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Missed Opportunities: Restitution and Relational Ethics

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Abstract

The return of African cultural objects represents an opportunity to practice what Felwine Sarr and Bénédicte Savoy call "a new relational ethics." Oftentimes, repatriation begins and ends with the literal return of physical objects. This does little to address legacies of colonial theft, value extraction, and epistemicide. It can also reinscribe the power of Western interpretive frameworks and reproduce Western patterns of state power by returning objects to Western-style institutions within postcolonial nation-states. This essay considers the return of the Benin bronzes as a case study for these missed opportunities and alternative paths forward. It follows the various and sometimes competing means by which Benin bronzes came "home:" whether to the postcolonial nation of Nigeria, to the Oba of Benin himself, or to the controversial public-private partnership known as the Museum of West African Art (MOWAA). This essay considers how these various means of return, and these various meanings of "home," can work against one another and can be co-opted as neoliberal and neocolonial forms of control. The essay also explores alternative paths forward through the framework of relational ethics. Sarr and Savoy first applied the phrase to the return of African cultural objects in their 2018 report. This essay expands on Sarr and Savoy's report and builds from Native American and Indigenous scholars like Margaret Kovach and Linda Tuhiwai Smith, who identify opportunities to remake relations as a means of restitution. This includes remaking relations between indigenous communities, Western institutions, and postcolonial nation-states. It also includes remaking relations between human beings and the more-than-human world, including spirits of the ancestors, outside the systems of Western knowledge and value production.

Keywords: restitution beyond repatriation; rethinking African tangible heritage in twenty-first century museums

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1. Introduction

> "Restitution needs to occur as a redefining of the relations between Africa and the West."
>
> —Sylvester O. Ogbechie, *Cultural Capital: African Art, Repatriation, and Restitution*[1]

Oftentimes, repatriation begins and ends with the literal return of physical objects. These literal, limited acts of return do not automatically address the legacies of colonial theft, value extraction, and epistemicide. Repatriations of this kind can reinscribe the power of Western interpretive frameworks by returning objects only to Western-style museums. They can reproduce Western patterns of state power by returning objects only to postcolonial national governments rather than non-state Indigenous communities of origin. A more robust approach to restitution would require meaningful engagement with Indigenous African

systems of collecting, use, and display beyond Western-style museums and Indigenous African political formations beyond Western-style states.

This essay considers the return of the so-called "Benin bronzes" as a case study for these missed opportunities. It follows the various and sometimes competing means by which Benin bronzes came "home:" whether to the national government of Nigeria, to the Oba of Benin, or to the controversial public-private partnership known as the Museum of West African Art (MOWAA). This essay considers how these different means of return can work against one another and how different understandings of "home" can be co-opted as neoliberal and neocolonial forms of control.

The essay also explores alternative paths forward through the framework of relational ethics. Felwine Sarr and Bénédicte Savoy applied the phrase "a new relational ethics" to the return of African cultural objects in their 2018 report (Sarr and Savoy 2018, p. 89). This essay expands on Sarr and Savoy's report and builds upon the work of Indigenous scholars from around the world like Linda Tuhiwai Smith and Margaret Kovach, who identify opportunities to remake relations as a means of restitution. This includes relations between Indigenous communities, Western museums, and postcolonial governments. It also includes relations between people and the more-than-human world, such as the spirits of the ancestors, outside the systems of Western knowledge and value production.

This framework of relational ethics goes beyond the calls for the return of cultural objects that Sarr and Savoy made in their 2018 report. It helps to imagine restitution not simply as the return of physical objects but as the fundamental redefinition of relations between Africa and the West—and for that matter, between Africa's Indigenous communities and its national governments. Rather than allow repatriation to be used as an instrument of neoliberal and neocolonial control, relational ethics interrogates these myriad relations and dares to remake them as part of a broader process of restitution.

2. What Are Relational Ethics?

It is notable that Felwine Sarr and Bénédicte Savoy subtitled their landmark report on the restitution of African cultural heritage, "Toward a New Relational Ethics." The authors detail the painful histories of colonial violence, subjugation, and the theft of cultural objects perpetrated by France and its fellow, former imperial powers. They estimate that at the time of writing, over 90% of sub-Saharan Africa's material cultural heritage had been removed from the continent (Sarr and Savoy 2018, p. 3). Sarr and Savoy argue that frameworks must be developed to return these stolen cultural objects to their communities of origin, but they remind readers that "thinking restitutions implies much more than a single exploration of the past." The authors argue that restitution represents an opportunity to model new relationships between former colonizers and their former colonies. "Above all, it becomes a question of building bridges for future equitable relations." (Sarr and Savoy 2018, p. 2). This thread of remaking relations weaves through the report. It situates the restitution discussion within a larger conversation about the relations—political, economic, cultural, and so on—between former colonies and former colonizers.

Sarr and Savoy write that Africa's displaced objects embody broader problems of relationality. Colonial violence, theft, and decontextualization have severed these objects' relationships with their communities of origin. These forces have meaningfully damaged relationships between Indigenous communities, their histories, and the spirits of their ancestors. Sarr and Savoy explain that certain African cultural objects, like performance masks and reliquary guardian figures, originally operated as "depositories of flows and energetic fields that turn them into animated objects and into active forces, thus mediating between the different orders of reality." (Sarr and Savoy 2018, p. 34). In Western art markets and museums, however, these objects are preserved in perpetuity and spiritually

deadened to make them legible as "art." These objects are not allowed to be activated in dances or funerary rites. They are not allowed to decay or return to nature. These objects' relations with their communities of origin are interrupted as are their relations with the more-than-human world of spirits.

"Objects, having become diasporas, are the mediators of a relation that needs to be reinvented," Sarr and Savoy write (Sarr and Savoy 2018, p. 39). The return of African cultural objects is about so much more than the objects themselves. Therefore, Sarr and Savoy stress that the objects should not simply be transferred from strict interpretive structures in the West to strict interpretive structures in Africa. "Their return to their communities of origin does not have as its aim to substitute one form of physical and semantic imprisonment by another, that would this time be justified by the idea of the 'rightful property owner,'" Sarr and Savoy write (Sarr and Savoy 2018, p. 39). Transferring a D'mba dance mask from a glass case in Paris, France to a glass case in Conakry, Guinea would not automatically reactivate its spiritual, cultural, or social powers. Such a return would likely not result in a reckoning with the colonial past or the imperfect postcolonial present, complete with its interethnic tensions and its natural resources continuing to flow to the West much as it did before. As we will see, this is more or less the fate of Nigeria after it received Benin bronzes from Western museums.

Sarr and Savoy insist that the restitution of African cultural heritage does not end with the literal return of objects. It remains an ongoing process, both for the former colonizing countries in the West who return the objects and for the formerly colonized countries in Africa who receive them. The influential historian of settler colonialism, Patrick Wolfe argues that "invasion is a structure, not an event." (Wolfe 2006, p. 388). Invasion, Wolfe writes, is not a single historical moment but a long and in many ways ongoing process of extraction. Likewise, the process of reversing invasion's legacies is a structure and not an event. The return of stolen cultural objects and the remaking of relations is a multi-dimensional and multi-directional structure taking place simultaneously in Africa and the West. It is neither a one-dimensional nor a one-directional event.

3. Sarr, Savoy, and State Power

In their 2018 report, Sarr and Savoy argue that the return of African cultural objects represents an opportunity to remake relations between Africa and the West. They note that repatriation need not rely upon default assumptions about museum display, Western interpretive structures, or the de-spiritualization of sacred objects. Nevertheless, they fall back upon default assumptions about state power. In sketching out practical steps for repatriation, Sarr and Savoy describe the process as one that necessarily takes place between a Western national government and a Western-style national government in Africa.

In the first phase of their proposed restitution plan, which never took place as they imagined it, Sarr and Savoy wrote that the Government of France should submit inventories of objects to be considered for return to "African states." These inventories would be based upon whether objects came from "their territory (according to their present borders)." (Sarr and Savoy 2018, p. 62). This fails to take several facts into account. Firstly, African state borders are often the direct products of European colonial rule. Nigeria, for example, did not exist as such before it was created by force as an administrative unit by the British Empire. Secondly, African state borders often cut through the homelands of non-state Indigenous communities. This is true for many non-state communities that occupy lands on both sides of colonial-era borders. This includes the Yoruba with homelands in Nigeria, Togo, and the Republic of Benin, not to be confused with the Kingdom of Benin or Benin City; the Fang of Equatorial Guinea, Gabon, and Cameroon; the Kota people of Gabon and Congo; and many more.

Sarr and Savoy's government-to-government restitution framework has the air of expediency. There are certain practical problems involved in navigating non-state communities as well as competing claims of authority in postcolonial societies. However, government-to-government framework creates more problems than it solves. In many cases, it is unclear whether an object originated on one side of an artificial national border or another. Nations on either side of a border might have legitimate, competing claims to restitution. In any case, it is not clear that these national governments automatically represent minority communities within their borders.

This leads us to the third problem with Sarr and Savoy's government-to-government restitution framework: non-state communities, who are not allowed recourse under Sarr and Savoy's plan, may be actively marginalized by their national governments. European powers regularly pitted ethnic communities against one another in their African colonies. Famously, the Belgians pitted Hutus and Tutsis against one another in their colony of Rwanda, leading to interethnic conflict and genocide shortly after independence. Likewise, the British pitted ethnic groups against one another in Nigeria as part of their policy of indirect rule. This, too, led to interethnic conflict and genocide less than a decade after independence. As we will see, inter-ethnic, inter-community, but intra-national politics contribute to ongoing conflict around the Benin bronzes in Nigeria.

The Sarr-Savoy report's insistence upon a government-to-government framework may have undermined its implementation. The report marked a watershed moment in restitution discourse, but it did not immediately translate into action. Two years after its publication, the anthropologist Sally Price and the archaeologist Dan Hicks noted that minimal changes had occurred in an article for *Apollo* titled, "Has the Sarr-Savoy report had any effect since it was first published?" Of course, Price writes, French state institutions like the Louvre and the Musée du Quai Branly-Jacques Chirac resisted the report's findings. But interestingly, Price recounts mixed reactions among her counterparts in African museums. Many, she writes, "had more pressing concerns than the status of museum artefacts." Neither the report, nor the return of objects that it heralded, changed the material conditions of the museum professionals, their institutions, or their societies. Indeed, Price notes that many view repatriations between the governments of France and its former colonies in Africa with suspicion. "It would be naive to view potential restitutions as benevolent one-way transfers," she writes. "Restitution is part of a two-way interaction, based on inequality and demanding something in return." (Price and Hicks 2020).

Price recounts the story of François Mitterrand, a previous President of France, returning a manuscript from the Bibliothèque nationale de France to the Government of South Korea in 1993. French imperial forces seized the manuscript in the nineteenth century, at the same time that imperial forces were seizing African cultural objects as part of the "Scramble for Africa." The Government of France, then properly the French Empire, accessioned the manuscript into its national library as "inalienable" French property. When Mitterrand returned the manuscript to South Korea, he was competing for a lucrative contract to build the country's high-speed rail. The return was not incidental to the negotiations. Mitterrand won the contract in part because of this return, and he provided the opportunity to fulfill the contract to French contractors. This was the kind of public-private partnership that characterized the budding neoliberalism of the time. The return of the manuscript was not a benevolent or one-way return. Rather, it was part of a larger neoliberal and neocolonial strategy that gave French businesses and the French state meaningful control over a developing country's infrastructure.[2]

As instructive as this example is, African museum professionals did not have to look that far to find evidence of neocolonialism. The trend was clear in Françafrique, the sub-Saharan region once known as French West Africa but still very much within France's sphere

of influence. Even today, France maintains military forces in many of its former colonies. It exercises considerable power over monetary policy in Françafrique through the CFA franc, printed at the national bank of France. Following in François Mitterrand's footsteps, the French President Emmanuel Macron promoted foreign direct investment in the region's mining industries. He built upon neocolonial ties with pliant governments in Françafrique to the benefit of French business owners, but to the detriment of African nations and African workers themselves. The French President sparred with his counterpart in Burkina Faso, Ibrahim Traoré, when the nationalist president refused to export gold from the country.

Even as Macron commissioned the Sarr-Savoy report, his government maintained unequal economic relationships with former French colonies in Africa. The French President is often celebrated for expressing his openness to the repatriation of African cultural objects in a 2017 speech at the University of Ouagadougou. In it, Macron discussed his hopes for "a truly new relationship, redesigned at the appropriate scale where the European Union could speak and build with the African Union and with Africa as a whole." Rhetorically, Macron gestured towards the remaking of relations between former colony and former colonizer. He offered the return of African cultural objects as a sign of goodwill, the beginnings of the Sarr-Savoy report (Élysée 2017).

In the same speech, however, Macron betrayed his paternalism towards the assembled Africans. The French President cast doubt on their ability to care for objects after they have been returned. "In many African countries," Macron proclaimed, "it is sometimes African curators who have organized trafficking, and it is sometimes European curators or collectors who have saved those African artworks for Africa by protecting them from African traffickers." (Élysée 2017). Macron's charge that African museum professionals cannot look after their own cultural heritage is clearly insulting. It is also ahistorical. Macron does not contend with the fact that many of these objects were safe in situ for centuries before they were looted by European colonial officials. For the most part, they were not considered economic commodities before they were made so by European art dealers.

Macron's paternalism meant that he only ever considered government-to-government returns as the path forward for restitution. In his speech in Ouagadougou, Macron insisted that the return of African cultural objects be "partnerships" between French and African governments. Moreover, he insisted that these partnerships "take every precaution to ensure that there are well-trained curators, academic commitments and government-to-government commitments to protect those works of art." Under the guise of protecting "works of art," the French President enshrined the government-to-government framework into his restitution plan. This was a foregone conclusion, meant to prolong French state and business interests in Françafrique, before Sarr and Savoy were ever even consulted (Élysée 2017).

The destabilizing problem with France's restitution framework is that it requires returns to be conducted between governments. Africa's governments may receive stolen cultural objects, so long as they are receptive to the West's political and economic interests. Emmanuel Macron baked neocolonial and neoliberal relations into his plan for the restitution of African cultural objects, even as he appeared outwardly to be the face of change. Macron claimed that he wanted "a truly new relationship" between France and its former colonies. But in reality, he undermined the possibility of meaningfully remaking relations through the return of stolen objects.

This became eminently clear after 13 April 2026, when the French Parliament passed a deeply flawed law governing the deaccessioning of African cultural objects from state museums. The law was initiated by Macron's speech in Ouagadougou in 2017 and by Sarr and Savoy's report in 2018. It languished in parliament for almost a decade until it could be sufficiently declawed. The new law disregards many of the specific proposals that Sarr and

Savoy made in their 2018 report. It also disregards the work of existing binational scientific commissions, like one between France and Mexico involving Aztec codices held by the former but claimed by the latter. The new law requires that states submit new repatriation claims, which are to be reviewed by new binational scientific committees, which will result in the production of new reports. Rather than follow the advice of the Sarr-Savoy report, the law will result in a great many new reports, if nothing else.[3]

Most crucially, the law specifies that restitution claims must be made by states. Non-state actors, like the binational Kota peoples or the non-sovereign Oba of Benin, cannot make claims under the law. If cultural objects are claimed by two states, then those states must reach a diplomatic settlement between themselves before the actual restitution processes with France can proceed. After this lengthy process, binational scientific committees must be formed and reports written. Reports are submitted the Government of France, the standing committees on culture and foreign affairs of the French National Assembly and the French Senate, and only then "the requesting State" (*l'État demandeur*). Final decisions are made by a French government commission and the French Minister of Culture (Assemblée Nationale 2026).

The law has received attention for its obvious loopholes. It excludes military items seized by the French armed forces as well as archaeological objects. It only includes objects taken between 20 November 1815, and 23 April 1972 (Assemblée Nationale 2026). This period begins with the Treaty of Paris that marked the final defeat of Napoleon and the Bourbon Restoration in France. It ends with the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. The period excludes Napoleon's imperial adventures and by extension, any objects taken during his campaigns in Europe and Egypt. It also excludes France's early attempts at colonization in the seventeenth and eighteenth centuries. This throws into question the status of objects taken from around the world: in the Western Hemisphere, much of Canada, the Great Lakes, the Great Plains, Louisiana, Haiti, the French Antilles, and French Guiana; in the Eastern Hemisphere, Senegal, Madagascar, India, and the Indian Ocean islands of Réunion, Mauritius, and Rodrigues. These categorial, temporal, and geographical gaps seriously undermine the effectiveness of the law for its stated purpose: returning cultural objects that were unlawfully appropriated through theft, violence, or coercion. Of course, it may be argued that the new law achieved a different, unstated purpose, namely providing the appearance of doing right by France's former colonies while carefully managing relations with them.

4. All My Relations: Indigenous Scholarship

France's new restitution law has attracted attention for the above reasons. However, its most consequential element has received less attention than it deserves, because it is taken for granted. The law enshrines government-to-government transfers as the only possible means of restitution. In a small number of cases where restitution claims are successful, ownership of a cultural object is transferred from a national government that never had any moral rights to it to another national government that also never had moral rights to it. This government-to-government requirement has gone largely unnoticed in discussions of the new law, as it simply follows the path charted by Marcon in Ouagadougou and by Sarr and Savoy in their much-celebrated report.

This falls short of the new relational ethics that Sarr and Savoy gestured towards in their report. The government-to-government framework does not fundamentally change the relations between Africa and the West. Indeed, it reveals the potential for Western governments to use restitution as a means of neocolonial control. A more robust, relational approach would require building new relationships between not only between Western

governments and African governments, but also Indigenous non-state communities and non-sovereign traditional rulers. Such an approach can be grounded in the writings of Indigenous scholars like Linda Tuhiwai Smith and Margaret Kovach. These scholars describe relationality in greater detail than Sarr and Savoy do in their report, both as an ethical framework and as a research practice.

The Māori scholar, Linda Tuhiwai Smith was one of the first to describe this relational theory and practice in her 1999 book, *Decolonizing Methodologies: Research and Indigenous Peoples*. Smith notes that "research" has historically been a tool of the colonizing "self," deployed upon the colonized "other." As a Māori scholar, however, Smith writes from the perspective as an Indigenous "self." She considers "research" methodologies that build from culturally specific, Indigenous first principles. "For Maori a purposeful dream has been conceptualized partially around key cultural concepts such as *tino rangatiratanga* (sovereignty), *whanau, hapu, iwi* (extended family, sub-tribal groupings and tribe), *te reo* (Maori language) and *tikanga Maori* (Maori cultural customs)." (Smith 1999, p. 109). These, Smith contends, are different principles than those that typically guide Western, colonial, and academic research. If Western research on Indigenous communities has historically undermined those communities' sovereignty, Smith charts a new path for future researchers. She proposes that researchers can align themselves with Indigenous values and by extension, strengthen Indigenous sovereignty.

Interestingly, Smith describes Indigenous sovereignty in broad cultural terms and not necessarily in terms of government-to-government relations. The author distinguishes concepts like *tino rangatiratanga* and *tikanga Maori* from the mechanics of the Treaty of Waitangi, which defined state relations between the British Crown and various Māori chiefs in 1840. The treaty remains a foundational document of state relations between *iwi* (tribes) and the New Zealand Government, Britain's successor state on Māori lands. The treaty guarantees the Māori political rights within the contemporary settler state, but it is neither the beginning nor the end of Māori sovereignty.

Māori exercises in sovereignty existed long before British colonization, the Treaty of Waitangi, or the formation of the New Zealand Government. The cultural concepts that Smith describes as guiding principles for research are rooted in relationships with lands, waters, and the more-than-human world developed over countless generations. "These concepts, which are embedded in the Maori language and world view, provided a way of coming together on Maori terms." (Smith 1999). Smith argues that researchers should engage with Indigenous concepts on Indigenous terms—literally, as Smith and other Indigenous scholars emphasize the importance of using Indigenous languages over colonial ones. This differs fundamentally from research that takes place within colonial linguistic, methodological, and governmental frameworks.

Rather than look to colonial frameworks for legitimacy, Smith notes that Indigenous researchers oftentimes look to other Indigenous communities. "Frustrations at working within the nation state led some indigenous communities towards establishing or reestablishing, in some cases, international linkages or relations with other indigenous communities." Smith notes that such inter-community, supra-national relations existed before Indigenous peoples' colonial relations with the West. "The assertion of European sovereignty over indigenous peoples effectively shifted the focus of indigenous international relations to a colonizer/colonized relationship." (Smith 1999, p. 112). Indigenous researchers can move beyond this artificial binary, Smith writes, by engaging with one another. The author notes that these multi-polar, dynamic relations exist and have existed between Indigenous communities in North and South America, Australia, and New Zealand. Indigenous African communities expand this relational web as allies in the pursuit of restitution.

Since Smith's *Decolonizing Methodologies*, Indigenous scholars from around the world have further defined decolonial research methodologies based upon Indigenous principles. Scholars like Shawn Wilson, Margaret Kovach, and Glen Sean Coulthard have expanded the networks of relations that Smith described and that move beyond the binary of colonized and colonizer. These networks cross oceans, continents, and colonial boundaries, both political and conceptual.

In his 2008 book, *Research Is Ceremony: Indigenous Research Methods*, the Opaskwayak Cree scholar Shawn Wilson advocates for research methods that are based upon Indigenous principles of relationality. "Relationships do not merely shape reality," Wilson writes. "They *are* reality." (Wilson 2008, Foreword and Conclusion). Wilson argues that dynamic, reciprocal relationships are constructive of cultural identity and research methodologies alike. In his book, Wilson describes relations between people, land, and the more-than-human world. These relations make communities accountable to one another, to the land, and to the more-than-human world of ceremony, religion, and spirituality. Critically, these relations also make researchers accountable to communities as they are enmeshed in webs of relations. For Wilson, researchers are neither neutral nor unaccountable. Indeed, it is through researchers' relationality and the accountability it entails that researchers produce knowledge (Wilson 2008, Relationality).

Like Smith, Wilson advocates for meaningful relations between Indigenous communities outside of the confines of colonial borders. Wilson grounds his ideas not only in Cree epistemology but also in conversation with Indigenous colleagues from across Canada, Australia, and the Pacific. Wilson does not seek to flatten differences between Indigenous communities or their particular contexts. Indeed, he asks what aspects of Indigenous epistemology and relationality are shared across these contexts and how an Indigenous research paradigm can support Indigenous peoples in their own research. Wilson does not mention Indigenous African communities, but there is no reason why an Indigenous research paradigm of this sort could not support, say, the Oba of Benin or the Benin people.[4]

Margaret Kovach expanded upon Smith and Wilson's Indigenous methodologies frameworks in her 2009 book, *Indigenous Methodologies: Characteristics, Conversations, and Contexts*. Like Wilson, Kovach draws largely but not exclusively from Cree epistemology. She begins by describing her relations with the Pasqua and Okanese First Nations, both Nêhiýaw (Plains Cree) and Saulteaux (Plains Ojibwe) communities near the Canadian border with the United States. Historically, Nêhiýaw and Saulteaux communities lived on both sides of this colonial-era border. Their homelands were defined by the ecology of the Great Plains, the plant and animal relatives that shared this landscape, rather than any Western-style national border. Kovach's positionality, then, challenges settler state sovereignty at a fundamental level.

Kovach centers her methodology around *Nêhiýaw Kiskêýihtamowin* or Plains Cree knowledges. Like Smith, she privileges Indigenous language as well as epistemology. For Kovach, this first step on the research journey logically invites several next steps, which she outlines as follows: "(a) tribal epistemology, (b) decolonizing and ethical aim, (c) researcher preparations involving cultural protocols, (d) researcher preparations involving standard research design, (e) making meaning of knowledges gathered, and (f) giving back." (Kovach 2009, p. 45). Kovach places tribal ways of knowing before colonial ones and she asks researchers to respect cultural protocols before engaging with academic research practices. She argues that knowledge should be meaningful to communities of origin, much like Smith argues that research aligned with its so-called subjects should strengthen Indigenous sovereignty.

Lastly, Kovach argues that research should "give back" to communities. This final step is of particular importance to the repatriation and restitution of cultural objects. The

language of "giving back" is typically associated with charity and philanthropy. The phrase conjures up images of wealthy donors laundering their reputations by giving gifts, oftentimes to the very same communities from whom those wealthy donors extracted surplus value. Analogously, the return of African cultural objects from Western governments can be framed as benevolent one-way transfers, like charity or philanthropy. But like these structures, repatriation and restitution can launder the reputations of value extractors. Like charity and philanthropy, repatriation and restitution can obfuscate and even maintain unequal relations.

Kovach complicates this understanding of "giving back" and the unequal relations that it entails. The author argues that researchers should be accountable to Indigenous communities by virtue of their relationships. For Kovach, researchers should be enmeshed in complex, multi-directional webs of relations that push them to produce knowledge that is not only accurate, but also useful in maintaining Indigenous sovereignty. Kovach, Smith, and Wilson all argue that research has historically been one of the myriad ways in which Western institutions have extracted value from Indigenous communities. Kovach argues that breaking from this extractive history means making research accountable to so-called its subjects. It means making research useful not only for the making of academic careers, but for the return of knowledge, histories, lands, and objects.

Like Wilson and Smith, Kovach argues that Indigenous research methodologies should be interoperable with different Indigenous communities. She draws from the Māori scholar and husband of Linda Tuhiwai Smith, Graham Hingangaroa Smith, who argued that Indigenous theory is "workable for a variety of sites of struggle." (Kovach 2009, p. 47). Kovach does not attempt to create a universal method built upon *Nêhiýaw Kiskêýihtamowin*. However, she models how methods might be built upon an Indigenous community's knowledge systems and used to strengthen that community's sovereignty. Kovach draws upon scholarship by Indigenous peoples and relations from around the world. But like her predecessors, she does not make the connection with Africa.

The African connection came with Glen Sean Coulthard's 2014 book, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*. As the title suggests, Coulthard draws upon the work of psychiatrist, revolutionary, and anticolonial writer Frantz Fanon, specifically his book, *Black Skin, White Masks*. "To elucidate precisely *how* colonial rule made the transition from a more-or-less unconcealed structure of domination to a mode of colonial *governmentality* that works through limited freedom afforded by state recognition and accommodation," Coulthard finds inspiration in Fanon, his writing, and his interconnected practices as a psychiatrist and a freedom fighter. Coulthard's focus on recognition does not deny the importance of state violence. It does, however, account for the importance of colonial mindsets and their internalization among the colonized in maintaining what he calls governmentality. For Coulthard, accommodation to colonial state structures is not a reliable means for Indigenous peoples to achieving sovereignty. It is a subtle means of undermining sovereignty (Coulthard 2014, p. 16).

"Fanon's analysis suggests that in contexts where colonial rule is not reproduced through force alone," Coulthard writes, "the maintenance of settler state hegemony requires the production of what he liked to call 'colonized subjects:' namely, modes of colonial thought, desire, and behavior that implicitly or explicitly commit the colonized to the types of practices and subject positions that are required for their continued domination." (Coulthard 2014). Fanon's homelands by birth and by adoption—Martinique and Algeria, respectively—were maintained as colonial possessions by France through a tremendous amount of force. But where the threat of force remained under the surface, colonial governmentality operated through the colonization of subjects' very inner lives. In *Black Skin, White Masks*, Fanon described how "colonized subjects" internalized the colonial regime's

modes of legitimacy and sought recognition from them. Governmentality worked not only through state and settler violence, but by the infiltration of state and settler structures into the value systems of Indigenous peoples.

Writing from the African and North American contexts, respectively, Fanon and Coulthard argue that this process must be undone. This governmentality is simultaneously a political and a mental process, so the process of becoming ungovernable must be simultaneously political and mental. Coulthard concedes that Indigenous people must play the hands that they have been dealt, which means engaging strategically with the governmental and legal regimes of settler states in which they live. Coulthard himself is a member of the Yellowknives Dene First Nation, which has its own complex negotiations with the Government of Canada based upon treaties and recognition. However, Coulthard insists that Indigenous peoples must move beyond this strategy, which has dominated the struggle for Indigenous rights for decades. Rather than seek limited freedoms or conditional recognition from their colonizers, Coulthard asks his Indigenous colleagues to critically refashion their own traditions. "It is only by privileging and grounding ourselves in these normative lifeways that we have a hope of surviving our strategic engagements with the colonial state with integrity and as Indigenous peoples." (Coulthard 2014, p. 179).

Coulthard's analysis has unexpected implications for the restitution of African cultural objects. Following Coulthard's arguments, the mere return of physical objects from Western museums to Western-style institutions on the African continent is insufficient. Likewise, the return of objects from Western governments to Western-style governments on the continent does not constitute an escape from what Coulthard calls colonial governmentality. If restitution does not precipitate the reimagining of cultural heritage, then it can reinscribe colonial governmentality. If it does not accompany a redefinition of relations between Africa and the West, or between governments and Indigenous communities, then restitution can become a tool of continued colonial control.

5. Benin: A Case Study

The case of the Benin bronzes and the Museum of West African Art (MOWAA) in Benin City, Nigeria, illustrates these dangers. Between the public announcement of the museum in 2020 and the attempted soft launch in 2025, MOWAA generated criticism in Benin City as an institution detached from the local community and its traditional leader, the Oba of Benin. The attempted soft launch in November 2025, which was attended by Western dignitaries like Nicholas Cullinan, the director of the British Museum. It was disrupted by protests. Benin men rushed the compound shouting, "Oba ghato kpere ise: "Long live the king." (Kendall Adams 2025).

The Oba has been the traditional ruler of the Benin people since at least the thirteenth century. With the establishment of the royal dynasty around 1200 CE, the Oba was a major political as well as a cultural and spiritual leader. Under his leadership, the Kingdom of Benin spread across much of what is now southern Nigeria. The Oba commissioned bronze works from the royal bronze-casting guild that have since become known as the Benin bronzes. With the fall of the Kingdom of Benin in 1897, the Oba remained important as a non-sovereign monarch within the British Empire. Later still, the Oba continued to act as the leader of the Benin people and the keeper of its cultural traditions after Nigeria's independence in 1960.

The British invaded the Kingdom of Benin in 1897, deposing Oba Ovonramwen and looting his palace. The archaeologist, Dan Hicks demonstrates how the British government acted at least in part on behalf of the Royal Niger Company in its actions. The chartered company had previously scoped out the kingdom, and British officials had noted the potential value of the royal palace's bronze and ivory artworks. Hicks describes the invasion

as an act of "corporate militarist colonialism." (Hicks 2020, p. 55). It may also be described as an early confluence of public government interests and private commercial interests in the pillaging of Africa. This process continues in the form of neoliberalism and the proliferation of so-called public-private partnerships across the continent.

The Museum of West African Art is one such public-private partnership. The museum was originally heralded as an extension of the Oba of Benin's royal palace to rehouse cultural objects that had been looted by the British and since returned.[5] Western museums, collectors, and even descendants of the original invading force have returned stolen objects. Some, usually large Western museums and governments, returned the objects to Nigeria's National Commission for Museums and Monuments (NCMM). Others, including the grandson of one of the soldiers who pillaged Oba Ovonramwen's palace in 1897, returned stolen goods directly to the Oba's court. From these first restitutions, there was a tension between Nigeria's NCMM and the palace of the Oba when it came to custody of the Benin bronzes.

The reigning Oba of Benin, Ewuare II gave his consent to build a new museum to house the cultural heritage of Benin in Benin. The Oba was led to believe that this museum would be an extension of his existing palace museum and an acknowledgement of his traditional authority.[6] This proved not to be the case. The project leaders incorporated as a private trust and raised funds from Western governments, foundations, and museums. Most egregiously, they began to excavate the site of the new museum with financial support and professional advice from the British Museum. The British Museum was the original clearinghouse for most of the Benin bronzes when they were first stolen. Even today, the museum maintains a large collection of Benin bronzes and ivories and remains perhaps the most visible target of repatriation claims. It is ironic, then, that the proposed solution to Benin's restitution woes took funding and direction from the British Museum. The symbolism is almost too rich: archaeologists unearthed centuries of history on the grounds of the Oba's compound at the direction of the British Museum, so that they might lay the foundation for the new museum.

Even the name of the museum became a site for contestation. The Oba maintains that it was always imagined as a royal museum with support from the government. It was first known to the public as the Edo Museum of West African Art, "Edo" paying homage to the Benin people, their language, and Edo State in which Benin City sits. However, the project leaders removed "Edo" from the name to generate broader appeal. This appeal was not meant for the local community in Benin, but for elites from across West Africa and of course, from the West. It became, simply, the "Museum of West African Art." Its inaugural exhibition was announced not as an exhibition of Benin bronzes or a call for restitution, but as a show of contemporary art from across Nigeria.

Oba Ewuare II issued a statement in protest. It is worth reproducing his statement at length:

While anticipating the return of looted artifacts from Europe, I want to note that attempts to divert the destination or the right of custody of the artifacts is not in the interest of the people of Benin Kingdom to whom the Palace of the Oba of Benin provides leadership. The looted artifacts awaiting repatriation from Europe are the cultural heritage of the Benin Kingdom created by our ancestors and forefathers within the traditional norms and rites of the kingdom. They are not property of the state government or any private corporate entity that is not a creation of the Benin kingdom. The right and only legitimate destination for the artifacts to be repatriated as already pronounced by my father is under the aegis of the Benin Royal Museum that will be sited within the precinct of the Palace of the Oba of Benin from where they were looted, and also, the proper traditional instruction that is also the custodian of all the cultural heritage of the Benin Kingdom. The Palace, therefore, strongly advises that anyone, group, organization, or government—national and international that is dealing with any organization nor artificial group in the process of returning the looted

artifacts from the Benin Kingdom would be doing so at their own risk and against the will of the people of the Benin Kingdom.[7]

The Oba states in no uncertain terms that the Benin bronzes belong to the Kingdom of Benin. They are not the property of any government: not the British government, which continues to hold Benin bronzes at the British Museum while supporting the archaeological excavations at MOWAA; not the French or German governments, which also support MOWAA and therefore, as the Oba sees it, the diversion of the bronzes away from their rightful owner; not Nigeria's national government or its NCMM; and not the Edo State government or its governor at the time, Godwin Obaseki.

Interestingly, Godwin Obaseki's family has its own complex relationship with the Oba dynasty. His forefather, Agho Obaseki collaborated with the British after the 1897 invasion. The British installed Obaseki as the paramount chief of Benin as they forced Oba Ovonramwen into exile. They later appointed Obaseki as the Iyase of Benin after Ovonramwen's death and the ascension of a much-reduced, non-sovereign Oba to the throne. Obaseki and his family were active agents in the disempowerment of the kingdom and its absorption into the British Empire. To many in Benin, especially supporters of the royal family, Godwin Obaseki's support of MOWAA damned the institution as an instrument of neocolonialism and collaborationism.

Oba Ewuare II notes that the Benin bronzes do not belong to Godwin Obaseki or his Edo State government. He also notes that the bronzes do not belong to any private corporate entity, like the public-private partnership behind MOWAA. Benin's cultural heritage is not a resource that can be privatized and sold off, like so much of Nigeria's natural resources. It cannot be separated from the Kingdom of Benin. As material cultural heritage, the Oba notes, the bronzes cannot be separated from Benin's intangible cultural heritage. The Oba argues that the Benin bronzes must remain in the palace so that they can be contextualized with "the proper traditional instruction." He rejects, as Glenn Sean Coulthard does, the pale promise of government recognition, whether by Western governments, the NCMM, or Obaseki's state government and all that it symbolizes.

While it is unfinished, the story of MOWAA illustrates the missed opportunities, unintended consequences, and neocolonial harm that restitution can bring when it is not done collaboratively with the communities that it affects. MOWAA lacks the necessary relations with the communities in which it is situated. Neither the museum nor its funding partners are sufficiently accountable to the communities in Benin. To affect real restitution for colonial theft, the Benin bronzes must be situated within—and inspire change to—a dynamic network of relations.

Practically, this means engaging in co-curation between the museum, Benin community leaders, and the court of the Oba. Collaboration between MOWAA, the local community, and the Oba means acknowledging the rights that the latter has as the owner of the Benin bronzes and as a key custodian for Benin culture. Rather than reinscribe Western museum practices and reinforce colonial relations, MOWAA might work with the Oba's court around what is displayed and how. Rather than work with Western and Nigerian governments at the expense of the Oba of Benin, MOWAA has the opportunity to create multilateral agreements between these sovereign states and non-sovereign actors on the ground. The museum might help reintegrate the returned bronzes into ceremonies at the Oba's court and into the artistic repertoire of the Benin bronze-casters. The museum might also look to local investment partners to ensure that it is accountable—financially as well as culturally—to local communities rather than funding partners in the West. The museum can chart a new path by embracing this dense, deep network that already exists in Benin.

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Notes

[1] Interview for the documentary, *Cultural Capital: African Art, Repatriation, and Restitution*.

[2] In another article, the lawyer Douglas Cox notes the irony that President Mitterrand physically returned the manuscript to South Korea, but he did not technically transfer ownership. The return did not challenge its status as "inalienable" French property. "In the end, the imperfect compromise satisfies neither side," Cox writes, "The BnF is deprived of custody of items that have formed part of its collections for more than 140 years while technically, and perhaps uselessly, retaining formal legal title; South Korea, meanwhile, has physical custody of the archives while suffering the indignity of being denied ownership over its own national heritage." (Cox 2011).

[3] See (Ontiveros Valdés 2026). For more information on the Aztec codices and the previous scientific committee, see Ontiveros' previous reporting, "France and Mexico trade loans of colonial codices, putting spotlight on calls for restitution." *The Art Newspaper*. Posted 25 January 2026 (Clark 2026).

[4] I refer to the "Benin" people and not the "Bini" or "Edo" people, as they are sometimes called, following the advice of the Benin Traditional Council. This arm of the Oba's court clarified, "Our correct ethnic name is Benin and not 'Bini.'" Benin Traditional Council—Palace Press Release (2026) Ref. No. BTC.A66/VOL.IV/262. Dated 28 August 2006. Distributed at the international conference of the Institute for Benin Studies, "Beyond Restitution and Return of African Cultural Belongings" in Benin City, Nigeria. January 2026.

[5] "[Godwin] Obaseki's initial payment was specifically intended for 'the development and construction of [a] Benin Royal Museum', but he backtracked in favour of the renamed MOWAA when the oba insisted that the artefacts should be returned directly to his palace, 'in consonance with the wishes of the people of the Benin kingdom'. The federal government agreed with the oba, even though the palace has no museum." (Májà-Pearce 2026, vol. 48).

[6] This is supported by reporting that occurred following the November 2025 protests. See Kendall Adams in *Museums Association*, Májà-Pearce in the *London Review of Books*, and Ayodeji Rotinwa in Frieze: "As relations broke down, the Oba would accuse [Godwin] Obaseki of a dupe: of raising money from European donors in his ancestors' name to found a museum for the bronzes that he had no right to display." (Rotinwa 2025).

[7] "Statement at the Meeting of His Royal Majesty Omo N'Oba N'Edo, Ewuare II, Oba of Benin with Palace Chiefs and Enigies on the Repatriation of the Looted Benin Artifacts." (Opoku 2021).

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