No touching, no praying, no questions?[1]

Repatriation of cultural heritage in India

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In the discourse of art repatriation, arguments from the Global North which infer that institutions in the Global South are not sufficiently equipped to care for exhibits they wish to be returned to them are as old as they are ludicrous. They express a profound Western superiority complex which, under the guise of glass cases, temperature controlled environments and squeaky-white cleanliness, seeks to dictate the conditions of art repatriation as an assertion of its own self-image as inherently more advanced as any other way of knowing. This is also the excuse British officers used to relocate exhibits from India to the UK during the Raj (1858-1947), leading to a present museum culture which leaves, according to Adrija Roychowdhury (2016), Indian visitors of British museums "aware of how his or her past has brutally been ripped away and appended to British history, now on display for tourists from around the world to gloat over". It stands in contrast with a native view of the best possible preservation for artefacts being in their original environment, with local context, as the emergence of many community-run 'family' museums in India illustrates (Dasgupta 2018). Actively undermining Western notions of new 'universal' museums (Curtis 2006) which claim local artefacts in favour of their capability to 'represent' their respective nations to an international audience, these institutions are one way in which micro-identities claim cultural ground from the sweeping homogeneity of colonial legacies.

In relation to repatriation, this resistance points to a fundamental issue with identity production in a museum context: Indian museum culture has been so fundamentally appropriated by British colonialism that its identity-forming practices have long been pressed to the margins of this field. Moreover, a dominant portion of Anglophone media coverage – both in India and Britain – focuses on the legal and financial implications of these discourses. While these aspects are interlinked with and constitutive of the questions I discuss in this text, my focus is on repatriation in terms of its decolonial capacity regarding intergenerational justice and historico-cultural value. Even a superficial engagement with issues of repatriation will quickly confirm that Western legislation is built to contain power in the Global North, that it reinforces existing paradigms of centrality/periphery and would need to be fundamentally redesigned in order to provide equal footing between two parties laying claim to a stolen exhibit. As with many other decolonial efforts, the restrictions of any exchange are dictated by the oppressor, putting the West/Global North in charge of judging their ancestors' crimes and which contemporary

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[1] This is a reference to Saloni Mathur and Kavita Singh's book *No touching, no spitting, no praying: Museums in South Asia* (2015) which is not directly quoted in this text but has informed some of its considerations.

measures should provide 'justice'. After centuries of colonial knowledge monopoly – regulating territorial lines, temporal measures and educational systems – repatriation discourse finds itself unable to detach from Western valorisation systems which view monetary value as their highest god. As I will argue in this essay, considerations of repatriation seek to emancipate themselves from this form of discussion, moving focus from monetary to cultural and/or spiritual value.

While it might appear counter-intuitive (and achronological) to begin with the question of *where* repatriated items are 'returned' to, I view it as essential to justifying the very premise of repatriation which looks beyond mere reputational or capital gain. Hence I will start by outlining the origins of museological practice, its colonial adaptation[2] and how this instrumentalisation in an Indian context has been and continues to be resisted. Following these examples, I will recount the journeys of three specific exhibits which each play a different representational role: the first is a statue stolen during British colonialism, the second a precious stone 'gifted' to Britain under questionable circumstances and the third a spiritual relic which was looted after independence and has since been returned to India. These particular histories are intended to illustrate limitations of cultural ownership, the role national identities play in discourses surrounding repatriation and options of returning to patria which no longer exist.

Given that the first historically documented museum was founded by a Neo-Babylonian princess in 530 BCE (Casey 2009) and has been imitated and reinterpreted by various cultures since (Wilkins 2011), referring to museums as essentially colonial would be misleading. They have been appropriated as institutions which reproduce imperial ways of knowing, justifying colonial rule in the context of the Enlightenment (Findlen 1994) but the initial aim to represent knowledge as a collection of three-dimensional artefacts – in contrast to histories and other forms of storytelling – long predates Western colonialism. It is worth noting, however, that even the first museum in Neo-Babylonia was used for the establishment of an empirical identity: it contained Mesopotamian artefacts from the third century BCE which were supposed to visually illustrate the link between Neo-Babylonian culture and its Sumero-Akkadian roots. In a political environment which changed its scripture to a version more reminiscent of its original format in order to assert its ancientness to neighbouring empires (Wilkins 2011), labelling museum exhibits with clay cylinders in three official languages might be viewed as a move towards creating unity in a heterogenous society which spoke a vast variety of languages. As the consideration of readable labels implies, the proliferation and access to knowledge advertised by this early museum was inherently linked to questions of class, status, education and representation.

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[2] By *colonial* I am specifically referring to Modern British colonialism. As the following paragraphs will discuss, the Indian subcontinent has been subjected to many waves of colonialism throughout its long history and these influences continue to complicate questions of repatriation. However, my main focus is on contemporary pursuits of repatriation which happen between Britain and India as symbolic moves of intergenerational justice.

The vast majority of imitative museums in the following centuries were private collections which represented the wealth of the owner, first and foremost, or singled them out as remarkable by measure of the 'exoticness' of the respective exhibits. In this sense, museums were particularly suited for colonial appropriation, as they had been long established as a space of the 'superior'. Most of the museums nowadays claiming the title of being the oldest museum still in existence[3] are situated in the Global North but outside of postcolonial/decolonial discourse, there is little consideration as to whether this is a legitimate source of cultural ownership or the result of centuries of systematic destruction of other nations. A similar assessment could be made of lists which chronicle the most visited museums in the world, of which sixteen out of twenty are geographically situated in the Global North (the other four are in China/Taiwan)[4], but which predominantly show exhibits which do not originate from the nation-state they are displayed in. While neither of these circumstances justify a Eurocentric claim to museum culture, representatives of the Enlightenment imbibed its ideas into their ideological framework, positioning their own interpretation of what a museum should be above all others.

In this sense, museums could be viewed as almost enigmatic of Enlightenment thought: they are a strongly visual display of knowledge which is superficially accessible to all but actually contains and reproduces very specific hierarchies of education, class, gender, race, etc. In a Western context, they are organised in a chronological, linear fashion which echoes Western understandings of chronology and order, unquestioningly self-perceived as superior to any other way of organisation (Findlen 1994). Moreover, this order follows determinations of regions which have only ever been outlined as such by the Global North, curating artefacts, for instance, by geographical region based on current nation-states rather than based on cultures which might have diasporic extensions to many locations around the globe. Other factors such as aesthetics or spiritual meaning are commonly abandoned in favour of these Western-driven concepts of time and space which inadvertently suggest how the information presented is supposed to be read. It is worth noting that many popular museums have a dedicated 'path' which leads one through an exhibition which usually relies on temporal or regional parameters. One may assume that a museum which, like one of the examples cited later in this text, displays fabrics and their origin stories, might organise these based on fabric categories or weaving technique, not region or chronological age, because neither are easy to determine. Yet such approaches are usually limited to regional and specialised exhibitions and not widely adapted into national displays of artefacts or art (Singh 2015).

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[3] The Capitoline Museums and Vatican Museums are the oldest still existing buildings but their collections have changed; Schloss Ambras in Innsbruck has the oldest still-original combination of museum and collection.
[4] Source: *European Group on Museum Statistics*, 2018.

This is a crucial aspect in considering the ramifications of the international repatriation of exhibits, especially since museums in colonised nations have historically been constructed as spaces of colonial enactment (Ray 2014). The epistemological underpinning of different exhibition environments should be an essential part of this discussion, otherwise one might view the returning of exhibits merely as a capitalist transaction which focuses on legal and financial aspects. There are institutions which, in an Indian context, exemplify that Westernised museum culture can also be a site of resistance against colonial power dynamics. The British Empire explicitly used the institution of the colonial museum as a means of authoritative knowledge reproduction in India, regarding it "a powerful tool to aid loyalty and good government" (Hendley 1914). Sugata Ray (2014) provides a nuanced case study of the *Jaipur Economic and Industrial Museum* which explores "micropractices at the margins of the British Empire that strategically evaded the colonial archive, and thus history itself".

This Jaipur institution was built in 1887 and functioned, in contrast to other imperial museums in India, as a preservation of regional culture primarily for people from Rajahstan, not foreign scholars and visitors. Despite its conceptualisation being credited to two British officers who, objectively, did not possess the expertise to design such a building (Tillotson 2004), contemporary scholars view it as a space of resistance which accentuated the sophistication of local craftsmanship, inadvertently challenging the notion of British superiority. Moreover, its architecture contains features of local homes which are associated with specific practices which should have, from the perspective of a colonial architect who actually understood their implications, had no place in a museum which seeks to further colonial ways of knowing. Ray further argues that intricate murals of local royal ancestry were, whilst similarly dismissed by British self-proclaimed 'experts' as illustrations of local garment variations, a powerful tool of rooting the regional audience in their pre-imperial identity. This effectively demonstrates that buildings imposed by the coloniser with the intention of reproducing their own knowledge networks can be appropriated by decolonial efforts to display other ways of knowing and organising information. However, I would argue that the assessment of some scholars who claim that the homogenising intentions of colonial museum culture has failed and instead given rise to subaltern reworkings of their contents (Guha-Thakurta 2004), is not broadly reflected in contemporary museum practice.

While many of the museums representing Indian culture in its capital Delhi do contain apt amounts of regional craftsmanship, unique painting techniques and a strong sense of local heritage, the way in which this information is organised generally still follows the chronological, regional classifications the West deems preferable. An exception is, for instance, the aforementioned exhibition at the *Indian Heirloom and Crafts Museum* where an Indian fabric exhibition is organised by fabric and differentiated by technique: pre-loom, loom and post-loom. These necessarily carry local and temporal indicators but are not assembled in a linear timeline or by region, instead accentuating the local socio-cultural status

of certain practices and their reverence in Indian national identity. Despite its uncommon content presentation, this exhibition still furthers a pan-nationalist agenda, however, reaffirming Indian identity as just as modest, home-grown and essentially ancient as the current government propagates it.

Another example of a different organisational approach within a Westernised exhibition framework is the temporary exhibition *The Nature of Things: Death and Dualism in Indian Villages* by Kota Neelima at the Habitat Centre Delhi (August 2019). The artist, a researcher and activist who has been in dialogue with the widows of farmer suicides in the Beed district, Maharashtra, one of the most impoverished rural areas of India, for decades[5], displayed photographs of these widows and their environments along individual components of their many-facetted oppression. In a non-chronological, non-prioritising manner, the exhibit illustrates different experiences of 'invisibilities' – from their social environment's repression of their ability to speak for themselves, own property or a right to their own choices to the futility of political propaganda which claims to represent them but falls short of soliciting actual change: *Tradition, Status, Procedure, Opportunity, Value, Ownership* and *Vote*. The artist, commenting on her work, stated that she views the unity of India along different parameters than those advertised by the government, outlining *invisibilities* which result in a continuance of poverty and gender inequalities as a defining feature of contemporary Indian identity.

In relation to the example of the *Jaipur Economic and Industrial Museum,* this view expresses a contrasting approach to the museum as a place of colonial emancipation. Rather than presenting a positive local image which reaffirms a sense of non-British identity, the naming of shared 'invisibilities' creates a different type of collective identity, one which, one may argue, to some degree reinforces metanarratives of 'backwardness'. Instead of conceptualising this as an urban/rural divide, however, I would like to propose that the latter approach, whilst displaying a less easily digestible shared identity, undermines imperial thought on a structural level. While it is not my intention to compare self-image reproduction in contemporary India to the tainted propaganda of the British Empire, recent nationalist movements do call into question whether a reaffirmation of local belonging and ancient heritage is indeed an undermining of oppressive power structures or aids their affirmation. By dissolving Westernised ways of presenting information within the framework of a white-wall exhibition space, *The Nature of Things* challenges authoritative knowledge reproduction on both a curatorial and content level.

These already existing ways of resisting the colonial appropriation of museum spaces as sites of imperial affirmation demonstrate that these institutions have the capacity of framing repatriated exhibits in a way

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[5] She recently released a book called *Widows of Vidarbha* (Oxford University Press)*,* documenting the stories she excavated through these encounters.

which is not Westernised to the same degree as their display in the Global North is. They also accentuate, however, that the temporal circumstances of an exhibit's return are crucial because the way in which museums may resist or support authoritative knowledge reproduction are in constant flux. One may argue that an exhibit returned to India in the late 1940s would have served as a very different type of anti-colonial purpose as repatriated items nowadays do. While this is an almost unquantifiable factor to consider, it serves as an effective counterpoint to the following paragraphs' questioning of the limitations of cultural ownership, the implications of when an exhibit was stolen and the options of returning to patria which no longer exist.

In order to condense these manifold, intersecting strands of academic inquiry into a format suitable for this essay, I have picked three exhibits through which I will illustrate the latter points. The first, the Sultanganj Buddha, is an ancient bronze statue stolen by E. B. Harris, "a pith-helmeted functionary of the British Raj" (Milmo 2010), in 1861 from an abandoned Buddhist monastery. Eventually sold to an individual in Birmingham, where the deity still resides today, its religious significance and spiritual value remain firmly intact. Superficially, it is a comparatively straight-forward case: the journey of the exhibit is clearly traceable, it is evident that the person extracting it from its original environment did so without any regard for its meaning to the local culture and due to this meaning, exhibiting it in a Western museum merely as representational 'art' does not do the spiritual capacities of the statue justice. Because of this apparent simplicity, the Sultanganj Buddha exemplifies many issues revolving around repatriation. A much-quoted reason – besides the aforementioned 'best care' claim – for exhibits like the Buddha to stay in Western museums are either their representational value in projecting an image of India to an international audience (Wintle 2016) or their educational value for foreigners. Evidently, this implies that the curiosity of European viewers is to be placed above the dignity of the exhibit in its spiritual capacity and any claims people local to its original environment may lay to its educational value. Besides expressing colonial, dichotomous thought, this argument is rather weak in light of many scholars and writers proposing solutions which would cater to both 'uses' of the exhibit. One of them, expressed, amongst others, by Andrew Gulliford (1992), is that museum visitors may "learn as much from objects which are not on display as from objects which are behind glass cases". But how is one to pray to an empty altar?

In the secular hierarchies of Western thought, spirituality does not hold a high position on the value scale, yet reducing this difference to an apparent divide between 'Eastern spirituality' and 'Western rationality' would reiterate the precise story Eurocentric Modernity wants to sell. Instead of replicating this binary, one should perhaps ask whether resistance to repatriation, even in 'simple' cases such as the Sultanganj Buddha, is an expression of a Western fear to lose "authority over the interpretation of the material and the control of access to data" (Nilsson Stutz 2008). Furthermore, this discussion should, as aforementioned, consider the ramifications of restoring aspects like spiritual dignity in a potential

repatriation, especially if such an undertaking is a bilateral agreement between national governments which have their own identity-forming agendas. Were the Sultanganj Buddha returned to India, would it be placed in a temple or a museum? As one of the largest examples of Ancient Indian bronze work, would it be returned to its original region, to be displayed in a family museum, for instance, or on a local shrine, or would it be placed in one of Delhi's pan-Indian museums which seek to represent the nation's 'best'? If so, would people to whom the Buddha has religious meaning be allowed to pray in such an arrangement?

The second exhibit, perhaps one of the most famous contestations of repatriational efforts due to its monetary value, the Koh-i-Noor diamond, exemplifies the intricate complications regarding Indian claims to repatriation of art in relation to its multi-imperial history. This stone, likely unearthed before the fourteenth century, was part of the Crown jewels of the Mughal Empire for a significant portion of time (Asher & Talbot 2006), was then looted by a Persian conqueror who gave it its current name (*pers.* "mountain of light", Argenzio 1977), inherited by his grandson, founder of the Afghan Empire, extorted from him by a Sikh Emperor and finally 'conceded' to the British by this emperor's ten-year-old son in 1849 (Anand 2016). This history makes debates of repatriation of the stone particularly challenging: while India, Pakistan and Afghanistan's Taliban government have all laid claim to the diamond, neither involves spiritual or cultural value in the sense that might be assumed with the Sultanganj Buddha. British imperialists might argue that given the integration of the stone into many ritual moments of its monarchy, it has more spiritual use for the diamond than any of the other claimants. Other, (even) more tone-deaf individuals have proposed that "the British Crown Jewels is precisely the right place for the Koh-i-Noor diamond to reside, in grateful recognition for over three centuries of British involvement in India, which led to the modernisation, development, protection, agrarian advance, linguistic unification and ultimately the democratisation of the sub-continent" (Hartley-Parkinson 2015). Of course, this is not an argument politicians are (officially) making: they refer to laws which were made by the British to prevent individual museums from going against the Crown's wishes in terms of repatriating art (Wintle 2011).

But if one aimed to reverse the wheels of time, the British ought to return the stone to the Afghans, who ought to return it to Persia, who then ought to return it to the Mughal Empire which no longer exists. Given India's pronounced advertisement for a united nation under Hindu governance, the religious dimension of this discussion would imply that Pakistan, as a muslim state, has indeed a more historically profound claim to it than India. This only applies, however, if one assumes strict lines between religions and nations which is, especially in the case of the Indian subcontinent, not only inaccurate but essentially impossible (Dasgupta 2018). Thinking beyond these categorisations and the *a priori* claims at play, one may consider other aspects which might fulfil an agenda of intergenerational social justice in a decolonial sense.

Given the reputation of Koh-i-Noor as a bearer of bad luck to men because of its violent history (Mears et al 1994), one such consideration could, for instance, be a gendered approach to repatriation. While the response of British monarchs to the reality of the stone's repeated dispossession was a separation of female responsibility from their nation's war crimes by only having female royalty wear the 'cursed' stone (ibid.), this constructed history could give rise to a tailoring of this item to a gender-related form of 'justice'. As Kota Neelima's research demonstrates, large parts of India suffer from gender inequalities which proliferate cycles of poverty and oppression; Afghanistan is still recuperating from a decade of Taliban civil terror which predominantly affected women (Dupree Hatch 2001, Moghadam 2003, Skaine 2009); in modern Pakistan, emancipatory legislation still struggles against regional customs which subjugate women (Khan 2019); and in the UK, gender discrimination in the workplace remains as prevalent as it was ten years ago (Siddique 2018, Boffey 2017). One might propose that the monetary proceedings of the diamond's display, be it exhibited in either of the four countries, touring or in a third party country of consensus, could solely be dedicated to the support of gender equality measures in all claiming countries. If a committee of all four nationalities approved application from respective NGOs to fund their programmes for a limited amount of time, the division of percentages between the four nations could change in certain intervals, depending on need. This would likely result in Britain initially receiving significantly less funding than the other three nations which have been historically disadvantaged by colonialism, which appears fair in light of Britain having been the sole benefactor of proceedings from the diamond's display for more than a hundred years.

While this hypothetical approach simplifies very complex matters to an unimplementable degree, it is supposed to demonstrate that a shift of focus to *why* repatriation is being undertaken might open up new options of bilateral communication and support. Many contemporary discussions of similar cases evolve around money as isolated from the dimension of social justice decolonial movements aim for. Perhaps asking *how could this artefact benefit most people?* rather than *who has the best claim to it?* would be a starting point to changing this practice.

While Koh-i-Noor is a particularly convoluted example which parallels many other artefacts, there are also more recent cases which offer even more concrete detail than the Sultanganj Buddha due to their relative recent histories. One of these is my third example, the Navaneetha Krishna from Tamil Nadu, recently returned from the UK as part of a ceremonial handover which was designed to coincide with India's 2019 Independence Day. It is one of a row of artefacts being repatriated to India following the discovery that Subhash Kapoor, previously a reputable New York art dealer, had been looting artefacts from all over India and selling them to the world's biggest art institutions throughout the 1990s (Gupte 2018, HHR 2014, Jahla 2019, Mariappan 2014). This case significantly differs from the previous two because the looting took place recently and the artefact in question was bought by a Western institution

in good faith, not as part of an imperial takeover or blatantly stolen. Moreover, they were acquired in the spirit of the 'universal' museum, officially set to represent Indian culture in the West. In light of the multitude of cases directly related to colonialist violence, it is remarkable that particularly the Kapoor-looted exhibits have largely been returned. With an individual culprit present, it appears the dichotomous colonial underpinning of this issue may be ignored: rather than questioning how colonialism has created a museum industry in which East Asian artefacts are particularly valuable to the collections of 'universal' museums, these repatriations are used as a platform for Western museums to reassert their legitimacy.

The Navaneetha Krishna's return being called a "friendly gesture" by Ruchi Ghanashyam, High Commissioner of India to the UK (NDTV 2019), indicates that this is to be understood as a symbolic and political move in lieu of systematic change. In fact, one could argue that any gesture of individual pieces being returned with the fanfare of a press conference and statements by all parties is a form of appeasement to not face the underlying issue of ongoing colonial legacies. Moreover, in the case of Australia's 2014 return of Kapoor-looted Nataraja and Ardhanariswara idols (AEDT 2014, Mariappan 2014), these spiritual entities were only temporarily placed back in temples of their respective faith – their locations of crafting (Bengal), ritual (Bihar) and reinstatement (Tamil Nadu) differ from one another – and later put into spaces of "safe custody" (ibid.). So did they actually return to their cultural origins and structures of meaning or did they enter a new realm of Westernised museum culture, albeit in an environment in which local viewers may recognise their own heritage in them rather than functioning as an exoticised 'representation'?

A profound question this consideration poses is whether a postcolonial view on repatriation unquestioningly accepts a connection between earth and ownership[6], as well as an equation of location of origin with contemporary nation-state borders. The existence of family museums which display non-binary identities along the supposed Pakistani/Indian border and its Muslim/Hindu preconceptions argue: no. Similarly, Dr. Neelima's *invisibilities* make an argument for cultural wealth relying as much on unrecognised factors as on well-represented parts of national identity. If women can be rendered 'invisible' by their own cultural norms, is it possible – or even likely – that current legislation concordantly excludes claimants to cultural heritage from being considered in repatriation discourses?

While there is evidently no straight-forward answer to either of these questions, my research for this paper has made evident to me that the complexities of repatriation are a field which needs to be addressed from multiple angles. There is a necessity for new legislation on equitable international conventions on anti-seizure, principles concerning the handling of illicit objects (Seidl-Fox 2008) and

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[6] Here referring to the premise that whoever owns the earth owns anything in it or produced on it.

a reassessment of Western laws which currently prevent thorough repatriation efforts. Simultaneously, the colonial remnants in museum structures in former colonies, such as India, should be reassessed in creative ways which lead to more localised knowledge reproduction, self-generated representation and non-binary inclusion. Repatriation has the potential to step beyond its current role of symbolic reconciliation and restoration to become a practice of critical engagement with decolonial intergenerational justice and what it may embody for present and future generations.

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