

Whose Gold is This? Challenging Exclusion in Restitution, Towards a Social Analysis of Provenance

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Abstract: The restitution of material objects has become central for engaging with past injustices in post-conflict situations. Thereby, restitution is increasingly attributed a transformative potential to enable dialogues between different victim and perpetrator groups in the aftermath of mass violence. In both, National Socialist and colonial contexts, most objects that are returned are considered ‘valuable’ or ‘meaningful’ in dominant financial, artistic or cultural terms. Historically, these ‘valuable’ objects have left more archival traces leading to memorialization and restitution requests. Conversely, objects of alternative value, belonging to marginalized groups or appreciated in different value regimes (for instance economic objects, everyday objects, mineralogical samples) have left less extensive archival records, are less vividly remembered and are often overlooked for restitution. This focus on objects of a dominant value poses a fundamental challenge to restitution: how do the objects that are returned shape our social understandings of victim groups? How can marginalized groups become part of the dialogues that restitution envisions? We devote attention to these questions from a ‘social provenance research’ perspective to contemplate challenges of exclusion and different value systems for restitution processes and researchers. We explore a more socially differentiated understanding of restitution as a justice mechanism that not only shapes present perceptions of historical injustices but is itself also influenced by processes of selection and exclusion.

Keywords: restitution; value; colonialism; World War II; social provenance research

Introduction

Who’s gold is this, and where does it go? In 2004, the South African trumpeter and outspoken anti-apartheid activist Hugh Masekela (1939-2018) released a powerful song entitled *Gold*.¹ In a mixture of Xhosa, Zulu and other South African languages, dubbed in English, Masekela asked fundamental questions about valuables like gold and diamond, their possession, their origin and their destination:

*“Let me dig this gold that’s not mine.
I don’t know where this gold is going.
What am I doing here under the mountains?
Who takes the gold and where does it go?”*

From the perspective of an African worker in the gold mines and diamond pits near Kimberley, and with the power of Masekela as a musician, the song *Gold* raises some interesting issues with today’s discourses around objects of value acquired in colonial contexts, and their restitution.

¹ See <https://www.youtube.com/watch?v=zLZRggU-w3w>, <15.10.2024>.



Figure 1: Mineralogical Samples, Berlin, Naturkundemuseum Berlin.

Whose Injustice?

During the last five years, the presence and future of substantial collections of ‘colonial’ objects in European and North American museums – historically, spiritually and culturally significant objects² that were looted, collected or otherwise acquired in a colonial context – have become a central topic of debate, both within European societies and between former colonizing and colonized countries. The restitution of these objects and their resocialization within countries and communities of origin is regarded as a means to redress past colonial injustices. Foregrounding its transformative potential, restitution is thereby often presented as a means to foster dialogue between (former) victim and perpetrator groups and to work towards a “new relational ethics” in which objects can enjoy a new life as carriers of alternative meaning.³

But who are these victim and perpetrator groups? And what role does the object itself play in processes of restitution? It often remains implicit whose injustice ought to be addressed and possibly restored. While in an international legal sense restitution is a matter between states, in popular and academic discourse general terms such as ‘communities’, ‘peoples’ or ‘youth’⁴ are applied. Used without further specification, these terms bear the risk of being depoliticizing. Even when we observe that

‘communities’ are sometimes in contestation with national governments, we seem not inclined to specify the social or political backgrounds of these contestations. While it is often recognized that national narratives are socially and historically constructed, we seem to take communal identities for granted. What remains is – unintentionally and despite its decolonizing aspirations – an analytically ‘nationalist’ restitution paradigm, seeing restitution as a matter between formerly colonizing and colonized countries or internally colonized communities and national governments. Within this nationalist restitution paradigm, the object itself is in danger of being reduced to moments of loot and restitution or to its position in bigger national master narratives, thereby neglecting the diverse roles that material objects play in a multiplicity of social relations.

In this regard, it is interesting to draw a parallel to the policies in place for the restitution of properties that were looted from Jewish people under the Nazi-regime. The Israeli law professor Leora Bilsky has indicated that the early Jewish restitution campaign of the 1940s and 1950s revolved around the ‘collective’ restitution of books, archives and religious artefacts in order to reconstruct Jewish cultural and religious life.⁵ However, after a lull of a few decades, the “second wave of restitution”,⁶ which started in the 1990s and gained formal recognition in the Washington Principles of 1998, is centered around a private-property paradigm. This paradigm equally lacks social precision. With an initial focus on financial compensation and the restitution of financial assets and real estate, and a current emphasis on the restitution of cultural goods and artworks – predominantly paintings and fine arts – the main recipients are individual dispossessed victims and their legal heirs, most often direct family.

The restitution and compensation of Jewish victims and their families is important and ought to be continued. However, Nazi looting robbed Jewish people of much more than private property.

2 We recognize that some of these items are considered living and spiritually loaded by communities of origin.

3 Elazar Barkan: *The Guilt of Nations. Restitution and Negotiating Historical Injustices*, New York 2000; Felwine Sarr / Bénédicte Savoy: *The Restitution of African Cultural Heritage. Towards a New Relational Ethics*, Paris 2018, 40.

4 Sarr / Savoy 2018 (see FN 3), 4, 85.

5 Leora Bilsky: *The Virtues of Comparing. Between Early Jewish Restitution Campaign and Contemporary Post-Colonial Restitution Debate*, in: *Art Antiquity & Law* 25 (2021), No. 4, 337-347.

6 Constantin Goschler: *Zwei Wellen der Restitution. Die Rückgabe jüdischen Eigentums nach 1945 und 1990*, in: Inka Bertz / Martin Dörmann (eds.): *Raub und Restitution. Kulturgut aus jüdischem Besitz von 1933 bis heute*, Göttingen 2008, 30-34, here: 30.

The Holocaust almost entirely wiped out the abundance and variegated landscape of Jewish life in Europe along with its diverse material cultures. Affected were religious communities, centers of learning, political traditions, economic sectors and various other social groups and milieus. Entire cityscapes and neighborhoods changed fundamentally. Looting in this context aimed at destroying not only individual identities but the complete cultural existence of Jewry in Europe.⁷ This explains why victims often experienced material loss as a social catastrophe. As Jeroen Kempermann and Hinke Piersma state: “to rob someone of their belongings constitutes not only a material loss, but also a loss of social status, connectedness, security and identity, and in a sense the partial loss of self.”⁸ Some claimants who were restored in their property rights indeed expressed that they experienced a deep sense of reconnection with these vanished pasts. However, reconstructing these pasts and acknowledging the communal suffering beyond the material is not the primary objective of the restitution mechanisms currently in place.

What is Restituted and Why?

The extent to which the experienced loss of objects leads to restitution is related to a complex archival process of memorialization.⁹ Both, in the context of Nazi-looted art and objects taken within colonial contexts, objects that are returned are considered ‘valuable’ or ‘meaningful’ in dominant financial, artistic or cultural terms, such as the well-known Benin Bronzes or Gustav Klimt’s *Portrait of Adele Bloch-Bauer I*. Historically, these ‘valuable’ objects have left more archival traces, leading in turn to institutional memorialization and restitution requests. In contrast, objects of alternative value,

belonging to marginalized groups, or appreciated in different value regimes (for instance, spiritual or personal heirlooms, everyday objects or mineralogical samples) have left less extensive archival records, may be socially remembered but are less often part of institutional memorialization, and are thus not considered for restitution. In other words, a painting by a well-known artist is more likely to be memorialized and restituted than, for instance, a chair that predominantly holds meaning for those who owned it.



Figure 2: Neo-Lod. XV fauteuil, Cultural Heritage Agency of the Netherlands, NK-Collectie, Inv.-Nr. NK669.

Importantly, the archive is not neutral in this distinction. By institutionalizing the preservation of knowledge that is deemed valuable, the archive is bound to the centers of power that created and use it – “the archive, therefore, is fundamentally a matter of discrimination and selection, which, in the end, results in the granting of a privileged status to certain written documents, and the refusal of the same status to others.”¹⁰ Today’s processes of restitution, thus, are influenced by the meaning that the looting parties themselves gave to the objects they took and documented. The fact that a chair

7 Frank Bajohr: *Aryanization and Restitution in Germany*, in: Martin Dean / Constantin Goscshler / Philip Ther (eds.): *Robbery and Restitution. The Conflict over Jewish Property in Europe*, New York / Oxford 2007, 33-52.

8 Jeroen Kempermann / Hinke Piersma: *Robbed and Dispossessed. The Emotional Impact of Property Loss during the German Occupation of the Netherlands, 1940-1945*, in: *Journal of Modern European History* 20 (2022), No. 2, 183-198.

9 Dan Diner: *Restitution and Memory. The Holocaust in European Political Cultures*, in: *New German Critique* 90 (2003), 36-44; Nicole L. Immler: *Restitution and the Dynamics of Memory. A Neglected Trans-Generational Perspective*, in: Astrid Erll / Ann Rigney (eds.): *Mediation, Remediation, and the Dynamics of Cultural Memory*, Berlin 2009, 205-228.

10 Achille Mbembe: *The Power of the Archive and its Limits*, in: Carolyn Hamilton et al. (eds.): *Refiguring the Archive*, Dordrecht 2002, 19-26, here: 20.

holds only personal value to the original owner – for instance because it was a family heirloom – will most probably not be recorded in the archive. When, however, that specific chair matches dominant power narratives – because it fits the style of the French Empire, as famously described by Leora Auslander – the chair is more likely to be preserved and documented.¹¹ In other words, a chair is more likely to be memorialized because it was crafted – and described as such in the archive – in the style of the French Empire than because it was the favorite chair of one's loved one, or because its golden decorations were delved in the gold mines of Kimberley.

Therefore, the focus on dominant objects, in a social and archival sense, shapes the potential of restitution to transform an unjust past into a more just present: the nationalist and private-property centered restitution paradigms do not aim at addressing other forms of injustice, such as colonial economic exploitation or Nazi cultural genocide. How then can marginalized groups become part of the dialogues that restitution envisions?

Social Provenance Research

By contributing to tackling this overarching question that is inherent to challenges of restitution in both, National Socialist and colonial contexts, we want to shift attention to an emergent approach of social provenance research. By centralizing “the social life of things” – after the eponymous book by the US anthropologist Arjun Appadurai¹² – social provenance research aims at extending our knowledge beyond understandings of cultural objects as being defined by their process of looting and return, and thus rather focus on alternative social entities and their material cultures. Crucial in this context are recent methodological shifts in provenance research, termed the “provenancial turn” by Christoph Zuschlag.¹³ These changes

emphasize the significance of an object's provenance as an intrinsic aspect of the object itself, rather than merely its ownership history. As such, objects can have the function of micro-historical guides, as, for instance, emphasized in the CLUES report of the *Pilotproject Provenance Research on Objects of the Colonial Era (PPOCE)*.¹⁴ There the authors write: “[...] provenance research becomes a form of socio-political history of cultural objects, and a provenance report a socio-political biography of a cultural object.” Furthermore, as Anne Higonnet points out, “any form of possession includes the power to classify, to rank, to demote, to display or not; the power to tell a story or not, to tell one kind of story rather than another – the power, in short, to create meaning and also to suppress meaning.”¹⁵ Building on this notion of diachronic changes of objects' meanings, we want to foreground the importance of acknowledging the multiple synchronic meanings that objects can have for various social groupings.

Regarding the communities in focus, we may think of political communities (for instance, the Indonesian diasporic left, proto-political anti-colonial resistance groups, Jewish political radicalism), economic groups or professions (for instance, South African gold miners and Amsterdam Jewish gem cutters), gender communities (for instance, female art dealers or gendered ethnographic collections), religious groups (Islamic heritage in Indonesia, various pre-war Jewish denominations), local groups and sites (the Jewish community of Maastricht, local inhabitants around the Singhasari temple complex), and all intersectional combinations between them.

Each of these groups (or intersectional positions) had a distinct material culture, and was distinctly affected by loot and dispossession. Each of these groups may have a distinct material heritage (or a lack thereof) in the present, a distinct trajectory of affections of missing, remembering and forgetting, and a distinct position in arguing

11 Leora Auslander: Beyond Words, in: *The American Historical Review* 110 (2005), No. 4, 1015-1045.

12 Arjun Appadurai (ed.): *The Social Life of Things. Commodities in Cultural Perspective*, Cambridge 1986.

13 Christoph Zuschlag: Vom Iconic Turn zum Provenancial Turn? Ein Beitrag zur Methodendiskussion in der Kunstwissenschaft, in: Maria Effinger et al. (eds.): *Von analogen und digitalen Zugängen zur Kunst: Festschrift Hubertus Kohle zum 60. Geburtstag*, Heidelberg 2019, DOI: <https://doi.org/10.11588/arthistoricum.493>, 409-417.

14 Jona Mooren / Klaas Stutje / Frank van Vree: *Clues: Research into Provenance History and Significance of Cultural Objects and Collections Acquired in Colonial Situations*, Amsterdam 2022, https://pure.knaw.nl/ws/portalfiles/portal/496442096/RAP_PPOCE_FinalReport_ENG_v10_202203.pdf, <15.10.2024>.

15 Anne Higonnet: Afterword: The Social Life of Provenance, in: Gail Feigenbaum / Inge Reist (eds.): *Provenance: An Alternate History of Art*, Los Angeles 2012, 195-209, here: 202.

for restitution. In some cases, these distinct positions overlap with the dominant national or familial claims for restitution, but often they diverge from them.¹⁶ By foregrounding a notion of social provenance history we do not necessarily question or deny the importance of national identifications and their material cultures, but recognize that ‘national identities’ – and as a matter of fact also ‘families’ or ‘Indigenous communities’ – are historically constructed and changeable entities. We do not take their claims to culture for granted, but rather approach them as an object of study.

A socially differentiated analysis of groups and intersectional positions in relation to material culture even opens the possibility to thoroughly assess perpetration, as a process that takes place in bureaucracies and institutions, and the social networks behind them. Beyond catch-all denominations of ‘Nazi-looters’ or ‘colonial collectors’, we will see that several social networks – for instance, pre-war German-Dutch art circles, local intermediaries such as Masekela’s chief in a colonial context, compromised and blackmailed Jewish art traders – played a role in constituting a system of dispossession, with individuals often playing a complicated, ambiguous, and sometimes even Janus-faced role.

By arguing for *social* provenance research, we step away from art historical and museological research practices that focus primarily on a work of art’s sequence of ownership, from the moment of an object’s creation until its present day position – if only because Masekela demonstrates that a conception of ‘creation’ of an object is sometimes ill-applicable. Yet, we choose to retain the term *provenance research* because it acknowledges the capacity of objects to serve as micro-historical guides through history, especially when it concerns often-researched but ill-understood historical phenomena such as colonial looting, and the functioning of the Nazi-bureaucracy of dispossession.


Challenging Exclusion in Restitution

“Who takes the gold and where does it go? / When I have to go empty handed, after my contract’s done”, sings Hugh Masekela. Depending on when in time we situate this song, it is imaginable that the gold ore would have been further processed into cultural objects with collective values for African communities that were later violently looted under colonial rule. It is more probable that the gold as a valuable material would be taken to Europe directly via the commodity chain that links the mine to the smelter and to the jeweler’s shop. Possibly, the gold would have been used in Europe to manufacture artistic objects which decades later were looted from their Jewish owners as part of a relentless process of dehumanization. The possible trajectories of the gold are many, but what we do know for certain is that the story of Masekela’s miner will not be considered should it ever come to a restitution process. And while injustice in the past may have been redressed, the present economic exploitation and environmental destruction, both with deep roots in the colonial system, silently endure.


Thus, whilst continuing to work towards the justice potential that restitution brings, we must be attentive to the other silent and silenced voices that are part of an object’s biography beyond moments of loot and return. After all, processes of selection and exclusion not only shaped acts of dispossession, appropriation and destruction, but also play a role in processes of restitution, recreation and redress.

16 Leah Niederhausen / Klaas Stutje: From What is Left to What is Lost. Social Provenance Research to Challenge Exclusion in Restitution, in: *History, Culture, and Heritage* 3 (2024), 22-28.

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Reference

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