gunning and Debbie Challis' article 'Planned Plunder, the British Museum, and the 1868 Maqdala Expedition' are two recent examples of publications that actively engage questions of repatriation and call upon the British Museum to reform their practices.¹⁵ Perhaps the most significant recent shift that has led to an acceleration in the numbers of objects being restituted and repatriated, though, is growing public consciousness around these issues. Social media has granted activists and non-governmental organisations, in particular, the capacity to share information about looted antiquities,

galvanising users and allowing them to mount public pressure campaigns against institutions. The rise of recent social movements such as Rhodes Must Fall and Black Lives Matter have also brought conversations around imperialism and institutional racism to the fore and called attention to the symbolic and actual power of artworks and other forms of cultural heritage. The overarching shift in the landscape of repatriation in the past several decades, as evidenced by the 2007 UN resolution, is a change in how the justification for keeping or returning artefacts is understood: questions around repatriation have shifted from ones of legal ownership to ones of ethics.¹⁶ The result is a landscape in which it matters less whether objects were acquired legally, but whether it is morally right for an institution to retain the objects it has acquired over its colonial or imperial history.

Critics of repatriation in particular – that is, of the return of objects to countries or territories of origin rather than individuals or communities – argue that such attempts to return artefacts are fundamentally nationalist, guided not by concerns around archaeological preservation but by nationalist claims on cultural heritage. In contrast to the encyclopaedic museums of Europe and North America, which focus on the heritage of many cultures from around the world, national museums focus on legitimising local culture for local peoples.¹⁷ Encyclopaedic museums, in such interpretations, are superior because they promote universal understanding, whereas national museums reproduce divisions and serve political and nationalist ends. Efforts at repatriation, especially in the past ten to fifteen years, have certainly held considerable political, and often nationalist, implications. The return of Weary Herakles to Türkiye was highly politicised event that received much attention in the Turkish press, which celebrated the rising international power of the Turkish government. The statue itself travelled to Türkiye by way of then-Prime Minister Recep Tayyip Erdoğan's official jet following a United Nations meeting in New York.¹⁸ The construction of Greek national identity in the aftermath of Ottoman rule similarly elevated classical Greek art and culture to the level of political symbolism.¹⁹ However, while arguments that oppose repatriation on the grounds of nationalism account for the nationalist sentiments of countries that seek to have antiquities returned, they often fail to discuss the nationalist sentiments of countries that retain these antiquities. Encyclopaedic museums, much as they were representative of an Enlightenment vision of understanding the world, were also expressions of collecting practices that, particularly in the nineteenth century, were tied to the nationalist and imperialist ambitions of various state actors. Bringing to light the histories of how artefacts and other forms of cultural heritage were acquired by institutions and individuals allows us to confront these often

complex, difficult, and violent histories and begin to amend for the harms and injustices perpetrated in the past.

Restitution in the nineteenth century: John Turtle Wood's excavations at Ephesus

To reflect on how nineteenth-century histories might help us better understand present-day calls for restitution and to examine a mid-nineteenth century effort at limiting the export of antiquities, we turn to the case study of John Turtle Wood's excavations at the Ottoman archaeological site of Ephesus from 1863-1874. Ephesus is an ancient Greco-Roman site, located close to the village of Selçuk in the region of Western Anatolia in modern Türkiye and is best known for housing one of the Seven Wonders of the Ancient World, the Temple of Diana/Artemis at Ephesus. After its heyday in antiquity, the Ephesus site was abandoned, and while European and Ottoman travellers visited the site over the centuries, no large-scale excavations were conducted. In 1856, the Ottoman government granted a concession to the Ottoman Railway Company (ORC), a British-owned firm, to construct a railway line from the port city of Izmir on the eastern Mediterranean to the interior of Anatolia. The first major section of the ORC railway to be opened was the line from Izmir to Ephesus in 1862. That same year, John Turtle Wood decided to abandon his full-time duties as the ORC's railway station architect to devote himself to searching the Ephesus site for the Temple of Diana. Wood received funding for his excavations from the British Museum in 1864 and, over the course his time in the Ottoman Empire, garnered the political support of the British Consulates at Izmir and Istanbul, who communicated with the Ottoman government on his behalf. Wood ultimately determined the location of the Temple of Diana in 1869. The British Museum terminated Wood's excavations in 1874, and the archaeologist published an account of the excavations in his 1877 *Discoveries at Ephesus*.

In order to begin excavations in the Ottoman Empire, Wood, like Lord Elgin fifty years earlier, required a firman issued by the Ottoman state that authorised and set the limitations of his excavation. The firman that Wood received in 1863 stipulated that the archaeologist would be able to 'excavate at Ephesus and Colophon, in search of antiquities, for twelve months, and to export whatever antiquities [he] might find, leaving all duplicates for the Turkish Government; but [he] was obliged to obtain the consent of the owners or occupiers of the land in which [he] desired to excavate....'²⁰ Although no antiquities legislation yet existed in the Ottoman Empire, Edhem Eldem has demonstrated that established practice for archaeological excavations during the early 1860s dictated that standing monuments be protected and required

one of each pair of identical artefacts found to be ceded to Ottoman authorities.²¹ As such, Wood's firman reflected pre-existing conventions regulating foreign excavations within Ottoman domains at the time. Wood was required to renew his firman annually, which he was able to do with support from the British Museum and the British Consulates.

In August 1868, the Governor of the regional centre of Aydın, also in Western Anatolia, wrote a long report to the Ottoman Grand Vizier. In it, he criticised the government's decision to reauthorise Wood's firman because of the large number of antiquities that Wood had exported from Ephesus to Britain. In his report, the governor wrote that Wood had not turned over a single object to the Imperial Museum in Istanbul, while he had extracted at least fifty-one blocks of stone, six wagons, and two crates filled with antiquities for the British Museum. He was particularly alarmed by the vast numbers of objects that had been exported by the H.M.S. *Terrible*, a British naval ship that had been docked in Izmir some six months earlier.²² By the mid-nineteenth century, the combination of governmental support and steam transportation, including steamships and railways, had facilitated the large-scale removal of antiquities from their sites of origin. Charles Fellows' excavations at Lycia in the 1840s, for instance, relied on the British navy to transport finds from the Ottoman Empire to Britain.²³ Wood, similarly, was dependent on the British-owned ORC railway to transport antiquities from Ephesus to Izmir and on British ships and personnel to further transport these antiquities from Izmir to London. The H.M.S. *Terrible* was the first of three naval vessels responsible for exporting Wood's finds over the course of his excavations.

Although he was gravely critical of Wood's activities at Ephesus, the Governor of Aydın understood that the archaeologist had not violated the conditions of his firman: the objects he exported had not been found in duplicate and were therefore not officially required to pass into the collections of the Ottoman Imperial Museum. Rather, the governor saw the conditions of Wood's firman as a loophole: duplicate antiquities, he noted in the same report to the Grand Vizier, were rare, and such regulations allowed archaeologists to export vast quantities of objects back to their countries of origin.²⁴ To counteract the practices of individuals like Wood, the Governor proposed installing government agents to monitor excavations, placing restrictions on the granting of firmans, and introducing a system that would increase the number of antiquities headed for the Imperial Museum in Istanbul.²⁵

The governor's letter resulted in a rush of activity in the Ottoman central government. The report was sent to the Council of State, after which it was read at the Public Works Commission. The commission members agreed with the governor's criticisms and went further still, proposing a dramatic reform of standing antiquities practices that would retain all

antiquities in the Ottoman Empire until their value could be investigated by specialists from the Imperial Museum.²⁶ This report was subsequently returned to the Council of State, which offered its own recommendations, namely that foreign excavations be permitted as long as the export of finds were prohibited, exceptions being the export of coins and any antiquities granted for export by ‘special permission of the Sultan.’²⁷ This report, now in its final form as a piece of legislation, was signed into law by the Ottoman Sultan Abdülaziz on January 19, 1869.²⁸

Eldem has characterised the bylaw of 1869 as the ‘epiphany’ of Ottoman archaeology, the first institutional and legal attempt on the part of the Ottoman government to limit the export of antiquities abroad.²⁹ One official’s outrage at the export of large numbers of objects from Ottoman domains – and despair that existing regulations could do nothing to stop this process – led directly to a bylaw intended to limit what cultural property could and could not be removed from the territories within which it lay buried. What to the Ottoman government was an expression of its sovereignty was to British observers a shock and a political stunt. Immediately after the dictates of the new legislation were reported, the British Consul at Izmir wrote to his colleague in Istanbul about the ‘very extraordinary order received by His Excellency from the Grand Vizir to stop all excavations in this district.’ The legislation, he thought, would be most detrimental to Wood’s excavations.³⁰ He followed up later that same day and sent the Consul the same information in a telegram.³¹ Clearly the legislation was a matter of great urgency.

Wood would himself write to the British Consul at Izmir three days after the consulates were informed of the changes, imploring him to use his influence to allow him to carry on his excavations.³² After a myriad of communications between British diplomats and Ottoman officials, the matter was resolved and Wood allowed to continue his excavations. Wood’s ability to export appears to have been unimpeded as well.³³ The British Consul in Izmir would go on to describe the bylaw as mere political intrigue, failing to reckon with the possibility that the legislation was in fact a demonstration of the Ottoman government’s concern about and rightful claim to the antiquities found within its domains.³⁴

The 1869 bylaw, although it did not and functionally could not prevent Wood from continuing to export antiquities from Ephesus, did cause significant issues for Wood’s excavations going forward. Wood was able to successfully receive firmans for the years 1869-1870, 1870-1871, and 1871-1872, though not without some difficulties. It was not until 1872 that Wood’s ability to receive firmans became more tenuous. In *Discoveries at Ephesus*, he writes that his attempt to have his firman reauthorised that year was jeopardised by a circular from the Ottoman government that declared that no more firmans would be granted for

excavations.³⁵ Wood, the British Museum, and British diplomats in the Ottoman Empire all attempted to assuage the Ottoman government to allow the excavations to continue. Wood did in fact receive a firman for the 1872-73 season, but difficulties began again when starting to apply for the following year. Uncertainty about the feasibility of the excavations appears to have been so great that the Trustees of the British Museum decided to cease funding for the excavations. Wood was shocked and angry, but it was political and diplomatic exigencies that forced the Trustees' hand. The 1869 bylaw had, to a certain degree, succeeded in keeping antiquities from being exported abroad, if only by pressuring excavations to close altogether.

The case of John Turtle Wood and the 1869 Ottoman Antiquities Bylaw demonstrate how claims for the ownership of cultural property were being negotiated during the nineteenth century. What seems particularly significant from this case study is the interaction between the legal and ethical justifications for the export of antiquities recognised by the Governor of Aydın and his counterparts in the Ottoman central government. Conceding the current legislation allowed for the mass export of antiquities from Ottoman domains, the Governor nevertheless expressed anger that such exports were permitted. The problem posed by Wood's exports was both that they were legal and that they were violating the Ottoman right to own the cultural heritage found within its domains. Many European archaeologists and scholars at the time questioned the Ottoman Empire's ability to lay claim to its territory's Greco-Roman heritage, arguing – very often in a way that implied or straightforwardly promoted the civilisational superiority of the West – that these antiquities 'belonged' to Europe. By in turn laying claim to this heritage themselves, the Ottomans sought to both position themselves as a player in the game of European diplomacy, in a way that was protectionist and nationalist in its sentiments, as well as to counteract the expansionist ambitions of the European imperial powers by reasserting their claim to their own territory.³⁶

Restitution today: the British Museum thefts

Neither the Ottoman Empire nor the Turkish Republic has ever formally requested that Wood and the British Museum return the antiquities that he exported from Ephesus during the 1860s and 1870s. The most likely reason for this is that the exports were permitted at the time and therefore claims for their return do not have the same legal justification as do attempts to repatriate objects that were looted during the twentieth century, such as Weary Herakles. To move towards a conclusion, we return to the present-day to consider how a set of thefts from

the British Museum in 2023 might impact the institution and its steadfast resolve to keep the objects within its collection.

In August 2023, British Museum Director Hartwig Fischer stepped down, having been at the helm of the institution since 2016. His resignation followed reports that Peter Higgs, a curator in the museum's Greek and Roman Department, had been fired for stealing items from the museum's collection and selling them on the platform, eBay. The museum found that more than 1,800 items – including gold jewellery, gems, and other ancient items – were missing from its collection.³⁷ Since August 2023, the museum has implemented a number of actions in attempt to recover the stolen items, including registering the missing objects with the Art Loss Register, convening a panel of specialists to help in their identification, monitoring the art market, working with the Metropolitan Police, and establishing an email hotline for any information about the stolen items. As of April 2024, the museum reported that it had recovered 356 stolen items and identified more than 300 others.³⁸ As of March 2024, the British Museum was also in the process of suing Higgs over the alleged thefts.³⁹

The director's resignation and museum's acknowledgement of the thefts, which were first reported to it in 2020, have not only proved a major administrative, public relations, and security issue for the institution, but have also placed questions of restitution back into focus. Critics of the British Museum's collecting practices have taken particular aim at the museum's historic self-categorisation as a safe site for the storage of antiquities, often presented in contrast to the dangers posed by leaving objects in their countries of origins. For instance, one of Lord Elgin's key defences for removing the Parthenon Marbles from Athens was safety, arguing that the marbles would have otherwise been destroyed by the Ottomans.⁴⁰ Similarly, John Turtle Wood argued throughout *Discoveries at Ephesus* that the safest place for Ephesian antiquities was not in situ at Ephesus or in the Imperial Museum in Istanbul, but in the British Museum. This rhetoric of safety has now been appropriated by critics of the museum's policy, who argue that the thefts indicate that the British Museum is not a safe location for its antiquities:

Lina Mendoni, Greece's culture minister, said in an interview on Monday [August 21, 2023] with To Vima, a Greek newspaper, that the case reinforced her country's demands for the return of the Parthenon Marbles, a series of sculptures and frieze panels, sometimes known as the Elgin Marbles, that once decorated the Parthenon in Athens. The thefts raised questions about the "safety and integrity of all of the museum's exhibits," Ms. Mendoni said. And on

Thursday [August 24, 2023], Nigerian officials reiterated their longstanding call for the British Museum to return a collection of artifacts known as the Benin Bronzes, which British troops looted in 1897.⁴¹

It is uncertain what the long-term impacts of the British Museum thefts will be on the museum's administration, practices, and policies, but as the quote above suggests, Greek, Nigerian, and undoubtedly other governmental representatives perceive the thefts as a mark on the museum's reputation that will force it to reckon with its position on repatriation. Commentators in Britain have evoked similar sentiments. The *Guardian*'s Martha Gill, for example, argues that being a victim of theft might encourage the British Museum reflect on its own controversial collecting practices.⁴² The direct connections drawn by these governmental officials and journalists between the British Museum's historical acquisition practices and the 2023 thefts demonstrate how the conversation around repatriation has shifted from a discussion around the legality of museums retaining cultural property to the ethics around continuing to do so.

Given the stance the British Museum has taken in the past and the 1963 legislation limiting its legal capacity to deaccession its collections, however, it is unlikely that the thefts will cause the museum to change its position on the full-scale return of the Parthenon Marbles, the Benin Bronzes, or the other contested objects within its collections. In this respect, it must be said, the British Museum is something of an outlier: other encyclopaedic museums, such as the Metropolitan Museum of Art, have been engaged in repatriation efforts, and even other British museums that are bound by legal considerations, such as the Victoria & Albert Museum in London, which is prevented by the National Heritage Act of 1983 from deaccessioning items from its collections, have in recent years moved towards offering contested objects on long-term loan.⁴³ Within the wider trajectory of increasing political and popular consciousness around the repatriation and restitution of cultural property around the world, the British Museum thefts may ultimately spur the museum's administration to reconsider what it means to be an encyclopaedic museum in the twenty-first century and to engage with the ethical, and not only the legal, arguments for and against the return of cultural property.

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Figure 1

Weary Herakles, on display at the Antalya Archaeological Museum, Türkiye
Photograph by the author, September 2022



Figure 2

Admission ticket for the Antalya Archaeological Museum, Türkiye
Photograph by the author, September 2022



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- ² Zeynep Çelik, *About Antiquities: Politics of Archaeology in the Ottoman Empire* (Austin: University of Texas Press, 2015), 219–220.
- ³ Ibid., 220; Turkish Archaeological News, 'Weary Heracles Comes Home and Receives a Very Warm Welcome!,' July 17, 2014, <https://turkisharchaeonews.net/news/weary-heracles-comes-home-and-receives-very-warm-welcome>.
- ⁴ Graham Bowley and Tom Mashberg, 'At the Met, She Holds Court. At Home, She Held 71 Looted Antiquities,' *New York Times*, July 17, 2023, <https://www.nytimes.com/2023/07/17/arts/design/shelby-white-the-met-antiquities-investigation.html?searchResultPosition=1>.
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- ⁷ Alexandra Tremayne-Pengelly, 'The UK Has a 60-Year Old Law Prohibiting Repatriation of Art. Is That About to Change?' *Observer*, February 11, 2023, <https://observer.com/2023/02/the-uk-has-a-60-year-old-law-prohibiting-repatriation-of-art-is-that-about-to-change/>.
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- ⁹ Jen Snowball, Alan Collins, and Enyinna Nwauche, 'Ethics, Values and Legality in the Restoration of Cultural Artefacts: The Case of South Africa,' *International Journal of Cultural Policy* 28, no. 5 (2022): 518–519.
- ¹⁰ Ella Feldman, 'Kandinsky Painting Returned to Heirs of Jewish Collectors Could Sell for \$45 Million,' *Smithsonian Magazine*, February 16, 2023, <https://www.smithsonianmag.com/smart-news/a-restituted-kandinsky-painting-could-fetch-45-million-at-auction-180981646/>.
- ¹¹ Dan Hicks, *The Brutish Museums: The Benin Bronzes, Colonial Violence and Cultural Restitution* (London: Pluto Press, 2020).
- ¹² 'United Nations Declaration on the Rights of Indigenous Peoples,' United Nations, September 13, 2007, https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf; Tristram Hunt, 'Should Museums Return Their Colonial Artefacts?,' *Guardian*, June 29, 2019, <https://www.theguardian.com/culture/2019/jun/29/should-museums-return-their-colonial-artefacts>.
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- ¹⁶ Nair, 'Activists in India and Africa.'
- ¹⁷ James Cuno, *Who Owns Antiquity?: Museums and the Battle over Our Ancient Heritage* (Princeton: Princeton University Press, 2011), 14. See also: Snowball, Collins, and Nwauche, 'Ethics, Values and Legality in the Restoration of Cultural Artefacts,' 514–515.
- ¹⁸ Çelik, *About Antiquities*, 219.
- ¹⁹ Hamilakis, 'Nostalgia for the Whole,' 243–286.
- ²⁰ J. T. Wood, *Discoveries at Ephesus Including the Site and Remains of the Great Temple of Diana* (Boston: James R. Osgood and Company, 1877), 16.
- ²¹ Eldem, 'From Blissful Indifference to Anguished Concern,' 316.
- ²² Wood, *Discoveries at Ephesus*, 81; İ.Ş.D.11.547.5, İ.Ş.D.11.547.8, Başbakanlık Osmanlı Arşivi (henceforth BOA), cited in Eldem, 'From Blissful Indifference to Anguished Concern,' 316.
- ²³ Debbie Challis, *From the Harpy Tomb to the Wonders of Ephesus: British Archaeologists in the Ottoman Empire, 1840–1880* (London: Duckworth, 2008), 23–39.

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- ²⁴ İ.Ş.D.11.547.5, BOA, cited in Eldem, 'From Blissful Indifference to Anguished Concern,' 316–317.
- ²⁵ Eldem, 'From Blissful Indifference to Anguished Concern,' 317.
- ²⁶ İ.Ş.D.11.547.3, BOA, cited in Eldem, 'From Blissful Indifference to Anguished Concern,' 318–319.
- ²⁷ Eldem, 'From Blissful Indifference to Anguished Concern,' 319.
- ²⁸ Ibid., 320.
- ²⁹ Ibid., 315.
- ³⁰ Rob. Wm. Cumberbatch to Henry Elliot, March 3, 1869, FO 195/942, 19–20, The National Archives, Kew (henceforth TNA).
- ³¹ Ibid., 21; Télégramme de Smyrne, March 3, 1869, FO 195/924, 27, TNA.
- ³² J. T. Wood to R. W. Cumberbatch, March 6, 1869, FO 195/942, 30–32, TNA.
- ³³ Rob. Wm. Cumberbatch to Henry Elliot, April 15, 1869, FO 195/942, 63–64, TNA.
- ³⁴ Rob. Wm. Cumberbatch to Henry Elliot, March 22, 1869, FO 195/942, 37–38, TNA. On the British Museum's response to the legislation, see: Izabella Donkow, 'The Ephesus Excavations 1863–1874, in the Light of the Ottoman Legislation on Antiquities,' *Anatolian Studies* 54 (2004): 109–17.
- ³⁵ Wood, *Discoveries at Ephesus*, 205.
- ³⁶ On this subject, see: Çelik, *About Antiquities*.
- ³⁷ Jill Lawless, 'The British Museum Is Suing a Former Curator It Says Stole 1,800 Items and Tried to Sell Them'. Associated Press, March 27, 2024, <https://apnews.com/article/british-museum-stolen-artifacts-ae178b225ecf2378766d22209194ecb7>.
- ³⁸ The British Museum, 'Recovery of Missing Items,' n.d., <https://www.britishmuseum.org/our-work/departments/recovery-missing-items>.
- ³⁹ Lawless, 'The British Museum Is Suing a Former Curator.'
- ⁴⁰ Eldem, 'From Blissful Indifference to Anguished Concern,' 283–4.
- ⁴¹ Alex Marshall, 'British Museum Director Resigns After Worker Fired for Theft,' *New York Times*, August 25, 2023, <https://www.nytimes.com/2023/08/25/arts/design/british-museum-director-resigns.html>.
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- ⁴³ Xinyi Ye, 'Met Returns Sculptures and Signs Memorandum with Thailand,' *ArtAsiaPacific*, April 29, 2024, <https://artasiapacific.com/news/met-returns-sculptures-and-signs-memorandum-with-thailand>; Hunt, 'Should Museums Return Their Colonial Artefacts?'