

**James CUNO:**

*Who Owns Antiquity – Museums and the battle over our ancient heritage*

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James Cuno taught History of Art and Architecture at Harvard University and he was the director of the Harvard Art Museums. He is currently the president and director of the Art Institute of Chicago. Bearing this mini biographical data in mind, the contents in his most recent book are not surprising: reanalyze the (old) question about the ownership of antiquities and the waging war between museums, archaeologists and state-nations that comes from it.

In the Preface and Introduction, through a synthetic summary around the main questions that divided the scholars about the artifacts held by museums and institutes, Cuno presents what is, in his point of view, the real question and the real opponents in the battle for owning antiquities: the problem is between the modern state-nations, with their nationalist claims on the items found within their borders and the museums all over the world (mainly in the West) that own or want to own these items. The author relegates to a secondary place the dispute between museums and archaeologists, who, for years, disagreed on the purchase of unprovenanced antiquities, i.e., “one [antiquity] with modern gaps in its chain of ownership” (p.1). Two main critics have been made to the museums and institutes that buy this kind of items, by the archaeologists and the general public: it is not legal and it is not ethical. As for the first critic, Cuno claims that most of the antiquities were bought before there were any international laws that regulated

this trade (1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property), and even then, if a country decided not to sign out this convention, in the matter of law it wouldn't be illegal for it to continue the trade of unprovenanced antiquities. As for the ethical critic, based on the very likely possibility that an unprovenanced item was looted from a damaged archeological site, Cuno gives a pragmatic solution: if the site is already damaged, shouldn't the artifacts from it be bought, in order to save what's left of the site?

Cuno states that museums and archaeologists are on the same side, and should fight together in order to save, display, present and protect the world's heritage from oblivion and/or destruction. For the author, the act of buying an artifact should keep in mind three main principles, pointed out by John Henry Merryman: "preservations, truth and access" (p. 13). These principles should work together with the concept of *partage*, i.e., dispersing the items rather than concentrate them in one single museum, so that they can be more protected, and able to be studied and seen by a larger amount of people.

For Cuno, the real problem (or the real "enemy") are the modern-states, with their claims upon the national cultural property and their retentionist policies used in order to satisfy their nationalist political strategies. Throughout his book, the author addresses this problem in five main chapters. In the first two, Cuno presents a larger perspective about the laws, policies and agreements made between states about the trade and ownership of artifacts, since 1954 (the Hague Convention) until the present, giving a great importance to the 1970 UNESCO Convention, and the actions that some states took upon after it. Using many examples of different state policies, Cuno points out how the 1970 UNESCO Convention failed, or, in other words, was unable to impose itself as independent from the political interests that each state had or has in a given matter. On the other hand, this same Convention gave the necessary authority for the states to define themselves what is their cultural patrimony, which led to an increase of retentionist policies, based on nationalistic reasons (p. 33). For the author, it is important

to realize “why laws regarding the export, import, ownership, and possession of antiquities were written as they were, what they mean, and what purpose and whom in power they serve” (p. 66).

With this set of new questions in mind, Cuno analyses the Turkish and Chinese cases, in the third and fourth chapters, going back circa 150 hundred years in both countries’ history, in order to understand why there were so many changes in the policies regarding artifacts. Once again, the author emphasizes the influence of the nationality claims, the political interests of the majority in power over the real interest in protecting what must be considered, in both cases, world’s heritage and not Han Chinese or Muslim Turkish cultural property.

In the last chapter and in the Epilogue, Cuno reflects on what is a national and cultural identity, questioning if this concept can still be accepted in a global world, where distances are growing smaller, where one person can identify herself with so many cultures and, therefore, with so many ancient civilizations. “We can speak rightfully of the world’s culture- our *human* culture: nuanced in its differences, diverse yet wholly interrelated, generative and fecund”(p.161).

For James Cuno, nationalism is the main problem when it comes to protect the art and the culture of the ancient past. Giving the modern state-nations the right to claim the ownership of artifacts made by past civilizations that occupied the geographical space where those state-nations now have their borders, would mean giving them the right to use what he considers to be the world’s heritage in their own political purposes. Cuno states that the principles advocated by John Henry Merryman, combined with a renewed concept of *partage* and the foundations of more encyclopedic museums throughout the world, can be part of the solution for the question *Who Owns Antiquity*, because we all own it, and the more the antiquities are shared, the more they can be studied and appreciated by their actual owners.

It is clear that the subject analyzed in this book has a very important and personal meaning to James Cuno and he has no problems in admitting so, giving many examples about his own life, both personal and professional. There are no doubts that his ideas and arguments

are a product of a thorough reflection and study, based in a rich and extensive bibliography that one can easily perceive on the 43 pages of bibliographical notes, plus the 10 pages containing a great amount of titles, on the selected bibliography.

Some criticism can, nevertheless, still be made. Despite Cuno's insistence on denying an occidental, or even a First World view, the solutions presented can still be seen under that idea. Take the renewed concept of *partage*, for instance: it has to be really well renewed, because, in the past, the archaeological expeditions that shared the assets of a given site were, in fact, from countries belonging to the so-called First World. How can this be controlled, if Cuno is the first to agree that a non-governmental organization will fail, as UNESCO did?

As for the idea of having more encyclopedic museums all over the world, it can only be pulled-off if those museums are, in fact, in the western countries. Is it possible to imagine a British Museum, an Art Institute of Chicago or a Louvre in countries of the so-called Third World, where, in the past ten years, hundreds of wars have been fought? If the point is to ensure that everyone is able to access this kind of museums, is it possible for them to exist everywhere, when only a third of the world is considered safe enough for people to travel to as tourists? Theoretically, the solution is good: having a considerable number of encyclopedically, or even global, museums, able to display the artifacts of the past human civilizations, of which we all are heirs. But, in practice, we still have a long way to walk for that to be possible. The same counts for nationalisms. I agree with Cuno, when he says they are the real problem. But it is idealistic to think nationalisms can be controlled. The author refers to several cases, but what about the nationalist movements growing in Europe? Is the British Museum that safe, when Great Britain still has to deal with IRA? What about last year's events in Paris, when Sarkozy's policy towards immigrants grew heavier: was the Louvre safe enough?

Nationalism is a very complicated and delicate issue; it is growing all over the world, and, consequently, affecting more and more people. I think Cuno's point in identifying nationalism and the state-nations

as the problem on the subject about who owns antiquity is a very interesting and useful view. However, before that problem can be solved, I believe there are other actions, more practical ones, which can be taken in order to preserve the world's heritage. Institutes and museums should work together in trading the objects they already hold, increasing the temporary exhibitions all over the world. And they, along with universities, should work on the dialogue with the modern state-nations, in order to create a base of trust that can origin new archaeological expeditions, and a renewed concept of *partage*.

James Cuno's vision in solving this problem has a great point, but it gets lost in its own greatness. However, this is a book that enlightens the reader on this so-called old issue, giving new perspectives on the subject. Surprisingly, its greatest benefit lies in giving a new set of questions and rational tools for each one of us to think about our own identity.