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Table of Contents

<i>Abstract</i>	3
<i>Zusammenfassung</i>	4
<i>Introduction</i>	5
Research Questions	5
Literature	7
Primary Sources	9
Methodology	10
Structure	10
AI statement.....	11
<i>Chapter 1. Theoretical Framework of Restitution and Decolonization of Museums</i>	12
1.1 Restitution: Definitions, Opportunities, Problems	12
1.2 Digital Restitution	15
1.3 Decolonization of Museums.....	21
Museums Featuring Asymmetric Power Relations.....	21
Crisis of Colonial Authority after World War II	23
New Museology.....	25
Museums as Contact Zones.....	27
Decolonization of Museums in the 21st Century	29
<i>Chapter 2. International Regulations of Restitution of Cultural Heritage</i>	33
2.1 The United Nations Educational, Scientific, and Cultural Organization (UNESCO).....	33
Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of Cultural Property	34
Charter on the Preservation of the Digital Heritage and Recommendations.....	37
2.2 The International Institute for the Unification of Private Law (UNIDROIT)	39
2.3 International Council of Museums (ICOM).....	44
<i>Chapter 3. Restitution of the Benin Bronzes: Actors, Claims, Debates</i>	48
3.1 The Punitive Expedition of 1897 and Dispersal of the Benin Bronzes around the World	48
Dispersal of the Benin Bronzes.....	52
3.2 Who claims restitution?	55
3.3 Restitution Cases and Policies in Europe.....	61
The United Kingdom.....	62
France.....	65
Germany	68
Austria	71
<i>Chapter 4. Digital Benin</i>	75
4.1 Origins and Aims of the Digital Benin Project	75
4.2 Platform Analysis.....	80

4.3 Distribution of Power	88
4.4 Digital Benin: a Precursor to Digital Restitution	92
<i>Conclusion</i>	97
<i>Bibliography</i>	101
Primary Sources	101
Secondary Sources	105

Abstract

This thesis analyzes the Digital Benin project as a precursor to the digital restitution of the Benin Bronzes. This online platform gathers information on more than 5000 artifacts that were mostly looted during the 1897 Punitive Expedition from the Benin Kingdom and are now the subject of restitution discussions. The theoretical ground for this research is postcolonial theory, including the contact zones of Mary Louise Pratt and James Clifford, the concept of the third place by Homi K. Bhabha, and a critical approach to neocolonial relations in the digital sphere. This work uses platform analysis, discussion analysis, case study, and the comparative method. This research examines the roles of international organizations such as UNESCO, UNIDROIT, and ICOM in restitution processes, as well as the approaches of Great Britain, France, Germany, and Austria. The focus of this thesis is the analysis of Digital Benin. This platform creates significant preconditions for digital restitution by combining diverse knowledge systems and providing broad access to digitized artifacts. At the same time, this project discusses asymmetrical power relations, as control over the platform and data remains within European institutions.

Zusammenfassung

Diese Arbeit analysiert das Projekt Digital Benin als Vorläufer der digitalen Restitution der Benin-Bronzen. Die Online-Plattform sammelt Informationen zu über 5000 Artefakten, die größtenteils während der Strafexpedition von 1897 aus dem Königreich Benin geraubt wurden und heute im Zentrum internationaler Restitutionsdebatten stehen. Die theoretische Grundlage dieser Untersuchung bildet die postkoloniale Theorie, insbesondere die Kontaktzonentheorie von Mary Louise Pratt und James Clifford, das Konzept des dritten Ortes von Homi K. Bhabha sowie ein kritischer Ansatz zu neokolonialen Beziehungen im digitalen Raum. Plattformanalyse, Fallstudien und vergleichende Methoden werden angewendet. Die Untersuchung umfasst die Rolle internationaler Organisationen wie UNESCO, UNIDROIT und ICOM in den Restitutionsprozessen sowie die Ansätze Großbritanniens, Frankreichs, Deutschlands und Österreichs. Der Schwerpunkt dieser Arbeit liegt auf der Analyse von Digital Benin. Diese Plattform stellt einen wichtigen Schritt in Richtung der digitalen Restitution, indem sie verschiedenes Wissen über die Kunstwerke verknüpft und einen breiten Zugang zu den digitalisierten Artefakten ermöglicht. Gleichzeitig thematisiert das Projekt asymmetrische Machtverhältnisse, da die Kontrolle über die Plattform und die Daten weiterhin bei europäischen Institutionen liegt.

Introduction

The formal political end of the colonial era did not resolve the issues it had produced. Thousands of artifacts originating from colonized countries were often illegally acquired by colonial powers and reside in European museums. The question of their return has become a topic of discussion and remains an issue in contemporary museology, law, and politics. With decolonization, the question of the return of artifacts became global, drawing attention to the restitution of cultural heritage.

Restitution became significant in contemporary museology, law, and politics, and has become an international subject of debate at the intersection of these spheres. The Benin Bronzes, thousands of artifacts made in the Benin Kingdom and looted by British troops during the Punitive Expedition in 1897, became a focal point of discussion. The case of their restitution is a global issue involving a complex array of actors, further complicated by the political disruption of the Benin Kingdom following that expedition.

Globalization and digitalization have suggested new approaches to addressing restitution, proposing digital restitution as an instrument to overcome the consequences of colonialism. Open access to online data enabled new ways of engaging with cultural heritage, creating a space where power and control over digitized objects are distributed between those who possess the physical artifacts and those who require their return. This leads to the contested character of such spaces and is a question of discussion in academic literature.

Research Questions

In this work, I analyze the Digital Benin platform, where the Benin Bronzes are gathered in a single online space by various institutions. The main research question is: how does Digital Benin function as a precursor to digital restitution?

The sub-questions are the following:

- How are the terms restitution and digital restitution understood in academic literature?
- How is the concept of contact zones applicable in Digital Benin's case?
- How do international organizations address the issue of restitution of cultural heritage acquired during colonial times?
- Who are the main actors making the Benin Bronzes' restitution claims?
- How different are European countries' approaches to the restitution of the Benin Bronzes?
- What practices of digital restitution are used in the Digital Benin project?
- How are the power and authority distributed within the Digital Benin project?

The theoretical framework of this work is based on postcolonial theory. The concept of contact zones, proposed by Mary Louise Pratt as spaces where uneven power relations meet¹ and used by James Clifford for the museum space,² allows for the analysis of Digital Benin through this lens, understanding its limitations and possibilities. I also use the concept of the third space suggested by Homi Bhabha,³ who argues that this kind of space belongs neither to European museum logic nor to local knowledge, but produces a new logic, while keeping the asymmetry of power that produced it. The critical approach to digital spaces as sites where neocolonial power relations are represented is grounded in Robin Boast's and Jim Enoté's work.

¹ Mary Louise Pratt, *Arts of the Contact Zone*. Profession (1991).

² James Clifford, "Museums as Contact Zones," in *Routes: Travel and Translation in the Late Twentieth Century*, (Cambridge: Harvard University Press, 1997).

³ Homi K. Bhabha, *The Location of Culture* (London and New York: Routledge, 1994).

Literature

The literature I used in this work may be divided into several categories. Firstly, works that frame the postcolonial theory and are crucial for understanding the process of decolonization of Africa are written by Edward Said, who showed how the Western institution produced knowledge about “the Other”, using it as an instrument of power and legitimizing the colonial views.⁴ Another author who addressed the issue of colonialism in the 20th century was Frantz Fanon, who focused on the violent nature of both colonialism and the means of overcoming colonial legacies.⁵ Gayatri Chakravorty Spivak raised the question of marginalized voices and their potential to be heard by Western institutions,⁶ and this framework is relevant to the analysis of spaces where different voices shape the narrative. Homi Bhabha’s work is also significant, as he proposes the concept of the third space, where the colonizers and colonized meet and produce new knowledge.⁷

Philip Igbafe is a Nigerian scholar who, in detail, described Benin after the 1897 expedition, focusing on the consequences in the political, social, and economic spheres.⁸ Leslye Obiora concentrated on relations between the traditional institutions of power and Nigerian state.⁹ The work of Uwomano Okpevra and David Ovuede showed the analysis of the intentional destruction of traditional institutions of power by British colonial rule.¹⁰

⁴ Edward W. Said, *Orientalism* (New York: Vintages books, 1979).

⁵ Frantz Fanon et al., *The Wretched of the Earth* (New York: Grove Press, 2002).

⁶ Gayatri Chakravorty Spivak, “Can the Subaltern Speak?” In *Marxism and the Interpretation of Culture*, ed. Cary Nelson and Lawrence Grossberg (Urbana: University of Illinois Press, 1988): 271–313.

⁷ Homi Bhabha, “The Third Space: Interview with Homi Bhabha,” *Identity: Community, Culture, Difference*, ed. Jonathan Rutherford (London: Lawrence and Wishart, 1990), 207–221.

⁸ Philip Aigbona Igbafe, *Benin under British Administration: The Impact of Colonial Rule on an African Kingdom, 1897-1938*, Ibadan History Series (Longman, 1979),

⁹ Leslye Amede Obiora, “Traditional Institutions and Cultural Heritage Law: The Case of Benin Bronzes,” *The Journal of African History* 66 (2025).

¹⁰ Uwomano Okpevra and David Ovuede, “Impact of British Colonialism on the Odionwere Conflict Management Institution in Benin Kingdom, Nigeria”, *Glocalism: Journal of Culture, Politics and Innovation*, ahead of print, no. 2 (2024).

Museums have been instruments of power since their birth, according to Tony Bennett,¹¹ helping to create national identity. Peter Vergo, in 1989, critically rethought the concept of the museum, noting that the interpretation of artifacts and the narration within museums reflect the relations of power.¹² Amy Lonetree suggested new practices of decolonizing museums, such as the inclusion of indigenous voices in the process of knowledge-making in North American museums.¹³ Laura Peers and Alison K. Brown researched collaborative practices between museums and source communities.¹⁴ Dan Hicks dedicated his work to the case of the Benin Bronzes, radically criticizing and analyzing in detail their looting and distribution across institutions worldwide.¹⁵

The literature on digital restitution is relatively recent, sparking debates over its terminology. The question of control in digital archives was raised by Kimberly Christen, who argued the importance of the actors who control data.¹⁶ Susan Hazan viewed digital museums as a supplement to physical museums, supporting a vision similar to digital restitution, as proposed in the Sarr-Savoy Report, which considered digital restitution as one of the steps in the process of restitution of cultural heritage taken during colonial times. Robin Boast and Jim Enote approached the practice of digital restitution critically, expressing concerns about the recreation of colonial relations when source communities are invited by the former colonial

¹¹ Tony Bennett, *The Birth of the Museum: History, Theory, Politics*, (London: Routledge, 1995).

¹² Peter Vergo, ed., *The New Museology*, Repr, Critical Views (Reaktion Books, 2009).

¹³ Amy Lonetree, *Decolonizing Museums: Representing Native America in National and Tribal Museums* (University of North Carolina Press, 2012).

¹⁴ Laura Lynn Peers and Alison Kay Brown, eds., *Museums and Source Communities: A Routledge Reader* (London: Routledge, 2003).

¹⁵ Dan Hicks, *The Brutish Museums: The Benin Bronzes, Colonial Violence and Cultural Restitution*, Paperback edition (Pluto Press, 2021).

¹⁶ Kimberly Christen, "Opening Archives: Respectful Repatriation," *The American Archivist* 74, no. 1 (2011).

powers' institutions.¹⁷ Lucas Lixinski warned that digital restitution initiatives may postpone the physical return of artifacts.¹⁸

Despite the extensive literature on the decolonization of museums and restitution, the analysis of newly developed online platforms aimed at restoring cultural heritage remains understudied. The work examining Digital Benin is written by Amnon Lehavi and focuses on the transparency of this project.¹⁹ Most other works on Digital Benin are rather descriptive and written by researchers who participated in creating this platform, which limits objective analysis. This work aims to contribute to the existing debate and analyze this project through the postcolonial theoretical lens.

Primary Sources

The sources used for this work are also divided into several groups. Firstly, I use legal documents from UNESCO, UNIDROIT, and ICOM, focusing primarily on the analysis of the 1970 Convention, the 1995 Convention, and the Code of Ethics, which help to understand the international framework for the return of cultural heritage and the regulatory mechanisms for contested cultural heritage. Also, legal documents from the analyzed countries, such as the Joint Declaration between Nigeria and Germany and the British Museum Act, provide information on each country's restitution policy. For the last chapter on Digital Benin, I use official documentation available on the project's website, as well as official press releases. Finally, the platform itself is the main source for my analysis, including visual and textual materials, and metadata related to artifacts.

¹⁷ Robin Boast and Jim Enote, "Virtual Repatriation: It Is Neither Virtual nor Repatriation," in *Heritage in the Context of Globalization: Europe and the Americas*, ed. Peter F. Biehl and Christopher Prescott (New York: Springer, 2013).

¹⁸ Lucas Lixinski, "Digital Heritage Surrogates, Decolonization, and International Law: Restitution, Control, and the Creation of Value as Reparations and Emancipation," *Santander Art and Culture Law Review*, no. 2 (6) (2020).

¹⁹ Amnon Lehavi, *Cultural Property: Law, Policy, and Markets. of Global Law Series*, (Cambridge: Cambridge University Press, 2025).

Methodology

I use a qualitative design based on the case study method, as the Digital Benin project is a well-documented contemporary case in the debates about the restitution of the Benin Bronzes. The project enables research on various aspects of restitution and stands at the intersection of museology, politics, and digital humanities. In the subchapter on four European cases regarding their restitution policies, I use comparative analysis based on the following criteria: has the country returned the Benin Bronzes? Does the country participate in the Digital Benin project? Is the country a member of the Benin Dialogue Group? What is each country's approach to the restitution of the heritage from colonial times?

Working with the Digital Benin platform, I analyze the interface, categories, entry points, navigation structure, and visual representation of objects. I also examine the actors who participated in creating this platform and their roles to understand power relations within the project. Discourse analysis is used to understand institutional narratives and the mechanisms by which the platform decolonizes this knowledge.

Structure

This work consists of four chapters. The first chapter provides a detailed theoretical framework and analyses debates on restitution and digital restitution. It also covers the process of museum decolonization, with restitution as an instrument of this process. The second chapter is dedicated to the role of international organizations such as UNESCO, UNIDROIT, and ICOM in developing regulations for the return of cultural heritage, drawing on their documentation. The third chapter focuses on the case of the looting of the Benin Bronzes, examining their dispersal, the actors making claims for their return, and the policies of the United Kingdom, France, Germany, and Austria regarding restitution. In the final fourth chapter, I provide a detailed analysis of the Digital Benin platform as a precursor to digital restitution, answering

the main research question and examining its origins, aims, structure, language, visual representation, distribution of authority, and participants.

AI statement

As English is not my mother tongue, I used artificial intelligence tools such as Grammarly and ChatGPT for grammar correction and translation.

Chapter 1. Theoretical Framework of Restitution and Decolonization of Museums

1.1 Restitution: Definitions, Opportunities, Problems

The process of decolonization was a global phenomenon. In Africa, it started in the second half of the 20th century.²⁰ It led to an increase in restitution demands as source communities sought to recover what was taken from them during colonial times. Source communities are groups of people from which artifacts were taken and their descendants.²¹ In this process, on the one hand, source communities began demanding the return of their cultural objects and human remains. On the other hand, former colonial powers also engaged in this process, creating initiatives for restitution; however, their active participation began mostly at the beginning of the 21st century.

According to the Oxford English Dictionary, restitution is “the process of returning objects to their proper owner.”²² Nowadays, it is closely connected to debates on decolonization, especially in museum studies, as restitution focuses on cultural heritage located in ex-colonial museums, institutions of the colonial era.

In literature, repatriation is another term researchers use to describe the process of returning something to its owner. Repatriation of cultural heritage usually refers to the “return of cultural objects to the country of origin.”²³ The Oxford English Dictionary defines the verb “to repatriate” as “to return again to one’s native country.”²⁴ However, in the scholarly literature, one can notice that the term is mostly used in relation to human remains, while the

²⁰ Sarr, Felwine, and Bénédicte Savoy, *The Restitution of African Cultural Heritage. Toward a New Relational Ethics*. (2018), 17.

²¹ Laura Lynn Peers and Alison Kay Brown, eds., *Museums and Source Communities: A Routledge Reader* (London: Routledge, 2003), 2.

²² Oxford English Dictionary, vol. 8 (1933), 551.

²³ Carol A. Roehrenbeck, “Repatriation of Cultural Property - Who Owns the Past? An Introduction to Approaches and to Selected Statutory Instruments,” *International Journal of Legal Information* 38, no. 2 (2010): 186.

²⁴ Oxford English Dictionary, vol. 8 (1933), 460.

term “restitution” is used for objects of cultural heritage.²⁵ In this research, I use the term restitution because this research focuses on cultural artifacts, specifically the Benin Bronzes, which were taken from their place of origin during the colonial period.

However, the definition of restitution remains an issue in academic literature: it has shifted from the physical return of illegally taken objects to a range of practices, including symbolic returns, narrative shifts, and collaborative curatorial practices.²⁶ According to this point of view, restitution may take different forms in museums, and only one of them is the physical return of artifacts.²⁷ It also plays a crucial role in the reconstruction of collective identity, helping to heal intergenerational trauma and restore communities’ right to interpret their own cultural heritage. In some cases, the symbolic acknowledgment that objects should be returned is as significant as the physical return and may even play a bigger role.

Restitution is also an instrument for acknowledging the mistakes of the past by former colonial powers, helping museums in their decolonization process. As it was mentioned in the Sarr-Savoy Report on the Restitution of African Cultural Heritage, a French document written in 2018, “the act of the gesture of restitution is very clearly the recognition of the illegitimacy of the property that one had previously claimed ownership of, no matter what the duration of time was.”²⁸ Thus, with a focus on rebalancing, restitution helps reorganize the asymmetric power relations between countries that were formerly colonial powers. Moreover, acts of restitution help to build an international cultural dialogue and collaboration. This establishes common standards for dealing with cultural heritage across countries, increasing dialogue and cooperation in the museum field.

²⁵ Laura Lynn Peers and Alison Kay Brown, eds, *Museums and Source Communities: A Routledge Reader* (London: Routledge, 2003).

²⁶ Tristram Besterman, “Cultural Equity in the Sustainable Museum,” in *The Routledge Companion to Museum Ethics*, ed. Janet Marstine (London and New York: Routledge, 2011), 239.

²⁷ Ibid.

²⁸ Felwine Sarr and Bénédicte Savoy, *The Restitution of African Cultural Heritage: Toward a New Relational Ethics* (2018), 17.

However, the restitution process encounters challenges. For example, cases of international restitution often encounter difficulties due to differing national laws, as two countries may view the return of some objects differently. This leads to ongoing debates over the restitution cases,²⁹ making negotiations complicated. Although intergovernmental organizations actively participate in this by creating common guidelines on restitution, they take on an advisory role that does not compel states to return cultural artifacts. Thus, organizations such as the United Nations Educational, Scientific, and Cultural Organization (UNESCO) and the International Council of Museums (ICOM) create the framework but do not resolve each restitution case.

Some researchers critique restitution, arguing that the returned objects will not be safe in new surroundings. That becomes an argument for museums to keep the artifacts in their collections: for example, James Cuno, the American and international museum leader, highlights that European institutions, “by preserving and presenting examples of the world’s cultures, their visitors the world in all its rich diversity. And in doing so, they protect and advance the idea of openness and integration in a changing world.”³⁰ This may imply financial deterioration for the big museums that now possess the contested artifacts. Another researcher, Paul Wood, also highlights the dangers of restitution, citing the lack of safety for returned artifacts and implying corruption and weak economies in their countries of origin.³¹ All this makes the restitution of cultural heritage difficult and problematic, though it could help address problems with contested artifacts by increasing international cooperation.

²⁹ Jeanette Greenfield, *The Return of Cultural Treasures*, 3rd ed (Cambridge University Press, 2007).

³⁰ Alexander Forbes, “The Getty’s James Cuno Speaks Out Against Repatriation,” *Artnet News*, November 4, 2014. <https://news.artnet.com/art-world/the-gettys-james-cuno-speaks-out-against-repatriation-154453>

³¹ Paul Wood, “Display, Restitution and World Art History: The Case of the ‘Benin Bronzes,’” *Visual Culture in Britain* 13, no. 1 (2012): 115-137.

1.2 Digital Restitution

Since 2020, life has become increasingly digital, and the museum sector has been influenced by this as well.³² E.g., COVID quarantines made it impossible to visit physical museums, which in turn led to the rise of digital exhibitions and online tours. This shift has opened the opportunities for restitution to move to the digital sphere, creating digital restitution practices.

Digital objects are embedded in the context of representation, aura, authority, and authenticity.³³ Issues related to digital heritage were raised as early as the 20th century, when, for example, the French philosopher Jean Baudrillard considered media to be “an instrument for destabilizing the real and true.”³⁴ The German philosopher Walter Benjamin had highlighted before the importance of the aura of an object, an element of physical artifacts that represents “its unique existence at the place where it happens to be,”³⁵ with ceremonial and religious meaning.

The authenticity of digital objects remains open, and some researchers view them not as copies of originals but as objects in their own right.³⁶ For example, Andrea Witcomb, a specialist in cultural heritage, focuses on user experience and behavior that identify the digital object.³⁷ Writing about the impact of digital technologies on the museum sector, she thinks that multimedia helps museum exhibitions to explore new ways of interpretation. Susan Hazan, a museum researcher and curator, viewed digital museums not as a replacement for physical ones but as a means to offer more opportunities for remote interaction with cultural heritage.³⁸

³² International Council of Museums (ICOM), *Museums, Museum Professionals and COVID-19*, accessed May 22, 2026, <https://icom.museum/en/covid-19/surveys-and-data/survey-museums-and-museum-professionals/>

³³ Fiona Cameron and Sarah Kenderdine, eds., *Theorizing Digital Cultural Heritage: A Critical Discourse* (Cambridge, MA: MIT Press, 2007), 52.

³⁴ Ibid., p. 50.

³⁵ Walter Benjamin, “The Work of Art in the Age of Mechanical Reproduction” (1936), accessed May 26, 2026, <https://web.mit.edu/allanmc/www/benjamin.pdf>

³⁶ Andrea Witcomb, “The Materiality of Virtual Technologies: A New Approach to Thinking about the Impact of Multimedia in Museums,” in *Theorizing Digital Cultural Heritage: A Critical Discourse*, ed. Fiona Cameron and Sarah Kenderdine (Cambridge, MA: MIT Press, 2007), 38.

³⁷ Ibid.

³⁸ Susan Hazan, “A Crisis of Authority,” in *Theorizing Digital Cultural Heritage: A Critical Discourse*, ed. Fiona Cameron and Sarah Kenderdine (Cambridge, MA: MIT Press, 2007), 137.

However, in the context of digital technologies, digital restitution is not a completely new concept. The first case occurred in 1997, when the Icelandic manuscripts, acquired by Denmark during colonial times, were “digital reunification”³⁹ with the Icelandic people at the end of the 20th century. But could it be counted as digital restitution?

With the developing technology, the phenomenon of digital restitution has also emerged and now has different definitions. Tony Gill, a program officer of the British organization Research Libraries Group, wrote about the digital possibilities regarding the exchange of rare manuscripts between libraries;⁴⁰ however, he did not define it as restitution. Initially, it referred to 3D reconstructions of objects that could serve as substitutes for the originals. For some researchers, digital restitution is the process of “providing copies of documentation and/or images to communities of origin. It does not include the original materials.”⁴¹ In this work, as well as in others, the terms “digital” and “virtual” are used as synonyms. The process of digital restitution, then, may be understood as the return of digital representations of cultural objects,⁴² which implies the use of 3D printing technologies and non-fungible tokens (NFTs). Another option that the authors suggest is to create a new online property right.⁴³ Thus, one way to understand digital restitution is to view it as the creation of virtual replicas of cultural objects in online spaces.⁴⁴ However, it raised the question of whether a digital copy can replace the physical object in the context of historical justice.

For other researchers, digital restitution focuses on practices of acknowledgment of past injustices. For example, a Senegalese researcher, Felwine Sarr, and a French art historian,

³⁹ Jeanette Greenfield, *The Return of Cultural Treasures*, 3rd ed (Cambridge University Press, 2007).

⁴⁰ Tony Gill, “3D Culture on the Web,” *RLG DigiNews* 5, no. 3 (June 15, 2001), accessed January 22, 2026, <https://webdoc.gwdg.de/edoc/aw/rlgdn/preserv/diginews/diginews5-3.html>

⁴¹ Michael Pickering, *A Repatriation Handbook: A Guide to Repatriating Australian Aboriginal and Torres Strait Islander Ancestral Remains* (Canberra: National Museum of Australia Press, 2020), 10.

⁴² Piotr Stec and Alicja Jagielska-Burduk, “Digital Restitution of Cultural Goods: In Search of a Working Model,” *International Journal for the Semiotics of Law - Revue Internationale de Sémiotique Juridique* 36, no. 5 (2023): 2208.

⁴³ Ibid.

⁴⁴ Ibid., 2211.

Bénédicte Savoy, in their Report on the Restitution of African Cultural Heritage, highlighted that “digitized objects must be made part of a radical practice of sharing, including how one rethinks the politics of image rights use.”⁴⁵ However, they acknowledge that digital restitution should be an additional practice to the physical restitution of the cultural heritage. In this work, I agree with this point of view and consider digital restitution not as an alternative but as a complementary instrument aimed at providing global access to cultural objects.

Although digital restitution seems to be promising, it encounters several challenges. For example, the critique of it comes from museum specialists Robin Boast and Jim Enote, who argue that digital sharing mechanisms often reproduce colonial hierarchies by retaining control over data and limiting engagement with source communities.⁴⁶ Like them, Kimberly Christen, a researcher in cultural heritage and digital technologies, argues that “the digital object may be more easily curated and shared than the physical object,”⁴⁷ which creates not only opportunities for shared authority but also the danger of narratives created by former colonial powers. This may leave indigenous communities “subjected to the European institutional logic of ownership, access and control,”⁴⁸ which continues to limit indigenous agency in the process of restitution. Thus, significant issues may arise when the former colonial powers control the digital restitution process, as it highlights the former asymmetry of power structures.⁴⁹

Another problem with digital restitution concerns the idea that an object’s value is

⁴⁵ Felwine Sarr and Bénédicte Savoy, *The Restitution of African Cultural Heritage: Toward a New Relational Ethics* (2018), 67.

⁴⁶ Robin Boast and Jim Enote, “Virtual Repatriation: It Is Neither Virtual nor Repatriation,” in *Heritage in the Context of Globalization: Europe and the Americas*, ed. Peter F. Biehl and Christopher Prescott (New York: Springer, 2013).

⁴⁷ Kimberly Christen, “Opening Archives: Respectful Repatriation,” *The American Archivist* 74, no. 1 (2011): 187.

⁴⁸ Jane Anderson, “Negotiating Who ‘Owns’ Penobscot Culture,” *Anthropological Quarterly* 91, no. 1 (2018): 278.

⁴⁹ Lucas Lixinski, “Digital Heritage Surrogates, Decolonization, and International Law: Restitution, Control, and the Creation of Value as Reparations and Emancipation,” *Santander Art and Culture Law Review*, no. 2 (6) (2020): 72.

intertwined with its physical location and its status as part of national heritage.⁵⁰ As cultural heritage, both tangible and intangible, is connected to people's memories, the physical return is crucial for the identity-building process for the communities from which the artifacts were taken. Unfortunately, this problem cannot be resolved in an online space, as it requires relocating artifacts to their original locations.

Another key challenge is the (potential) sacredness of objects and the limited access to them.⁵¹ Certain objects, for example, ritual objects, are by their nature not intended for public display. Their digitization automatically makes them accessible to a wider audience, potentially violating cultural norms and taboos. This is also true for the artifacts associated with funerary practices and images of sacred rituals: their digital copies, even now, retain the ethical and spiritual sensitivity of the originals.

Another problem is that some artifacts acquire meaning only in the context of specific ceremonies, which require the physical presence of the objects. Access to this may be regulated and may include restrictions based on specific age, status, or gender.⁵² Digital copies of such objects, placed in the public online space, weaken the connection with the ritual context, transforming sacred meaning into exhibition material. Therefore, the digital representation of such artifacts requires approval from the bearers of traditions and should involve strict access restrictions, as is now considered by curators.

Finally, asymmetry of power in online spaces remains a significant problem, as digital copies are provided by museums and academic institutions located in the countries of former colonial powers, leading to unequal access to and control over metadata and narratives between

⁵⁰ Piotr Stec and Alicja Jagielska-Burduk, "Digital Restitution of Cultural Goods: In Search of a Working Model," *International Journal for the Semiotics of Law - Revue Internationale de Sémiotique Juridique* 36, no. 5 (2023): 2211.

⁵¹ Lucas Lixinski, "Digital Heritage Surrogates, Decolonization, and International Law: Restitution, Control, and the Creation of Value as Reparations and Emancipation," *Santander Art and Culture Law Review*, no. 2 (6) (2020): 65–86.

⁵² Supriya Singh, Meredith Blake, and Jonathan O'Donnell, "Digitizing Pacific Cultural Collections: The Australian Experience," *International Journal of Cultural Property* 20, no. 1 (2013): 92.

museums and source communities.⁵³ This may lead to the preservation of previous forms of relations with the dominance of the former colonial powers in the digital space. This issue was discussed by the anthropologist Paul Basu, who specializes in heritage and museum culture. He highlights that the production of knowledge in the archives often remains within European institutions,⁵⁴ which may also be true of digital platforms, making them like previous forms of relations with an unequal distribution of power.

On the other hand, virtual restitution has many advantages. For instance, it provides broad public access to cultural heritage by making artifacts available online. This allows source communities, as well as others, to access the artifacts without traveling to another country. The role of digitalization in the restitution process is analyzed in the Sarr-Savoy Report, which covers the French work on the return of African artifacts held in their museums, the digitalization of these objects, and the provision of global access to digital copies as part of an exchange practice, which could increase intercultural dialogue.

The dual ownership model may be an option in digital restitution cases, in which digital rights and physical ownership are divided between the returning and the accepting countries.⁵⁵ Such models consider the interests of both sides and propose an approach that enables global access to digitized artifacts while acknowledging the interests of source communities.

Another advantage of digital restitution is the opportunity for communities of origin to participate in the interpretation and knowledge-producing process. Thus, digital restitution projects involve not only scholars from institutions of former colonial powers but also experts who possess indigenous knowledge. For example, the Digital Benin project group consists of

⁵³ Krystiana L. Krupa and Kelsey T. Grimm, "Digital Repatriation as a Decolonizing Practice in the Archaeological Archive," *Across the Disciplines* 18, no. 1–2 (November 8, 2021): 55.

⁵⁴ Paul Basu and Ferdinand De Jong, "Utopian Archives, Decolonial Affordances: Introduction to Special Issue," *Social Anthropology* 24, no. 1 (2016): 10.

⁵⁵ Piotr Stec and Alicja Jagielska-Burduk, "Digital Restitution of Cultural Goods: In Search of a Working Model," *International Journal for the Semiotics of Law – Revue Internationale de Sémiotique Juridique* 36, no. 5 (October 2023): 2214.

scholars from Europe, America, Nigeria, and other countries,⁵⁶ redistributing power over narratives and allowing scholars from Edo State, Nigeria, to participate in the knowledge-making process through interviews and local designations of objects.

Existing projects of digital restitution are not only connected to colonial-era artifacts but also to heritage lost during wars and persecutions. One example of such a digital initiative is the Digital Benin platform, which aims to create a place where all Benin Bronzes, physically located in more than 100 institutions worldwide, are gathered and contextualized with information from Nigerian specialists.⁵⁷ Another example of a digital initiative is Open Restitution Africa, whose aim is to “aggregate and disseminate information about processes pertaining to the restitution of African belongings and human ancestors.”⁵⁸ This project focuses on African-centered data and prioritizes African narratives.⁵⁹

Another example of a digital restitution project is the Jewish Digital Cultural Recovery, which aims to “provide international archival documentation on Jewish-owned cultural objects plundered by the Nazis, their allies, and collaborators from the time of their spoliation to the present, based on archival documentation.”⁶⁰ Although far from the context of colonial-era looted artifacts, this project also reflects the aims of digital restitution projects to provide global access to information and include more actors in the restitution process.

Thus, digital restitution provides a range of approaches from providing global access to cultural heritage to the division of power over digital platforms and collaborative practices. However, it remains unclear who determines the digital standards and who decides on public access. In this work, I understand digital restitution as a practice of collaboration and shared

⁵⁶ Project Team, Digital Benin, accessed April 10, 2026, <https://digitalbenin.org/team>

⁵⁷ Anne Luther, “Introduction”, Digital Benin, accessed March 27, 2026, <https://digitalbenin.org/documentation/introduction>

⁵⁸ “About the Project,” Open Restitution Africa, accessed May 12, 2026, <https://openrestitution.africa/about-the-project/>

⁵⁹ Ibid.

⁶⁰ Goals, JDCPR, accessed May 12, 2026, <https://jdcpr.org/goals/>

control over narrative and data in the digital space. As a result, the main goal of digital restitution is to create a space for dialogue and collaboration between the claiming and the returning sides, and to distribute the authority within the digital platform. Nevertheless, the question of whether digital restitution can serve as an alternative to physical restitution or function as an instrument for institutions to postpone the return of disputed artifacts remains open.

1.3 Decolonization of Museums

Museums Featuring Asymmetric Power Relations

Especially ethnographic collections in museums are rooted in the history of colonialism and oppression.⁶¹ The same position makes the museum that holds such collections an institution actively participating in decolonization.⁶² This duality applies to ethnographic museums: they simultaneously embody the legacy of former colonial powers and possess the means to create new decolonial narratives. Thus, museums are social and political institutions, and their history cannot be separated from the history of colonialism, since museums were institutions of independent nation-states. This section examines how museums are presented in postcolonial theory as agents of political and social influence.

According to Tony Bennett, professor of cultural studies, museums were never neutral keepers of knowledge, but actively participated in the construction of narratives of unequal power relations.⁶³ Since their foundations, they have been used to categorize the world, which demonstrates their role as active agents of power from the beginning. Another characteristic of museums' authority was their location: they were usually situated in city centers,⁶⁴ which

⁶¹ Bryony Onciul, *Museums, Heritage and Indigenous Voice: Decolonizing Engagement*, Routledge Research in Museum Studies 10 (New York and London: Routledge, 2015), 3.

⁶² Ibid., p. 26.

⁶³ Tony Bennett, *The Birth of the Museum: History, Theory, Politics*, (London: Routledge, 1995).

⁶⁴ Ibid., 87.

additionally reflected their institutional authority. The objects were considered meaningful when interpreted by local experts, indicating that their importance was determined by the institution where they were located, not by representatives of the cultural realm from which they were taken. Originally, access to museums was socially restricted,⁶⁵ with only elites able to attend, highlighting their accordance with the colonial power and its legacy.

The roots of modern ethnographic museums go back to the 16th century, when they were the cabinets of curiosities of elites filled with artifacts from the “newfound worlds”, but the growth of ethnographic collections began in the 19th century.⁶⁶ They evidenced the development of the taxonomy created by European scholars. This narrative was a direct reflection of the colonial view of the world, when non-European cultures and their elements were perceived as mere curiosities.

Initially, the collections in such museums were private. By the middle of the 19th century, they had been made accessible to the broader public,⁶⁷ and their goal shifted from display to education. However, their approach to working with artifacts acquired in colonies was the same: non-European objects were interpreted as exotic or scientifically valuable, and they were described according to Eurocentric standards of academic museums.⁶⁸ Thus, the ethnographic museum narratives reflected and represented European ideas of cultural superiority. As a consequence of social Darwinism, museums were instruments of ideologies, promoting concepts such as evolutionism.⁶⁹ Thus, non-European cultures were presented as different while anything European represented the norm.⁷⁰ It made museums, which had the

⁶⁵ Tony Bennett, *The Birth of the Museum: History, Theory, Politics*, (London: Routledge, 1995), 27.

⁶⁶ H. J. Braunholtz, “History of Ethnography in the Museum 1753-1938 (Pt. II),” *The British Museum Quarterly* 18, no. 4 (1953): 109.

⁶⁷ Tony Bennett, *The Birth of the Museum: History, Theory, Politics*, (London: Routledge, 1995), 93.

⁶⁸ *Ibid.*, 41.

⁶⁹ Louise Tythacott and Kostas Arvanitis, eds., *Museums and Restitution: New Practices, New Approaches*, Information and Cultural Management (Farnham: Ashgate, 2014), 3.

⁷⁰ Edward W. Said, *Orientalism* (New York: Vintage books, 1979), 40.

ability to keep and interpret acquired objects, strong instruments of power that actively participated in colonial relations.

Crisis of Colonial Authority after World War II

The disruption of the European order began after World War I with the growth of anticolonial resentment.⁷¹ In the second half of the 20th century, the global political order underwent further transformation. Thus, the post-World War weakness of imperial powers and the rise of anti-colonial movements led to the emergence of new independent nation-states. The decolonization of Africa happened mainly in the 1950s-70s and reflected a shift in political structures.

The creation of the United Nations in 1945 was one of the key events, as this international organization was based on the principle of “the sovereign equality of all its members,”⁷² and its goal was to “develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples.”⁷³ In 1960, 16 African states joined this organization,⁷⁴ which recognized decolonization and the end of the previous form of colonial power relations between European and African states. As a result of this process, critical studies on decolonization emerged.⁷⁵ Eurocentric interpretations of the past were questioned and critiqued. Accordingly, scholars from across the world researched how colonial rule shaped the image of non-European communities through an imperial lens. One of the most significant authors was Edward Said (1935-2003), who argued that the production of knowledge by Western scholars is highly political.⁷⁶ He examined Western scholarship on the “Orient,” specifically the Arab Islamic world, and argued that early Western scholarship in that

⁷¹ Els Bogaerts et al., eds, *Beyond Empire and Nation: The Decolonization of African and Asian Societies, 1930s-1960s*, Verhandelingen van Het Koninklijk Instituut Voor Taal-, Land- En Volkenkunde, v. 244 (Leiden: KITLV Press, 2012), 24.

⁷² “Charter of the United Nations, Chapter I: Purposes and Principles, Article 2(1),”, United Nations, accessed May 27, 2026, <https://www.un.org/en/about-us/un-charter/chapter-1>

⁷³ Ibid., Article 1(2).

⁷⁴ Els Bogaerts et al., eds, *Beyond Empire and Nation: The Decolonization of African and Asian Societies, 1930s-1960s*, Verhandelingen van Het Koninklijk Instituut Voor Taal-, Land- En Volkenkunde, v. 244 (Leiden: KITLV Press, 2012), 26.

⁷⁵ Ibid., 27.

⁷⁶ Edward W. Said, *Orientalism* (New York: Vintage books, 1979), 40.

region was biased and projected a false, stereotyped vision of “otherness” on the Islamic world, thereby facilitating and supporting Western colonial policy. He described how the West constructed the image of “the Other,”⁷⁷ legitimizing its supremacy over the colonized regions without scholarly evidence.

Decades before Said’s work on decolonization appeared, Frantz Fanon (1925-1961) argued that colonial structures did not disappear after the states became politically independent.⁷⁸ In his work “Black Skin, White Masks,” he analyzed the psychological consequences of colonialism on colonized people.⁷⁹ Fanon focused on the violence towards native peoples in colonial rule and highlighted that political decolonization could also be viewed as a “violent phenomenon.”⁸⁰ The brutal character of colonialism shaped different systems of knowledge and relations between the colonized and colonizers. Consequently, decolonization involved disruption of these structures, often through conflict.

These two understandings of decolonization influenced museums, which were places where colonial knowledge was created and displayed. Political decolonization claimed the decolonization of ethnographic museums. Gradual changes occurred in museums, which were institutional forms of empire and coloniality, containing objects from former colonial territories. After the emergence of new independent states, the question of how they create other narratives around artifacts was raised. As a result, museums needed to rethink their approach to knowledge production related to peoples and artifacts subjected to colonialism. Authority and the social role of museums became a subject of debate, leading to the emergence of the new approach, called new museology, at the end of the 1980s.

⁷⁷ Edward W. Said, *Orientalism* (New York: Vintages books, 1979), 40.

⁷⁸ Frantz Fanon et al., *The Wretched of the Earth* (New York: Grove Press, 2002).

⁷⁹ Frantz Fanon, *Black Skin, White Masks* (London: Pluto Press, 1996).

⁸⁰ Frantz Fanon et al., *The Wretched of the Earth* (New York: Grove Press, 2002), 35.

New Museology

Since the 1980s, former colonized nations have begun to demand to have the right of their voice in how their heritage is presented in museums. Criticism of European-dominated interpretations in museums emerged from groups who felt they had the right to tell the stories of their ancestors,⁸¹ prompting a redefinition of the relationships between museums and the public. With it, the social and political role of museums was raised, leading to changes in how museums operate. In this context, the new museology emerged from “dissatisfaction with the ‘old’ museology,”⁸² its methods, and the question of the purpose of museums, becoming a vibrant discussion of the role of museums.

In 1989, art expert Peter Vergo posed substantial questions regarding the purpose and the role of museums:

“Museums are, of course, far more than just places of study, or education, or entertainment. The very act of collecting has a political or ideological aesthetic dimension which cannot be overlooked. According to what criteria are works of art judged to be beautiful, or even historically significant? What makes certain objects, rather than others, ‘worth’ preserving for posterity? When our museums acquire (or refuse to give back) objects or artifacts specific to cultures other than our own, how does the ‘value’ we place upon such objects differ from that assigned to them by the culture, the people or the tribe from whom they have been taken, and for whom they may have a quite specific religious or ritual or even therapeutic connotation?”⁸³

Vergo developed the concept of the new museology, criticizing museums for their fixation on past practices that hindered their focus on their true goals.⁸⁴ That is why museums needed to reconsider their functions and goals in society.

The new museology provided a set of principles that defined the new functions of museums. For example, one of the most significant changes was that museums’ focus shifted to *how* they interpret artifacts and the meanings they thereby produce. Previously, the focus

⁸¹ Bryony Onciul, *Museums, Heritage and Indigenous Voice: Decolonizing Engagement*, Routledge Research in Museum Studies 10 (New York and London: Routledge, 2015), 4

⁸² Peter Vergo, ed., *The New Museology*, Repr, Critical Views (Reaktion Books, 2009), 3.

⁸³ Ibid., 2.

⁸⁴ Ibid., 3.

was on *what* the museum displayed; collections were more valuable than their interpretation. The new museology suggested that meanings surrounding artifacts are created within museums, making these institutions active participants in a biased knowledge production.

Another shift was noticeable in the museum's goal. From the end of the 1980s, museums were presented as institutions focused on education.⁸⁵ Thus, museums were supposed to contribute to the dialogue between museum experts and the audience. This showed a shift in the public's role, as visitors became co-creators of knowledge.

One more important principle of the new museology was the claim to increased access and representation.⁸⁶ Museums were supposed to be open to a wider audience and break with the image of museums as institutions for elites. The discourse of the new museology also focused on the representation of groups whose voices were excluded from the previous narrative. In ethnographic museums, the new museology implied a shift from dominant interpretations to the inclusion of other perspectives on cultural heritage.

The new museology also encouraged a critical approach to how museums construct knowledge about the artifacts they acquired during colonial times. The meaning of objects was altered in museums through recontextualization and was assigned through social discussion.⁸⁷ When objects were taken from their original contexts and placed in Western museums, they were recontextualized within a new interpretative framework.

Thus, the new museology suggested rethinking existing experiences and encouraged a shift in museum activity, promoting education, access, and participation of other actors in the process of knowledge creation. Museums were claimed to be active participants in shaping the dominant public discourse. Instead of focusing on collections, they would concentrate on the

⁸⁵ Robin Boast, "Neocolonial collaboration: Museum as Contact Zone Revisited," *Museum Anthropology* 34, no. 1 (2011): 58.

⁸⁶ Peter Vergo, ed., *The New Museology*, Repr, Critical Views (Reaktion Books, 2009). P. 45

⁸⁷ Deirdre C. Stam, "The Informed Muse: The Implications of 'The New Museology' for Museum Practice," In *Heritage, Museums and Galleries*, 1st ed. (London: Routledge, 2005), 62.

interpretation, communication, and social interaction.⁸⁸ One of the key concepts that emerged from this reorientation was the understanding of the museum as a “contact zone,” defining it as a place of dialogue and shared authority.

Museums as Contact Zones

The concept of “contact zones”, which was introduced and first used by a literary scholar and postcultural studies theorist, Mary Louise Pratt, in 1991 in her essay “Arts of the contact zone,”⁸⁹ was developed a year later in her book.⁹⁰ Using this term, she referred to the “social spaces where cultures meet, clash, and grapple with each other, often in contexts of highly asymmetrical relations of power, such as colonialism, slavery, or their aftermaths as they are lived out in many parts of the world today.”⁹¹ One of the important parts of the contact zone is “autoethnography”⁹² which defines the texts the colonized could use to represent themselves in ways that engaged with the terms of the other side.⁹³ Although it was meant to be an instrument of interaction and dialogue, when “diverse expert communities are empowered to articulate and state their claims to an object,”⁹⁴ this shows that the autoethnography is mostly addressed to the audience of the former metropolises, which may lead to a neo-colonial type of relations.

Anthropologist and historian James Clifford was the first to apply this term to a museum space.⁹⁵ In his essay “Museums as contact zones,” he suggested considering the museum collection as an “ongoing historical, political, moral relationship,”⁹⁶ an exchange between the

⁸⁸ Deirdre C. Stam, “The Informed Muse: The Implications of ‘The New Museology’ for Museum Practice,” In *Heritage, Museums and Galleries*, 1st ed. (London: Routledge, 2005), 68.

⁸⁹ Mary Louise Pratt, “*Arts of the Contact Zone*.” Profession (1991).

⁹⁰ Mary Louise Pratt, *Imperial Eyes: Travel Writing and Transculturation*, (London: Routledge, 2006).

⁹¹ Mary Louise Pratt, “*Arts of the Contact Zone*.” Profession, 1991, 34.

⁹² Mary Louise Pratt, *Imperial Eyes: Travel Writing and Transculturation*, Repr (London: Routledge, 2006), 7.

⁹³ Ibid.

⁹⁴ Ramesh Srinivasan et al., “Diverse Knowledges and Contact Zones within the Digital Museum,” *Science, Technology, & Human Values* 35, no. 5 (2010): 737.

⁹⁵ James Clifford, “Museums as Contact Zones,” in *Routes: Travel and Translation in the Late Twentieth Century*, (Cambridge: Harvard University Press), 192.

⁹⁶ Ibid.

actors. Thus, a museum becomes a space of interaction between the museum researchers and source communities. However, Clifford highlights that these relations are not the relations of equality,⁹⁷ as the groups that participated in the dialogue were originally separated and, for a long time, were in unequal relations of colonizers and colonized. He also highlighted that museums need to share control and authority with the communities from which the artifacts were acquired, as equal authority in contact zones can help overcome the legacies of colonialism.

This promising concept, however, has recently met some criticism. For example, Robin Boast highlights that researchers consider the only side of this concept, meaning the dialogue and interaction, while he underlines the problem of the contact zones, lying in the asymmetrical relations within it.⁹⁸ Thus, the source communities are invited into the museum to add their understanding and share their resources with the academy, which implies the continuation of inequality in museums.

Thus, the concept of the contact zone does not eliminate the problem of colonial structures remaining in the museum sector, as it “retained the classificatory order and hierarchy of empire.”⁹⁹ Then the question of who can speak and from which position (and location) becomes important, as the position of the speaker “affects both the meaning and truth of what one says.”¹⁰⁰ Two decades before, Indian literary theorist and feminist critic Gayatri Chakravorty Spivak had already focused on what she called the subaltern’s voice within the dominant structure.¹⁰¹ The “Subaltern” is a space of silence created by power. According to

⁹⁷ James Clifford, “Museums as Contact Zones,” in *Routes: Travel and Translation in the Late Twentieth Century*, (Cambridge: Harvard University Press), 194.

⁹⁸ Robin Boast, “Neocolonial collaboration: Museum as Contact Zone Revisited,” *Museum Anthropology* 34, no. 1 (2011): 66.

⁹⁹ Clemens Greiner et al., eds, *African Futures*, African-Europe Group for Interdisciplinary Studies, vol. 27 (Leiden: Brill, 2022), 64.

¹⁰⁰ Linda Martin Alcoff, Alecia Y Jackson, and Lisa A Mazzei, “The Problem of Speaking for Others,” In *Voice in Qualitative Inquiry: Challenging Conventional, Interpretive, and Critical Conceptions in Qualitative Research* (Routledge, 2009), 118.

¹⁰¹ Gayatri Chakravorty Spivak, “Can the Subaltern Speak?” In *Marxism and the Interpretation of Culture*, ed. Cary Nelson and Lawrence Grossberg (Urbana: University of Illinois Press, 1988): 271–313.

her, a true ethical engagement requires a work that helps to destroy the structures that prevent us from listening to them.

The location of the one who can speak is crucial to the analysis of museum practice because the majority of museums presented as contact zones are located on the territories of former metropolises. This means that source communities need to participate in dialogue in places that do not belong to them and that, on the contrary, are former colonial institutions. This raises the question of the neutrality of contact zones and highlights the risks of producing neocolonial relations. Spivak also introduced the concept of epistemic violence in “*Can the Subaltern Speak?*”, referring to the suppression of subaltern knowledges. In the landscape of postcolonial theory, epistemic violence is, perhaps, the most “invisible” form of harm, as it destroyed the culture and history of the colonized people.

Consequently, since the 1990s, many museums associated with the colonial past have become contact zones where former colonial powers and formerly colonized communities were supposed to meet in a dialogue producing new forms of shared knowledge. However, despite the significance of this concept for the decolonization of museums, it has its weaknesses. Thus, it can be argued that contact zones may reproduce inequalities because source communities possess less authority and are often considered additional sources of knowledge to the academy. Therefore, an equal distribution of authority is the key, yet most challenging, characteristic of the contact zone. Under Spivak’s criticism, the museum as a contact zone would not yet overcome epistemic violence.

Decolonization of Museums in the 21st Century

In recent decades, the question of museum decolonization has become a key issue in contemporary museology. One of the main problems lies in the question of power and authority in museums: who has the right to represent and interpret the cultures of others?

One of the steps that helps museums to decolonize themselves is the process of giving authority “to different ways of knowing”,¹⁰² meaning participation of source communities in museum activity as well as former colonized people. This can be achieved through shared curatorial practices, implemented in many museums across Europe and America. Amy Lonetree, for example, writes about North American museums that invite Indigenous peoples to work together.¹⁰³ She highlights that decolonization of the museum is not about presenting all views, but about “privileging the voices, stories, history, and memory”¹⁰⁴ of communities of origin. As museums were once instruments of colonial power, they can now be “means for repairing colonization’s harm,”¹⁰⁵ which shows their crucial, active role in a broader process of decolonization.

Shared curatorial practices imply collaboration with indigenous peoples and communities of origin, whose artifacts are in museums of countries of former colonial powers. A contemporary researcher in the field of museum decolonization, Laura Lynn Peers, argues that dialogue between source communities and museums is extremely important. She insists that museums “acknowledge a moral and ethical (and sometimes political) obligation to involve source communities in decisions affecting their material heritage.”¹⁰⁶ However, achieving equal participation of both parties often remains a challenge in museum practice.

Nevertheless, the decolonization of museums cannot be limited to the changes in authority over narratives. Another instrument that supports the decolonization of museums is the restitution of cultural heritage acknowledged as illegally acquired. This process is

¹⁰² Ramesh Srinivasan et al., “Diverse Knowledges and Contact Zones within the Digital Museum,” *Science, Technology, & Human Values* 35, no. 5 (2010): 737.

¹⁰³ Amy Lonetree, *Decolonizing Museums: Representing Native America in National and Tribal Museums* (University of North Carolina Press, 2012).

¹⁰⁴ *Ibid.*, 170.

¹⁰⁵ *Ibid.*, 171.

¹⁰⁶ Laura Lynn Peers and Alison Kay Brown, eds., *Museums and Source Communities: A Routledge Reader* (London: Routledge, 2003), 2.

connected to the political sphere and power relations between (and within) countries,¹⁰⁷ which I analyze in Chapter 3 on the example of the Benin Bronzes and the debates around their restitution from different countries.

Unfortunately, the decolonization of museums remains difficult as these institutions were initially formed within colonial contexts. Changing museum practice in ethnographic museums is a long-term process that requires acknowledging past mistakes and crimes. Thus, Robin Boast critically evaluates contemporary approaches to the decolonization of museums, emphasizing that new actors and interpretations merely change the asymmetrical structure of museum practice.¹⁰⁸

Digital platforms created by museums often become contact zones in online spaces, serving as another crucial instrument for decolonization. Acknowledging the problem of asymmetry in contact zones, some researchers view the solution in online platforms, which can become places outside the physical museums where “true engagement with collections”¹⁰⁹ occurs. Digitalized objects are becoming “mutable mobilities”¹¹⁰ as they can be recontextualized, reused, and reproduced and are not tied to any specific institution. The important characteristic of such objects is their openness to new interpretations from different actors.

Thus, decolonization of museums is a difficult process that requires these institutions to reflect on their colonial past, critically examine their functions, and take actions to implement new approaches in practice. This can be achieved by including source communities, striving to distribute authority over narratives equally, changing interpretations and

¹⁰⁷ Louise Tythacott and Kostas Arvanitis, eds., *Museums and Restitution: New Practices, New Approaches*, Information and Cultural Management (Farnham: Ashgate, 2014), 2.

¹⁰⁸ Robin Boast, “Neocolonial collaboration: Museum as Contact Zone Revisited,” *Museum Anthropology* 34, no. 1 (2011): 67.

¹⁰⁹ Ramesh Srinivasan et al., ‘Diverse Knowledges and Contact Zones within the Digital Museum’, *Science, Technology, & Human Values* 35, no. 5 (2010): 760.

¹¹⁰ *Ibid.*, p. 746.

terminology, increasing the online availability of collections, and resolving issues related to the restitution of artifacts taken during colonial times.

Chapter 2. International Regulations of Restitution of Cultural Heritage

Restitution of cultural heritage has become a topic of interest for the international legal community since the end of the 20th century.¹¹¹ It led to discussions about ownership rights in contested cultural heritage, and international organizations played a significant role in developing regulations for the return of the heritage. This chapter analyzes the legal framework established by the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Institute for the Unification of Private Law (UNIDROIT), and the International Council of Museums (ICOM) regarding cultural property and its restitution.

2.1 The United Nations Educational, Scientific, and Cultural Organization (UNESCO)

One of the most important organizations is the United Nations Educational, Scientific, and Cultural Organization (UNESCO), founded in 1945 with the main goal of “to contribute to peace and security by promoting collaboration among the nations through education, science, and culture.”¹¹² One of the aims of this organization is to foster cooperation among nations in the fields of education, science, and culture.¹¹³

In the original constitution of UNESCO, the term “cultural heritage” was not used, and the organization referred to the “conservation and protection of the world’s inheritance of books, works of art and monuments of history and science,”¹¹⁴ highlighting UNESCO’s further focus on cultural goods. Later, this concept evolved into the modern understanding of cultural

¹¹¹ Carol A. Roehrenbeck, “Repatriation of Cultural Property - Who Owns the Past? An Introduction to Approaches and to Selected Statutory Instruments,” *International Journal of Legal Information* 38, no. 2 (2010): 185.

¹¹² “Constitution of UNESCO, Article I(1),” United Nations Educational, Scientific and Cultural Organization, accessed March 21, 2026, <https://www.unesco.org/en/legal-affairs/constitution>

¹¹³ Ibid.

¹¹⁴ Ibid., Article I(2)(c).

heritage, which required the creation of new legal instruments such as regulations and conventions.

Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of Cultural Property

In the context of decolonization in the second half of the 20th century, concerns were raised about artifacts acquired unethically. One of the first key documents related to cultural property protection is the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted in 1970.¹¹⁵ The Convention provided the legal framework for preventing the illegal transfer of cultural property and became an instrument for its protection. Accordingly, a cultural property is the “property which, on religious or secular grounds, is specifically designated by each State as being of importance for archaeology, prehistory, history, literature, art or science and which belongs to the following categories,”¹¹⁶ with a thorough list of categories.

However, the main focus of this document is on the prevention of the unlawful import, export and transfer of cultural property; as it was mentioned in the Article 7: The State Parties “take the necessary measures, consistent with national legislation, to prevent museums and similar institutions within their territories from acquiring cultural property originating in another State Party which has been illegally exported after entry into force of this Convention.”¹¹⁷ Thus, previous cases involving the transfer of cultural heritage are not covered by this Convention, and the removal of artifacts during the colonial era remains beyond its scope.

¹¹⁵ Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, UNESCO, adopted November 14, 1970.

¹¹⁶ Ibid., Article 1.

¹¹⁷ Ibid., Article 7.

This Convention provides the legal framework for the restitution of cultural property. Although it states that “at the request of the State Party of origin, [The States Parties to this Convention undertake] to take appropriate steps to recover and return any such cultural property,”¹¹⁸ it is only applied to cases occurring after the enforcement of the convention. This measure excludes all the previous cases of illegally transferred cultural objects, especially from African countries, during the colonial period. One of the main issues with the implementation of this Convention is that most African countries were not State Parties to it and did not participate in its adoption.¹¹⁹ Given the disproportionate representation of member Parties during the adoption of the Convention, with a minority of African countries, this document may be criticized for the predominance of European countries and, therefore, their priorities.

According to Article 7(b), the States undertake “to prohibit the import of cultural property stolen from a museum or a religious or secular public monument or similar institution in another State Party to this Convention after the entry into force of this Convention for the States concerned, provided that such property is documented as appertaining to the inventory of that institution,”¹²⁰ while the inventory documentation in the countries of origin were often absent because of the colonial conditions. Another peculiarity of this Convention is that requests may be made only by the States: “Requests for recovery and return shall be made through diplomatic offices.”¹²¹ This means that the claims can be made by governments and their representatives, not by source communities.

It is important to understand that this Convention creates a soft international framework instead of legal obligations for the State Parties, as “each State Party to this Convention may

¹¹⁸ Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, UNESCO, adopted November 14, 1970, Article 7(b)(ii).

¹¹⁹ Folarin Shyllon, “The Recovery of Cultural Objects by African States through the UNESCO and UNIDROIT Conventions and the Role of Arbitration,” *Revue de Droit Uniforme* 5, no. 2 (2000): 219.

¹²⁰ Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, UNESCO, adopted November 14, 1970. Article 7(b)(i).

¹²¹ *Ibid.*, Article 7(b)(ii).

denounce the Convention on its own behalf or on behalf of any territory for whose international relations it is responsible.”¹²² Thus, further actions in the field of illicit import, export, and transfer of cultural property depend on countries' willingness to cooperate on cultural restitution.

Thus, although this Convention of 1970 became an instrument in the international context related to the illicit transfer of cultural property and its protection, it was primarily preventive and did not affect cases that had occurred before its adoption. This imposed restrictions on the solutions to cases related to the colonial times. On the one hand, the Convention became a turning point after which the international community's attention to the African States' heritage grew.¹²³ On the other hand, some museums, to protect their property, ensured that their possessions were acquired legally.¹²⁴

In 1978, the Intergovernmental Committee for Promoting the Return of Cultural Property (ICPRCP) was created.¹²⁵ The establishment of this Committee resulted from limitations in the 1970 Convention, as the Committee's focus was on the return and restitution of illegally transferred artifacts before its adoption. This new instrument served as a mediator between the states on questions of restitution,¹²⁶ and its main mission was to “facilitate negotiations between countries and encourage them to conclude agreements.”¹²⁷ This was needed in disputes over the restitution of cultural property, especially those rooted in the history

¹²² Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, UNESCO, adopted November 14, 1970. Article 7(b)(i), Article 23.

¹²³ General resolution (Resolutions adopted on the report of Programme Commission IV at the thirty-seventh plenary meeting, on 28 November 1978), UNESCO, 4/7.6/2.

¹²⁴ Carol A. Roehrenbeck, “Repatriation of Cultural Property - Who Owns the Past? An Introduction to Approaches and to Selected Statutory Instruments,” *International Journal of Legal Information* 38, no. 2 (2010): 198.

¹²⁵ “A pioneering Convention,” UNESCO, accessed March 23, 2026, <https://www.unesco.org/en/articles/pioneering-convention>

¹²⁶ “UNESCO facilitates negotiations between countries,” UNESCO, accessed March 23, 2026, <https://www.unesco.org/en/articles/unesco-facilitates-negotiations-between-countries>

¹²⁷ Ibid.

of colonization and military occupation.¹²⁸ However, the Committee's role was to create a space for negotiations, which did not always result in the return of looted heritage and made the outcome dependent on both sides' willingness to cooperate.

The same year, "A Plea for the Return of an Irreplaceable Cultural Heritage to those who Created It" was issued by the African Director-General of UNESCO, Amadou Mahtar M'Bow.¹²⁹ He argued that the victims of plunder "have been robbed of a memory which would doubtless have helped them to greater self-knowledge,"¹³⁰ highlighting the importance of the return of cultural heritage, which helps build identity. In this appeal, he called upon governments to cooperate in various ways, aiming for "a fair exchange of cultural property."¹³¹

Charter on the Preservation of the Digital Heritage and Recommendations

The development of the digital sphere and the limits of the 1970 Convention led to the expansion of strategies for preserving cultural heritage in a virtual form. The Charter on the Preservation of the Digital Heritage was adopted in 2003. It raises the issue of the disappearance of heritage and focuses on access and preservation of digital heritage.¹³²

The Charter defines digital heritage as follows: "Digital materials include texts, databases, still and moving images, audio, graphics, software and web pages, among a wide and growing range of formats."¹³³ This means that such heritage may have been digitized or originally produced in a digital sphere. As with the 1970 Convention, the aim of this document

¹²⁸ Folarin Shyllon, "The Recovery of Cultural Objects by African States through the UNESCO and UNIDROIT Conventions and the Role of Arbitration," *Revue de Droit Uniforme* 5, no. 2 (2000): 222.

¹²⁹ "A Plea for the return of an irreplaceable cultural heritage to those who created it: an appeal by Mr. Amadou-Mahtar M'Bow, Director-General of UNESCO," *The UNESCO Courier: a window open on the world*, XXXI, 7 (1978).

¹³⁰ *Ibid.*, 4.

¹³¹ *Ibid.*

¹³² Charter on the Preservation of the Digital Heritage and Recommendations, UNESCO, adopted October 17, 2003, Article 1.

¹³³ *Ibid.*

is to protect and preserve heritage;¹³⁴ however, in this Charter, the goal of preservation is to make it publicly accessible, excluding personal or sensitive information.¹³⁵

Unlike the 1970 Convention, which allowed States to be official participants, the Charter encourages a range of actors to participate in the preservation of digital heritage: “Preservation of the digital heritage requires sustained efforts on the part of governments, creators, publishers, relevant industries and heritage institutions.”¹³⁶ However, this document does not address restitution of cultural property or define who can and should control the digitized data. It may lead to uneven distribution of power in the digital space if control remains at European institutions. Thus, the Charter highlights the main goal of preserving digital heritage: making it accessible to a global audience. However, it does not address the issue of control and ownership of online data, especially in the context of colonial-era heritage.

In 2015, this Charter was followed by the Recommendations, which focus on the term documentary heritage, meaning by it “single documents – or groups of documents – of significant and enduring value to a community, a culture, a country or to humanity generally, and whose deterioration or loss would be a harmful impoverishment.”¹³⁷ It also highlights the role of memory institutions such as archives, libraries, museums, and other educational, cultural, and research organizations.¹³⁸ Similar to the Charter of 2003, these Recommendations do not address restitution in the digital sphere; however, the focus on digital heritage shows how the approach to the preservation of cultural heritage has changed. Public access became the main goal, as evidenced by digital restitution projects such as Digital Benin, which will be analyzed in Chapter 4.

¹³⁴ Charter on the Preservation of the Digital Heritage and Recommendations, UNESCO, adopted October 17, 2003, Article 1.

¹³⁵ Ibid., Article 2.

¹³⁶ Ibid., Article 11.

¹³⁷ “Recommendation concerning the preservation of, and access to, documentary heritage including in digital form,” UNESCO, adopted November 17, 2015, accessed March 23, 2026, <https://www.unesco.org/en/legal-affairs/recommendation-concerning-preservation-and-access-documentary-heritage-including-digital-form>

¹³⁸ Ibid.

To sum up, UNESCO is an international organization that has shaped the global framework for cultural heritage. The 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property established key legal standards for combating illicit trafficking in cultural objects. However, it shows the imbalance within the organization, as its creation was mostly driven by European states. Secondly, its conditions are understood primarily as soft power and depend on state ratification, leading to uneven implementation. Also, its focus is on the prevention of new illicit trafficking rather than on solving the cases related to colonial-era dispossession. Furthermore, the 1970 Convention relies necessarily on States Parties, which can make claims, limiting the capacity of other actors: communities and individuals affected by cultural losses. Acknowledging the limitations of the 1970 Convention, the new Intergovernmental Committee for Promoting the Return of Cultural Property was established, becoming a negotiating body that facilitated dialogue between the states.

In the 21st century, the understanding of cultural heritage has changed, shifting to the digital sphere. With the 2003 Charter on the Preservation of the Digital Heritage, the intergovernmental organization focused on access and the preservation of virtual forms of heritage, framing issues related to restitution within the context of digital access.

2.2 The International Institute for the Unification of Private Law (UNIDROIT)

The International Institute for the Unification of Private Law (UNIDROIT) is an independent international organization that has existed since 1940. Its main goal is to “study needs and methods for modernizing, harmonizing and co-ordinating private and in particular commercial law as between States and groups of States.”¹³⁹ This organization predominantly deals with

¹³⁹ “Overview,” UNIDROIT, accessed March 24, 2026, <https://www.unidroit.org/about-unidroit/overview/>

cases in private and commercial law, although it also participates in disputes related to the restitution of cultural property.¹⁴⁰ Understanding the limits of the 1970 UNESCO Convention, UNIDROIT adopted the Convention on Stolen or Illegally Exported Cultural Heritage in Rome in 1995.¹⁴¹

The proposals for the Convention's preamble were "made by the delegations of the United States, the Republic of Korea, and UNESCO."¹⁴² It was not intended to be a "replacement" for the 1970 Convention, but rather to broaden the framework aimed at discouraging cases of illicit trade and encouraging the preservation of cultural objects.¹⁴³ The final draft of this Convention was developed by participants from Australia, Canada, France, Greece, Italy, Mexico, the Netherlands, Spain, Switzerland, the United States, and Zambia,¹⁴⁴ indicating African participation in the creation of this document. As it aims "to contribute effectively to the fight against illicit trade in cultural objects,"¹⁴⁵ the Convention establishes legal rules for restitution.

According to the Convention, the term cultural property is the same as in the 1970 Convention, and it focuses on the legal framework for the return of "stolen and illegally exported cultural heritage."¹⁴⁶ The procedure for restitution is covered in Chapter II, starting with Article 3, which is considered the most important in the entire document, requiring the possessor of cultural property to ensure that the objects they possess are not illicit.¹⁴⁷ In this

¹⁴⁰ Elizabeth A. Klesmith, "Nigeria and Mali: The Case for Repatriation and Protection of Cultural Heritage in Post-Colonial Africa," *Notre Dame Journal of International & Comparative Law*: Vol. 4: no. 1 (2014): 57.

¹⁴¹ UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, UNIDROIT, June 24, 1995, accessed March 24, 2026, <https://www.unidroit.org/instruments/cultural-property/1995-convention/>

¹⁴² Alessandro Chechi, "The Preamble to the 1995 UNIDROIT Convention," *The 1970 UNESCO and 1995 UNIDROIT Conventions on Stolen or Illegally Transferred Cultural Property*. Ed. Ana Filipa Vrdoljak, Andrzej Jakubowski and Alessandro Chechi (Oxford University Press, 2024), 501.

¹⁴³ Ibid.

¹⁴⁴ Ibid.

¹⁴⁵ UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, UNIDROIT, June 24, 1995, accessed March 24, 2026, <https://www.unidroit.org/instruments/cultural-property/1995-convention/>

¹⁴⁶ Ibid.

¹⁴⁷ Alicja Jagielska-Burduk and Derek Fincham, "Article 3 of the 1995 UNIDROIT Convention: Claims for Restitution of Stolen Cultural Objects," *The 1970 UNESCO and 1995 UNIDROIT Conventions on Stolen or Illegally Transferred Cultural Property*. Ed. Ana Filipa Vrdoljak, Andrzej Jakubowski and Alessandro Chechi (Oxford University Press, 2024), 547

case, the possessor might not be the State, but a private person who considers a larger number of claims. Also, “any Contracting State may declare that a claim is subject to a time limitation of 75 years or such longer period,”¹⁴⁸ which increases the possibilities to make claims in relation to the cultural objects from private collections, although Article 10 reveals the difficulties for cases that happened before the acceptance of this document. The public collection, according to the 1995 Convention, “consists of a group of inventoried or otherwise identified cultural objects.”¹⁴⁹ This allows the Convention to consider non-mentioned means of identification for public collections, making it applicable to a variety of cases.

Article 4 of the Convention relates to the compensation and imposes on the possessor of the contested cultural heritage to “return them to the dispossessed owner if their conduct falls short of a clear due diligence test.”¹⁵⁰ The duty to return is, therefore, imposed on the current possessor of the cultural property, as well as the confirmation that “the possessor neither knew nor ought reasonably to have known that the object was stolen and can prove that it exercised due diligence when acquiring the object.”¹⁵¹ Later in this chapter, I will analyze how this might (or might not) be applicable to the artifacts stolen during colonial times.

The following Article 5 focuses on the nature of the stolen objects which need to be returned, and includes there “the traditional or ritual use of the object by a tribal or indigenous community, or establishes that the object is of significant cultural importance for the requesting State.”¹⁵² This shows the Convention’s recognition of the spiritual importance of certain cultural objects. The question of compensation is raised in Article 6, which again underscores

¹⁴⁸ UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, UNIDROIT, June 24, 1995, Article 3(5), accessed March 24, 2026, <https://www.unidroit.org/instruments/cultural-property/1995-convention/>

¹⁴⁹ Ibid., Article 3(7).

¹⁵⁰ Christa Roodt, “Article 4 of the 1995 UNIDROIT Convention: Possessor’s Rights and Claims for Restitution of Cultural Objects,” *The 1970 UNESCO and 1995 UNIDROIT Conventions on Stolen or Illegally Transferred Cultural Property*. Ed. Ana Filipa Vrdoljak, Andrzej Jakubowski and Alessandro Chechi (Oxford University Press, 2024), 562.

¹⁵¹ UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, UNIDROIT, June 24, 1995, Article 4(1), accessed March 24, 2026, <https://www.unidroit.org/instruments/cultural-property/1995-convention/>

¹⁵² UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, UNIDROIT, June 24, 1995, Article 5(3(d)), accessed March 24, 2026, <https://www.unidroit.org/instruments/cultural-property/1995-convention/>

the possessor's obligation to provide evidence that they were unaware of the cultural object's stolen nature.¹⁵³ In this case, they may be entitled to payment, which may prevent claims for the return, as it can impose a financial burden on the claimants.

This document "seeks to establish an international co-operation mechanism,"¹⁵⁴ offering arbitration as a mechanism for the recovery of illegally transferred cultural heritage.¹⁵⁵ This method focuses on resolving international disputes rather than on finding compromises,¹⁵⁶ which can limit its effectiveness in cases where dialogue and agreement are needed.

The crucial problem for cases of stolen artifacts during colonial times is revealed in Article 10 of the Convention: "The provisions of Chapter II shall apply only in respect of a cultural object that is stolen after this Convention enters into force."¹⁵⁷ The issue of retroactivity is also applicable to the 1970 UNESCO Convention,¹⁵⁸ and neither document applies to cases that occurred before their adoption. Although "States are free to give a treaty, or some of its provisions, retroactive effect,"¹⁵⁹ they chose not to do so regarding both Conventions, which indicates the reluctance to impose such obligations on the cases of colonial looting or other periods that "witnessed mass theft and misappropriation of cultural objects."¹⁶⁰

Thus, the UNIDROIT 1995 Convention became an important instrument in the sphere of law and the restitution of the illegally exported or stolen cultural objects. Although it was

¹⁵³ UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, UNIDROIT, June 24, 1995, Article 6(1), accessed March 24, 2026, <https://www.unidroit.org/instruments/cultural-property/1995-convention/>

¹⁵⁴ Marina Schnneider, "The UNIDROIT Convention on Cultural Property: State of Play and Prospects for the Future", *Uniform Law Review* 2, no. 3 (1997): 494.

¹⁵⁵ UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, UNIDROIT, June 24, 1995, Article 8(2), accessed March 24, 2026, <https://www.unidroit.org/instruments/cultural-property/1995-convention/>

¹⁵⁶ Folarin Shyllon, "The Recovery of Cultural Objects by African States through the UNESCO and UNIDROIT Conventions and the Role of Arbitration," *Revue de Droit Uniforme* 5, no. 2 (2000): 227.

¹⁵⁷ UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, UNIDROIT, June 24, 1995, Article 10(1), accessed March 24, 2026, <https://www.unidroit.org/instruments/cultural-property/1995-convention/>

¹⁵⁸ Craig Forrest, "Article 10 of the 1995 UNIDROIT Convention: Transitional Clause," *The 1970 UNESCO and 1995 UNIDROIT Conventions on Stolen or Illegally Transferred Cultural Property*. Ed. Ana Filipa Vrdoljak, Andrzej Jakubowski and Alessandro Chechi (Oxford University Press, 2024), 660.

¹⁵⁹ *Ibid.*

¹⁶⁰ Alicja Jagielska-Burduk and Derek Fincham, "Article 3 of the 1995 UNIDROIT Convention: Claims for Restitution of Stolen Cultural Objects," *The 1970 UNESCO and 1995 UNIDROIT Conventions on Stolen or Illegally Transferred Cultural Property*. Ed. Ana Filipa Vrdoljak, Andrzej Jakubowski and Alessandro Chechi (Oxford University Press, 2024), 551.

not intended to replace the 1970 UNESCO Convention, it provided a broader international framework for resolving the issues related to the contested cultural heritage. For instance, the 1995 Convention did not require cultural objects to be “designated by the States,”¹⁶¹ which indicates a step forward compared to the 1970 Convention, as in former colonies, many cultural objects, mainly those used in rituals and religious practices, were not inventoried. Another important feature of this document is that restitution claims may be made by private individuals, which increases the agency in cases of the restitution of cultural heritage.

Nevertheless, this important document encounters several issues. Thus, most African States were absent from the Conference when the Convention was adopted,¹⁶² which shows the initial imbalance of power. Also, at the time of adoption, no African State had ratified the Convention, and to this day, several European countries have not ratified it, which limits its practical effectiveness. The major weakness of the 1995 Convention is its lack of retroactivity, meaning that cases that occurred before its entry into force cannot be solved under its provisions. As a result, claims related to cultural objects that were taken during the colonial period are excluded from its scope.

Both the 1970 and the 1995 Conventions provided legal mechanisms for the recovery of illegally transferred cultural heritage, yet they encountered significant limitations. The effectiveness of these instruments highly depends on countries’ willingness and readiness to become parties to them. This reveals their non-binding character, since their implementation relies on state ratification and on countries’ acknowledgment of the historical injustice related to the cultural heritage.

¹⁶¹ Folarin Shyllon, “The Recovery of Cultural Objects by African States through the UNESCO and UNIDROIT Conventions and the Role of Arbitration,” *Revue de Droit Uniforme* 5, no. 2 (2000): 235.

¹⁶² *Ibid.*, 219.

2.3 International Council of Museums (ICOM)

The International Council of Museums (ICOM) is an international non-governmental organization that influences museums. Created in 1946,¹⁶³ it focuses on the “research, conservation, continuation and communication to society of the world’s natural and cultural heritage.”¹⁶⁴ While UNESCO and UNIDROIT establish the framework at the governmental and juridical levels, ICOM applies to museums directly and explicitly focuses on the protection of cultural heritage.

The ICOM definition of a museum shows how the understanding of this institution reflects the transformation in the cultural sphere. The last definition, given in 2022, highlights the social function of museums: “A museum is a not-for-profit, permanent institution in the service of society that researches, collects, conserves, interprets and exhibits tangible and intangible heritage,”¹⁶⁵ while previously it was described as a repository of artifacts. “They operate and communicate ethically, professionally, and with the participation of communities,”¹⁶⁶ showing the importance of intercultural dialogue, which is crucial in terms of the decolonization of museums.

The important document that establishes ethical standards for museum activity is the Code of Ethics for Museums. Adopted in 1986,¹⁶⁷ this document provides a series of guidelines and principles regulating museums’ actions that all members of ICOM must follow. The current redaction was revised in 2017, although the process of the undated document is expected to be

¹⁶³ “History of ICOM,” International Council of Museums (ICOM), accessed April 2, 2026, <https://icom.museum/en/about-us/history-of-icom/>

¹⁶⁴ “Missions and objectives,” International Council of Museums (ICOM), accessed April 2, 2026, <https://icom.museum/en/about-us/missions-and-objectives/>

¹⁶⁵ “Museum Definition,” International Council of Museums (ICOM), accessed April 2, 2026, <https://icom.museum/en/resources/standards-guidelines/museum-definition/>

¹⁶⁶ Ibid.

¹⁶⁷ “ICOM Code of Ethics for Museums,” *International Council of Museums (ICOM)*, Paris, 2017.

presented in 2026.¹⁶⁸ This shows that the ethical standards in the museum sector are constantly evolving.

The Code of Ethics obliges museums to ensure that “any object or specimen offered for purchase, gift, loan, bequest, or exchange has not been illegally obtained in, or exported from its country of origin or any intermediate country in which it might have been owned legally.”¹⁶⁹ Thus, according to this recommendation, museums should verify the provenance of the artifacts they acquire to ensure their legality. However, as in the cases of the UNESCO and UNIDROIT Conventions, it is applicable, as the document was accepted and does not include prior cases.

The document also addresses sensitive materials, such as human remains and sacred objects.¹⁷⁰ Museums should acquire artifacts only when they can provide the needed environment for them. Respectively, it should apply to research on human remains and sacred objects in repositories.¹⁷¹ By doing this, they need to consider the interests of the community members from which the artifacts originated, which implies dialogue. Thus, this ICOM principle helps museums to become spaces where the narrative belongs to both the source communities and to the museum professionals.

Cooperation is another crucial principle for museums according to the Code of Ethics. It is highlighted that museums should “promote the sharing of knowledge, documentation and collections with museums and cultural organizations in the countries and communities of origin.”¹⁷² This suggests close collaboration with communities of origin and implies shared authority over narratives in the museum, an element of their decolonization process.

¹⁶⁸ “Code of Ethics,” International Council of Museums (ICOM), accessed April 2, 2026, <https://icom.museum/en/resources/standards-guidelines/code-of-ethics/>

¹⁶⁹ “ICOM Code of Ethics for Museums,” *International Council of Museums (ICOM)*, Paris, 2017. Principle 2.3.

¹⁷⁰ Ibid., Principle 2.5.

¹⁷¹ Ibid., Principle 3.7.

¹⁷² Ibid., Principle 6.1.

It is continued in the next principle, which states that “museums should be prepared to initiate dialogue for the return of cultural property to a country or people of origin.”¹⁷³ This implies that museums should be responsible for the conversation and take the first steps in this process. It puts them in a leading position on questions of restitution; however, it does not oblige them to do so, offering guidance rather than strict instructions for the museum’s activity.

One of the most crucial principles related to the restitution of cultural heritage is the following: the museum should take steps to facilitate the return of objects claimed to be the country or community of origin.¹⁷⁴ It can be applicable to the cases when “an object or specimen that can be demonstrated to have been exported or otherwise transferred in violation of the principles of international and national conventions.”¹⁷⁵ However, the principles of the analyzed Conventions cannot be applied to cases that happened before their adoption. Also, museums should act accordingly, “if legally free to do so,”¹⁷⁶ underlining their dependency on the law, as they should “conform to all national and local laws.”¹⁷⁷

Thus, the Code of Ethics of ICOM provides a few principles for museums and museum specialists, including their work in the context of the restitution of cultural heritage. Although the Code of Ethics highlights that museums should take the initiative in their dialogue with communities of origin and verify the provenance data of the objects they acquire, everything this document states is advisory.

The other tools ICOM uses in relation to the restitution of cultural heritage include the Red Lists of Cultural Objects at Risk, which help reduce the illegal import and export of artifacts.¹⁷⁸ The idea of creating such lists appeared after the meeting of African and European

¹⁷³ “ICOM Code of Ethics for Museums,” *International Council of Museums (ICOM)*, Paris, 2017. Principle 6.2.

¹⁷⁴ *Ibid.*, Principle 6.3.

¹⁷⁵ *Ibid.*

¹⁷⁶ *Ibid.*

¹⁷⁷ *Ibid.*, Principle 7.1.

¹⁷⁸ “Red Lists,” International Council of Museums (ICOM), accessed April 2, 2026, <https://icom.museum/en/red-lists/>

museum professionals in Amsterdam in 1997.¹⁷⁹ The main goal of these lists was to help identify the objects in the event of their illicit trafficking and prevent their export. It should be noted that these lists do not include the stolen objects but only the inventoried artifacts, which are parts of collections and are “vulnerable to illicit traffic.”¹⁸⁰ Thus, this instrument focuses on preventing the illegal import and export of rare cultural heritage.

To sum up, the analysis of the ICOM’s activities highlights that contemporary museology focuses on dialogue and collaboration with source communities in questions of contested cultural heritage. However, the norms ICOM suggests are recommendations and do not obligate museums to take specific actions. This shows the indirect involvement of this international organization in the process of decolonization of museums, implying that responsibility for actions related to the restitution of cultural objects lies with individual countries.

Thus, the analyzed international organizations have their own instruments for questions of cultural heritage. However, the implementation of each mechanism proposed by these organizations requires countries’ readiness to cooperate and negotiate on questions of contested heritage.

¹⁷⁹ Folarin Shyllon, “The Recovery of Cultural Objects by African States through the UNESCO and UNIDROIT Conventions and the Role of Arbitration,” *Revue de Droit Uniforme* 5, no. 2 (2000): 224.

¹⁸⁰ “Red Lists,” International Council of Museums (ICOM), accessed April 2, 2026, <https://icom.museum/en/red-lists/>

Chapter 3. Restitution of the Benin Bronzes: Actors, Claims, Debates

This chapter presents an overview of the relations between the Benin Kingdom and England that led to the Punitive Expedition of 1897, which culminated in the looting of Benin City and the further dispersal of the Benin Bronzes worldwide. After the destruction of Benin City in 1897, the Benin Kingdom became a part of the Niger Coast Protectorate. This eventually created several groups in contemporary Nigeria who claimed the return of the Benin Bronzes. The relationships among the claimants are also analyzed in this chapter, revealing their complex inner nature. Four European countries: The United Kingdom, France, Germany, and Austria are examined as compared cases, differently approaching the issue of restitution.

3.1 The Punitive Expedition of 1897 and Dispersal of the Benin Bronzes around the World

Since the 15th century, Benin has been a kingdom in West Africa ruled by the Obas, leaders of the Edo people, also called the Benin people.¹⁸¹ They traded with Europeans, starting with Portugal, from the 15th to the 18th centuries, mostly selling pepper, ivory, timber, and palm oil. In the 18th century, regulated contact between Benin and Britain made Benin prosperous, particularly due to its engagement in the empire's transatlantic slave trade.¹⁸² With the Industrial Revolution, Benin's palm oil production increased, and commercial relations with the British Empire intensified. However, the Oba of the Benin Kingdom acted independently in all levels of negotiations with European traders.

At the same time, the Benin Kingdom was well known for its art, specifically ivory, wood, and bronze carvings, and brass works, which represented one of the oldest art traditions

¹⁸¹ Dan Hicks, *The Brutish Museums: The Benin Bronzes, Colonial Violence and Cultural Restitution*, Paperback edition (Pluto Press, 2021), 7.

¹⁸² *Ibid.*, 80.

in Africa. Most of them were made for Obas and their Royal Palace and were used in ceremonies and rituals.¹⁸³ These objects not only represented the political power of their leader but also included religious meaning and were often used in rituals.

In the 19th century, the African continent became the object of European colonization, known as “the Scramble for Africa”.¹⁸⁴ Since the 1870s, the European imperial powers have been seeking new territories with natural resources and new potential trade markets. This led to conflict between the European empires, which was resolved between the Berlin Conference of 1884-1885 and a series of agreements in 1890, during which colonial possessions of African territories were reorganized.¹⁸⁵ Clearly, the interests of African political representatives were excluded from the European plans to legitimize colonial appropriations.

Colonialism, as defined by Nigerian scholars, is “universally recognized as a form of domination or control by individuals or groups over the territory and behavior of other individuals or groups.”¹⁸⁶ Control over one group of people is primarily economic and therefore exercised through the legal framework that governs the possession of economic resources. Britain established economic hegemony over West Africa, including territory that later became Nigeria, by creating the British Oil Rivers Protectorate in 1885,¹⁸⁷ which, after territorial expansion, was renamed into the Niger Coast Protectorate in 1893.¹⁸⁸ Originally, Great Britain treated the Obas of Benin as trading partners; however, with the British expansion along the banks of the River Niger, their power increased noticeably. In 1892, a trade agreement

¹⁸³ Thomas J. Watson Library Digital Collections, The Met Museum, Charles Hercules Read and Ormonde Maddock Dalton, *Antiquities from the City of Benin and from Other Parts of West Africa in the British Museum* (London: British Museum, 1899), preface.

¹⁸⁴ Muriel Evelyn Chamberlain, *The Scramble for Africa*. Third edition. (London, New York: Routledge, 2013).

¹⁸⁵ *Ibid.*, 53.

¹⁸⁶ Uwomano Okpevra and David Ovuede, “Impact of British Colonialism on the Odionwere Conflict Management Institution in Benin Kingdom, Nigeria”, *Glocalism: Journal of Culture, Politics and Innovation*, ahead of print, no. 2 (2024): 6.

¹⁸⁷ Muriel Evelyn Chamberlain, *The Scramble for Africa*. Third edition. (London, New York: Routledge, 2013), 54.

¹⁸⁸ Tunde Oduwobi, “From Conquest to Independence: The Nigerian Colonial Experience.” *Historia Actual Online*, no. 25 (2011): 20.

with Benin was signed, granting Britain “preferential access to trade.”¹⁸⁹ When the ruling Oba Ovonramwen (reigned 1888-1897) realized that this threatened the kingdom’s interests, he stopped complying with the British conditions in 1896 and, through embargoes, tried to regain control over some products. This move led to rising tensions between the two sides.

In November 1896, appointed Commissioner and Consul-General of the Niger Coast Protectorate, James R. Phillips (1863-1897), declared the significant role of the Oba Ovonramwen in trading processes to be inappropriate and suggested to the British Crown that “there is only one remedy, that is to dispose the king of Benin from his stool.”¹⁹⁰ In doing so, he continued the policy of Ralph Moor (1860-1909), the then-current High Commissioner and Consul-General of the Niger Coast Protectorate, who noted that his office “had been already working on plans for the assault of Benin.”¹⁹¹ After Phillips suggested his plans to assault Benin, he was informed by a cablegram from London that the extra troops were not available at that time to support his action. Nevertheless, he decided to set out for Benin with a small group of companions, as it was noticed, to discuss trade questions. The information about his visit was sent to the Oba, who made it clear in his reply that he “couldn’t see the party ... as he was engaged in some traditional rituals and festivities.”¹⁹² Indeed, during the Ague ritual, the Oba was not allowed to meet unknown people, and suggested Phillips to discuss their meeting a month later.¹⁹³ For reasons that remain unclear to historians, Phillips was unwilling to return and visit the Oba later, and after the expedition was decided to be continued, the members of the Phillips group were killed by Benin soldiers upon getting close to the city.

¹⁸⁹ Kathryn Wysocki Gunsch, “Art and/or Ethnographica?: The Reception of Benin Works from 1897-1935.” *African Arts* 46, no. 4 (2013): 22.

¹⁹⁰ Philip Aigbona Igbafe, *Benin under British Administration: The Impact of Colonial Rule on an African Kingdom, 1897-1938*, Ibadan History Series (Longman, 1979), 55.

¹⁹¹ *Ibid.*, 56.

¹⁹² *Ibid.*

¹⁹³ *Ibid.*, 57.

The so-called Punitive Expedition started in February 1897 with the British ultimatum to the Oba demanding his surrender, leading to the massive attack on the villages around Benin City and, eventually, on Benin City itself. As Benin troops were in smaller numbers, the British army took over the city on the 18th of February.¹⁹⁴ According to Dan Hicks, the Royal Palace, altars, religious buildings, and sacred trees were intentionally destroyed by the British forces.¹⁹⁵ Buildings with artworks and human remains were ruined, meaning that the “sacred memory”¹⁹⁶ was contaminated by the British aggressor. Artifacts created by the Edo people,¹⁹⁷ known as the Benin Bronzes, were looted by the troops.

After the 1897 attacks, Benin City was declared a part of the Niger Coast Protectorate under British control.¹⁹⁸ This allowed the British to have unlimited access to natural resources such as rubber. Also, this Punitive Expedition marked the beginning of other such violent actions between 1897 and 1911,¹⁹⁹ sustaining the new imperial distribution of power in the region.

Although Oba Ovonramwen had fled before Benin City was defeated, he left the city only for some months and returned in August of 1897. In a martial trial, he was sentenced by the British to “deportation and exile forever.”²⁰⁰ Consequently, the last Oba of the Benin Kingdom died in exile in 1914. The British imperial regime fundamentally changed existing power structures and imposed colonial rule, violating the ancestral legacy.

¹⁹⁴ Philip Aigbona Igbofe, *Benin under British Administration: The Impact of Colonial Rule on an African Kingdom, 1897-1938*, Ibadan History Series (Longman, 1979), 70.

¹⁹⁵ Dan Hicks, *The Brutish Museums: The Benin Bronzes, Colonial Violence and Cultural Restitution*, Paperback edition (Pluto Press, 2021), 130.

¹⁹⁶ *Ibid.*, 133.

¹⁹⁷ *Ibid.*, 140.

¹⁹⁸ Philip Aigbona Igbofe, *Benin under British Administration: The Impact of Colonial Rule on an African Kingdom, 1897-1938*, Ibadan History Series (Longman, 1979), 74.

¹⁹⁹ *Ibid.*, 75.

²⁰⁰ *Ibid.*, 91.

Dispersal of the Benin Bronzes

One of the significant consequences of the Punitive Expedition was the distribution of looted objects from Benin City. The distribution process was disordered, leading to the dispersal of many through various dealers and auctions to European and North American museums, as well as private collections. Therefore, an accurate count, registration, and documentation of the Benin Bronzes cannot be a goal. However, repeated attempts have led to an increasing number of finds and growing attention to the research of their provenance.

Many ceremonial objects were removed from Africa and sold as early as February 1897.²⁰¹ Most of the artifacts were stolen from the Oba's Palace and were predominantly made of bronze and ivory and used during ceremonies. A significant number of these objects were sent to England. The precise number of looted objects during this expedition remains unknown, although attempts to count them were made in 1919. An Austrian anthropologist and curator who worked in Berlin, Felix von Luschan (1854-1924), estimated the total number of these artifacts, known as the Benin Bronzes, at around 2,400.²⁰² In the 1980s, expertise increased the number to over 4,000. Most objects were plundered because British colonial officers were entitled to possess them and therefore acted as uncontrolled private sellers. As a result, the Benin Bronzes could be acquired directly from officers or through dealers, who sold them to museums. Some artifacts were donated, as in the case of Royal Navy Officer Francis Kennedy (1862-1939), who served in the Niger Coast Protectorate and donated the linen flag to the Royal Museums Greenwich.²⁰³ It is documented that private dealers acquired more than 500 artifacts in the first year of plunder.²⁰⁴

²⁰¹ Philip Aigbona Igbofe, *Benin under British Administration: The Impact of Colonial Rule on an African Kingdom, 1897-1938*, Ibadan History Series (Longman, 1979), 71.

²⁰² Dan Hicks, *The Brutish Museums: The Benin Bronzes, Colonial Violence and Cultural Restitution*, Paperback edition (Pluto Press, 2021), 136.

²⁰³ Ibid., 158.

²⁰⁴ Ibid., 147.

Proofs exist that “Benin Bronzes were auctioned to cover the costs of the mission,”²⁰⁵ which explains why most of these artifacts remained in England. Within months, the Benin Bronzes were distributed around England and displayed in other museums. In 1897, more than 300 of the looted plaques were on loan to the British Museum months after the expedition.²⁰⁶ Some of them were later returned to the Foreign Office and bought by dealers, collectors, and museums in England and other European countries. A significant number was left to Sir Ralph Denham Rayment Moor (1860–1909), the first high commissioner of the British Southern Nigeria Protectorate, who gifted them to politicians and servants,²⁰⁷ thereby complicating provenance research.

Many of these artifacts were the subject of auctions at Christie’s, Manson and Woods, Fenton and Sons, and others.²⁰⁸ However, some were bought by museums through private dealers: for example, the German Ethnological Museum acquired 263 objects “through liberal gifts, consular assistance, and important pecuniary support from non-official sources.”²⁰⁹ That was a direct purchase and transfer of objects without British government intervention, which shows that the dispersal of the Benin Bronzes was shaped by both state actors and private individuals.

It is crucial to understand how looted objects were displayed in museums and how they were perceived by the public. In the case of the British Museum, which was the first institution exhibiting these artifacts, the Benin Bronzes were described as the “objects obtained by the recent successful expedition sent to Benin to punish the natives of that city for a treacherous

²⁰⁵ Nicholas Thomas, *The Return of Curiosity: What Museums Are Good for in the 21st Century*, Reprinted (Reaktion Books, 2017), 74.

²⁰⁶ Dan Hicks, *The Brutish Museums: The Benin Bronzes, Colonial Violence and Cultural Restitution*, Paperback edition (Pluto Press, 2021), 144.

²⁰⁷ *Ibid.*, 145.

²⁰⁸ *Ibid.*, 147.

²⁰⁹ *Ibid.*, 149.

massacre of a peaceful English mission.”²¹⁰ The word “looted” was not used; instead, the smoother “obtained” was used to describe the objects taken during the Expedition of 1897, reflecting the European narrative that legalized colonialism through specific museum wording. As Edward Said argued, the production of knowledge is a political act, and by claiming this expedition as a response to aggression, the British Museum produced its colonial narrative.

The art status of the Benin Bronzes was recognized long before the end of the 19th century, when Europeans traded with Benin City. However, the taken objects were mostly bought by ethnographic museums and displayed there as “‘tribal’ and ‘primitive’ art.”²¹¹ According to the colonial classification of inferiority. For example, at the British Pitt-Rivers Museum, the Benin Bronzes were displayed alongside other African objects in chronological order, from simple to more complex, which should have supported Darwin’s theory of evolution. This was a direct imposition of the European hierarchy onto the artifacts and, as a result, the Benin Bronzes became a part of a broader colonial narrative in Europe and lost their connection to their original religious practices and meanings. Consequently, this looting “dishonoured the spiritual and ritual significance of these living cultural objects, and has turned them into museum artefacts,”²¹² demonstrating how colonial power disrupted the original meaning of these objects.

The chaotic dispersal of the Benin Bronzes, along with the number of actors making claims, has complicated their restitution process. Three main actors in Nigeria who submitted complaints around the restitution of the Benin Bronzes: the state, the royal authority, and the local regional government, are analyzed in the following section.

²¹⁰ Thomas J. Watson Library Digital Collections, The Met Museum, Charles Hercules Read and Ormonde Maddock Dalton, *Antiquities from the City of Benin and from Other Parts of West Africa in the British Museum* (London: British Museum, 1899), preface.

²¹¹ Dan Hicks, *The Brutish Museums: The Benin Bronzes, Colonial Violence and Cultural Restitution*, Paperback edition (Pluto Press, 2021), 176.

²¹² Oluwatoyin Sogbesan and Tokie Laotan-Brown, ‘Reflections on the Customary Laws of Benin Kingdom and Its Living Cultural Objects in the Discourse of Ownership and Restitution’, *Santander Art and Culture Law Review* 8, no. 2 (2022): 30.

3.2 Who claims restitution?

One of the most important questions in restitution is who is claiming what? It is crucial to understand that there are several sides that require the recognition of ownership rights and the physical return of these looted artifacts. This subchapter analyses three groups that submit restitution claims: the Nigerian State, the Oba of Benin, and the Edo State Government, which allows for a deeper dive into the difficulties of the return.

Claims for the restitution of the Benin Bronzes have been made since the 1930s.²¹³ The first request was made by Oba Akenzua II (reigned 1933-1978) to return two throne stools belonging to former Oba Esigie (reigned 1504-1550) and Oba Eresoyen (reigned 1735-1750), as he was renovating the Royal Palace.²¹⁴ These stools were taken by Ralph Moor during the Expedition of 1897 and later sold to the Ethnological Museum in Berlin.²¹⁵ It had been decided that replicas of these stools were to be transferred to Lagos, Nigeria, which prompted the Oba to again ask for the return of the originals in the 1940s.²¹⁶ This reflected the colonial view that the Benin Bronzes had been legally acquired, and requests for their return were rejected, though negotiations were undertaken.

A wave of restitution claims occurred in the second half of the 20th century, following the independence of former colonies. However, mass claims became a subject only in the 2000s, and they have become more frequent since the creation of the Benin Dialogue Group in 2007 and the rise of discussions between Nigerian and European representatives about the Benin Bronzes.

The first actor in the debate over the restitution of the Benin Bronzes is the Nigerian

²¹³ Audrey Peraldi, “An Early Restitution Request from Oba Akenzua II of Benin: Looted Art and Replicas in Nigeria in the Twentieth Century” In *Resist, Reclaim, Retrieve: The Long History of the Struggle for the Restitution of Cultural Heritage and Ancestral Remains Taken under Colonial Conditions*, ed. by Larissa Förster, Jan Hüsken and Sarah Fründt, (Berlin, Boston: De Gruyter, 2025), 27.

²¹⁴ *Ibid.*, 29.

²¹⁵ *Ibid.*, 33.

²¹⁶ *Ibid.*, 34.

State. According to the UNESCO Convention of 1970, only States (Participants in the Convention) may submit restitution claims under international law,²¹⁷ which makes the State of Nigeria the legal claimant in this case. Although the sovereign Benin Kingdom no longer exists, its territory is now part of Nigeria, which allows the state to make claims for the restitution of the Benin Bronzes.

The Nigerian State in questions of restitution is represented by the National Commission for Museums and Monuments (NCMM), which was established in 1943,²¹⁸ and has the right to make claims in the field of cultural heritage on behalf of the state. As the Director of the NCMM, Olugbile Holloway (in office since 2024), said: “The return of these objects is not just about displaying them in the museum or taking care of them. It is about the dignity of our people and undoing the injustice of 1897.”²¹⁹ However, this approach, suggested by the international order, excludes the complexity of claims, specifically the sides of the former royal authority, Oba, who, in 1897, was the legal owner of the looted artifacts and ruler of the local government of Edo. Thus, Oba Erediauwa (reigned 1923-2016) requested the return of the Benin Bronzes from the UK in 2000, stating that “all the cultural property belonging to the Oba of Benin illegally taken away by the British in 1897 should be returned to the rightful owner, the Oba of Benin.”²²⁰ Although he was not considered a formal claimant in the way a Nigerian state is, his requests challenged the state-centered framework of restitution by drawing on the historical importance of his authority.

The latter requests by the current Oba Ewuare II (reigns 2016-present) have become more successful. Two examples of his requests being met were the returns of the Benin Bronzes

²¹⁷ Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,” UNESCO, adopted November 14, 1970.

²¹⁸ “History of NCMM”, National Commission for Museums and Monuments, <https://museum.ng/history-of-ncmm/>

²¹⁹ Daniel Cassady, “Nigeria Works to Reclaim Benin Bronzes, With a Change of Custodian,” ARTnews, February 26, 2025, <https://www.artnews.com/art-news/news/nigeria-benin-bronzes-ncmm-oba-1234733527/>

²²⁰ Appendix 21, The Case of Benin, July 25, 2000, <https://publications.parliament.uk/pa/cm199900/cmselect/cmcmds/371/371ap27.htm>

by the University of Aberdeen and the University of Cambridge in 2022. As these requests were formally submitted from the NCMM, representatives of both universities first gave the artifacts to the Commission, and then they were “given to the Oba by representatives of NCMM and the federal government in a ceremony in the Oba’s palace on February 13, 2022.”²²¹ This case indicates a high level of cooperation between the two authorities in Nigeria, culminating in their relationship in 2023.

In 2023, the Nigerian government officially recognized the Oba of Benin as “the rightful owner and custodian of all Benin artifacts that were stolen from the country,”²²² acknowledging that the Oba of Benin is the rightful owner of all the returned cultural objects. Nigerian president Muhammadu Buhari (in office 2015-2023) issued an order, declaring Oba the rightful owner of the returned artifacts, fully recognizing his rights and indicating that they should subsequently belong to him. This decision was of high importance and, consequently, might have led to difficulties with restitution, as it contradicted the principle of the 1970 Convention that only states could make claims and, therefore, receive the returned artifacts.

The decision on the ownership of the Benin Bronzes became an issue for another actor in this case, Godwin Obaseki, the Governor of Edo State (a part of Nigeria located on the territory of the former Benin Kingdom) from 2016 to 2024. He had a different vision on where these objects should be located and who they should belong to. In 2018, he demanded the return of the Benin Bronzes from Germany: “These works of art embody what we are: our people, our culture, our religion, also part of our political structure. They are symbols of our identity.”²²³ It should be noted that Obaseki’s figure is controversial for Nigerians, as some

²²¹ Vivienne Chow, “Nigeria Has Transferred Ownership of the Benin Bronzes to Its Royal Leader, Creating a ‘Better Environment’ for Future Restitution,” Artnet, April 27, 2023, <https://news.artnet.com/art-world/benin-bronze-oba-ownership-2291586>

²²² L. Amede Obiora, “Traditional Institutions and Cultural Heritage Law: The Case of Benin Bronzes,” *The Journal of African History* 66 (2025): 1.

²²³ Godwin Obaseki, quoted in: Alison Abbot, “Confronting the Colonial Legacies of Museum Collections,” *Sapiens*, May 7, 2020, <https://www.sapiens.org/culture/museum-restitution/>

argue that his ancestor, Agho Obaseki, the ancestor of Governor Obaseki who betrayed the then Oba of Benin to the British during the punitive expedition in 1897 and collaborated with the British, which made him a Prime Minister after the expedition.²²⁴ However, the controversial perception of this figure was shaped by his vision of the future of the Benin Bronzes returned to Nigeria.

According to Obaseki, the returned Benin Bronzes should have been kept in the Edo Museum of West African Art (EMOWAA).²²⁵ After 2023, the museum was renamed the Museum of West African Art (MOWAA) following the decision to transfer the rights to the Benin Bronzes to the Oba.²²⁶ This indicates that originally the museum's focus was on the heritage of the Edo people, supposedly including the Benin Bronzes, and in 2023 shifted to the broader representation of African art.

The establishment of this museum was financially supported by different international organizations: European governments, the Edo State government, and the British Museum,²²⁷ showing Obaseki's involvement with international organizations seeking financial support for the museum. MOWAA's opening, supported by European governments, has raised questions from the Oba's side, prompting concerns about the possession of the returned artifacts: if European countries funded this organization, does that mean they have indirect authority over the Benin Bronzes after their transfer to the museum? The controversy about this museum was definite when, at the opening ceremony, protesters broke into the museum, "accusing the

²²⁴ Ayò Akinwándé, "MOWAA: Museum of Antiquities or Iniquities," *Art Africa Magazine*, January 13, 2026, <https://artafricamagazine.org/mowaa-museum-of-antiquities-or-iniquities/>

²²⁵ Mark Westall, "The Legacy Restoration Trust, Nigeria, the British Museum, and Adjaye Associates Announce Details of Major Project on the Site of a New Museum in Benin City," *FAD Magazine*, November 13, 2020, <https://fadmagazine.com/2020/11/13/the-legacy-restoration-trust-nigeria-the-british-museum-and-adjaye-associates-announce-details-of-major-archaeology-project-on-the-site-of-a-new-museum-in-benin-city/>

²²⁶ Geraldine Kendall Adams, "Political row delays opening of Nigeria's Museum of West African Art," *Museums Journal*, November 13, 2025, <https://www.museumsassociation.org/museums-journal/news/2025/11/political-row-delays-opening-of-nigerias-museum-of-west-african-art/>

²²⁷ Todah Opeyemi, "The fallout from Nigeria's spectacular \$25m museum and the Benin Bronzes," *Club of Mozambique*, November 13, 2025, <https://clubofmozambique.com/news/the-fallout-from-nigerias-spectacular-25m-museum-and-the-benin-bronzes/>

museum of usurping the rights of the Oba of Benin to the hundreds of Benin artifacts returned,”²²⁸ which reflects disagreements in Nigerian society over the question of ownership of the Benin Bronzes. Although the MOWAA officially responded to this dispute in 2025, stating that it “never claimed ownership of Benin Bronzes,”²²⁹ it involves the museum as another actor.

These differing views eventually led to a dispute between Oba Ewuare II and Godwin Obaseki over the place of custody of the Benin Bronzes. While Edo’s governor suggested that the returned Benin Bronzes should be held at MOWAA, Oba’s position was to keep them in the Royal Palace. This showed two different perspectives on the artifacts: the first prioritized their safekeeping and public display in the museum. Oba’s point of view is the opposite: “The looted artifacts awaiting repatriation from Europe are the cultural heritage of the Benin Kingdom created by our ancestors and forefathers *within the traditional norms and rites of the kingdom*,”²³⁰ indicating their importance to Oba in light of history and tradition. Moreover, the Benin Bronzes were made for the royal palace and the Oba and were kept there before they were plundered; they were not shown to the public. However, these concerns reflect the museum’s approach with a focus on the importance of public display of cultural heritage over the position of objects in the local context.

The controversy was settled in 2023 when the president of Nigeria recognized the Oba as the rightful owner of the Benin Bronzes,²³¹ thereby formally resolving the dispute over ownership and custody. This recognition ended the debate between the Oba and the Edo State governor; however, it did not completely resolve the issue of the future of the returned artifacts.

²²⁸ Kate Fitz Gibbon, “Protesters in Red Hats Invade... Benin’s MOWAA Museum,” *Cultural property News*, November 14, 2025, <https://culturalpropertynews.org/protesters-in-red-hats-invade-benins-mowaa-museum/>

²²⁹ Ibid.

²³⁰ L. Amede Obiora, “Traditional Institutions and Cultural Heritage Law: The Case of Benin Bronzes,” *The Journal of African History* 66 (2025): 5.

²³¹ Federal Republic of Nigeria, “Notice of Presidential Declaration on the Recognition of Ownership, and an Order Vesting Custody and Management of Repatriated Looted Benin Artefacts in the Oba of Benin Kingdom,” Government Notice No. 25, Federal Republic of Nigeria Official Gazette 110, no. 57 (March 28, 2023).

In 2024, a new governor of Edo was elected: Monday Okpebholo (governor of Edo State since November 2024). His position differs from Obaseki's: the new governor made it clear that he respected Oba's position and had no intention of possessing the Benin Bronzes. After an unsuccessful attempt to open the MOWAA, he announced he would revoke the Certificate of Occupancy for the territory where the museum is located, expressing doubts about the museum's ownership. He also said that his administration "had not been informed about the presence of foreign envoys in the state for the opening of MOWAA,"²³² meaning the government was unaware of the communication between the museum and international actors. This reveals the complex structure of actors in Nigeria who made the Benin Bronzes restitution claims, indicating their collaboration as well as their conflicts.

Recognition of the Oba as the owner and custodian of the returned Benin Bronzes (and those to be restituted) in 2023 drew some criticism. European scholars raised concerns about this presidential step. E.g., Swiss researcher Brigitta Hauser-Schäublin in the *Frankfurter Allgemeine Zeitung* called it "a fiasco"²³³ and assumed that the Bronzes could be locked away in the Oba's Royal Palace. The German government, however, did not react negatively to this decision, and it decided to return several artifacts to Nigeria. In 2023, Claudia Roth, the State Minister of Culture in 2023, commented that "the right thing to do is still to return looted art to the places that today represent the people and culture from which this art was once stolen."²³⁴ That resolves the issue on the Nigerian side without the intervention of other parties. At the same time, this could cause troubles, as in the case of the return from Cambridge, when the physical return was paused when the Oba became the rightful owner of the acquired artifacts,

²³² Geraldine Kendall Adams, "Political row delays opening of Nigeria's Museum of West African Art," *Museums Journal*, November 13, 2025, <https://www.museumsassociation.org/museums-journal/news/2025/11/political-row-delays-opening-of-nigerias-museum-of-west-african-art/>

²³³ Brigitta Hauser-Schäublin, "War das der Sinn der Restitution?" *Frankfurter Allgemeine*, May 5, 2023, <https://www.faz.net/aktuell/feuilleton/debatten/benin-bronzes-werden-privatbesitz-des-oba-war-das-der-sinn-18872272.html>

²³⁴ Nikolas Fischer, Critics fear Benin Bronzes could be privatized by royal heir, "DW, August 5, 2023, <https://www.dw.com/en/critics-fear-benin-bronzes-could-be-privatized-by-royal-heir/a-65550237>

showing concerns about the future of the transferred items.²³⁵ Thus, the main European concerns were that the returned Benin Bronzes now belonged to the Oba and were a subject of private collection, rather than, as agreed, being displayed in the MOWAA.

Interestingly, the Edo people in Nigeria did not submit any claims for the return of the Benin Bronzes. However, claims came from the Restitution Study Group, an organization in New York aimed at “healing the injuries of historically exploited people.”²³⁶ They claim that the Benin Bronzes should belong to them, the descendants of the people who created the artifacts, accusing the countries that hold these objects of neglecting the interests of the descendants. Thus, they argue about their “spiritual connection.”²³⁷ This makes the restitution of these artifacts a complicated process involving a broader range of actors.

To sum up, the question of restitution of the Benin Bronzes cannot be separated from ownership issues, which complicate the case. Diverse actors’ claims led to both cooperation and conflict. Restitution, thus, can become “an opportunity to balance reciprocal responsibilities between different juridical authorities in the Nigerian state.”²³⁸

3.3 Restitution Cases and Policies in Europe

If previously the work and influence of international organizations were considered in the context of cultural restitution, now I analyze specific cases of four European countries, related to their approaches to restitution of the Benin Bronzes, the cases of actual return, and their participation in initiatives such as the Benin Dialogue Group and Digital Benin. This helps to

²³⁵ Yusuf Omotayo, “Homecoming Delayed,” *The Republic*, May 14, 2023, <https://rpublic.com/story/2023/05/14/culture-and-society/buhari-benin-bronzes>

²³⁶ Deadria Farmer-Paellmann et al, “Afrodescendants Claim Rights to Benin Bronzes—They Belong to All of Us,” *The Cambridge Journal of Law, Politics, and Art*, May 1, 2024, <https://www.cjlpa.org/post/afrodescendants-claim-rights-to-benin-bronzes-they-belong-to-all-of-us>

²³⁷ Ibid.

²³⁸ L. Amede Obiora, ‘Traditional Institutions and Cultural Heritage Law: The Case of Benin Bronzes’, *The Journal of African History* 66 (2025): 6.

understand how different the approaches to restitution might be and how countries' policies have changed over the past few years.

The United Kingdom

The United Kingdom is the key country in the case of the Benin Bronzes.²³⁹ In the UK, it is prohibited to return the Benin Bronzes to Nigeria, although some artifacts have been transferred from British universities. This part analyses the main act that regulates the museum's right to dispose of acquired objects and the possibility of overcoming it through *ex gratia* payments.

The British Museum Act (1963) was created to regulate the disposal of cultural property from the British Museum to other museums.²⁴⁰ The only cases when the museums can return cultural objects are explained in Article 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 a duplicate of another such 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."²⁴¹ Thus, this law does not allow the Benin Bronzes to be taken from the British Museum or other national museums, as it makes no mention of the return of objects acquired through colonial seizures or at the request of other states. Therefore, even if a museum acknowledges that an object was looted, it still cannot legally retribute it.

²³⁹ Dan Hicks, *The Brutish Museums: The Benin Bronzes, Colonial Violence and Cultural Restitution*, Paperback edition (Pluto Press, 2021), 136.

²⁴⁰ British Museum Act 1963, Chapter 24, Article 5 (1).

²⁴¹ Ibid.

However, an extra *ex gratia* payment makes restitution of some objects possible.²⁴² These are the moral payments that a country may make, “even if there is no legal obligation to do so.”²⁴³ However, there is a list of organizations that are not permitted to transfer property under the law, and the British Museum, among other national museums and libraries, is on this list. The British Museum, nevertheless, shows openness to cooperative work with Nigerian scholars and claims that it “remains open to discussion with partners in Nigeria.”²⁴⁴ It is reflected in the UK’s participation in the Benin Dialogue Group and its data contribution to the global online project, Digital Benin.

On the other hand, some organizations that keep the Benin Bronzes in England have the right to return them. The first example of successful restitution in the UK is the case of the University of Aberdeen Museum. The Head of an Oba, which was looted during the punitive expedition in 1897, was acquired by the University at Sotheby’s in 1957 at an auction.²⁴⁵ According to George Boyne, Principal and Vice-Chancellor of the university, “it would not have been right to have retained an item of such great cultural importance that was acquired in such reprehensible circumstances. We therefore decided that an unconditional return is the most appropriate action we can take...”.²⁴⁶ This object was returned to the representatives of the National Museums and Monuments Commission of Nigeria and the Nigerian High Commission, and at the beginning of 2022, this Benin Bronze was given to Oba Ewuare II at the Royal Palace.²⁴⁷ Scottish museums are not covered by the British Museum Act, and under

²⁴² The Charity Commission for England and Wales. How charities can make a moral, or ‘ex gratia’, payment (CC7, updated November 27, 2025). <https://www.gov.uk/government/publications/ex-gratia-payments-by-charities-cc7/ex-gratia-payments-by-charities-cc7>

²⁴³ Ibid.

²⁴⁴ “Benin Bronzes,” The British Museum, <https://www.britishmuseum.org/about-us/british-museum-story/contested-objects-collection/benin-bronzes>

²⁴⁵ “Benin bronze: ‘Looted’ Nigerian sculpture returned by university,” BBC News, October 28, 2021, <https://www.bbc.com/news/uk-scotland-north-east-orkney-shetland-59063449>

²⁴⁶ “University to return Benin bronze,” University of Aberdeen, March 25, 2021, <https://www.abdn.ac.uk/news/14790/>

²⁴⁷ Neil Curtis, “125 Years Away from Home: The Return of a Benin Bronze from the University of Aberdeen,” *University Museums and Collections Journal* 17, no. 1, (2025): 57.

Scottish property law, most museums have the right to transfer ownership of items in their collections, which allows them to transfer items to which they have ownership to another institution or individual; thus, the return of the Head of an Oba to Nigeria was legally possible.

Another case is the restitution of the Benin Bronzes from the University of Cambridge. The official request for the return was made in 2022 by the National Commission for Museums and Monuments of Nigeria and authorized by the Charity Commission.²⁴⁸ Most of the artifacts were returned, and “seventeen pieces will remain on loan and on display at the MAA (Museum of Archaeology and Anthropology in Cambridge), for three years in the first instance, to be accessible to museum visitors, students and researchers.”²⁴⁹ This decision was made based on the moral principles by the university authorities, who could use the ex gratia payments and did so successfully.

The third example of successful restitution of the Benin Bronzes is the Horniman Museum case, which also occurred in 2022. The right of ownership over 72 objects, including 12 brass plaques, looted from the Benin Kingdom in 1897, was transferred to the Nigerian Government by the Horniman Museum and Gardens.²⁵⁰ This is also an example of the museum's return of cultural heritage, which is not regulated by the British Museum Act of 1963 and was made possible through the will of the organization and negotiations with the Nigerian side.

These cases indicate that restitution of the Benin Bronzes in England is possible through universities or private organizations, as all national museums must act in accordance with the British Museum Act of 1963. This prohibits the British Museum, which possesses the largest number of the looted artifacts, from the restitution of the Benin Bronzes; however, this museum

²⁴⁸ Jessica Keating, “Cambridge University returns legal ownership of 116 Benin artefacts to Nigeria's National Commission for Museums and Monuments,” University of Cambridge, February 8, 2026, <https://www.cam.ac.uk/stories/benin-artefacts-return>

²⁴⁹ Ibid.

²⁵⁰ “Horniman to return ownership of Benin bronzes to Nigeria,” Horniman Museum and Gardens, August 7, 2022, <https://www.horniman.ac.uk/story/horniman-to-return-ownership-of-benin-bronzes-to-nigeria/>

participates in collaborative international initiatives such as Digital Benin and the Benin Dialogue Group.

France

France is one of the European countries that actively participated in the debates around the restitution of the Benin Bronzes. In 2017, French President Emmanuel Macron gave a speech in Ouagadougou, Burkina Faso, presenting his vision for developing relations between France and African countries.²⁵¹ He covered topics such as education, sport, business, climate change, and culture; the last focused on the possible restitution of African artifacts held in French museums. As Macron stated, “African heritage cannot solely exist in private collections and European museums. African heritage must be showcased in Paris but also in Dakar, Lagos, and Cotonou; this will be one of my priorities. Within five years, I want the conditions to exist for temporary or permanent returns of African heritage to Africa,”²⁵² marking the first steps towards the acts of restitution of cultural heritage to African countries, which led to significant changes in French restitution policy.

Consequently, this speech has opened a new chapter in the field of cultural restitution in France. The Sarr-Savoy report was the following crucial step in addressing the return of cultural heritage to African states. Written in 2018 by Felwine Sarr, a Senegalese scholar, and Bénédicte Savoy, a French art historian, the report analyses the legal mechanisms for the return of cultural heritage.²⁵³ Considering European museums as postcolonial institutions, the authors suggest that objects taken from Africa during colonial times should be returned upon request

²⁵¹ Emmanuel Macron, “Emmanuel Macron’s speech at the University of Ouagadougou,” November 28, 2017, <https://www.elysee.fr/en/emmanuel-macron/2017/11/28/emmanuel-macrons-speech-at-the-university-of-ouagadougou>

²⁵² Ibid.

²⁵³ Felwine Sarr and Bénédicte Savoy, *The Restitution of African Cultural Heritage: Toward a New Relational Ethics* (2018).

by the country of origin.²⁵⁴ According to them, “acquisitions of cultural heritage should be considered within a different category: that of transgressive acts, which no juridical, administrative, cultural, or economic apparatus would be capable of legitimizing.”²⁵⁵

The report states that there are at least (at the time of writing the report) 90,000 African cultural objects located in French museums.²⁵⁶ It highlighted that although the repatriation of human remains became a more common practice, the restitution of art objects was more in the form of “long-term loans.”²⁵⁷ Discussing the act, the authors see it as an “attempt to put things back in order, into proper harmony. To openly speak of restitutions is to speak of justice, or a re-balancing, recognition, of restoration and reparation, but above all: it’s a way to open a pathway toward establishing new cultural relations based on a newly reflected upon ethical relation”²⁵⁸. The authors recommend that France should “respond favourably and grant restitutions concerning objects seized within the military contexts,”²⁵⁹ which includes the punitive expedition to the Benin Kingdom in 1897, and thus, the Benin Bronzes.

According to the principle of inalienability, artifacts held in French public museums cannot be transferred,²⁶⁰ meaning that cultural objects cannot be returned to other countries if they are currently part of French museums’ collections. That is why Sarr and Savoy suggested changing the law to make the restitution of African cultural objects legal.

The important part of the report also includes the digital sphere of restitution. “Within the framework of the project of restitutions, these digitized objects must be made part of a

²⁵⁴ Felwine Sarr and Bénédicte Savoy, *The Restitution of African Cultural Heritage: Toward a New Relational Ethics* (2018).

²⁵⁵ Ibid., 8.

²⁵⁶ Ibid., 44.

²⁵⁷ Ibid., 16.

²⁵⁸ Ibid., 29.

²⁵⁹ Ibid., 54.

²⁶⁰ France. *Heritage Code (Code du patrimoine)*, Article L451-5, https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006845287/

radical practice of sharing, including how one rethinks the politics of image rights use.”²⁶¹ Thus, for the authors, the digitalization of cultural objects is rather a supplement than a replacement for physical restitution, which helps to share knowledge about the artifacts looted during colonial era.

The Sarr-Savoy report eventually influenced changes to French cultural law. In 2020, the French Parliament passed a bill to return 26 artifacts looted in 1892 from the city of Abomey, where they were kept in French national collections, to Benin, and a sword to Senegal. The following year, these artifacts were returned. Although no restitution of the Benin Bronzes was made, the French law was created to implement the new restitution policy, and the law of inalienability of French national collections can be reformulated. Consequently, France returned 26 objects to Benin (which is not linked to the Benin Kingdom) in 2021, which were taken during the period of colonization.²⁶²

Eventually, President Macron’s speech was the first crucial step towards a new direction in the field of restitution in France, after which the Sarr-Savoy report proposed a new restitution framework and accelerated the repatriation of African art held in Europe. With the focus on the transfer of ownership in the cases of physical restitution, the authors suggested that digital initiatives can expand access to the cultural heritage, which facilitates international collaboration, but they are not a replacement for physical restitution. Changes in the French restitution law also set a precedent in European restitution debates; however, France has not returned the Benin Bronzes from their museums, and is not a participant of the Benin Dialogue Group, and focuses on the cases of contested heritage from other countries. Still, French museums cooperated with the Digital Benin project group and provided their data for the

²⁶¹ Felwine Sarr and Bénédicte Savoy, *The Restitution of African Cultural Heritage: Toward a New Relational Ethics* (2018), 67.

²⁶² Macron Hails, “‘New Journey’ as France Returns Looted Benin Treasures,” France 24, October 27, 2021, <https://www.france24.com/en/culture/20211027-live-macron-heads-ceremony-to-return-benin-treasures-looted-under-colonialism>

platform.

Germany

Although Nigeria was not a German colony, around 1,100 Benin Bronzes were acquired by German museums and private collections through auctions and, therefore, considered legally acquired.²⁶³ However, the possession of artifacts with a colonial context became an issue for German museums in recent years.

Germany mostly focused on provenance research of Nazi-looted art. However, in 2018, the Guideline for German Museums for Dealing with Artifacts Acquired during Colonial Contexts (*Leitfaden zum Umgang mit Sammlungsgut aus kolonialen Kontexten*) was prepared as a response to Macron's initiative. This document provides a framework for handling cultural artifacts collected during colonial times, intended to help museums examine the topic of colonial appropriation.

The focus of this Guideline was not restitution specifically, but rather the provision of help in handling and dealing (*Umgang*) with objects from a colonial context in German museums.²⁶⁴ Although this document acknowledges the atrocities of colonialism, it remains a guideline (*Der Leitfaden*) for museums and frames a debate rather than a solution. The focal idea was provenance research²⁶⁵, but, as noted by the German Museum Association, it lacked legal authority to oversee the state's cultural property. These guidelines formed ethical standards and did not, and had no right to, obligate museums for any kind of return. Thus, this document shows the German position on the question of restitution of colonial era heritage, which avoided a direct commitment to restitution, focusing instead on procedures for

²⁶³ Dan Hicks, *The Brutish Museums: The Benin Bronzes, Colonial Violence and Cultural Restitution*, Paperback edition (Pluto Press, 2021), 147.

²⁶⁴ *Leitfaden zum Umgang mit Sammlungsgut aus kolonialen Kontexten* (Berlin: Deutscher Museumsbund, 2018): 7.

²⁶⁵ *Ibid.*, 57.

establishing the provenance research of objects.

However, the situation has changed over the past few years. In the following year, 2019, the Funding Committee was established by Monica Grütters, then Germany's Minister of State for Culture and the Media. The main role in this process played the German Lost Art Foundation. Thus, state funding was aimed at not only provenance research but also the digitalization of the artifacts. As she noted: "our common goal of establishing maximum transparency concerning holdings from colonial contexts is a crucial prerequisite for the sweeping endeavor of reckoning with the histories of these objects' origins as well as for the dialogue we seek to engage in with the societies of origin."²⁶⁶ On the one hand, the focus here was on the digital collections, which provided wider access and implied cooperation with other countries, and on the other hand, it postponed the question of physical restitution.

The political pressure on German museums and related institutions grew with the opening of the Humboldt Forum in 2020. The Forum presented nearly 20,000 artifacts, including the Benin Bronzes, from German museums that originated in former colonies.²⁶⁷ Therefore, it became a place of controversy. The claim made by the Nigerian Ambassador in Germany, Yusuf Tuggar, to return the Benin Bronzes happened before the opening of the Forum.²⁶⁸ This move drew even more attention to the issue and sparked debates about how to handle colonial collections in German museums that were acquired illegally or unethically. That paved the way for the following German steps regarding restitution of objects acquired under colonial circumstances.

Eventually, the turning point happened in 2022 when the Joint Declaration on the

²⁶⁶ "Introducing an extensive digital public repository of collections from colonial contexts in Germany," Kulturstiftung der Länder, April 6, 2021, <https://www.kulturstiftung.de/introducing-an-extensive-digital-public-repository-of-collections-from-colonial-contexts-in-germany/>

²⁶⁷ Alexander Wells, "Historian Jürgen Zimmerer on Germany's other genocide," The Berliner, March 12, 2020, <https://www.the-berliner.com/politics/jurgen-zimmerer-interview/>

²⁶⁸ Paul Starzmann, "Nigeria will Benin-Bronzen zurück: Raubkunst-Streit überschattet Eröffnung des Humboldt-Forums," Tagesspiegel, November 12, 2020, <https://www.tagesspiegel.de/politik/raubkunst-streit-uberschattet-eroeffnung-des-humboldt-forums-5974510.html>

Return of Benin Bronzes and Bilateral Museum Cooperation between Germany and Nigeria was signed.²⁶⁹ This declaration indicates that Germany held the Benin Bronzes “looted ... and acquired in the aftermath mainly through colonial trading networks.”²⁷⁰ It acknowledges the problematic acquisition of these artifacts by German museums, although it was considered legitimate during the time of acquisition. It was stated that “Both Sides declare that the National Commission for Museums and Monuments and the respective German public museums and institutions which currently hold the Benin Bronzes will sign transfer agreements, including transfer of ownership, physical return of objects to Nigeria from 2022, provisions on loan and on traveling exhibitions.”²⁷¹ This statement includes the restitution of the Benin Bronzes back to Nigeria; however, without a deadline for their return. The document also highlights the topic of cooperation between these countries in archaeological and museum work.

In December 2022, the first 22 Benin Bronzes were returned to Nigeria.²⁷² Germany’s Foreign Minister, Annalena Baerbock, declared it “an opportunity to right some of the wrongs of the past”²⁷³. This reads as an open acknowledgment of wrongdoing in the acquisitions of the artifacts and their inclusion in German museum collections.

However, when it comes to ownership of returns to Nigeria, the Declaration limits its potential of recognizing the right to restitution: “Around a third of the objects that have been transferred to Nigerian ownership will remain on display as loans at Berlin’s Humboldt Forum, initially for a period of 10 years.”²⁷⁴ As a result, the transfer of ownership did not imply

²⁶⁹ The Federal Republic of Germany and the Federal Republic of Nigeria, Joint Declaration on the Return of Benin Bronzes and Bilateral Museum Cooperation between The Federal Republic of Germany and The Federal Republic of Nigeria, July 1, 2022.

²⁷⁰ Ibid., 2.

²⁷¹ Ibid., 3.

²⁷² “Benin Bronzes: Germany returns looted artefacts to Nigeria,” BBC News, December 20, 2022, <https://www.bbc.com/news/world-africa-64038626>

²⁷³ Ibid.

²⁷⁴ “Return of the First Ten Benin Objects from the Collection of the Staatliche Museen zu Berlin’s Ethnologisches Museum,” Staatliche Museen zu Berlin, December 12, 2022, <https://www.smb.museum/en/whats-new/detail/return-of-the-first-ten-benin-objects-from-the-collection-of-the-staatliche-museen-zu-berlins-ethnologisches-museum/>

physical transfer of objects, allowing Germany to keep physical control over the Benin Bronzes, while formally recognizing Nigerian rights. Thus, this Declaration of 2022 was a crucial step in the question of restitution for Germany, but it has its peculiarities: some artifacts were indeed returned to Nigeria. As the display of the objects remained under German control, the debate over the restitution continues, questioning the decision about long-term loans and the final return of the Benin Bronzes.

German and Nigerian cooperation also takes place in the digital sphere, namely in the creation of the Digital Benin project, which will be analyzed in the next chapter. Although this project was supported by many countries and institutions, the idea originated in Germany. It may be explained by the German focus on provenance research, which led to the creation of a transparent database of objects with a colonial past. Also, Germany is a part of the Benin Dialogue Group and one of the first participants of Digital Benin, giving this country an important role in the debates about restitution. On the other hand, the Digital Benin project allows the actual restitution of the Benin Bronzes to be postponed, as many artifacts remain in German museums, replacing the question of ownership in the digital sphere.

Austria

Although the Austrian Empire had not formally declared colonies in Africa,²⁷⁵ Austria (the Second Republic, 1945 ff.) also possesses Benin Bronzes and therefore participates in global debates on colonial appropriation and restitution. However, initially, Austria, like Germany, engaged in restitution cases of Nazi-looted artworks. The Commission for the Provenance

²⁷⁵ Although the Austro-Hungarian Empire itself had no colonies in Africa, individual emigrants from its territories joined the diverse European settler population of Southern Africa. Eben van Tonder “Austro-Hungarian Contributions to Southern Africa (Pre-1900)” *Earthwormexpress* July 12, 2025, <https://earthwormexpress.com/about-eben/k-b/the-austria-articles-die-osterreich-artikel/austro-hungarian-contributions-to-southern-africa-pre-1900/>

Research was created in 1998,²⁷⁶ according to the Art Restitution Act, which aimed “to return free of charge to their original owners or their legal successors causa mortis, those works of art and other movable cultural assets from Austrian federal museums and collections, including the collections of the Federal Administration of Movable Objects (Bundesmobilienvverwaltung), and other directly owned federal assets...”²⁷⁷

Given the same German legacy, Austria engaged in global initiatives such as the Benin Dialogue Group and Digital Benin. One of the key events, leading to the growth of global debates around the restitution of the Benin Bronzes, was the exhibition “Benin: Kings and Rituals”, which was opened in 2007 at the Museum für Völkerkunde (since 2013 the Weltmuseum Wien), and later toured to Paris, Berlin, and Chicago.²⁷⁸ The goal of the exhibition was to show the Benin Kingdom before the British punitive expedition of 1897, which also raised the question of the restitution of the displayed objects. However, Austria did not transfer the artifacts to Nigeria, as the Benin Bronzes were acquired by the museum in Vienna through legal means. Unlike Britain, France, and Germany, Austria was not a colonial power in West Africa, resulting in less international pressure regarding the return of these artifacts.

The debates led to the organization in 2007 of the Benin Dialogue Group, an international project initiated by Barbara Plankensteiner, a specialist who worked at the Weltmuseum Wien until 2015, and is now a director of the MARKK. The main goal of this organization was to foster collaboration among delegates from European museums, the Edo State government, the National Commission for Museums and Monuments, and the Royal

²⁷⁶ Provenance Research and Restitution in the Austrian Federal Collections, <https://provenienzforschung.gv.at/en/>

²⁷⁷ Art Restitution Act (Kunstrückgabegesetz), Federal Law Gazette (BGBl. I). No. 181/1998 (unofficial English translation, version dated 10.01.2024), Commission for Provenance Research, https://provenienzforschung.gv.at/wp-content/uploads/Art-Restitution-Act_2023.pdf

²⁷⁸ Barbara Plankensteiner, “Benin: Kings and Rituals: Court Arts from Nigeria,” *African Arts* 40, no. 4 (2007): 74–87.

Court of Benin, with the aim of establishing a museum in Benin City where the artifacts would be exhibited.²⁷⁹ Long-term loan practices are also discussed in this project.

As noted by the Benin Dialogue Group, museums are dedicated to protecting and displaying the world's cultural heritage. That raises the question of the safety and proper surroundings for the objects. Thus, the Benin Dialogue Group supports Austria's collaboration with Nigerian experts conducting potential joint research initiatives. That shows that an institutional act of collaboration matters in a potential restitution process intended to work globally. The Weltmuseum Wien also participates in the Digital Benin project: Austrian experts provide information on the provenance and historical context of the Benin Bronzes by digitizing these objects, enabling global access to this information and their online display. As a result, Austria actively collaborates in provenance research on colonial context heritage, specifically the Benin Bronzes.

The above-mentioned cases illustrate different approaches to the restitution of the Benin Bronzes across European countries. The United Kingdom relies on legal restrictions, specifically the British Museum Act, to deny the physical restitution of these objects from national museums, including the British Museum, which holds the largest number of Benin Bronzes. France uses another approach that intensified the debate on cultural restitution in a global context by changing the legal conditions for an actual return of some artifacts acquired during the colonial period; however, it did not influence the return of the Benin Bronzes from the French museums. Germany developed an approach starting from provenance research to active collaboration, transferring ownership to Nigeria. Thus, it became a significant actor in the debate around restitution of the Benin Bronzes, participating in international initiatives such as the Benin Dialogue Group and Digital Benin. Austria focuses on dialogue and digital

²⁷⁹ "Participation in the Benin Dialogue," Weltmuseum Wien, <https://www.weltmuseumwien.at/en/research/projects/participation-in-the-benin-dialogue>

cooperation by supporting international knowledge sharing through digital information about the Benin Bronzes, deposited and partly displayed at the Weltmuseum Wien. All these countries are members of the Digital Benin project; a digital initiative aimed at being the first step toward the digital restitution of the Benin Bronzes.

However, none of the approaches sufficiently addresses the pending issue of final ownership, as most of the Benin Bronzes remain held outside Nigeria. The participation of these countries in the Digital Benin project reflects their engagement with the restitution demands through the digital sphere. The next chapter analyses this platform as a precursor to digital restitution.

Chapter 4. Digital Benin

Due to digitalization, the information about museum objects has become more accessible.²⁸⁰

This chapter presents an analysis of the Digital Benin platform with the help of platform analysis, content analysis, and discourse analysis. Using these methods, I aim to trace the project's history of creation, initial goals, and participants, as well as to analyze the interface and content. Also, the distribution of authority within the platform is crucial for this chapter. Finally, I reflect on the phenomenon of the precursor to digital restitution, aiming to cover the advantages and limitations of this project.

4.1 Origins and Aims of the Digital Benin Project

The question of restitution of the Benin Bronzes is associated with Digital Benin, an online platform with the digitized artifacts looted during the punitive expedition of 1897. More than 5,000 objects were taken and scattered around the world, becoming parts of museums and private collections. The idea of creating an online platform emerged in response to the possibilities of digital spaces for producing narratives collaboratively, and this eventually led to the creation of Digital Benin in 2022. This case is crucial for the debates around the Benin Bronzes and for the broader field of digital restitution, as on its website, the project is presented as a “precursor”²⁸¹ to it, underlining that this is only the first step towards digital restitution.

The platform was launched in 2022 after a four-year phase of preparation of all the materials.²⁸² The core team consisted of the following people: Prof. Barbara Plankensteiner, Director of the Museum am Rothenbaum, Hamburg; Dr. Jonathan Fine, Director of the Ethnological Museum of the Staatliche Museen zu Berlin; Dr. Felicity Bodenstein, Lecturer in

²⁸⁰ Ramesh Srinivasan et al., “Diverse Knowledges and Contact Zones within the Digital Museum,” *Science, Technology, & Human Values* 35, no. 5 (2010): 738.

²⁸¹ Anne Luther, “Introduction”, Digital Benin, accessed March 27, 2026, <https://digitalbenin.org/documentation/introduction>

²⁸² Museum am Rothenbaum Kulturen und Künste der Welt, „Digital Benin: Zusammenführung der königlichen Kunstschatze,“ Hamburg, April 16, 2020.

Heritage Studies at Sorbonne Université Paris; and Dr. Anne Luther, Information Technology Consultant, New York. Initially, Prof. Kokunre Agbontaen-Eghafona from the University of Benin City was mentioned as a “project partner”,²⁸³ and not as a team member. However, in the 2022 files, she is in the list of principal investigators together with the four researchers mentioned above, which raises the questions of shared authority and will be analyzed in the subchapter about Governance and Power Relations.

The emergence of the Digital Benin project is connected to the Sarr-Savoy report of 2018, when the topic of the restitution of African art looted during colonial era became global. Being a political appeal to restitution, the report also became a step towards the creation of this project. According to the report, a program of restitution should consist of three main phases (applied by French museums): the first phase consists of the inventory of all pieces from Africa, the second includes the process of “inventorying, the sharing of digital files, and an intensive transcontinental dialogue,”²⁸⁴ and the final phase, according to the report, is physical restitution. It is noted that the digitized objects should be part of a “radical practice of sharing,”²⁸⁵ that reconsiders the politics of access and image rights. The Digital Benin project corresponds to the second phase of this report and increases digital access to the Benin Bronzes, rather than focusing on ownership transfer.

This project could not have been made without the funding from the Ernst von Siemens Art Foundation (Ernst von Siemens Kunststiftung), which, from 2020 to 2023, provided 1.5 million euros for this project.²⁸⁶ In 2023, the Mellon Foundation funded the following phase of the project with 2.6 million euros.²⁸⁷ The Gerda Henkel Foundation also participated in the

²⁸³ Museum am Rothenbaum Kulturen und Künste der Welt, „Digital Benin: Zusammenführung der königlichen Kunstschatze“, Hamburg, April 16, 2020.

²⁸⁴ Sarr, Felwine, and Bénédicte Savoy, *The Restitution of African Cultural Heritage. Toward a New Relational Ethics*. (2018), 66.

²⁸⁵ Ibid., 67.

²⁸⁶ Ernst von Siemens Kunststiftung, “Digital Benin: weitere Förderung in Millionenhöhe durch die Mellon Foundation,” November 23, 2023, accessed March 29, 2026, <https://www.ernst-von-siemens-kunststiftung.de/aktuell/digital-benin-weitere-förderung-in-millionenhöhe-durch-die-mellon-foundation.html>

²⁸⁷ Ibid.

development of this platform by providing 25,000 euros. The funding came from Germany and the United States, which highlights the strong involvement of European and American institutions in this project. Such distribution of sponsors may influence the decision-making processes and the distribution of authority, which will be examined later in this chapter.

When the project was launched, its network included 131 institutions in 20 countries,²⁸⁸ which provided information about artifacts from Benin City from their collections; primarily, these were public museums, but also some research institutions and trusts that hold objects. Most of the institutions located in Europe, which corresponds to the dispersal of the Benin Bronzes and indicates that the knowledge about these artifacts is still concentrated in institutions outside of Nigeria. As of spring 2026, 139 institutions are participating in Digital Benin, which shows growth in the number of participants and demonstrates the global interest and aspiration to be a part of this digital initiative, although the involvement in the physical restitution of the Benin Bronzes among these countries and organizations varies.

The initial aim of the Digital Benin project was a digital compilation of Benin collections scattered around the world on a single website featuring databases and interactive features.²⁸⁹ In the press file of the MARKK in 2020, Digital Benin was called a platform where the existing Benin holdings, historical photographs, archival materials, contemporary witnesses, publications, and oral traditions are linked online and provided as an open-access tool to the international audience.²⁹⁰ The focus was on the increased inclusion of Nigerian scholars in archival materials hosted in Europe,²⁹¹ which promoted further research of the cultural heritage of Benin City and highlighted the importance of collaborative, international

²⁸⁸ Anne Luther, "Introduction", Digital Benin, accessed March 27, 2026, <https://digitalbenin.org/documentation/introduction>

²⁸⁹ Museum am Rothenbaum Kulturen und Künste der Welt, „Digital Benin: Zusammenführung der königlichen Kunstschatze,“ Hamburg, April 16, 2020.

²⁹⁰ Ibid.

²⁹¹ Anne Luther, "Introduction", Digital Benin, accessed March 27, 2026, <https://digitalbenin.org/documentation/introduction>

knowledge production concerning these artifacts. As Prof. Kokunre Agbontaen-Eghafonan from Nigeria noted in 2020, this project should have enabled the Edo people and the Nigerian people to “access their looted legacy.”²⁹² The platform was to be considered as a “model for the internationally connected collaboration,”²⁹³ which makes this online project a database of digitized artifacts and archival materials about the Benin Bronzes, that is, a place of dialogue and collaboration. Thus, based on these principles, Digital Benin was supposed to be a contact zone in an online space, where European and Nigerian scholars could meet to produce new collaborative knowledge about the thousands of artifacts held in museums around the world.

The project proposal was created after the workshop held in Benin City by the participants of the Benin Dialogue Group in 2019. The first group of European institutions that provided data consisted of the institutions that were participating in the Benin Dialogue Group.²⁹⁴ In 2019, at the workshop, five European countries participated: Austria, Germany, the Netherlands, Sweden, and the United Kingdom,²⁹⁵ discussing the possible establishment of a museum in Nigeria that could be a future “custodian”²⁹⁶ for the collection of the Benin Bronzes. This indicates that the Digital Benin project was initiated during discussions about the possible physical restitution to the EMOWAA, which I analyzed previously. Although the initial group was quite small, the goal was to increase the network and the number of participants, encouraging international cooperation.

Another crucial aim of this project, according to official documentation on the website of the platform, was to “contextualise these with oral histories collected in Benin City and

²⁹² Museum am Rothenbaum Kulturen und Künste der Welt, „Digital Benin: Zusammenführung der königlichen Kunstschatze,“ Hamburg, April 16, 2020.

²⁹³ Ibid.

²⁹⁴ Ibid.

²⁹⁵ Museum am Rothenbaum Kulturen und Künste der Welt, Press Statement of the Meeting of the Benin Dialogue Group in Benin City, Nigeria, 5-7 July, 2019, accessed March 27, 2026, <https://markk-hamburg.de/en/benin-dialogue/>

²⁹⁶ Ibid.

surrounding areas,”²⁹⁷ which highlights the focus on the Edo people and their culture. This is also noticeable in the official press release in 2022: the aim was broadened to “a digital compilation of the historical royal art treasures from the Kingdom of Benin, combined with oral traditions, research, and documentary materials,”²⁹⁸ which reflects that the oral contribution by the Edo people became a significant part of this project. This shaped the variety of actors participating in the project, including the source community. As a result, authority over narrative within the platform was shared between Europeans, Americans, Nigerians, and the Edo people. Applying Homi Bhabha’s concept of the third space, I would argue that this characteristic of Digital Benin makes it such a space, as it establishes a new structure of authority over knowledge within this online platform.

Although the project was initiated by European and American scholars, it was declared to be eventually transferred to the partners in Nigeria. According to the project representative, Dr. Anne Luther, “once the project extension is complete, Digital Benin will be transferred to a lead implementing partner in Nigeria”²⁹⁹. This shift reflects an early effort to connect the platform with the geographical context of the artifacts’ origin, although the question of the extent to which this virtual relocation will influence the redistribution of control over data remains open.

The project team also noted the orientation of the platform toward the Nigerian audience. A mobile phone-friendly version of Digital Benin was also developed, considering the growing number of internet users and the project’s focus on Nigerian users, as more than 99% of the Nigerian population owns a smartphone.³⁰⁰ Besides, with the emphasis of the

²⁹⁷ Anne Luther, “Introduction”, Digital Benin, accessed March 27, 2026, <https://digitalbenin.org/documentation/introduction>

²⁹⁸ Museum am Rothenbaum Kulturen und Künste der Welt, „Digital Benin: Launch der digitalen Plattform zur Zusammenführung der Kunstschatze aus dem Königreich Benin,” Berlin, November 9, 2022.

²⁹⁹ Ibid.

³⁰⁰ Paula Gilbert, “Nigerian Internet and mobile penetration grows,” Connecting Africa, February 16, 2021, http://www.connectingafrica.com/author.asp?section_id=761&doc_id=767400

project on the Edo people, traditions, and knowledge, the project included work with local specialists from Benin City and other parts of Nigeria. This shows the ambition of the creators to include Nigerian knowledge and perspectives, prioritizing dialogue and the production of new common knowledge.

Overall, the goals of the Digital Benin project reflect an aspiration to integrate a global database of the artifacts produced in the Benin Kingdom, including the looted in the 19th-century Benin Bronzes. Universal accessibility and international collaboration were the main elements of creating this platform. As the process of restitution of the Benin Bronzes remains complex, the emergence of this platform can be understood as an attempt to reconnect the dispersed artifacts and to integrate the local knowledge within a single website.

4.2 Platform Analysis

Categories

The first impression the viewer gets from Digital Benin is not a text or an object, but a singing Edo woman on the screen.³⁰¹ Her prayer song highlights the focus of the project and immerses the audience in the Edo culture, placing the Edo community in the foreground. Scrolling down, the user finds the catalogue with the following categories: Eyo Oṭọ, catalogue, institutions, provenance, map, oral history, Itan Edo, and archive. This already allows users to *choose* what to open next, providing multiple entry points and creating a space where one can follow the virtual exploration of culture, objects, and narratives according to the Edo's interests. This makes this platform different from the usual museum database, where the catalogue is the main entry point.

After categories, users are facing the contextual information about the Digital Benin with its brief description, goals, and historical overview of the 1897 looting of the Benin

³⁰¹ Digital Benin, accessed April 3, 2026, <https://digitalbenin.org>

Bronzes. That invites the user to the documentation section, where thorough information about the project, data, research, and consultation is given. That indicates a high level of transparency given to the audience and open access to information about the process of creating Digital Benin. As the platform openly documented all the steps, it was noted that the main stakeholders from the Nigerian side (the NCMM, the Oba, the Edo governor, as well as curators and museum researchers) were engaged in the creation of the project.³⁰²

The first available category (located in the upper-left corner) is *Eyo Oto*: a learning space about the objects and their Edo designations that shows that local knowledge and cultural context are central to the objects.³⁰³ Specific information in textual and audio form contextualizes them and creates groups of artifacts that “differ from the current vocabulary used and interpreted by institutions outside of Nigeria.”³⁰⁴ In addition, this section provides a description of the function of objects, their use, production, and interpretations elaborated with the help of the Edo and Nigerian people. Thus, this first category serves as a space of shared knowledge production between the European institutions and local experts, with the prevalence of the Edo knowledge.

The following category is the *Catalogue* that documents the information about 5304 objects, presented as a central tool of Digital Benin.³⁰⁵ In this section, the Benin Bronzes, which are physically scattered around the world, are assembled in one database. The objects can be filtered by the Edo and English designations, categories, institutions, and provenance (who possessed the object last before it was acquired by the institution). This includes both European museum categories and local Edo ones; however, the number of Edo designations (106) is

³⁰² Eiloghosa Obobaif, “Eyo Oto”, Digital Benin, accessed April 3, 2026, <https://digitalbenin.org/documentation/eyo-oto>

³⁰³ Ibid.

³⁰⁴ Eyo Oto, Digital Benin, accessed April 3, 2026, <https://digitalbenin.org/eyo-oto>

³⁰⁵ Catalogue, Digital Benin, accessed April 3, 2026 <https://digitalbenin.org/catalogue>

fewer than the English ones (126), indicating incomplete local classification, as it is missing for objects provided by many institutions.

Another category is *Institutions*, where the focus is on the organizations that currently hold the Benin Bronzes. Except for the list of 139 institutions, filtered by country, the information about the number of objects possessed and returned to Nigeria is provided. This section shows how the objects are located mainly in European museums, visually underlining their unequal distribution. One of the problems is the dependency on the institutional data, as the platform preserves the structure and content of the materials provided by museums.³⁰⁶ This indicates that these institutions maintain control over the description of the objects in their cards, as well as the amount of information shared.

The *Provenance* section is closely linked to the description of the colonial military campaign of 1897 and documents the ownership history of the looted objects.³⁰⁷ Allowing users to filter the names according to their roles (traders, collectors, members of the military campaign, etc.), the platform provides a high level of transparency of actors involved in the process of dispersal of the Benin Bronzes. However, according to Dr. Felicity Bodenstein, “there are significant provenance gaps for over three thousand objects in the data that have museums provided to date.” As a result, no provenance is identified for many objects, which may reflect the incomplete information in the museums or purposely limited shared data.

The *Map* category leads viewers to Benin City, the specific location where the Benin Bronzes were looted from. The map of the city is used as a default option, and the option of choice is the map of the world, which shows the institutions that hold the artifacts. This shows prioritization of the origin of the artifacts over the location of the institutions holding them now. The users can find here ancient landmarks such as Oba Palace, memorials, altars, or

³⁰⁶ Institutions, Digital Benin, accessed April 3, 2026 <https://digitalbenin.org/institutions>

³⁰⁷ Provenance, Digital Benin, accessed April 3, 2026 <https://digitalbenin.org/provenance>

shrines, which provide the geographical context to the artifacts. Although the sites on the map are from different periods, the platform brings them together within a single spatial interface.

The next part of the project, the *Oral History*, starts with the words: “This is to tell our story as Benin people, the way we want it to be told.”³⁰⁸ This crucial part of Digital Benin provides video interviews with Benin people about their culture and shows that the Benin Bronzes were and are a part of their “living culture”.³⁰⁹ A range of voices is brought together to share knowledge about the artifacts and their production, historical figures, and prayers. Limitations based on the secrecy in rituals and culture are also mentioned in this part, emphasizing that certain information is restricted and cannot be shown to the public. Thus, this section reveals the shift of authority over narrative to the Benin people, which indicates the collaborative approach with respect for the voices of local experts in Edo spiritual knowledge and ritual practices.

Itan Edo section presents a structured historical narrative about the Edo people, which is created with only Benin-authored sources.³¹⁰ The objects here are presented as the sources for the interpretation of history, which highlights their role beyond museum objects: they become participants in the construction of the Edo narratives. The section is organized into thematic categories and allows users to navigate further through multiple entry points without following the strict chronological structure. The inclusion of Edo expressions and proverbs with English translations highlights the importance of the local language in the process of understanding cultural meanings.

The *Archival Documents* section represents an extension of the catalogue and gathers thousands of digitized archival materials from 51 institutions.³¹¹ With a variety of filters, the archive becomes a structured and easily navigated dataset. Such an organization allows users

³⁰⁸ Oral History, Digital Benin, accessed April 3, 2026 <https://digitalbenin.org/oral-history/interactive>

³⁰⁹ Ibid.

³¹⁰ Itan Edo, Digital Benin, accessed April 3, 2026 <https://digitalbenin.org/itan-edo>

³¹¹ Archival Documents, Digital Benin, accessed April 3, 2026 <https://digitalbenin.org/archive/documents>

to trace the connections between artifacts and their archival sources, understanding the colonial context in which these objects were distributed. The platform makes these materials accessible through a user-friendly interface with an optical character recognition (OCR)-based search.

To sum up, the categories of the Digital Benin platform create a multi-layered space with a broad range of knowledge production. Each category contributes to the narrative about Benin's cultural heritage, providing different ways to explore the artifacts and their history. Collaborative approach that includes Nigerian scholars and the Edo people makes this platform a "third space", where with the new knowledge about the Benin Bronzes is produced.

The Interface

While the sections on the main page of Digital Benin were discussed, it is important to understand how these entry points function within the interface of the website. This project provides multiple ways of finding information about the artifacts and offers users many ways of reaching the objects of interest. For example, one can start with the catalog and follow the European museum logic, getting access to the digitized cards of artifacts, where the information is transferred into virtual data. Another option is to go through the Eyo Oṭo category, which reveals another level of access to the details about the artifacts, where they are described by the Edo people. On this page, users find the local knowledge about the objects, which are unified in groups according to Edo designations. Another way to reach the objects is through the map, where the entry point to the knowledge is the location and visual representation of the dispersed Benin Bronzes. As a result, the platform does not impose a single way of navigation, and each entry point offers users a choice of how they access needed information.

Digital Benin also suggests different types of filters that allow narrowing down the information and finding specific objects. Filters can be easily combined; for example, in the catalog, one can filter by Edo designations and by categories, which shows how two different

types of knowledge are combined. By choosing filters, viewers can use this platform as a research tool rather than a catalogue and construct their own ways of understanding the knowledge provided by the platform.

Thus, the interface shows the data and makes a network of sections, combining different types of knowledge. For instance, when users go to *Ẹyo Oṭọ*, they get access to the cards of objects with Edo designations, as well as to the related content: open interviews and archival documents, which provide context for the digitized artifacts. As a result, the navigation on the Digital Benin is non-linear, and it encourages users to explore different ways to access information.

In terms of usability, the interface is intuitive. Its visual structure is predominantly neutral: light background and minimalistic design suggest that users focus on the data. However, some cultural accents were included in the design, such as brown tones in the section cards, which reflect the materiality of the Benin Bronzes. Thus, the visual interface combines a neutral style with the elements related to the cultural context of the Benin Bronzes. Sections are easy to find; however, the large number of filters and categories reflects the platform's research focus, as any search usually requires navigating through different types of data. The mobile phone version of the website is also easily accessible, although it has some limitations, such as a partial-screen map display. The platform is open and accessible online for all users and uses an interface in English with elements of the Edo language, aimed at a global audience. The value lies in the educational materials, such as language cards and a coloring book, available in the *Ẹyo Oṭọ* section. They are easy to download and print, which makes knowledge about the presented digitized artifacts accessible and available to a broader audience, including children.

The decision to place the *Ẹyo Oṭọ* section first indicates an attempt to prioritize the Edo people's knowledge. However, the inner structure of the platform, such as filters, search, and

an English-language interface, remains European. All the pages are connected via hyperlinks and related content sections, which demonstrates that the platform offers users a variety of ways to reach the needed information, based on individual navigation choices.

Visual representation

This section examines the cards of artifacts from the project's catalogue. The object card shows a multilayered structure where visual, textual, and institutional data are combined. On the left side of the screen, there are images of the object (the number of images may vary depending on the institution that provided them), which are photographed against a neutral background, allowing them to be viewed as museum artifacts. On the right side, the first visible block reveals the information from the Digital Benin research with the Edo designation (where possible), with audio, English designation, object category, provenance, and current location of the artifact. However, Edo designations are not available for many objects, making Edo knowledge fragmented. At the bottom, viewers can find a separate block with institutional data, including different objects' characteristics provided by the museums, which reveals the technical description layer.

The analysis of the object cards invites users to understand different ways of visualization and contextualization of specific objects by institutions. For example, in one case, a card from the British Museum includes a multi-layered information structure:³¹² detailed images of the object from multiple angles, expanded metadata, additional research materials, and a reference to the associated looting event of 1897, where the British Expedition to Benin City is marked by the research group as a detected “sensitive content.”³¹³ However, the field

³¹² “Okhuo (Female Figure, Registration number: Af1949,46.169), Digital Benin, accessed April 5, 2026, https://digitalbenin.org/catalogue/5_Af194946169

³¹³ Chao Tayiana, “Use of derogatory, racist and harmful language,” Digital Benin, accessed April 5, 2026, <https://digitalbenin.org/documentation/use-of-derogatory-racist-and-harmful-language>

with information about the findspot of this card, with the wording “found/acquired,” is mentioned,³¹⁴ which reproduces a colonial narrative about the artifacts. This controversy may be explained by Anne Luther, who explained in the documentation section that “The data presented is published with each museum’s copyright and licensing,”³¹⁵ which means the inability to change museums’ data on the platform. Despite this, the layer of new meanings created by the Digital Benin project’s group allows for the imposition of the new narrative. For example, the “sensitive content” label makes the violent context of the looting of artifacts visible.

Visual language remains as in the European museums, even in the decolonial project. The cards of objects are transcribed digitally, which allows users to easily understand the data, and are written in the language that was originally used by each museum. The images in the cards, also provided by museums, depict isolated artifacts, reproducing museums’ logic of exhibiting artifacts, rather than placing them into their original context. As one of the researchers from the Nigerian side participating in this process mentioned in the press release of 2022, “when viewed as artistic materials or relics of pre-colonial Benin Kingdom, these Royal ritual and ceremonial works lose their sacred properties.”³¹⁶ As a result, the internal contradiction appears within the decolonization project because of several layers of narrative: the colonial language remains within the platform, although surrounded by a framework that criticizes it.

³¹⁴ “Okhuo (Female Figure, Registration number: Af1949,46.169), Digital Benin, accessed April 5, 2026, https://digitalbenin.org/catalogue/5_Af194946169

³¹⁵ Anne Luther, “Introduction”, Digital Benin, accessed March 27, 2026, <https://digitalbenin.org/documentation/introduction>

³¹⁶ Museum am Rothenbaum Kulturen und Künste der Welt, „Digital Benin: Launch der digitalen Plattform zur Zusammenführung der Kunstschatze aus dem Königreich Benin,” Berlin, November 9, 2022.

Thus, the Digital Benin platform collects data without standardizing it in the card section of each object, as the information in each card varies in the amount of information provided. This reveals data inequality, which is a consequence of the different cataloguing standards of museums, or aims to reveal fragmented information about the artifacts. In addition, the visual language is not decolonial, as artifacts are isolated objects on a neutral background. The platform's videos and Edo designation challenge this logic, but the database's dominant narrative remains that of a European museum. This reveals the predominance of the European system of knowledge due to the inability to change the original content of the cards.

4.3 Distribution of Power

Digital Benin is a collaborative project that unites more than a hundred institutions around the world. However, despite the strong collaboration with African researchers, the key elements of the administration and infrastructure of this project indicate the remnants of institutional asymmetry.

The organizational structure of the project confirms this point. According to the information in the imprint section of the Digital Benin project,³¹⁷ the main coordination of the platform is controlled by the Museum am Rothenbaum – Kulturen und Künste der Welt (MARKK) in Hamburg, which is also the leading organizer of the project. This institution is responsible for the administrative questions, interactions with the press, and reporting to funding organizations. Also, the technical side of the project was organized by European companies, reflecting their digital structure in the form of a database. Thus, Digital Benin is digitally embedded in a European framework.

Another important aspect that indicates asymmetric power relations and, therefore, control over the platform is the financial aspect of it, thus, the funding of the project. Initially,

³¹⁷ Imprint, Digital Benin, accessed April 10, 2026, <https://digitalbenin.org/imprint>

the Ernst von Siemens Art Foundation sponsored this project, followed by the U.S. Mellon Foundation. This concentration of European and American financial resources influences the priorities and directions of the development of the project. Thus, financial control is another crucial factor regarding the authority of the platform.

The question of data ownership is also a key element in identifying power relations. Digital Benin collects the information provided by museums and other institutions and preserves the structure and data as produced by them.³¹⁸ While the copyright on the images and data in the cards of artifacts belongs to the museums that provided them, the institutional narratives remain the same, often in the colonial language. However, the project adds additional levels of context provided by European and Nigerian researchers aiming to decolonize the original context. Another layer of context is the key feature of the platform, which reflects the project's strongly critical position on the events of 1897 and the dispersal of the Benin Bronzes. However, the rights, initial access, and, therefore, control over the digital data remain with the providing institutions, thereby creating inner asymmetry.

Press materials from 2020 and 2022 allow us to understand the dynamics of the power relations within the working group. The core team originally consisted of three European and one American-based researcher, while a Nigerian professor was identified as a "project partner."³¹⁹ Yet, in the press material of 2022, the year when the project was launched, the same Nigerian professor, Kokunre Agbontaen-Eghafona from the University of Benin City, was shown in the list of the principal investigators, together with the rest of the core team, mentioned in the materials of 2020. Also, the team page on the website presents many researchers and consultants from Nigeria and other African countries who participated in the

³¹⁸ Anne Luther, "Introduction", Digital Benin, accessed March 27, 2026, <https://digitalbenin.org/documentation/introduction>

³¹⁹ Museum am Rothenbaum Kulturen und Künste der Welt, „Digital Benin: Zusammenführung der königlichen Kunstschatze,“ Hamburg, April 16, 2020.

creation of the platform.³²⁰ They specialize in the Edo language and are responsible for the Edo designations and oral histories in the interviews. This identifies a shift of authority over narrative during the work on the project to the Nigerian side; however, it rather reflects the range of involvement of local specialists than an actual redistribution of power within the project. This reflects the concept of contact zones with their asymmetry of power: instead of equal distribution of it, one group of people is invited to the space, created by the former colonial powers. That is the problem of such spaces, as completely equal division of authority within the contact zone seems, unfortunately, impossible.

According to the description of the project, “Digital Benin will be transferred to a main host in Nigeria and will play a role in fostering further research, especially for Nigerian scholars,”³²¹ aiming to increase access among the local users. However, the information on the platform indicates that Digital Benin remains technically connected with the European side. Moreover, the understanding of what should be transferred remains unclear: there is no clarification whether the hosting or the control over data should be transferred to Nigerian control. This implies that this process remains at the stage of realization or relates to the partial changes that do not include the key mechanisms of control over the platform.

The language of the platform is also crucial for understanding the relations of power. Main content in Digital Benin is presented in English, the language of the colonizers of Benin City. The Edo language is represented fragmentarily in designations, interviews, and terms in the history of the Benin Kingdom. On the one hand, it invites a broader audience, as English is an international language, allowing a global audience access to the Benin Bronzes; on the other hand, it continues to recreate colonial logic in terms of language. According to one of the researchers, Osaisonor Godfrey Ekhaton-Obogi, “The platform has and will preserve for future

³²⁰ Project Team, Digital Benin, accessed April 10, 2026, <https://digitalbenin.org/team>

³²¹ Anne Luther, “Introduction”, Digital Benin, accessed March 27, 2026, <https://digitalbenin.org/documentation/introduction>

generations the significance of our cherished cultural values and practices as an educational tool with materials like oral traditions, which will help Edo people learn about their ancestors as if the contributors are speaking to them in a real-life situation,”³²² which highlights the focus on the Nigerian audience. However, the prevalence of the English language may be an obstacle for the Edo people while engaging with the data.

Digital Benin can be considered within the context of the Benin Dialogue Group activity, in the context of the discussion of the physical restitution of these artifacts. According to the 2021 press statement by the Benin Dialogue Group Steering Committee, Digital Benin should have been an online platform for “the research and overview of the scattered royal treasures... in the future, it will be hosted by the EMOWAA.”³²³ This indicates the connection between the creation of the platform and the museum in Nigeria, which supposedly would host the Benin Bronzes that would be returned in the future. However, as discussed in Chapter 3, the transfer of rights to all the Benin Bronzes to the Oba in 2023 and the unsuccessful opening of this museum in Nigeria could have influenced this initial aim to transfer the host to Nigeria.

Thus, the analysis of the structure of the Digital Benin reveals the controversial character of authority distribution within the platform. On the one hand, the global collaboration in the project is noticeable through the engagement of Nigerian participants, as well as the Edo people participating in the interviews, in the knowledge-making process. However, the key mechanisms of the platform, such as funding, administration, and data ownership, reflect the interests of European and American institutions. The main issue is the institutional copyright on images of artifacts, which means the multiplicity of actors possessing power in this digital space. As Robin Boast indicated, the contact zone is an asymmetric space

³²² Museum am Rothenbaum Kulturen und Künste der Welt, „Digital Benin: Launch der digitalen Plattform zur Zusammenführung der Kunstschatze aus dem Königreich Benin,” Berlin, November 9, 2022.

³²³ Benin Dialogue Group Steering Committee, “Press Statement,” March 24, 2021, accessed April 10, 2026, <https://markk-hamburg.de/files/media/2021/03/Press-Statement-24.3.21.pdf>

where “the periphery comes to win some small, momentary, and strategic advantage, but where the center ultimately gains.”³²⁴ That indicates that the power distribution within the project is not completely equal; however, it reached the greatest achievement in combining the Edo knowledge, Nigerian experts, and European data in one place.

4.4 Digital Benin: a Precursor to Digital Restitution

The term digital restitution in this work is used to describe the process of expanding access to cultural heritage and returning it to its original context, redistributing control over data among the participating sides. The example of Digital Benin demonstrates that this platform provides new opportunities to rethink existing knowledge hierarchies, focusing on collaboration with local Edo experts and Nigerian researchers.

The Digital Benin project positions itself as a precursor to digital restitution,³²⁵ bringing together the information about the Benin Bronzes scattered around the world, archival materials about them, and provenance information. Additionally, a crucial element of the project is the use of local forms of knowledge, such as Edo designations of objects and interviews with holders of the Edo knowledge. All of this is united within a single digital space that allows for the individual reorganization of the connections between the artifacts and their context. That allows users to move beyond the institutional museum logic and learn about the Benin Bronzes through different forms of knowledge. However, it is only a preliminary form of digital restitution, as it creates space (and provides open and free access to it) for rethinking the history

³²⁴ Robin Boast, “Neocolonial collaboration: Museum as Contact Zone Revisited,” *Museum Anthropology* 34, no. 1 (2011): 66.

³²⁵ Anne Luther, “Introduction”, Digital Benin, accessed March 27, 2026, <https://digitalbenin.org/documentation/introduction>

of this cultural heritage and provides the critical context of the Punitive Expedition of 1897, when the Benin Bronzes were looted, making it clearly visible.

A key characteristic of the project is its dynamic nature. The platform is a work in progress: the constant expansion of participating institutions, at the project's launch in 2022, there were 131 institutions involved, while by 2026 this number had grown to 139,³²⁶ indicates the inclusion of new actors in the formation of the database on the Benin Bronzes. This implies the addition of new artifacts as well as related materials to the platform, which still continues. Thus, Digital Benin can be understood as an open and evolving platform, which can be understood as the first steps towards de facto restitution.

Despite the significant potential of Digital Benin in expanding access to the cultural heritage, this project faces several structural limitations. Firstly, digital images and objects' metadata remain under the control of museums. Moreover, according to the platform's information, Digital Benin preserves the original formats and descriptive structures that were received from the institutions,³²⁷ which implies that the original museums' narratives are added without changes, with the frequent use of colonial language. This is visible in the object cards, where the provided data is preserved, but the additional information from the project team may be added on top of them, for example, regarding sensitive content. Organizationally, the project also remains within a European institutional framework; its coordination is made by the MARKK,³²⁸ which is responsible for the administration, while funding is provided by the American and European foundations. This indicates that the project's infrastructure and governance remain based in Europe. Thus, global access to this is provided, but ownership of it is not transferred.

³²⁶ Institutions, Digital Benin, accessed April 3, 2026 <https://digitalbenin.org/institutions>

³²⁷ Anne Luther, "Introduction", Digital Benin, accessed March 27, 2026, <https://digitalbenin.org/documentation/introduction>

³²⁸ Project funding and host, Digital Benin, accessed April 10, 2026, <https://digitalbenin.org/funding-and-host>

A strong limitation of this platform is its dependence on museums' participation and readiness: the quality and the fullness of the data may vary, depending on the institution. This leads to the differences in object descriptions, differences in the images and their number, and the availability of contextual information. As a result, access to the knowledge about the Benin Bronzes is expanded and open, but it remains shaped by the existing European institutional frameworks.

This digital initiative possesses the capacity for its expansion, which is also a feature of the digital restitution projects, as “the digitised object and the interpretations, dialogues and recreations constructed around them constitute a digital object continuum.”³²⁹ Thus, Digital Benin presents itself as a dynamic space of knowledge production, which continues to evolve, having the potential to become a digital restitution project.

However, despite the collaborative and inclusive approach, this precursor of digital restitution does not completely eliminate structural asymmetries of power. Although the project includes local knowledge in the form of interviews and Edo designations, as well as consultations with Nigerian experts, this digital platform remains embedded within the European museum infrastructure. The tension arises in this case: being a platform created on the principle of collaboration and knowledge sharing, its growth depends on the institutions that define the conditions of access to the provided data on the Benin Bronzes.

Digital restitution combines, on the one hand, significant potential to expand access to cultural heritage and, on the other hand, the risk of reproducing existing problems in the field of museum decolonization. The Digital Benin platform provides global free online access to the looted artifacts, which were and still are dispersed across museums and private collections among countries. By doing so, it increases the visibility of the issue of the Benin Bronzes, as

³²⁹ Qiaoyun Hu, ‘Virtual Repatriation as a Methodological Reframing for Museum Learning in the Digital Age: Repositioning, Digital Transformation, and Collaborative Meaning-Making’, *International Journal of Heritage Studies* 31, no. 3 (2025): 332.

well as the history of the violence and subsequent dispersal that is associated with these artifacts. This makes the platform an important instrument for research by Nigerian and other scholars, as well as by people interested in these artifacts. It is especially advantageous when physical access to artifacts in different museums is limited, and opens opportunities to involve a wider range of participants interested in this cultural heritage.

On the other hand, concerns appear that digital initiatives may potentially postpone physical restitution processes: “attempts to digitally retribute, as an example, can very easily be initiated as a way to avoid physical restitution, trying to diverge public attention and avoid the true issue at stake...”.³³⁰ In this context, digital restitution may create only an illusion of a solution, without addressing the key aspects related to the physical return and the ownership rights. Thus, digital restitution may be an instrument that reproduces colonial logic in the digital realm and can function as a tool helping to increase access and postpone the material returns of cultural heritage.

All in all, the restitution of cultural heritage should not be reduced to the act of physical return of the objects: it needs to involve a broader process of acknowledging the injustices of the colonial past through changes in narrative and inclusion of new actors. Digital restitution, thus, provides new opportunities, making visible the scattered Benin Bronzes around the world and the history of violence and displacement associated with them. The Digital Benin project, while being a precursor to digital restitution, demonstrates how an online platform can create a collaborative space in which the Edo knowledge of the Benin Bronzes is represented in an online space. Shared authority in the knowledge-making process allows this place to be a hybrid contact zone with a variety of actors. At the same time, this project should be considered

³³⁰ Anna Calise, “Digital Restitution of Expropriated Heritage: Technological Modes of Experience,” *Itinera*, no. 28 (January 2025): 440.

within the broader context of the activities of the Benin Dialogue Group, where this digital initiative was developed during the discussions of physical restitution of the Benin Bronzes and plans to build a new museum in Nigeria. On the one hand, it might help identify the location and provenance of the artifacts, which can be claimed and returned; on the other hand, cultural internationalists may argue that the Benin Bronzes are already accessible to the broader audience, which might postpone their physical restitution. Thus, the Digital Benin project may be seen as an element of a complex process, which aims to rethink the colonial past regarding the Benin Bronzes, finding its own way in the process of digital restitution.

Conclusion

In this thesis, I analyzed the Digital Benin project as a precursor to the digital restitution of the looted Benin Bronzes through the lens of postcolonial theory. Firstly, I analyzed the variety of approaches to restitution and definitions of digital restitution, as a relatively new term. This work understands digital restitution as a practice of open access to digitized cultural heritage, achieved through shared knowledge production between former colonial and former colonized powers. Then, I traced the evolution of museums as institutions, embedded in the colonial nation-states, defining them as instruments of power. The development of concepts such as contact zones and third places has influenced the development of museology, and since the end of the 20th century, many museums have become places where narration started to be shared between European curators and source communities.

Next, the international framework regarding the question of restitution of cultural heritage since the second half of the 20th century was analyzed. This part revealed the advisory role of international organizations, such as UNESCO, UNIDROIT, and ICOM, in the processes of restitution, as the Conventions of 1970 and 1995 are not retroactive and therefore cannot be applied to cases that happened before their acceptance. Code of Ethics' role is also advisory, and it should influence museums and museum staff on a more individual level, while the UNESCO and UNIDROIT Conventions aim to apply to nation-states. Nevertheless, the analyzed documents show global concern with questions of cultural property, and they established a soft framework that shaped the debates around the restitution of cultural heritage.

Furthermore, the complexity of the dispersal of the Benin Bronzes was covered, revealing its chaotic nature, which led to the lack of provenance for some. Also, the variety of actors who claim restitution of these artifacts, specifically the Nigerian government, represented by the Nigerian Commission for Museums and Monuments, the Oba, and the Government of Edo State, complicated the processes of possible return. On the one hand, the

transfer of ownership rights over the Benin Bronzes to Oba Ewuare II in 2023 by the President of Nigeria, Muhammadu Buhari, strengthened relations between the claiming sides in Nigeria; however, on the other hand, it led to disputes with another claiming actor: the Governor of Edo State, Godwin Obaseki. Thus, this part of the work analyzed disputes between Nigerian stakeholders, which shows the difficulties of the restitution process within one country, making the case of the Benin Bronzes complex.

Furthermore, the various approaches to restitution were analyzed in England, France, Germany, and Austria. It was concluded that each country has its own instrument for dealing with the artifacts acquired during colonial times. Thus, England focuses on the protection of national museums' collections, referring to the 1963 British Museum Act; however, non-governmental museums succeeded in the restitution of several Benin Bronzes. France chose another rhetoric and openly started participating in debates around restitution, starting with the President's speech in 2017 on the colonial past of the country and continuing with the Report of Sarr-Savoy in 2018, which became a subject of global debates around restitution. Germany, previously focused on provenance research, has in recent years established closer relations with Nigeria in the cultural sphere: after the signing of the Joint Declaration in 2022, cooperation on the return of the Benin Bronzes held in German museums has accelerated and led to the transfer of ownership of more than a thousand looted Benin Bronzes. Finally, Austria is analyzed as a country that participates in discussions and cooperative projects regarding the restitution of the Benin Bronzes, such as the Benin Dialogue Group and Digital Benin.

The Digital Benin project, which holds data from 139 institutions worldwide, is analyzed as a precursor to digital restitution. While physical restitution has its difficulties regarding the transfer of artifacts and questions of ownership over them, as well as disputes between the claiming actors, digital restitution has its own problems, specifically, connected with the question of who owns and controls metadata. In the case of Digital Benin, control over

artifacts' data remains with the museums that provided the information. At the same time, control over the platform remains within Europe, while the Nigerian side and the Edo people participated in content creation. This may lead to an ambiguity in the distribution of power, turning this digital space into a contact zone with an asymmetrical distribution of authority.

Digital Benin's position as a precursor to digital restitution is significant as it provides global online access to the Benin Bronzes. It has completed a tremendous work, collecting dispersed artifacts into a single database. This process was possible due to the collaboration of specialists from different countries and the proactive approach of the museums that contributed data, as well as the involvement of the Nigerian scholars and Edo people. It is particularly important to note that the platform incorporated Edo knowledge, which allowed for the contextualization of the content with interviews and Edo designations for a number of objects.

Overall, I believe that digital restitution can be completely possible when control in digital spaces is transferred to the source communities, not where they are viewed as invited participants. The question of whether such a third place, according to Bhabha, can be created without reproducing the power imbalance in favor of former colonial powers remains open.

Thus, Digital Benin does not digitally reconstitute the Benin Bronzes; however, it creates the conditions for its development by drawing attention to this issue and making a significant contribution to the systematization of both European and Edo knowledge systems in a single place. Moreover, one of the key aspects of the Benin Bronzes restitution is the recognition of the injustices of the colonial past, which Digital Benin clearly addresses. While it is impossible to change the existing museum data, this platform adds another layer of narrative, becoming an instrument of decolonization.

Future research

The topic of cultural restitution, and specifically digital restitution, is relevant these days, as new cases of demands for the return of cultural heritage and the acts of their return occur more frequently. The possible future research could continue the analysis of this platform with the use of interviews with project participants, as well as the exploration of how Digital Benin could facilitate both digital and physical restitution of the Benin Bronzes.

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