dialogue

Knowledge, Ethics, and Power
Publishing African Objects Without Clear African Provenance

Lisa Homann, Guest Dialogue Editor; Associate Professor, Department of Art & Art History, UNC Charlotte; UNC Editorial Board Member, *African Arts* Consortium

In light of current debates surrounding collecting histories and possible restitution of cultural heritage, it is not a stretch to say that our field is in the midst of a significant self-reevaluation. This journal is no exception. *African Arts* currently has no policy requiring authors to document the provenance of objects addressed in its pages, although the editorial consortium has initiated the adoption of a set of standards. While unease over publishing works of questionable provenance is not new, the concern is a particularly vital one for *African Arts*, which publishes scores of high-quality color images in each issue, both online and in print.

The recent publication in *African Arts* of a Research Note spurred discussion among the journal's editorial boards. The essay focuses on archaeological ceramics identified as Bura and includes nineteen full-color photographs of the objects, whose provenance is unclear. They are held in private collections, which the author keeps anonymous. Organizations concerned with artworks, cultural heritage, and antiquities such as the College Art Association, African Studies Association, and Archaeological Institute of America maintain guidelines that adhere to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. Our discussion raised concerns ranging from adopting a blanket policy regarding the provenance of cultural property to whether such a policy would apply to objects other than antiquities, thereby excluding objects in museum collections that do not have clear African provenance, which is commonplace. This Dialogue therefore addresses issues related to publishing material of unclear African provenance and what establishing guidelines could mean for this journal and the field.

The much-lamented death in late December, 2019, of Sidney Littlefield Kasfir, the journal's longtime Dialogue editor, had left us with without leadership for this discussion. Therefore, as a member of the UNC editorial board, I solicited commentaries from archaeologists, curators, and art historians in Africa, North America, and Europe. I am grateful to the contributors to this Dialogue who so generously met our spring deadline even though it coincided with the COVID-19 pandemic's worldwide upheaval. Their contributions grapple with difficult issues, such as knowledge sharing, ethical imperatives, unequal power dynamics, transparency, and interpretive control. Together they cohere around a few fundamental questions: Whose interests are (or are not) served by publishing such material? What are the consequences of our actions, and what does it mean to accept or reject those repercussions? Because there is much at stake in how we answer these questions, the editorial boards welcome further responses to this topic for publication in upcoming issues.

CONTEXTUALIZING THE DIALOGUE

UCLA Editorial Board

In October 2018, the UCLA Editorial Board of the *African Arts* consortium accepted Michelle Gilbert's "Bura Funerary Urns: Niger Terracottas: An Interpretive Limbo?" for publication. We did so not without considerable discussion. We feel it is important to recall the history of this process, since our decision has met with the varied responses presented in this issue's Dialogue section.

One of our board members, Marla Berns, was contacted by Gilbert as a colleague whose publications on Nigerian terracotta sculpture were cited among the interpretive arguments of her manuscript. Berns recommended that Gilbert submit the article to *African Arts* as a Research Note, given the speculative nature of her arguments based upon nineteen Bura sculptures. Gilbert was also aware of the likelihood that, by publishing them as unprovenanced objects, the article would raise what she herself identified as controversial issues in our field. We UCLA editors fully anticipated that publishing the piece would elicit impassioned responses. The journal's important Dialogue section was initiated for and has served just such purposes over the years. Lisa Homann of the UNC Editorial Board took up the challenge in a spirit that our colleague and former Dialogue editor, the late Sidney Kasfir, certainly would have appreciated.

The practice of *African Arts*' four consortium editorial boards is for board members to read submissions and solicit peer reviews from specialist colleagues in the field. The decision to publish, however, is made by the board alone. In this instance, we invited an anonymous assessment of the essay from archaeologist Chris Slogar, who deemed it "unethical" for *African Arts* to publish, as noted in his contribution to this Dialogue. All reviewers' comments were sent to Gilbert for her consideration, and she responded to them in her article as published (*African Arts* 53 (1): 74, fn. 5). Given the pointed assessment of the invited reviewer, the entire UCLA Board evaluated the submission to discuss its pros and cons and make a final determination. We understood Gilbert's position to be that "even objects without provenance deserve serious scholarly attention" (p. 74, fn. 5), and that "preventing research on 'looted objects' impedes attempts to understand and interpret them" (p. 67). She summarized the late Boube Gado's important 1983 excavation at the lower Niger River Valley necropolis where Bura objects were rigorously documented. She also noted that beyond Gado's single article published in 1993, no others exist about these works. Despite acknowledging the illicit trade in Bura objects that has ensued (along with their "recreations"), Gilbert did not agree to our request that she reveal the sources for the nineteen sculptures she illustrated. For a variety of reasons, it is not uncommon to conceal the names of private collectors in this journal and many other publications; this long-held practice is certainly an important matter for ongoing discussion, and we welcome its being broached here.

In general, the UCLA Editorial Board underscores our respect for Michelle Gilbert as a senior scholar of African expressive culture who has published widely on Akan terracottas and divine kingship as well as Ghanaian popular arts. The composition of "Bura Funerary Urns" clearly demonstrates that she has understood and accepted the wider implications of her Research Note vis-à-vis the urgency of protecting cultural heritage, as well as the epistemological challenges to ethnoarchaeological reconstructions of African pasts. Moreover, we believe that it would be unfortunate to silence a serious scholar who so transparently chose to take on highly controversial issues to ensure that a significant body of Africa's cultural production be openly acknowledged among world art histories. Indeed, Michelle Gilbert's position has prompted welcome dialogue in these pages that addresses timely issues facing *African Arts*, its editorial policies, and our field as a whole. We look forward to continuing the conversation.

THE DILEMMA OF UNINTENDED CONSEQUENCES

Jean Borgatti, Consulting Curator, African, Oceanic, and Native American Art, Fitchburg Art Museum, Fitchburg, MA; Visiting Fellow, Clark University and Boston University; Professor, Art History, University of Benin, Benin City, Nigeria (2013–2017)

Let me begin by saying that I understand and appreciate the issues surrounding the looting of archaeological and ethnographic objects. At the same time, I am firmly committed to the idea that as scholars, we must produce knowledge and share information. I do not categorically reject the idea of working with objects of problematic provenance, but I

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agree that it should not be done uncritically. I remember my feelings of shock and dismay when I first saw a Nok terracotta head in a private French collection; saw archaeological materials from numerous West African sites on display at the Yale University Art Museum;[1] saw the Djenne figures purchased by the Smithsonian's National Museum of African Art[2] and the veranda posts from the Shango Shrine documented by Frobenius and Carl Arriens in Ibadan in 1910 on display, along with their visual documentation, at the Detroit Art Institute;[3] or seeing a mask that I had photographed in the field in 1973 appear in an article on works from a private collection, which highlighted my research in Edo North as at least partially responsible for bringing this area into the limelight (Unrug 1983: 54).

I did not have a lot of sympathy for the French collector, but I was reminded of a day in Jos in 2004 when I was shopping for Hausa mats and cushions to bring home as gifts and was shown some Nok fragments. When I protested that I could not get export permits for such things, the trader whipped out a receipt book to show me that he could take care of that. (I did not buy them, though I did buy the other things.) The labeling of the objects at the Yale University Art Museum at the time made the case that the works should not be hidden in storage but should be put on view so that their location would be known and they would be available for study or for being reclaimed, depending upon the circumstances. I agree with this, though I don't know if the governments of Nigeria, Ghana, Mali, Burkina Faso, Niger, or Chad have made any effort to recover these works. Nor do I know whether the Yale University Art Museum has ever made an effort to restore these things to the countries they came from. (I should note, however, that I have not asked anyone at the museum about this.) I do know, though, that borders are porous, and what goes in might well come out again, particularly as the economic situation worsens throughout the world.

Journalists Aisha Labi and Simon Robinson (2001) likened the looting of Nok terracottas in the 1990s to a Gold Rush—with farmers letting their crops rot because they were too busy digging for terracotta. In 2010, Chris Slogar decried American and European collectors' equation of antique and modern terracottas—a situation replicated somewhat ironically today in Nigeria where, theoretically, one is not allowed to export terracotta, new *or* old. I was consistently denied permits to export modern Benin pottery despite my having documented the pots in question being made, having two of everything made and donating one set to the National Museum at Benin, and bringing the potter to the museum to meet the curator. The rule was that no pottery could be exported. Period. And I respect the dilemma this created for the curator in Benin. I finally went to the Director General for permission—though this was a project in itself!

We all have anecdotes like this, some of which we may not want to share in this public venue. We all know what should be done in Africa to justify (at least from a Western museum-oriented standpoint) the return of objects—better physical facilities for display and storage, climate control—which depends on a stable power supply and, most important, better-trained museum personnel and educated local communities! This was my stellar contribution to a roundtable on repatriation held in Lagos in 2017 celebrating the opening of an exhibition entitled *Return of Lost Treasures* (Sowole 2017), featuring work returned from France and the United States as well as a truckload of objects seized at Nigeria's border. Fortunately, I only had three minutes allocated for my contribution and the topic was assigned, since I did not know how I could discuss in any reasonable way the objects in the 2017 exhibition without offending my hosts at the National Commission for Museums and Monuments (NCMM). Though the return of some objects and publicizing of the seizure of others may have represented a moral victory for the NCMM, the objects themselves fell far short of being national treasure of the kind held in many collections, public and private, outside of Nigeria. (Dr. Kwame Opoku [2017] has written a scathing article on the issue of repatriation, using this exhibition as his jumping off point.)

As noted, I was appalled to find myself responsible for leading collectors to areas in Edo North where I carried out my initial research in the early 1970s. Though I have published the full story elsewhere (Borgatti 2010), I think it's worth repeating some of what I said: Upon my return from Nigeria in the early 1970s, I was reluctant to publish location information associated with my research. I did not want to provide an itinerary for field collecting, though it seems that I did despite my precautions, as I read later in *African Arts* (Unrug 1983). I was dismayed that I had focused attention on Edo North and that masks had been collected as a result (despite a museum colleague's flippant comment that what I had spent my time on was too modern, too ugly, or too ephemeral to be of interest to the art world). I remain equally dismayed that no scholars have followed up on my research in that area despite the continuing activity and richness of the visual culture there, possibly because, as my colleague had maintained, what I had spent my time on was indeed too modern, too ugly, and too ephemeral to be of interest to the art world. As a result, works from the area do not feature in major collections of African art. A mixed blessing for an art historian, to be sure.

By way of concluding, let me repeat: I do not reject categorically the idea of working with objects of problematic provenance as long as it is done in a critical and open fashion. We would have very little to work with if we limited ourselves to objects with an impeccable history, whose movements are traceable from the African continent through various hands to their final resting place in a museum. Michelle Gilbert's (2020) summary of the arguments pro and con and the associated literature, as well as her rationalization for using the objects she has chosen to illustrate her complex and well-constructed argument, are exemplary. It seems to me that eliminating research using such objects would simply maintain their situation of being, to use Roderick McIntosh's phrase, "forever in cruel chronological and cultural limbo" (McIntosh 2016: 60; McIntosh and McIntosh 1986: 51).

Notes

1 See https://divisare.com/projects/342858-lou-is-kahn-xavier-de-jaureguiberry-yale-university-art-gallery for an illustration. Photographed in 2011. I photographed the installation in 2014.

2 See https://africa.si.edu/exhibits/resources/mali/works.htm for illustrations.

3 See Woolf and Warren (1998) for a thorough discussion of this shrine that includes the relocation of the veranda posts to the Detroit Art Institute as well as photographs. I photographed this installation in 2011.

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THE LICENSE OF POWER IN AFRICAN ART

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When I arrived in the United States in the early 1990s from Nigeria, there was a buzz

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of "cultural property protection" in the air, especially in the circles where I hang out the most—archaeology, African art history, and museums. There were debates then, as now, about art collections and their provenance, looting of archaeological sites, illicit importation of antiquities. I soon learned that those debates had been going on for decades (Bator 1981; Coggins 1969). But Africanists became more involved in the discussions in the mid-1980s, when the drought of the era turned farmers into antiquity diggers in the Sahel and the adjoining areas, from Senegal to the Chad Republic (McIntosh 1989; McIntosh and McIntosh 1986). The European and North American art market was flooded with those archaeological materials. The Africanist intervention brought to the forefront the legacy of colonialism and its looting of antiquities and heritage objects from the religious and political sites of the colonized people (Schmidt and McIntosh 1996, also Fagan 2004; Layiwola 2010).

One feature of the debates at that time, which I find intriguing, was the claim that any cultural property is part of global cultural heritage. Most of those who subscribe to this noble argument were, however, dismissive of another argument: that antiquities should reside in their home country of origin. Hence, those who call for the British Museum to return to Greece the fifth century BCE Parthenon Marbles (a.k.a. the Elgin Marbles) were labeled nationalistic and, therefore, parochial. Many in the globalist circle also argued that cultural objects taken out of Africa and other parts of the world during the European colonial conquest belong to a different era, when lawlessness and unethical behavior ruled the world. Therefore, the argument goes, the consciousness of today and contemporary moral sensibilities should not be used to judge what happened in the colonial past.

In one of those discussions in 1994, to be precise in a graduate seminar on cultural heritage, I asked the following question: If the cultural property of a place or culture is a global heritage, why is it that cultural property from almost every part of the world is present in the British Museum, the Louvre, and the Metropolitan Museum of Art, but not a single item of European cultural patrimony or national treasure is found in a museum in Nigeria, Senegal, or Kenya? I was surprised that there was dead silence in the room. It was an awkward moment. I had to rescue the moment by informing my colleagues that the answer is one word: colonialism. I elaborated, perhaps incoherently, that the unequal global power between European empires and their former colonies makes it possible to fill the African gallery in the British Museum with Benin royal plaques, but not a single object from the ancestral British royal patrimony will be found in Benin Museum in Nigeria. And the same unequal global power has enabled private art collectors and galleries in Switzerland, Austria, and Germany to hold hundreds of looted Nok terracottas in their repositories but nothing that belongs to the cultural heritage of those countries is in any Nigerian museum. Likewise, the New York salariats and investment bankers, dealers and collectors, trust funders and everyday lovers of African art could own Bura sculptures, whereas no single contemporary person of Bura ancestry is likely to possess a medieval headstone from any of the thousands of churchyards and gravesites across Europe. What would be the measure of our outrage if a Nigérien in Niamey were to use the headstones stolen from a medieval gravesite in Europe or seventeenth-century Trinity Churchyard in Lower Manhattan as the centerpiece of his/her living room? Are we going to justify such illegal and unethical acquisitions based on the love for medieval and early modern European mortuary art and the quest to advance humanistic knowledge?

So, the issue raised by Michelle Gilbert in her comparative study of the Bura mortuary art is more than art appreciation and discovery of knowledge. It is about the power to do, act, rationalize, and justify what we think is appropriate. It is important that we recognize that not everyone has this kind of power. The pursuit of knowledge is intimately connected to the global dynamics of social, economic, and political inequality. African antiquity runners and traders in the late 1980s looted or aided the looting of Bura gravesites. The American and European art dealers who were the recipients of these objects in the 1990s, as reported by Gilbert, knew these were illegally taken out of the Republic of the Niger. The sanctity of our quest to pursue knowledge wherever it leads cannot deodorize the stench of global inequality that robs the colonized for the benefit of the colonizer.

The process of restitution, decolonization of our disciplines, and the pursuit of global justice must begin with the recognition of the enormous power that scholars and our fellow citizen-collectors have—including friends and family members. If it is important to appreciate the beauty and meanings of the thousand-year-old Bura mortuary objects, then it must be important to know the people who are current owners of these objects and a statement on how they obtained them. Concealing the identities of the owners of these pieces makes the scholar complicit in the persistent looting of Africa's cultural heritage. It is an extension of the looting of the continent's natural resources by Western agents and their African compradors. The capacity of a New York collector to own a Bura mortuary piece in his or her house is political. The love for African aesthetics may have been the motivator, but the ability to acquire the object derived from the power that European and American empires and nation-states granted their citizens, especially the White people of the world. To ignore the relevance of this power would be pathetically naïve for the colonized and disingenuous for the Western citizen-scholar-collector. Therefore, the discussion of repatriation, academic study, and ethics of global circulation of looted cultural materials such as the Bura urns will continue to be "highly politicized," according to Gilbert (2020: 67). The arrival of these objects in the West was never apolitical.

Moreover, the publication of these urns in *African Arts* has now elevated the value of Bura mortuary objects. The scholar may be satisfied that she has provided a new body of knowledge about the Bura objects, but the unnamed collectors and owners may be smiling that their investment in these objects is paying off. These same pieces may appear in the next art auction in New York, Paris, Geneva, or London, where Gilbert's publication may be cited in the auction catalogs to authenticate the objects' cultural integrity and drive up their price. When that time comes, the public, especially the colonized and marginalized global public (the so-called poor people), deserve to know who is profiting from the labor and creativity of their ancestors and the desecration of their mortuary. All of us who place Africa at the center stage of our inquiry must develop a critical reflexive posture to regularly assess how our positionality affects our subjectivities and the subjectivities of the peoples and cultures we study (Pikirayi and Schmidt 2016: 6). It does not matter how long we have been engaged with Africa. If the decolonization of our disciplines and ourselves is important (as we usually claim it is), then we must start from this posture of reflexivity to properly account for the privileges gifted us by the power of the empire, and why some do not have that power and its privileges. Maybe then, we will begin to approach the art, heritage, and humanities of those colonized people differently.

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DECOLONIZING PROVENANCE: A DIFFICULT WORK IN PROGRESS

Silvia Forni, Senior Curator of African Arts and Cultures and Deputy Head, Department of Art and Culture, Royal Ontario Museum

The question of whether or not to exhibit or publish images of archaeological objects lacking proper excavation documentation is a longstanding issue in the field of African arts and on the pages of this journal (see, for example, special issues in 1989 on *Ceramic Arts in Africa* [vol. 22, no. 2] and 1995 on *Protecting Mali's Cultural Heritage* [vol. 28, no. 4]; also van Wyk 2001). Illegal excavations are always associated with a critical loss of knowledge, and the equally illegal export of the objects removes the tangible traces of ancient history from a specific location, with significant consequences on a nation's awareness of its heritage. Often stunning works of art, illegally excavated objects are for the most part held in private hands but sometimes enter the public visual space through not only self-published catalogues, but also journal articles and museum galleries.

Is it acceptable to include illegally excavated objects in exhibitions and publications that do not directly address their problematic provenance? Where should we draw the line between our desire as scholars and curators to present to the public remarkable works of art and the condemnation of the violence that has made these pieces available for us to study? The debate of provenance and ethics is a complex and divisive subject, and one on which positions change over time. Today, this issue is in many ways entwined with the broader debates and calls to decolonize the knowledge and practices of the academy and museums. The attention to provenance and documentation has become even more heightened in the last couple of years as one of the central aspects of the restitution debate accelerated by the publication of the Sarr-Savoy report commissioned by France's President Emmanuel Macron in November 2018.

Though there are many important exceptions—notably collections connected to colonial agents and missionaries or amassed through officially sanctioned museum expeditions—provenance is often unclear for many historical African artworks found in public and private collections, not just archaeological material. This, of course, is where we want to trace back provenance to the original location where an object was acquired and the circumstances of that original exchange. On the other hand, the sequence of ownership of an African artwork since its recorded presence in European and American collections is usually clearly documented and can weigh heavily on the valuation of an object on the market. Yet, while for archaeological material the absence of excavation data positions these artifacts squarely in a sphere of illegality, the murkiness of collection data for historical objects does not necessarily mean that something was acquired unethically or illegally, but reflects shifting ideas about and criteria for what aspects of an object's biography were worth recording and preserving. Sensitivities about how collections can be amassed, researched, exhibited, interpreted, and published have shifted considerably in the last two decades, as has the perception of the responsibility of those involved in the production of knowledge relative to these collections.

With few exceptions—namely the MFA Boston, which created the position of Curator of Provenance in 2010—provenance research was not a specific area of investment in museums, but one of the many responsibilities of area curators, who had to provide reasonable documentation that a proposed acquisition had been legally exported from its country of origin. For African art, as with many other artistic traditions, legality was usually established based on the date of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, although each museum could establish its own standards for incoming acquisitions. Ultimately, what most North American and European museums had been concerned with was making sure that the money invested in an acquisition would be safe and the museum protected from restitution claims, rather than probing the historical circumstances or ethics of an object's initial collection. Yet, despite the presence of guidelines and recommendations, it is a known fact that collections with dubious provenance—even if just based on the arbitrary date of the UNESCO convention—are found in museums in Europe and North America. While the circumstances and motivations for these acquisitions are not usually public knowledge, the presence of these objects in public collections is known and increasingly more visible on a global scale.

Despite the slow uptake of head-on grappling with the complex and violent histories at the origin of many collections, many museums have opted for increased levels of transparency and openness as a way to address some of the skeletons in their closets and engage in a different sort of dialogue with descendant communities and countries of origin. Beyond the journal articles and print catalogues which have constituted the usual form of museum publication, digital databases are today widely available resources. According to the links provided by the website ÌMỌ̀ DÁRA, as of May 2020, more than 240 institutions worldwide have their African collections published online.[1] Provenance details or lack thereof may not always be spelled out in online catalogues, yet there is often enough information in them to allow for further enquiries and eventual restitution claims. The Yale Art Gallery goes even further, explicitly highlighting the objects in their collections with provenance documentation gaps.[2] And several museums have been proactive in investigating questionable provenance and initiating dialogues with museums and heritage authorities of the countries of origin, sometimes leading to repatriation.

The last decade has also seen a more radical and publicly acknowledged movement from the passive acceptance of the arbitrary definition of the legality of collections to a questioning of the ethical and political circumstances of acquisitions, forcing scholars and museums to confront, in more direct terms, their implication in the perpetration of histories of violence and the impossibility of a neutral positioning vis a vis colonial historical collections (Rothberg 2019). In a public statement following her resignation from the advisory board of the Humboldt Forum in 2017, Bénédicte Savoy compared the project to Chenobyl, where the radioactive histories of collections were being buried under a lead roof in the name of the presentation of art-historical knowledge.[3] Most of the collections of African art in the Global North are housed and displayed in "universal" or ethnographic museums. These are institutions that are inescapably connected to the violence of the colonial enterprise and founded on the conviction of the superiority of the Occidental archive (Chambers 2017). Yet, as public institutions in the twenty-first century, they also cannot escape the responsibility to address the persistent calls to decolonize that have become increasingly loud in our times. This is a work in progress for many institutions, but one that is becoming inevitable for most of them.

Six decades ago, Franz Fanon discussed the process of decolonizing and bringing change to the established order as "a program of complete disorder" (1963: 36). Indeed, at the moment it is really not clear if and how this process could effectively be achieved. Institutions are taking the challenge in varying degrees and going about it in a variety of ways. Some of the consistent traits of the more inspiring models in the field are attention to transparency and a desire to rethink the hierarchy of values and knowledge. Decolonizing projects challenge the privileged position of the Global North as the site of rightful ownership of the "universal" and the pernicious assumption that scholars have the duty to create knowledge regardless of the ethical implications of their source materials. Ultimately, as scholars, curators, editors based in the Global North, we have to come to terms with the complex and sometimes violent histories of the collections that we study, curate, and publish, and we need to accept responsibility for the intended and unintended consequences of the knowledge we promote in our projects.

Notes

1 https://www.imodara.com/explore/

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2 https://artgallery.yale.edu/provenance/antiquities. It is quite telling that two-thirds of this museum's published unprovenanced antiquities are archaeological terracottas from Africa.

3 https://www.sueddeutsche.de/kultur/benedicte-savoy-ueber-das-humboldt-forum-das-humboldt-forum-ist-wie-tschernobyl-1.3596423?reduced=true (last consulted May 18. 2020)

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ON THE ETHICS OF PUBLICATION

Christopher Slogar, Associate Professor of Art History, California State University, Fullerton

I find it disheartening that today, in 2020—the fiftieth anniversary of both the 1970 UNESCO Convention and my birth—we are still debating whether or not to publish archaeological material looted after that date and with no consideration from the country of origin. I, along with many of you, was in diapers when Ekpo Eyo served on that UNESCO committee. He was my dissertation advisor. And yet, so many decades later, somehow, this debate continues, considering the recent appearance of a group of unprovenanced Bura ceramics in these pages. In a peer-reviewed publication *that instructs its reviewers to consider the ethical implications of the material under review*. Responsible museums no longer collect this stuff, because people recognize the immorality of validating stolen property. So why are we, today, OK with validating it via peer-review?

Well, not all of us are. I rejected the manuscript.

Archaeologists shun this material for many good reasons, such as the lack of archaeological context necessary for proper interpretation and the fact such objects were dug up by, or sold to, criminal art dealers for personal profit—not to increase knowledge. But art historians, for some other reasons, maintain a stubborn thread of lingering mid-twentieth century privilege, which accommodates that if X [ancient object] is out there, if it exists, then that is reason enough to publish it. The thing may be pretty, or at least visually interesting, and it's old, all of which makes it IMPORTANT.

And we, therefore (and often rightly), believe that other people should know about it, too. But the all-caps manner in which we say this in our heads sometimes transmogrifies us, unconsciously, into an altered state of being, as if the Important Thing has magically installed a new reality into our brains, not unlike the way a SIM card activates your phone. Notably, this new reality is a purely objective one, in which potentially subjective issues such as ownership, legality, and morality no longer apply. Or maybe, should not apply … but if they do, the all-caps just shouts down their relevance enough to be tolerable. I admit that, in the past, I have fallen prey to the Important Thing myself. The desire to be the first to publish one can be *very* compelling. I'm guessing it's like catching a rare Pokemon. And there's probably even a German word for it.

Meanwhile, we abide by standards for conducting research on human subjects. I think we all agree that we should not take advantage of the people who facilitate our research, or personally profit from the things that they've created or shared with us. We value their collaboration. And we value their voices.

Of course, there is no one left to speak for the ancient artworks. The best way we can try to understand them and learn about the lives of their makers and users is through careful study of the things they left behind, where they left them.

For me, and a growing number of colleagues, the question is no longer, "Can I publish that?"

The question now is, "Should I?"

The art world has changed much in the last few decades since museums became serious about undertaking due diligence in their collecting and exhibitions. Today, as we continue to reevaluate our ethics of collection, more and more museums are deciding that returning looted art is the right thing to do. A big reason why is that the public is now demanding it. And people are demanding it not based on the law *per se*, but on what is right.

Many museums have updated their acquisition policies to better maintain evolving ethical standards. For example, over two decades ago, the National Museum of African Art decided to stop acquiring unprovenanced Nigerian antiquities. The museum does this not because they *can't*—I mean, it is still perfectly legal to do so in this country (the US government has no bilateral agreement with Nigeria, as exists with Mali). Instead, the museum acted voluntarily; they've chosen to follow the UNESCO standard. In other words, they decided not to collect such things because they *should* not. It was an ethical decision. We even had a European head of state, the French president Emmanuel Macron, recently declare that France should return art to Africa. So attitudes are changing for the better, even though too many policies remain embryonic.

Not only have these changes been reflected in the pages of *African Arts*, many of the authors of those contributions—the likes of Eyo, Susan McIntosh, Roderick McIntosh, and Keith Nicklin very quickly come to mind at the moment—represented the vanguard of the movement for modernization and greater social justice regarding the proper stewardship of cultural property. *African Arts*, as a peer-reviewed publication, maintains a position that is quite special, and special not only in the United States, but globally. That *African Arts* has chosen to ignore this paradigm shift and go backwards in endorsing obviously looted art is unfortunate, and I believe its credibility as a scholarly journal has suffered as a result. We need not continue laundering others' ill-gotten gains. Adopting and adhering to a more specific ethical framework would help to repair it.

While the often-ambiguous provenance of ethnographic objects makes for a rather complicated debate, the case for archaeological material, especially from sites/cultures not known before 1970, is more easily made. To begin, *African Arts* could adopt the 1970 UNESCO date as the ownership *terminus ante quem* for previously unpublished archaeological material without legit provenance.

The International Criminal Court now recognizes the intentional destruction of cultural monuments and art during times of conflict as cultural genocide, a war crime. In 2016, Ahmad al-Faqi alMahdi was convicted of war crimes for directing attacks on ten historic buildings in Timbuku (see Luck 2018: 12).

So I ask you, is the illegal destruction of archaeological sites and concomitant erasure of ancient cultures using shovels instead of bombs really any different?

Do we actually need a damn hot war to see how wrong this is?

In our increasingly dystopian twenty-first century reality of regressive politics and pandemics, we don't have to accept this, too, into our already regrettable "new normal."

We really don't.

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SCHOLARSHIP AND THE ETHICS OF RESEARCH

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The pillaging of African archeological sites to supply a voracious European and American demand for African art continues unabated. Scholarly debates about publishing research on looted African artworks/cultural artifacts sourced from this kind of pillaging recur with such regularity that they have become a sort of cliché. In this particular journal (*African Arts*), they have been addressed in at least two special issues, along with emergent debates about restitution. When these debates first started to be voiced, the idea that we should hold collectors accountable for the content of their collections was rather unpopular. In the twenty-first century, the fact that it is improper and amoral should be obvious.

Ceramic objects were especially implicated

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in these debates since most of the historical ceramic artworks in museum and private collections were often sourced from looted archaeological sites. And this leads to the important issue at stake: Should journals such as *African Arts* publish research on looted objects that lack clear provenance? On one hand, publishing research on looted artworks might provide information about some individual hands and potentially reveal names of previously "unknown" artists. The positive aspect of this is that it increases our knowledge of artworks with unknown provenances and creates opportunities for comparative research to ascertain the specific artistic/cultural identity of artworks, the original circumstances of their acquisition, and identify rightful owners. The negative side of writing about African ceramics that lack provenance is that some Western museums and collectors might use that process to sidestep the immorality of profiting from the looting of such artifacts. It could also undermine the entire premise of the restitution debate by affirming ownership of looted and contested objects.

Collecting looted ceramic objects is one thing (and we insist that it is immoral); validating them by publishing research on such objects is another thing entirely. The entire edifice of art theft is predicated on being able to create provenance for the artworks through scholarly validation. Collectors rely on such validation to enhance the value of their collections. This makes scholars complicit in the looting of artworks by being the primary agents who narrate these looted objects into being. Collectors especially value inclusion in top-line research journals and museum exhibitions to create provenance for their looted artworks. In that regard, a scholar's failure to grapple with the ethical questions arising from publishing research on looted artifacts suggests a willing endorsement of looting as a viable protocol for creating art collections. Similarly, a museum that exhibits such artworks, while being aware of their contentious origins, is guilty of abetting the looting of cultural objects from archaeological sites, or those produced from the theft of these objects from various African cultural contexts. A respected journal such as *African Arts* should not condone such immorality by publishing research on contested objects of dubious origins.

The article by Michelle Gilbert (*African Arts* 53 [1], 2020: 66–75) can be condemned on these grounds. It is especially egregious in its cavalier dismissal of the problems inherent in hiding the identity of collectors in order to safeguard them from criticism, while using the journal to highlight such collections and thereby increase their value. Her statement that "preventing research on "looted" objects impedes attempts to understand and interpret them" (p. 67) seems to subscribe to the notion that scholarship trumps ethics. However, the question is not whether research of any kind is useful but what kinds of ethical protocols should guide research on any subject.

Ultimately, the willingness to overlook the dubious provenance of African artworks represented in scholarly research is a form of money laundering, in which academic journals are used to legitimize artworks of dubious provenance, and unwittingly as a guide to looters who use research in the journal to target sites for looting. Gilbert's willingness to hide the identity of the collectors of the ceramics she wrote about represents a failure of judgment. If the collectors were not worried about the nature of their collection, they would not insist on anonymity, and the scholar should have been wise enough to understand that such insistence is problematic.

Clear guidelines for engagement with artworks of dubious provenance are needed in order to prevent journals such as *African Arts* being used as unwitting collaborators in the plundering of archaeological sites. Such guidelines are not new but have usually not been adhered to. I am sympathetic to the need of scholars to research and write on artworks but we should now start to consider the impact of producing such knowledge on various cultural contexts. Not all knowledge is useful for dissemination. We can minimize archaeological plundering by depriving collectors of such objects a stage for exhibiting their artworks and if we scholars refuse to write about them.

THE ETHICS OF PUBLISHING PLUNDER

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Archaeologists have been confronting ethical issues regarding the looting of terracotta art objects from along the Niger River for the past four decades (see McIntosh and McIntosh 1986; McIntosh et al. 1995). Professional archaeologists have worked to reduce illicit looting in a variety of ways, including: local public outreach (e.g., MacDonald 1995), "shaming the collector" (e.g., McIntosh 1996), boycotting or drawing attention to exhibitions containing looted artifacts (e.g., Shaw and MacDonald 1995), blocking importation with legislation (e.g., Shapiro 1995), undertaking salvage excavations at looted sites (e.g., Polet 2005), and making preemptive excavations at threatened sites (e.g., Bedaux et al 2001). These efforts have sometimes had a Eurocentric bent (despite strong African academic involvement) and have operated divorced from—but parallel to—an active art market that sells these objects. While the link between (predominantly) Western demand for objects and consequent looting of sites has been complexified by the work of anthropologists who pay attention to the agency of the digger/middle men in West Africa (see Panella 2014), the intellectual framing is still one of looter vs. victim and archaeologist vs. collector.

This geographical and economic framing of the debate, echoing the restitution issues stemming from colonial looting, pits rich and powerful "pull" countries against poorer and less powerful "victim" countries and results in justifiable unease around the cataloguing and publication of unprovenanced objects. Yet, there is also an alternative view (e.g., Ravenhill 1995): By the academic boycot of unprovenanced Niger Valley art objects, we deny the world important cultural and historical knowledge. The crux of the issue can be summarized as follows: If heritage professionals interpret and publish looted West African art objects, do they incite further looting and valorize the results of pillage *or* by not addressing such objects, do they place forever in the shadows art corpora essential to understanding a range of West African civilizations?

One of us (KCM), as a former student of Roderick and Susan McIntosh and active in Malian archaeology for over thirty years, has conformed to the principle of avoiding any citation or consideration of looted Middle Niger terracottas. I have a treasured offprint of the McIntosh's 1986 *UNESCO Museum* article which contains the fundamental elements of this position:

> We will avoid all specific reference to publications concerned with illicitly obtained activities (fn. 4).
>
> Publishers and editors of art journals in which these articles are published also share complicity (p. 50).
>
> Art exposed without recording the archaeological provenance is art divorced from the economic, social, ideological, and historical context without which ancient art remains inexplicable (p. 51).

In other words, to publish plundered terracottas tacitly supports the economic cycle of looting, and objects robbed of their archaeological context have little interpretive value anyway. But is the latter really the case?

Ignoring the difficult?

Before examining the ethics of publishing photographs of unprovenanced objects, it is important to identify the image's potential agency in different spheres and the different ethical considerations in each case.

First, an image of an unprovenanced object can be presented as an illustration of text, as a fleshed-out likeness of an object described in the literature. Depending on where it is published, it can confer economic value on the object (or one that can pass for it). The image presents an opportunity for art historians, collectors, and museum curators, now and in the future, to navigate objects in their possession in relation to a wider corpus.

Second, an image is a driver of desire for

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collectors (private and institutional). The carefully lit image creates a very focussed and particular demand for that thing, without which the collection is lacking.

Third, the image can be used for scientific research. The archaeologist or art historian can use it to enhance their knowledge of a corpus of objects from a particular time or place. The image can also help shed light on what is known about past cultures' trade routes, empires, gender roles, conditions of life, material culture, disease patterns, and so on.

This third use is what is at stake when thinking through the ethics facing archaeologists in relation to unprovenanced objects.

There is a substantial corpus of art historical work on the Jenne terracotta corpus which has been effectively ignored by the academic archaeological literature—particularly that by Bernard de Grunne (1980, 2014), a Yale-trained trained scholar active in the art trade, and even recent work led by a major museum curator (Bouttiaux and Ghysels 2015). It is as if there are two parallel universes, each denying the existence of the other. In the words of the late Philip Ravenhill (then curator of the US National Museum of African Art) "[can we] afford to ignore the data that still adheres to these objects? They embody evidence of African History that needs to be dealt with" (1995: 56).

Purification?

The reality of the current situation is that there is not really a pure divide between scholars/archaeologists who avoid all unprovenanced objects and the art historian/collectors who embrace them. As can be seen at the Metropolitan Museum of Art *Sahel* exhibition (LaGamma 2020), the people involved in lending the objects, writing the catalogue, curating the exhibition, and the potential visitors to the exhibition all belong to overlapping categories of archaeologists, collectors, art historians, interested public, and museum professionals. Some of them move from one sphere to another, some of them happily coexist in multiple spheres.

Despite the efforts of archaeologists to create an ethical divide, in practice this has never really happened because all the agents involved share the same essential impulse: a desire to know/possess the African past. The image of an unprovenanced object published in a journal such as *African Arts* is just one link in a long chain of events that link people (with their multiple motives) to looting. A refusal to publish an image notionally weakens the demand for unprovenanced objects, but in reality, it does not stop such objects from ultimately migrating to auction catalogues. Even if the discipline of archaeology ignores unprovenanced objects, it still provides the historical contexts that make them interesting.

Indeed, this strange and uneasy cohabitation is starkly visible in the catalogue of the Met's *Sahel* exhibition: The catalogue includes twenty looted archaeological objects from private collections and museums. Yet, key figures (including Roderick McIntosh and African heritage professionals), long opposed to such valorizations, provide the essential framing texts for the exhibition—while not commenting on the unprovenanced objects. How can this be effectual as a means of discouraging the acquisition of such cultural materials?

In her introduction to the volume, LaGamma (2020) rehearses the issues without really providing a satisfactory conclusion. The get-out clause is that all featured looted items had documented "provenance" before the US–Mali 1993 bilateral agreement on antiquities trafficking (tacitly placing the UNESCO 1970 agreement to one side). While admitting that this looting has "severely compromised their interpretive potential," it is asserted that the Niger River terracotta corpora provide "a major creative watershed that cannot be overlooked" (LaGamma 2020: 28),

Yet at present, academic ethical codes, institutional and otherwise, are largely set against any analytical engagement with such *archaeologically* unprovenanced materials. Surely the time has come to reconfront this impasse, this elephant in the museum? Ethically, should archaeologists cohabit in publications and/or engage interpretively with images of looted West African art? Under what conditions? Moreover, who is to decide if such an engagement is ethical?

We must acknowledge that the images published in *African Arts*, museum guides, and auction catalogues inevitably create a desire for the possession of objects. There has long been an extractive economy of West African material culture for Western consumption (and intellectual deliberation) going back to the nineteenth century and beyond. This long-term process has been trenchantly commented upon by the president of Mali, Alpha Oumar Konare, hoping that "the cultural wealth of Africa, scattered across the world, as are her sons, will begin to return" (2005: 27). The same debate has appeared in the recent call for the return of African art from Western museums to their countries of origin buttressed by the 2018 Sarr-Savoy report. The most interesting part of the repatriation debate in relation to the publication of images of unprovenanced objects is a simultaneous demand for a return to self-determination, for the right to possess and tell the story of your own past. To truly embrace this policy would not only necessitate the return of objects that are central to the identity of nations or cultural groups, but also signal an openness to relinquishing control over who has the right to set future interpretive research agendas.

In this light, would it not be preferable that the future interpretive status of looted objects be adjudicated and guided by African heritage professionals rather than foreign universities and museums? Is the weighing in the balance of heritage elucidation versus protection really intractable or has it been made so by a fixed, one-size-fits-all ethical stance?

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