The Benin Bronzes and the Trajectories of Nigeria's Multilateral Diplomacy since Independence

By

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Abstract

This paper interrogates the trajectories of Nigeria's multilateral diplomacy in relation to the Benin Bronzes, tracing their forcible translocation under colonialism, their subsequent reconstitution as objects of international contestation, and the implications for Nigeria's external relations. It explores the dynamics that elevated these artefacts from cultural relics to pivotal subjects of multilateral diplomacy, with Nigeria positioned at the centre of these engagements. While extant scholarship on colonial rule in Benin has predominantly emphasised political and economic vicissitudes, it has largely neglected a systematic enquiry into the colonial reconfiguration of the bronzes and the transformation of their primary documentary purpose into instruments of diplomatic negotiation. This neglect has produced a significant lacuna in the historiography of colonial Benin, particularly with respect to the artefacts' altered functions. By addressing this gap, the study examines the bronzes' shifting meanings and their enduring role in shaping Nigeria's multilateral diplomatic posture since 1960. Drawing on a wide corpus of primary sources, complemented by pertinent secondary literature, and employing the historical method within an interpretive framework, the paper demonstrates that colonialism profoundly redefined the utilitarian essence of the bronzes, recasting them from sacred repositories of historical memory into contested subjects of international diplomacy, with Nigeria firmly situated at the centre of these debates.

Introduction

This paper examines the Benin Bronze artefacts and their implications for Nigeria's multilateral diplomacy since 1960. It addresses their forcible translocation under colonial rule, their subsequent emergence as subjects of multilateral diplomatic engagement, and the attendant consequences for Nigeria's external relations. There are previous scholarly research works on various aspects of colonial rule in Benin such as political and administrative systems under colonial rule, colonial economy, colonial rule and indigenous institutions[1] as well as various aspects of the Benin Bronzes[2] but neither on its original usage as state documents nor on their present status as subject of multilateral diplomacy or on the impact on Nigerian foreign policy.

This has created a lacuna in knowledge and demands scholarly attention. Despite the abundant intellectual literature from a wide range of local and foreign scholars which satisfactorily cover the history of Benin Kingdom, the impact of colonial rule on her economic and political structures, this vacuum in knowledge remains conspicuous. This paper seeks to remedy some of these gaps by researching the Benin Bronze artefacts and their implications for Nigeria's multilateral diplomacy since 1960. It analyses the seamless change of the Benin bronzes from its documentative nature in pre-1897 era to subjects of multilateral diplomacy in the twenty-first century and the implications on Nigeria's external relations.

The bronze artefacts were commissioned by the various Oba of the second dynasty in Benin Kingdom to serve documentation purposes in the pre-literate society.

[1] Some of these research works include, Philip Aigbona Igbafe, *Benin under British Administration: the Impact of Colonial Rule on an African Kingdom, 1897-1938*, (Ibadan: Longman, 1979); Uyilawa Usuanlele, "State and Class in Benin Division, 1897-1959: A History of Colonial Domination and Class Formation,' (unpublished M.A. thesis, Ahmadu Bello University, Zaria, 1996); Victor Osaro Edo, "The Benin Monarchy: 1897-1978, A study in Institutional Adaptation to Change," (unpublished PhD thesis, University of Ibadan, 2001) and Joseph Inegbenebho Osagie, "Colonial Rule and Agriculture in Esan," (unpublished PhD thesis, University of Benin, 2006.

[2] Previous academic works on Benin bronzes include, Mary Lou Ratté, 'Imperial looting: the case of Benin,' (unpublished M.A. thesis, University of Massachusetts, 1972); S. K. Wilson, "Restituting Colonial Plunder: The Case for the Benin Bronzes and Ivories," DePaul *Journal of Art, Technology & Intellectual Property Law*, Vol. 23, Issue 2, (2013), Charlotta Dohlvik, "Museums and their Voices: A Contemporary Study of the Benin Bronzes," (Unpublished Master's Thesis, Göteborg University, May 2006).

These bronze works of art served several socio-political purposes in the Benin hierarchical system, complex political institutions, polytheistic culture and world view. They were judiciously encoded with concepts, beliefs and other messages that served as essential reference points and a guide for the kingdom and her nobilities. They also preserved the details of past personages and decisive events in the preliterate kingdom and therefore, served more documentary and psychological purposes than ornamental. Unlike the contemporary state archives accessible to both the citizens and members of the government, these bronzes were only open to the Oba and king makers, known as the *Uzama* group of title holders. Ekhaguosa Aisien explains that "state information was emboldened in mentals," which are now known as Benin Bronze artefacts and were kept securely for the "consultation of the Oba, the kingmakers and other authorised persons and institutions" when the need arises.[3]

The Benin bronzes suddenly became the subject of global searchlights when Britain, in pursuance of her economic interests, invaded and colonised the kingdom. The British soldiers looted over 2,000 bronze sculptures and dispersed them to several museums around the world. Today, the bronze artefacts are all over the world and have become global phenomena with little knowledge of their home culture and ways in which they were removed and spread across the globe. The question of who rightfully own them and the morality of them serving the inheritors of the looters has since 1960 become a subject of continuing multilateral debate involving Nigeria and several countries. The position of independence and statehood for Nigeria provided the needed incentive for the question of cultural identity to be placed on the National Agenda and foreign policy objectives. The resultant multilateral diplomacy, has increased the volume of Nigeria's external relations and led to the formulation of international legal instruments among others.

The Bronze Documents at Ugherhoba up to 1897

Ugherhoba is translated literarily as "see the Oba's father;" "the Oba's father's room;" or "portrait of the Oba's forebear." It actually means the domain of the

[3] Interview conducted with Ekhaguosa Aisien age 80, at his residence, off Airport Road, Benin City, Edo State on March 3, 2020.

Oba's forbears; the realm of the past Oba;[4] the domain of the Oba's lineage or guidance/consultation of the past Oba. In a focus group discussion, Kokunre Eghafona, a Professor of ethnography described *Ugherhoba* as the room of, or access to the past Oba while Osarhieme Benson Osadolor, a professor of history defines it as the realm for all the past Oba of Benin reserved for the guidance of the present and the future ones.[5] According to Eghafona, when an Oba passes on, the incoming Oba commissioned the best members of *Iguneromwon*[6] to make a bronze image of him and the major landmarks of his reign before he is allowed to ascend the throne. Her position was supported by Osadolor, who emphases that until this bronze pictorial representation of the past Oba with his deed is completed and accepted as a code that tells the true story of the diseased Oba and of his reigned, it will not be accepted and the new Oba cannot ascend the throne.[7]

Ugherhoba, therefore, is a large hall in the palace of the Oba of Benin particularly in the precolonial era that contains a large and varied collections of information on the past Oba of the kingdom, their character, valour, and notable landmarks in the kingdom's growth and development and most of this information were artistically encoded in alloy mentals, now known as the Benin bronzes.

[4] Oba is same for plural and singular. It is use at this instance as plural while the three usage in the previous sentence are in singular forms.

[5] Focus group discussion conducted with a cross section of historians and ethnographers as follows: Kokunre Eghafona, Osarhimen Benson Osadolor, Joseph Osagie, Charles Osahuese, Frank Ikponmwosa and Albert Onovbayedo on 2/22/2020 at the office of the Head of Department of History and International Studies, Faculty of Arts, University of Benin.

[6] *Iguneromwon* is the guild of bronze casters in Benin right from the pre-colonial era till this day.

[7] Focus group discussion conducted with a cross section of historians and ethnographers as follows: Kokunre Eghafona, Osarhimen Benson Osadolor, Joseph Osagie, Charles Osahuese, Frank Ikponmwosa and Albert Onovbayedo on 2/22/2020 at the office of the Head of Department of History and International Studies, Faculty of Arts, University of Benin.



A Bronze Image of Oba Ohen, 1334-1370

Each bronze figure together with a cache of other coded objects associated with it occupied a separate section at the Ugherhoba Hall. Ugherhoba was so filled with bronze plaque of various sizes and shapes that the commander of the British colonial army that broke into it in February 1897 mistook it for a storage room.[8] Eghafona explains that they so systematically and methodologically arranged in

[8] After breaking into Ugherhoba, Admiral Rawson informed the British foreign office in London through telegraph that his team has discovered a storage room with bronze plaques. For detail see Mary Lou Ratté, 'Imperial looting: the case of Benin,' (unpublished M.A. thesis, University of Massachusetts, 1972), 73. See also Augustus Henry Lane-Fox Pitt Rivers, *Antique Works of Arts from Benin* (London: Harrison And Sons), iv; See also S. K. Wilson, "Restituting Colonial Plunder: The Case for the Benin Bronzes and Ivories," DePaul *Journal of Art, Technology & Intellectual Property Law*, Vol. 23, Issue 2, (2013), 385.

such a way that they can easily be read and decoded collectively as a whole. According to her, when "you get to a particular section and observes the objects at the base of the Oba's Bronze head, you will know which Oba's section you are in." For example, if you see the Oba with the mud fish leg, it tells you the story of Oba Ohen, his council and the Iyase without any inscription and you will recall the major events of his reign.[9]

The documentative functions of the Bronzes were well explained by Prince Edun Akenzua in the petition he sent to the parliament of the United Kingdom on behalf of the Oba of Benin, according to him, "at the time Europeans were keeping their records in long-hand and in hieroglyphics, the Benin people cast theirs in bronzes."[10] During important events that needs to be recorded, professional craft men were called to document it and they produce what we now known as artworks of pre-British Benin. These documentation purposes of the bronzes for example, was made bare for all in the coronation events of Oba Erediauwa. Akenzua recall that there was "an argument as to where to place an item of the coronation paraphernalia. Fortunately, a bronze-cast of past Oba wearing the same regalia had escaped the eyes of the British soldiers. Reference was made to it and the matter was resolved.[11] These bronzes were judiciously encoded with concepts, beliefs and other messages that served as essential reference points and a guide for the kingdom and her nobilities. They also preserved the details of past personages and decisive events in the preliterate kingdom and therefore, served more documentary and psychological purposes than ornamental. Like research materials in present-day national archives, another specialised guild of record-keepers kept these bronzes in Ugherhoba where they served as a reservoir of

[9] Oba Ohen, who is said to have ascended the throne in c.1334 got paralysed twenty-five years later in c.1359 and he hid his deformity from his council members. Thus, he got to the council meetings before everyone and was last to leave. The Council members became so suspicious that one night in c.1370 they requested their prime, the *Iyase* to spy on him. The Oba caught the spy and ordered his execution that same night. For this crime, the council stoned the Oba to death.

[10] Edun Akenzua, The Case of Benin: A Memorandum to the British Parliament, requesting for the Return of the Benin Bronzes available at https://publications.parliament.uk/pa/cm199900/cmselect/ cmcumeds /371/371ap27. htm, March 2000.

[11] Edun Akenzua, The Case of Benin: A Memorandum to the British Parliament, requesting for the Return of the Benin Bronzes available at https://publications.parliament.uk/pa/cm199900/ cmselect/cmcumeds /371/371ap27. htm, March 2000.

values, psychological beliefs and as reminiscent of kings, queens and other public figures of the Kingdom as well as their strengths and valour. The Benin bronzes are state documents because "art-making itself can be considered a form documentation and finished art works as documents in their own rights."[12] A great deal depended on the memory of the narrator aided by documentation in arts and stories behind landmarks such as rivers, valleys and hills. When these sculptures have been matched with the time-line of events in pre-colonial Benin history, it has aided in revealing core functionalities captured in them. Such as the Benin contact with the Europeans, the rituals of the Oba's court, military figures in the various battles that the Obas won, and ceremonial animals and these were all ways in which historical records were kept.



Bronze plaques showing war dress of Benin warriors

Looting and Transportation, 1897- 1960

The story of the bronze artefacts and their functionalities drastically changed at the end of the 19th century, when her Britannic fighting troops in pursuance of the imperialist economic agenda began to conquer independent states in Africa for

[12] Tim Gorichanaz, "Understanding Art Making as Documentation" *Journal of the Art Library Society of North America*, Vol. 36, no 2, 191-203.

material gains. With no sufficient explanations for war in Africa to the inquisitive citizenry, Great Britain like other European nationals began to seek for pretext. Generally, they came out with three main reasons for their military and commercial activities in Africa – 'to spread Christianity' and to 'civilised the natives.' Under this pretext, European countries began to brawl over African economic resources. The claim of Britain over Benin territories and indeed, the whole of West Africa, was recognised by other European powers at the Berlin conference in December 1884 – January 1885. On 12 January 1897, following the failure of a long diplomatic brawl between Britain and Benin with pressure on the Oba to grant free access to British traders into the Kingdom's economic resources and the large Empire, Rear-Admiral Harry Rawson, commanding the British squadron at the Cape of Good Hope was appointed by the British Admiralty to lead a war to capture the Oba and exile him; end his government and neutralise all the states agents; grant unrestricted access to British businesses and send as many treasures as possible to the colonial office to offset the cost of the War and merge the kingdom with the Niger coast Protectorate with Raph Moor as the Governor General.[13] Philip Aigbona Igbafe stated that Rawson's troop was formally instructed to search the Oba's palace for ivory and artworks to 'offset the cost of the operations and to burn down the palace and hang the Oba.'[14]

About 1,200 Royal Marines, sailors and Niger Coast Protectorate Forces coordinated the attack. Nine ships, H. M. S. St. George, Theseus, Phoebe, Forte, Philomel, Barossa, Widgeon, Magpie and Alecto[15] were used to bring in troops to the coast and the army invaded Benin, the capital city of the Benin Empire and Kingdom via three coastal routes - the Ologbo creek, the Jamieson River line to

[13] For details see Philip Aigbona Igbafe, "The fall of Benin: A Reassessment, *Journal of African History*, Vol. 2, No. 33, (1970). See also See also B. M. S.P.R., Accounts and Papers, 1898, LX, 9I, 'Papers relating to the massacre. . . Moor to Salisbury, no. 654, 24 Feb, 1897. See C. H. Read and 0. M. Dalton; Antiquities from the City of Benin and Other Parts of West Africa (London, 1899). Edo, V.O. 2002, *The Benin Monarchy, 1897-1978, A Study in Institutional Adaptation to Change*, PHD Thesis in the Department of History submitted to the Faculty of Arts, University of Ibadan.

[14] Philip Aigbona Igbafe, "The fall of Benin: A Reassessment, *Journal of African History*, Vol. 2, No. 33, (1970), 396.

[15] Reginald Hugh Spencer Bacon, *Benin: The City of Blood*, (London: Arnold, 1897), 115.

Sakponba and the Ughoton creeks.[16] The Philomel, Barrosa and Widgeon with six canoes were detailed off for Gwato Creek and the Phoebe, Alecto, and Magpie for similar duties up the Jamieson River at Sakponba while the rest when through Ologbo creeks.[17] Having disembarked on land, the march on foot followed as they headed inland through the creeks of the Niger Delta and the thick undergrowth typical of the dense tropical rain forest, where 'the only means of transportation was by carriers.'[18] On February 9th, the fighting began, capturing Sakponba on the 11th and Ologbo on the 12th, the troops advanced from Ologbo on the 14th, with the Benin soldiers keeping up a running fight and contesting every turn. After 10 days of bitter fighting, the Sakponba column, and the main column reached Benin City but the Gwato column was defeated and routed by a section of the Benin troops commanded by War Chief Ologbosere. The troop finally captured Benin after firing some rocket tubes into the city.'[19] Homes, religious buildings and palaces were set ablaze by the conquering soldiers. On the third day, the blaze grew out of control and engulfed part of the city. War Chief Ologbosere and several others retreated into the districts and began a long guerrilla warfare against the British colonial army.

The British military victory brought Benin under the effective political control of the Niger Coast Protectorate Administration and marked the beginning of the transformation of the Bronzes and the resultant clandestine trade in the objects. Immediately after the Benin resistance collapsed in the British-Benin war and the Oba palace captured, the invading army began to search the palace for treasures. They broke into Ugherhoba and began the infamous looting of the Benin bronzes during the last week of February 1897. Still fully armed, they began to scan the city for art works and valuable treasures and found more in large and specially

[16] Osarhieme Benson Osadolor, "The Military System of Benin Kingdom: c.1440 – 1897", (Unpublished PhD thesis, University of Hamburg, Germany, 2001), 219.

[17] Bacon, *Benin: The City of Blood*, 115.

[18] Bacon, *Benin: The City of Blood*, *21*.

[19] Philip Aigbona Igbafe, "The fall of Benin: A Reassessment, *Journal of African History*, Vol. 2, No. 33, (1970), 399.

designed houses with shrines.[20] Some of these specially designed houses belonged to high-ranking chiefs in the kingdom and several other wealthy people who could afford to design their altars with complex artworks. Since each house had a shrine and the compound searched included not only those of the nobles and Queen Mother but several others across the city including religious buildings, the military raiding and plundering took days with soldiers extricating and gathering art objects and other valuables and treasures as instructed before the mission commenced.

At the centre of the looting military team were Admiral Harry Rawson Holdsworth and Ralph Moor.[21] The former immediately informed the British Foreign Office of the discovery of the huge store of metallic art works in the Oba Palace. According to him, bronze plaques were found both in the main palace and in the 'storage rooms.'[22] They also looted many of the bronze artefacts from the craftsmen workshops and the production guilds. Most of the objects looted were assembled in front of the Oba palace and the soldiers took photographs with some of them at the background and foreground.

[20] Mary Lou Ratté, 'Imperial looting: the case of Benin,' (unpublished M.A. thesis, University of Massachusetts, 1972), 73. See also Augustus Henry Lane-Fox Pitt Rivers, *Antique Works of Arts from Benin* (London: Harrison And Sons), iv; See also S. K. Wilson, "Restituting Colonial Plunder: The Case for the Benin Bronzes and Ivories," DePaul *Journal of Art, Technology & Intellectual Property Law*, Vol. 23, Issue 2, (2013), 385.

[21] Philip Aigbona Igbafe, The fall of Benin: A Reassessment, Journal *of African History*, Vol. 2, No. 33, (1970), 399.

[22] Barbara Plankensteiner, "Benin-Kings and Rituals: Court Arts from Nigeria," *African Arts*, Vol. 40, Issue 4, (2007), 32.



Some were immediately sent to London for initial analysis at the British Museum while the others were selected and grouped into two categories tagged official booty and unofficial booty.[23] While the official booty was sent to the British Foreign Office, the unofficial booty was divided among the soldiers according to rank.[24] The soldiers were also allowed to pick from the ones left behind and to go out and browse treasures for themselves. There were carriers of apparently humans as 'the seamen's kits were packed in ordinary painted canvas bags, four kits to a bag, and each bag marked and numbered according to its company, and also painted with its divisional colour.'[25]

[23] S. K. Wilson, Restituting Colonial Plunder: The Case for the Benin Bronzes and Ivories, DePaul *Journal of Art, Technology & Intellectual Property Law*, Vol. 23, Issue 2, (2013), 385.

[24] Wilson, Restituting Colonial Plunder, 385

[25] H. Glenn Penny, Objects of Culture: Ethnology and Ethnographic Museums in Imperial Germany. Chapel Hill: University of North Carolina Press, 2002, 75; See also, Bacon, Benin: *The City of Blood*, p. 22.



There were three parts to the transportation of the bronzes together with other looted treasures out of Benin, first was the use of human and animal carriers to convey them to the rivers and then the use of boats and canoe to move them through the creeks and tributaries to the coast to board the ships and thirdly, the shipment to Europe. Most of the contents of the official category were handed over to the officials of the British government who sold them to museums and private collectors from different countries.[26] Joseph Nevadomsky, Barbora Půtová and Václav Soukup report that the "British government sold the formally seized artwork at an auction to benefit the orphans and war widows of the military endeavour. Although British museum curators petitioned the colonial office to keep the artworks for research and public display, they were unable to retail them all."[27] Several other pieces "were taken by individual soldiers" as war booty from

[26] Charlotta Dohlvik, "Museums and their Voices: A Contemporary Study of the Benin Bronzes," (Unpublished Master's Thesis, Göteborg University, May 2006),17. See also Ekpo Eyo, 'Repatriation of Cultural Heritage: The African Experience', in Flora E.S. Kaplan, (ed.) *Museums and the Making of Ourselves: The Role of Objects in National Identity* (London, Leicester University Press, 1994), 335-337; Seeing the World: Displaying Foreign Art in Berlin, 1898 – 1926, *Journal of Art Historiography, special issue*, June 2015, 10.

[27] Kathryn Gunsch, "Seeing the World: Displaying Foreign Art in Berlin, 1898 – 1926," *Journal of Art Historiography, special issue*, June 2015, 10.

Benin and many of them sold some of their personal loots to German trading companies such as 'Bey & Zimmer' that already had 'branches in Lagos, Sapele and Warri,' before 1897[28] and transported same to Hamburg, Germany. Many of the smaller bronze pieces found their way into the pockets of sailors or marines who took them to England unobserved in sachets or duffel bags.[29] The Benin bronzes also became subject in the historic competition of European powers over African territories and economic resources. Kathryn W. Gunsch observes 'that the intra-European colonial competition for African resources also 'coloured the reception of the Pergamon and Benin reliefs"[30] as European trading firms scrambled for them. According to her, the acquisition of the bronzes by other European nationals from British curators and soldiers mark the genesis of the "professional rivalry among European museums."[31]

Subjects of Multilateral Diplomacy

The Benin bronze artefacts have become subjects of multilateral diplomacy involving countries with the stolen artworks and their museums that keep them as shown in the table below.

Current Locations of Benin Artworks Looted in 1897

S/N	Country	City	Museums	Qty
1	United Kingdom	London	British Museums	700
2	United Kingdom	Oxford	Pitt Rivers Museum	327
3	United Kingdom	Glasgow	Museum of Religious Life	22
4	Federal Republic of Germany	Berlin	Museum of Ethnology	580

[28] Joseph Nevadomsky, Barbora Půtová and Václav Soukup, "Benin Art and Casting Technologies," *West Bohemian Historical Review*, Vol. 4, Issue 1, (2014), 82.

[29] M. L. Ratté, "Imperial looting and the case of Benin," (Unpublished Master thesis, University of Massachusetts Amherst, 1972). See also Joseph Nevadomsky, Barbora Půtová and Václav Soukup, "Benin Art and Casting Technologies," *West Bohemian Historical Review*, Vol. 4, Issue 1, (2014), 81-83.

[30] Kathryn Gunsch, "Seeing the World: Displaying Foreign Art in Berlin, 1898 – 1926", *Journal of Art Historiography, special issue*, June 2015, p.11.

[31] Kathryn Gunsch, Seeing the World: Displaying Foreign Art in Berlin, 1898 – 1926", *Journal of Art Historiography, special issue*, June 2015,10.

5	Federal Republic of Germany	Cologne	Rautenstrauch Joest Museum	73
6	Federal Republic of Germany	Hamburg	Museum fur Volkerkunde	196
7	Federal Republic of Germany	Leipzig	Museum fur Volkerkunde	87
8	Federal Republic of Germany	Dresden	Staatliches Museum fur Volkerkunde	182
9	Federal Republic of Germany	Stuttgart	Linden Museum Staatliches Fur Vulkerkunde	80
10	The Netherlands	Leiden	Rijks Museum Voor Volkenkunde	98
11	the Republic of Austria	Vienna	Museum of Ethnology	167
12	The United States of America	Chicago	Art Institute	20
13	The United States of America	Chicago	Field Museum	400
14	The United States of America	New York	Metropolitan Museum of Fine Art	163
15	The United States of America	Boston	Museum of Fine Arts	32
16	The United States of America	Philadelphia	University of Pennsylvania Museum of Archaeology	100

Source: composed by the author

Also involved in the diplomatic tussle over these looted artworks are United Nations Educational, Scientific, and Cultural Organization, UNESCO; the over 80 countries that signed the UNIDROIT Convention in June 1995 as well as multiple NGO, activist and civil rights campaign organisations. The bronzes, like other well-known artefacts with similar fate are now being discussed and the

possibilities of their return to the original home negotiated between countries, non-state actors and individuals.[32]

The Benin bronzes have also become a prime example of African cultural heritage materials kept in European and American museums and have come to exemplify African nations' and their alienation from their respective cultural environments and this is amplified by the incredible number, formal refinement, and historic significance, for which the bronzes are famous. As subjects of high diplomatic meetings and discussions, they have attracted intense debate in the international system. Among the international actors include academia and university professors; activists and non-governmental organisations, museum professionals and curators, ambassadors, diplomats and high commissioners as well as heads of states and governments. International discussions and negotiations on the current location of the Benin Bronzes in relations to the place of origin and what they were meant for have attained high priority in diplomatic circles particularly in Nigeria, Ghana, France, Germany, United Kingdom among others.

Advocacy groups and committees of governments have been launched to negotiate with other groups from other countries. For instance, the Benin Dialogue Group is an international organisation established explicitly to negotiate for the return of the Bronzes. Members of the group includes European museums such as British Museum, London; Horniman Museum, London; Humboldt Forum, Berlin; Museum Volkenkunde, Leiden; Museum of Archaeology and Anthropology of the University of Cambridge, Pitt Rivers Museum at the University of Oxford;

[32] For details of the diplomatic negotiations for the return of the stolen artefacts see Edun Akenzua, The Case of Benin: A Memorandum to the British Parliament, requesting for the Return of the Benin Bronzes available at https://publications.parliament.uk/pa/cm199900/cmselect/cmcumeds /371/371ap27. htm, March 2000; Salome Kiwara-Wilson, "Restituting Colonial Plunder: The Case for the Benin Bronzes and Ivories," *DePaul Journal of Art, Technology & Intellectual Property Law*, Vol. 23, Issue 2, (2013), pp. 375- 425; Ekpo Eyo, "Repatriation of Cultural Heritage: The African Experience," in Flora E.S. Kaplan (ed.) *Museums and the Making of 'Ourselves: The Role of Objects in National Identity*, (London: Leicester University Press, 1994), 335-337; Staffan Lundén, *Displaying Loot: the Benin Object and the British Museums*, PhD dissertation at the Department of Historical Studies, University of Gothenburg, Sweden, 2016 and Opoku Kwame, "Compromise on the Restitution of Benin Bronzes," Feature Article *Modern Ghana*, Adentan, Accra, Ghana, Publish On May 2, 2011, available at https://www.modernghana.com/news/315254/compromise-on-the-restitution-of-benin-bronzes.html

Ethnology Museum Berlin, Museum am Rothenbaum, Hamburg, World Museum, Vienna; Nigerian Museums such as National Museum, Benin City; Nigerian national Museum, Onikan, Lagos; and as well as the Nigeria National Commission for Museums and Monuments, Abuja; Edo State Government; the Oba palace; Benin City; the Federal Government of Nigeria among others. The representatives of these institutional members have met in various countries including, Nigeria, Germany, Netherlands and the United Kingdom.[33]

The emergence of the bronzes as subjects in multilateral diplomacy is traceable to the collapse of European colonial empire in Africa. The agitation for the return of the stolen artefacts started taking the 'shape of multilateral diplomacy' in 1960, the year tagged, 'Africa year' by the United Nations.[34] Lyndel Prott explains that in the decades that follow, the new states became anxious to recover vital cultural artworks, many of which are to be found in the museums of the colonialists. The newly independent African states were concerned at the continuing loss of important artworks and other cultural heritage to thieves and looters "at a time when they had relatively few resources to control it"[35] With Nigeria's independence in October came the need to highlight arts and culture history in pursuit of the African identity and social equality with the rest of the world. The status of independence and statehood provided the needed impetus for the question of cultural identity to be placed on the National Agenda and foreign policy objectives of newly independent African states.[36]

[33] Opoku Kwame, "Compromise on the Restitution of Benin Bronzes," Feature Article *Modern Ghana*, Adentan, Accra, Ghana, Publish on May 2, 2011, available at https://www.modernghana.com/news/315254/compromise-on-the-restitution-of-benin-bronzes.html

[34] Basil Davidson, *Modern Africa: A Social and Political History*, *3rd ed.* (Longman Publishing, London and New York, 1994), 137

[35] Lyndel V. Prott, Strengths and Weaknesses of the 1970 Convention: An Evaluation 40 years after its adoption Background paper, second edition, for participants in the Second Meeting of States Parties to the 1970 Convention Paris, UNESCO Headquarters, 20-21 June 2012, L.V. Prott/UNESCO May 2012

[36] Charlotta Dohlvik, "Museums and their Voices: A Contemporary Study of the Benin Bronzes," (Unpublished Master's Thesis, Göteborg University, May 2006), 24.

Another factor that fuelled the international debate over the Benin Bronze artefacts is the question of cultural identity which was also spurred by the attainment of independence by African states in 1960s. Following independence, the movements for cultural recognition increased pressure for the agitation for the return of the looted cultural objects to their homeland.[37] In 1968, for example, Nigeria made a request to the International Council of Museums, ICOM demanding European museums to make accessible and return several substantial pieces of cultural heritage, which originated "from the Great Benin Empire to the national museum that had just been opened in Lagos" but there was no response whatsoever.[38]

The rising demand for cultural emancipation was a principal factor in organising the international Festival of Arts and Culture in 1977 (FESTAC '77), which propelled international recognition for African culture; boosted the demands for the return of the artworks and promoted the debate on cultural loot to crucial subjects of multilateral diplomatic meetings. In search for a symbol of FESTAC 77, the organising committee, on behalf of the Federal Government of Nigeria, formerly requested Britain and the British museums to loan one, the Queen Idia head, out of the over 5,000 pieces of Benin Arts in their museums but the museum authorities refused on the ground that Nigeria may not return it. This rejection met with a lot of criticism bringing afore the morality of continuous holding of the looted artefacts.[39] It also rejuvenates the cry for young Africans, whose histories are locked away in European museums to be alloyed access to tangible pieces of their own history, which is now reserved for only Europeans. The demand for the return of the Benin bronzes and other stolen artefacts from Africa continue to grow stronger. It became anchored and fuelled by the need for young people in the continent to have access to their own history, culture and creativity from other

[37] Staffan Lundén, *Displaying Loot: the Benin Object and the British Museums*, PhD dissertation at the Department of Historical Studies, University of Gothenburg, Sweden, 2016.

[38] Felwine Sarr and Benedicte Savoy, *The Restitution of African Cultural Heritage, towards anew Relational Ethics*, Report commissioned by Emmanuel Macron, the President of the Republic of France, Release on November 2018, 17.

[39] Interview conducted with Philip Igbafe in his office at Benson Idahosa University, Benin City, Nigeria on February 26, 2020.

eras, "whose knowledge and recognition can no longer be reserved for only those in Western countries."[40]

Another factor that energises the movements for the return of the looted artworks is the perceived deprivation of Africans of their history even after independence. The youth of Africa as much as the youth in other continents like Europe should have rights "to their artistic and cultural heritage" and this should be for all cultural heritages.[41] The African continent will begin with those cultural and artistic materials looted or stolen the continent and held in museums and countries that are out of reach of the African youth, who often is not aware of the richness and creativity of this legacy and their existence. [42] The campaign for the return of the stolen bronzes and other cultural artefacts continue to gain momentum as the immoral reservation of the utilities for Europeans attracts more and more condemnations. To be move by the spell of an artwork; to be touched by it; moved emotionally and brought to tears of joy; to admire its forms of ingenuity and to like the artworks colours; to take photographs of it; to let oneself be transformed by it cannot continue to be experiences that are monopolized by Europeans against former colonies. All these experiences associated with artworks are also forms of access to knowledge, which should be granted the African. They cannot simply be reserved to the inheritors of a lopsided history, "to the benefactors of an excess of privilege and mobility" [43]

[40] Felwine Sarr and Benedicte Savoy, *The Restitution of African Cultural Heritage, towards anew Relational Ethics*, Report commissioned by Emmanuel Macron, the President of the Republic of France, Release on November 2018, 12.

[41] Felwine Sarr and Benedicte Savoy, *The Restitution of African Cultural Heritage, towards anew Relational Ethics*, Report commissioned by Emmanuel Macron, the President of the Republic of France, Release on November 2018, 12

[42] Felwine Sarr and Benedicte Savoy, *The Restitution of African Cultural Heritage, towards anew Relational Ethics*, Report commissioned by Emmanuel Macron, the President of the Republic of France, Release on November 2018, 12

[43] Felwine Sarr and Benedicte Savoy, *The Restitution of African Cultural Heritage, towards anew Relational Ethics*, Report commissioned by Emmanuel Macron, the President of the Republic of France, Release on November 2018, 12

Implications for Nigeria's Multilateral Relations

Charlotta Dohlvik observes that the debate over the current location vis-à-vis the place of origin has been a subject surrounded by great interest and controversy with divergent views that have only helped to escalate tension.[44] Like the debate on the Parthenon artefacts, the international restitution debate on the Benin Bronzes has become a high-profile case involving diplomats from the United Kingdom, the United States of America, Federal Republic of Germany, Republic of France and other countries whose museums holds stolen artefacts from Benin. Zacharys Gundu observes that the approach of Nigeria towards "the issue of returns, restitution and repatriations are about diplomacy" and that this method has not yielded significant results.[45]

However, some milestones have been reached in safeguarding the remaining cultural property from continuous theft and trafficking. In 1979, for example, the Federal Military Government established the National Commission for Museums and Monuments with decree 77 to manage the collections and documentation as well as conservation and presentation of Nigerian National Cultural property to the public for Education, Enlightenment and Entertainment purposes.[46] Degree 77 together with the UNESCO Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Cultural Property, otherwise known as 1970 UNESCO Convention has been instrumental in checking the illegal sales and trafficking in cultural properties.[47] After almost ten years of work, on 24 June 1995, the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects was adopted in a diplomatic Conference attended by more than 80 countries. Despites these legal instruments, the bronzes and other Nigerian

[44] Charlotta Dohlvik, "Museums and their Voices: A Contemporary Study of the Benin Bronzes," (Unpublished Master's Thesis, Göteborg University, May 2006), 24.

[45] Zacharys Gundu, "Looted Nigerian heritage – an interrogatory discourse around repatriation" Contemporary Journal of African Studies 2020; 7 (1): 47-66, 56.

[46] For details see A. A. Adewumi, An Appraisal of The National Commission for Museums and Monuments (NCMM) Act, 1979, *Ife Juris Review: Journal of Contemporary Legal and Allied Issues*, 43-60

[47] Lyndel V. Prott, Strengths and Weaknesses of the 1970 Convention: An Evaluation 40 years after its adoption Background paper, second edition, for participants in the Second Meeting of States Parties to the 1970 Convention Paris, UNESCO Headquarters, 20-21 June 2012, L.V. Prott/UNESCO May 2012

cultural antiquities continue to make their way to the illicit international antiquities market year in, year out with only a few intercepted by law agencies. In 2010, for example, the United Sates Homeland Security Investigation and the Customs and Border Protection agency acted on a tip off from the French and intercepted ten terracotta statues at the John F Kennedy Airport and they were were returned to Nigeria in 2012. The museum of fine of Fine Arts in Boston, the United States has returned eight cultural properties including two terracotta heads to Nigeria and the French have also returned five terracotta statues that were smuggled out of Nigeria by a French national in 2010.[48] Corruption and lack of will power in Nigeria has also bedevilled the efforts of the legal entrustments in safe guarding cultural heritage. For example, France illegally bought two Nok terracotta statues in 1998 in breach of Nigerian laws and the 1970 UNESCO Convention, for she is a signatory. Instead of Nigeria to insist on the return of the illegally acquired artefacts, the Head of State, President Olusegun Obasanjo consented to the diplomatic manoeuvre of the French President and agreed in an "unrighteous conclusion" to 'loan' the illegally acquired Nok pieces to France for a renewable period of 25 years under the pretext that France would financially support the Nigerian museums. This French deal with Nigeria has been condemned in international cycles as a wrong message to looters. Nigeria has also attempted to 'buy back' her "antiquities put up for sale by European museums and art galleries."[49]

Consequent of the campaign for retention of cultural heritage by the countries of origin, the United Nations Educational, Scientific and Cultural Organization, in the early 1970s, initiated the effort to bring the diverse international laws regarding the trade of stolen art objects and cultural property into conformity. The resultant convention has now been signed by over 80 nations, most of them belonging to the group known as source nations—countries that provide most of the antiquities in the art world. The International Institute for the Unification of

[48] Zacharys Gundu, "Looted Nigerian heritage – an interrogatory discourse around repatriation" Contemporary Journal of African Studies 2020; 7 (1): 47-66, 56.

[49] Zacharys Gundu, "Looted Nigerian heritage – an interrogatory discourse around repatriation" Contemporary Journal of African Studies 2020; 7 (1): 47-66, 57.

Private Law, Unidroit, has undertaken the latest attempt at developing an international agreement regarding the theft of precious art and cultural items.[50] The final draft of this convention was adopted in June 1995, after more than eight years of debate and work by lawyers and governmental officials along with UNESCO officials. The Unidroit Convention is a compromise intended to assist both art-source nations and art-importing nations. It gives owners of art that was stolen or illegally exported access to the courts of the nation where the art is discovered. It also requires that a good faith purchaser make inquiry into the ownership and historical relevant of the artwork to be purchased by checking the available databases of stolen art.

Another major implication of the multilateral dilpmacy on the Benin bronze artefacts and the refusal of European authorities to release them is the adamant of the European nations to acknowledge the ills of colonial killings and exploitations for such a long time. Until recently, the erstwhile colonial powers in Europe, refused to acknowledge the evils of the imposition of colonial rule. For over hundred years, Germany refused to apologize to the Herero of Namibia, "who were victims of a genocide by poisoning, deportations, enforced labour, and even death" for resisting the German Colonial Law of 1904.[51] Similarly, the United Kingdom delayed sixty years before apologizing in 2013 following a long juridical battle over "the bloody repression and tortures of the Mau-Mau" in the 1950s.[52] Until 2008, Italy also did not apologise for its colonial injuries inflicted on Libyans

[50] "Unidroit" is a French word for "one law," a Rome-based organization dedicated to bringing laws into uniformity. At the request of UNESCO, Unidroit began work in 1986 on the Draft Convention on the International Return of Stolen or Illegally acquired Cultural Objects.

[51] For details of the Herero Genocide, see Dominik Schaller and Dirk Moses, (eds.), *From Conquest to Genocide: Colonial Rule in German Southwest Africa and German East Africa*, Oxford: Berghahn Books, 2008; Jeremy Sarkin-Hughes, *Colonial Genocide and Reparations Claims in the 21st Century: The Socio-Legal Context of Claims under International Law by the Herero against Germany for Genocide in Namibia, 1904–1908*, Westport: Praeger Security International, 2008;Sara Friedrichsmeyer, Sara Lennox, Susanne Zantop, *The Imperialist Imagination: German Colonialism and its Legacy*, Michigan; University of Michigan Press, 1998; Jan-Bart Gewald, *Herero Heroes: A Socio-political History of the Herero of Namibia, 1890-1923*, Oxford: James Currey, 1999.

[52] Felwine Sarr and Benedicte Savoy, *The Restitution of African Cultural Heritage, towards anew Relational Ethics*, Report commissioned by Emmanuel Macron, the President of the Republic of France, Release on November 2018, 10.

between 1911-1943. Also, Belgium bears such a great burden of its colonial past that, today, it "cannot look directly at the millions of deaths the country caused through its exploitation of the Congo between 1885 and 1908"[53] and until Macron denunciation of colonialism in 2017, France did not have the courage to look back at her inhuman colonial past.

Responding to Macron's denunciation of colonialism as a crime against humanity and a true example of barbarism that the French must have the courage to confront and apologise to those who were hurt, Sarr and Savoy observe that "in the history of France, as a country, colonialism has never been explicitly called by its true name."[54] Thus, another important milestone was reached with the Ouagadougou Declaration made by the French president, when he pledged to work towards the return of Art works held illegally by France. According to him, the "return of African artifacts will become a top priority for France during the next five years."[55]

Some deals have been brokered in some of these multilateral meetings aiming at the return of the Bronzes. In one of the meetings in the Netherlands, the Benin Dialogue Group reach a resolution to create a display of artifacts from European institutions when Benin Royal Museum is commissioned in Benin City. British Museum also agreed to lend some of the bronzes to Nigeria as part of agreement. Pressure continues to mount in the international community. Samuel Osborne reports that Pressure is growing on Britain and other former colonial powers to return art objects looted in the colonial era to the original owners.[56] Some factors

[53] Felwine Sarr and Benedicte Savoy, *The Restitution of African Cultural Heritage, towards anew Relational Ethics*, Report commissioned by Emmanuel Macron, the President of the Republic of France, Release on November 2018, 10.

[54] Felwine Sarr and Benedicte Savoy, *The Restitution of African Cultural Heritage, towards anew Relational Ethics*, Report commissioned by Emmanuel Macron, the President of the Republic of France, Release on November 2018, 9-10.

[55] Anna Codrea-Rado, "Emmanuel Macron Says Return of African Artifacts Is a Top Priority" *New York Times*, November 29, 2017. Available at https://www.nytimes.com/2017/11/29/arts/emmanuel-macron-africa.html

[56] Samuel Osborne, 'Pressure grows on UK to return looted colonial artefacts as France prepares to give back Artworks" *Independent Digital News & Media Limited*, London, Tuesday 17 December 2019. Accessed at

have militated against Nigeria's efforts to keep the country's cultural heritage. Lack of diplomatic capacity, focus and patriotism on the Nigerian side has continued to distort Nigeria's commitment to safeguard the country's antiquities. In 1973, the Nigerian head of state, Yakubu Gowon in a most unpatriotic act "removed a Benin bronze head from the Lagos Museum and presented it as a special gift to the Queen of England who was on a thank you state visit"[57] thereby adding impetus to the deprivations of cultural heritage, which Nigeria is already suffering.

Another cog in the wheel of progress is the attitude of Nigeria officials towards the effort for the reparations of the bronze artefacts. The country continues to approve and even participate in the exhibition of these looted materials by European museums. The Permanent Secretary, Federal Ministry of Information and Culture wrote the "Introduction" to the catalogue of the exhibition of stolen or looted cultural heritage from his country. The Nigerian Government has also been criticized for its participation and endorsement of a Nok exhibition in Frankfurt, Germany on 20 October, 2013. Nigerian government officials did not only write the Preface and the Forward of the catalogue to the exhibition, they were also present at the exhibition to legalise it.[58]

Conclusion

Colonial rule significantly impacted the Benin bronzes. It transformed them from their initial purpose of documentation to subjects of diplomatic struggles that now involved several nations. As documents in the Benin kingdom, the Benin bronzes were systematically secured at Ugherhoba, where they were consulted from time to time by the most senior agents of the state. The bronzes represent a depiction of the events, personalities and values of the various era in which they were sculpted.

https://www.independent.co.uk/news/world/europe/uk-looted-colonial-artefacts-france-benin-british-museum-va-a9250401.html

[57] Zacharys Gundu, "Looted Nigerian heritage – an interrogatory discourse around repatriation" Contemporary Journal of African Studies 2020; 7 (1): 47-66, 56.

[58] Zacharys Gundu, "Looted Nigerian heritage – an interrogatory discourse around repatriation" Contemporary Journal of African Studies 2020; 7 (1): 47-66, 57.

Each of these works of art carries an underlining message about the history of the kingdom; government and politics; religion and belief system as well as the Oba's relations with the various institutions of title holders and the people. Arts in Benin Kingdom were not "arts for art's sake."[59] Throughout pristine Africa, arts had its purpose particularly religious worship as psychological purposes. Within the African space, therefore, arts had its utilitarian purposes, which were multi-dimensional.

With the translocation and commercialisation, the perception and utility of the bronzes altered as they became loots and items for criminal trafficking. The question of the morality of continuously keeping the looted bronzes in foreign museums has also catapulted the bronzes to subjects of multilateral diplomacy with Nigeria at the centre stage [60] The collapse of European colonial empire in Africa, stimulated the agitation for the return of the artefacts and they are now being negotiated among countries and non-state actors. Currently, talks and negotiation are ongoing between Nigeria, Germany, Netherlands and the United Kingdom for the return of the bronzes. Despite, these efforts, Nigeria has been unable to receive constructive response for the return of the country's cultural objects from foreign museums with the British museum being derisive of all requests from Nigeria for the return of the looted artworks that they inherited from their fathers that invaded and colonise Africa. The request of the Oba of Benin for the return of looted Benin bronzes and other artworks has also been ignored. In the meantime, Nigeria has continued to show weakness in engaging European nations and their museums on the question of returns of stolen artworks. Nigeria, therefore "is yet to appreciate the fact that antiquities seized, looted or stolen by violence cannot return except through pressure."[61]

[59] Focus group discussion held with curators and art historians at the office of the Head of Department, Department of Theatre Art, Faculty of Arts, University of Benin on 02/24/2020.

[60] Opoku Kwame, "Compromise on the Restitution of Benin Bronzes," Feature Article *Modern Ghana*, Adentan, Accra, Ghana, Publish on May 2, 2011, available at https://www.modernghana.com/news/315254/compromise-on-the-restitution-of-benin-bronzes.html

[61] Zacharys Gundu, "Looted Nigerian heritage – an interrogatory discourse around repatriation" Contemporary Journal of African Studies 2020; 7 (1): 47-66, 58.