

Conference organised by Dr Diana M. Natermann (Leiden University) &
Dr Inge van Hulle (Tilburg University)

Date: 28.-29. January 2021
Location: Leiden University, The Netherlands
Abstract deadline: 31. August 2020

Keynote Speakers: Prof. Dr. Jürgen Zimmerer (Chair for Global History at Hamburg University & Head of the Research Centre "Hamburg's (Post)Colonial Legacy")
Dr. Matthias Goldmann (Junior Prof. for International Public Law and Financial Law at Frankfurt University)

Call for Papers:

Imperial Artefacts:
History, Law, and the Looting of Cultural Property

This interdisciplinary conference aspires to bring together (post-)colonial historians, legal historians, curators, international lawyers, and others engaged with the field to establish research collaborations by critically investigating stories of colonial looting, the framing of colonial history within museums, the origins of the legal framework concerning European laws of war and restitution, as well as a way forward for restitution claims.

The notion that cultural treasures are not legitimate spoils of war, contradicts norms that were accepted according to the law of nations for centuries. However, after the public outrage occasioned by the plunder of Belgium and Italy by Napoleon's forces, the nineteenth century saw a gradual rise of several initiatives such as the Lieber Code (1863), the Brussels Declaration (1874), the Oxford Manual (1880) and the Hague Convention II (1899) that sought to limit or outlaw the seizure and confiscation of cultural and private property. Within this nineteenth-century development the spoliation of non-Western countries by imperial powers was largely ignored or even explicitly condoned. Arguments that bolstered the expropriation within imperial contexts were framed in an explicitly racist and dehumanising discourse, which placed non-Western states wholly or partially outside of the application of European laws of war. The result was the destruction of indigenous heritage and the steady flow of cultural artefacts and valuable manuscripts from the Middle East, Africa, Asia, and Australasia to Western archives, museums, and public spaces.

Since decolonisation, several former colonies of the Global South have led the way in mounting public pressure on Western governments and museums to address the legacy of colonial looting and have started legal procedures for reclaiming cultural property. However, since the beginning of the twentieth century the international legal framework for reclaiming cultural property has expanded considerably, many of these instruments remain ill-adapted to the legal relationship that existed between coloniser and colonised. Also, legal proceedings that have restitution as their objective are further complicated by the confluence of public international law, private law, and constitutional law of various jurisdictions which provides for a legal Gordian knot. Procedurally, the burden of proof lies with the requesting state, which might have insufficient financial or legal means at its disposal to pursue lengthy legal procedures.

Meanwhile, many Western museums fear the depletion of their collections and voice their scepticism of political endeavours to return said artefacts – especially since French President Macron’s statement in 2017 during a visit through Burkina Faso in 2017. In a report commissioned by President Macron and written by Felwine Sarr and Bénédicte Savoy it is stated that artefacts taken without consent from Africa during French colonialism shall be repatriated. And yet, in spite of political, financial, and legal difficulties, restitution claims are mounting in frequency. Also, over the past decade, Western governments have shown increasing openness towards collaboration with the Global South to trace looted artefacts and to return these to their countries of origin. This is especially the case in relation to the issue of giving back human remains.

In light of these developments we welcome contributions that focus on (but are not necessarily limited to) following topics:

- Histories of specific cases of misappropriation, of colonial violence, of how objects travelled and ended up in Western museums and archives (*provenance*)
- Histories of the laws of war in colonial contexts in legal practice and in legal theory
- Histories of domestic constitutional and private law concerning restitution
- Histories of the actors involved: imperial agents, indigenous resistance to spoliation, NGO’s, etc.
- Museology: how are colonial objects framed, styled and/or contextualised
- Historiography: histories of the critical debate concerning law, colonial museums and restitution
- *De lege ferenda*: how can/should legal restitution move forward?
- (Post)colonial debates on the restitution of heritage objects
- Interconnectedness of identity and historical artefacts
- Experience with restitutions concerning art looted by Nazis and its (possible) impact on restituting looted colonial art.

If you would like to propose a paper for a 20-minute presentation, please send a brief abstract of about 250-300 words to d.m.s.m.natermann@hum.leidenuniv.nl. When sending your abstract, please also provide a one-page CV or short bio with details of your academic experience, affiliation, and publications. The deadline for submitting proposals is **Monday, 31 August 2020**. The selection committee will make their final decision on submitted abstracts by mid-September 2020. Further information about the programme, registration, travel and accommodation will be announced after that date. Based on the discussion during the conference the organisers will invite conference delegates to prepare a chapter for an edited volume or special issue of papers presented at this event.

This event is generously supported by the MA International Relations Programme at Leiden University, the History Department of Leiden University, African Studies Centre Leiden, and the LUF Leiden University Fund.

Please note: depending on how the current Covid-19 situation unfolds come winter, this conference may ultimately take place online or be postponed to a later date in 2021.

Our twitter handle is #imperialartefactsconference