first word

African Restitution in a North American Context
A Debate, A Summary, and a Challenge

Amanda M. Maples

I will give an example from my work about the question of restitution of [Congolese] objects… [B]eing an artist, I try to appropriate for myself these objects and this history, because they don’t have meaning anymore [as they did] when they were taken. The objects are dead … because their history has been interpreted differently by the people who stole them…. I try to have these objects; by putting them in my works, for me it’s a kind of restitution. I try to give them back their rightful value, their powers. My work is entirely a work of self-appropriating this history of these objects.
—Eddy Kamuanga Ilunga, Kinshasa, 2019

On a continent where 60% of the population is under the age of 20, what is first and foremost of great importance is for young people to have access to their own culture, creativity, and spirituality … To fall under the spell of an object, to be touched by it, moved emotionally by a piece of art in a museum … to admire its forms of ingenuity … to let oneself be transformed by it; all these experiences—which are also forms of access to knowledge—cannot simply be reserved to the inheritors of an asymmetrical history, to the beneficiaries of an excess of privilege and mobility.
—Sarr and Savoy (2019: 4)

A NORTH AMERICAN TSUNAMI

In November 2018, a blockbuster report entitled The Restitution of African Cultural Heritage by Bénédicte Savoy and Felwine Sarr called for the return of thousands of African artworks from French museum storerooms to the continent. Commissioned by France’s president, Emmanuel Macron, amid optimistic promises for prompt returns (Codrea-Rado 2017), its seismic impact reverberated across Europe, sending shivers down vaulted spines, shaking columns, and rattling storage doors—metaphorically of course. The authors have noted the far-reaching impact of this call for restitution (beyond France) and its importance particularly for young artists, such as Eddy Kamuanga Ilunga (Fig. 1), quoted in the epigraph. As they state:

Thinking restitutions imply much more than a single exploration of the past: above all, it becomes a question of building bridges for future equitable relations. Guided by dialogue, polyphony, and exchange, the act or gesture of restitution should not be considered as a dangerous action of identitarian assignation or as the territorial separation or isolationism of cultural property. On the contrary, it could allow for the opening up of the signification of the objects and open a possibility for the “universal” … to gain a wider relevance beyond the continent (Sarr and Savoy 2018).

As predicted, almost a year later, the tidal waves hit the shores of North America at a moment when France’s own momentum was waning (Rea 2019; Herman 2019). In October 2019, I attended three separate conferences on issues of repatriation, restitution, return of works of art and the ownership and distribution of cultural heritage. All three took place along the East Coast of the United States (Chapel Hill, NC; New York City; and Washington DC respectively) and illustrate the hyper-importance and interest in the issue in the United States.

Other symposia at North American museums and institutions followed, most notably during panels and roundtables at the November 2019 African Studies Association meetings in Boston, where the debates were fierce, and a February 2020 discussion at San Francisco’s de Young Museum that reflected on the restitution of art from the Benin Kingdom, long at the center of the restitution debate. One could argue that these conferences were part of a broader museum trend of the last two decades that has gained even more traction in recent years. Scholars, critics, museum practitioners, and art historians have all urged museums to face their imperial origins and to render visible such fault lines is Decolonize This Place, whose actions have drawn attention to systemic problems in the knowledge structures of art history, institutional logic, unequal access, and legal gridlock (Raicovich 2019; Weber 2018).

Many publications have appeared since Macron’s 2017 call for “temporary or permanent restitution” of African art in French collections and the landmark Sarr-Savoy report, reaching a North American crescendo in fall 2019 when the wave that began in Europe crashed onto the shores of the United States and manifested in these conferences. The debate is heated—to put it mildly—and divisive, ranging from the call to empty Western museum storerooms outright (Mirzoeff 2017), to the universalist argument that objects of cultural heritage are “global ambassadors” that serve as reminders of cultural heritage and history (no matter how violent or oppressive) and therefore collectively owned by—rendering a request for return moot. African museums’ ability to serve as custodians of these objects—doubling their security and the quality of their facilities—is called into question as part of this debate, some would argue as a way to protect European encyclopedic holdings, whereas others counter this argument by showing how flawed European stewardship practices actually are (Stack 2019). Many have found this sentiment offensive, arguing that it is not the business of Western arbiters to control Africa’s cultural property once returned. I argue that one could consider these works as themselves “Afropolitans” using a term popularized by the British writer Taiye Selasi: “not citizens, but Afropolitans” (2005). While Selasi used it to describe her peers who had grown up both abroad and on the continent and spoke multiple languages, the term is applicable to these objects, which now also speak multiple languages as global Afropolitans.

The arts, particularly those that reflect cultural belonging or nationhood, may also serve as the embodiment—the means and the carrier—of memory. With so few historic objects...
remaining on the continent, their absence might be viewed as a destruction of history (Thiongo 2009; Fanon 2008; Monroe 2019). The issue is critical. But what of the layering and multiplicity of voices and narratives now evident in these objects, many of which are themselves diasporas, having spent more of their lives abroad than in Africa (Peffer 2005; Hochschild 2020; Jacobs 2019)? What is clear here is that responses to the problem of these objects’ absence from their places of origin vary widely, agreeing on only one thing: that there are no clear answers to this challenging situation, but that finding a solution is a top priority. I extend this argument past the European tsunami that reignited the kerfuffle and into the hands of North American museums: We too are complicit and we too are responsible.

So how do we make sense of all this and where do we go from here?

**NOT A NEW ISSUE**

Readers of *African Arts* might note that a number of recent First Words have already addressed this issue (Monroe 2019; Ndiaye and Monroe 2019; Roberts 2019), in addition to a Dialogue (Hersak 2019). All have cited the many obstacles and concerns that hold us in their thrall. All are well researched and impassioned critical inquiries with summaries that I will not repeat ad nauseum here. However, a great majority of the case studies, conferences, and articles are focused on direct transmissions of objects into the European context, whereas American museums (i.e., recipients of indirect transmission) and scholars are at a loss as to what to do. What I aim to add is a focus on North American museums—Belgium, France, and the UK are already at the center of these debates, while this spotlight has rarely been turned on museums in the United States and Canada, whether in the pages of *African Arts* or elsewhere. It is intellectual conversation without demonstrable action—yet (Opoku, 2017). We have no guidelines and few, if any, case studies. This is why scholars such as Z.S. Strother, among others, have suggested looking to NAGPRA as a US-based model, which for various reasons is encouraging and could be rather productive (Nevadomsky 2018; DeBlock 2019; Luntumbue in Clette-Gakuba 2018).

Yet this issue hasn’t simply emerged in the last few years, as it may appear. Bénédicte Savoy, amongst other presenters such as Roger Gicquel, Ekpo Eyo, and Amadou-Mahtar M’Bow (see also Sarr and Savoy 2018: 20–21; Mitter 2019) cited numerous archival examples from Germany, France, and the United Kingdom from the 1970s through the 1980s. Amadou-Mahtar M’Bow, then director of UNESCO, like many others cited the robbing of memory and the knowledge needed to construct identity. Calling it “a legitimate claim,” he requested that the art treasures that best represented African societies, that were most vital, be returned—but not by any means all of them (Sarr and Savoy 2018; M’Bow 1979). However, Pap Ndiaye, in his paper “African Art and the African Diaspora in a Historical Perspective” presented at the Columbia University symposium *The Restitution Debate* (see below), discussed an even greater longevity that originated in mobilizations of the 1920s and 1930s: “the restitution debate certainly became visible in the 1970s but the idea of restitution, the dream of restitution has a longer and deeper history which can be traced in speeches, articles, books, [and] oral memories that should all be studied by historians.” In short, this conversation was begun forty years ago based on deeper tenets, was legitimate and “reasonable,” but lost traction and is only now resurfacing with urgency.

I argue that repatriation—restitution—return—reparations is a longstanding global problem (not just a European one) and that American museums are complicit. Further, conversation is simply not enough, despite the pervasive fear of repatriation repercussions: black markets, misuse and misappropriation by governments or heads of state, excessive tariffs, etc. See, for example, Nevadomsky (2018) in regards to the repatriation of twenty-seven Mijikenda vigango memorial posts, mentioned by both Hersak and Roberts. This may be one of the only instances of return of artworks to Africa from an American institution, but as Nevadomsky details, measuring its relative “success” depends on where you’re standing. Indeed, the posts languish in a Kenyan cargo shed somewhere between postmodern epistemological discourse and global realities. Such is the situation we all face, but it is imperative that we do not lose momentum. Without it, all African objects with conflict-ridden histories conceptually exist in this liminal space. I want to follow up on calls to action by Hersak and Strother (Hersak 2019: 10; Strother 2019), which I will end with a similar call for action and accountability.

**A CONVERSATION REKINDLED AND WHAT’S AT STAKE**

The first of the three post-Sarr-Savoy symposiums was hosted by the North Carolina Journal of International Law and occurred on October 11 at the University of North Carolina, Chapel Hill. Entitled *Patrimony in Peril*, speakers presented on the legal and policy issues entangled with global patrimony, as well as heritage sites in crises, primarily in the Middle East and North Africa. Central to each of three panels were the deeply entangled and variable laws that accompany the
specific cases and countries involved. A similar conclusion was reached by Dauda Keïta of the Musée national du Mali in his paper "Let's Repatriate Our Unknown Cultural Heritage" at Columbia's Restitution Debate conference a week later:

The process of restitution of African cultural heritage will only really be effective when the partners work together to develop a program that takes into account the specificities of each country. It must also provide complete information on each object and especially allow access to the storage facilities of French museums where African cultural heritage is preserved. Restitution of cultural property must follow the principle of bringing the cultural property back to where it was taken.

The discussion at the UNC event recognized that the associated terms—repatriation, restitution, return, and reparations—are often confused or used interchangeably, and this is something that seems to happen on all sides of the debate. To clarify: Repatriation is the process by which objects are returned to a state or nation, while restitution constitutes a return to an individual or community, and reparations involve these processes but also includes a philosophical component of repair and healing, including the official acknowledgment, apology, and atonement for past wrongs. This may involve seeking out other voices, the exchange of objects more broadly, and the opportunity to better define cultural diplomacy. As Roberts puts it, the process is "a repatriation of agency" (2019: 4).

During the presentations and discussion at UNC, larger, more established American and European museums were mentioned by name with some degree of agitation if not outright vitriol, and they were described as jealously guarding their holdings or simply taking no action whatsoever. As the only two curators in the audience, both from the NCMA, Michele Frederick and I piped up to note that we were there and clearly—we cared. Ensuing audience dialogue revealed that while smaller museums (like ours) might be more nimble in terms of restitution and return, they may be more susceptible to financial strain by the return of major works and through any associated litigation. It also became clear that the "recycling" of objects through European hands is convenient for the market and thus American museums. The primary conclusion from this conference was that specific legal expertise is necessary and museums need to involve legal counsel early—as a rule of thumb, from the moment they consider repatriation. This conference also illuminated the cultural heritage sector’s lack of trust in museums and that trust must be earned through action.

A similar need for building trust in and between governments, institutions, and museums was apparent in the second conference, which took place a week later (October 18, 2019) in New York. This symposium was entitled The Restitution Debate: African Art in a Global Society and was organized by Columbia University’s Institute of African Studies and Italian Academy for Advanced Studies in America. The event assembled an impressive number and caliber of contributors—academics, curators, and philosophers, a good number of whom came from the continent, as well as Savoy and Sarr themselves. The presentations and resulting discussions entailed the most impactful and impassioned debates, which have to no small degree impacted this essay. Nine of ten the presentations are available online via the conference’s website, in addition to commentary by Z.S. Strother and Souleymane Bachir Diagne, so I will not spend much time summarizing the particulars of their fascinating presentations, several of which have already been mentioned. What I will note is that time was spent dispelling offensive, Eurocentric ideas and arguments that Africans aren’t “ready” to receive objects; several presenters noted that at least 500 museums on the continent are in existence and visited (Marie-Cécile Zinsou; Ciraj Rassool; Erica Jones); that African museums remain trapped in relations of dependency that need to be surmounted (Ciraj Rassool; Erica Jones; Dauda Keïta); that it is the responsibility of African communities to define their vision of cultural heritage and the ecologies in which they would like to insert their objects (Felwine Sarr; Z.S Strother); and that there is an emotional and intangible aspect of restitution and heritage that should be attended to ultimately through a "new relational ethics," careful listening, and focused collaboration.

Just a few days later, yet another conference, cohosted by the Smithsonian Institution and Yale University, was held at the Hirshhorn Museum, Washington DC, October 21–22, 2019 as part of the Global Consortium for the Preservation of Cultural Heritage's annual meeting. The global theme, Museum Communities and Equity, included an African component, with panelists debating restitution as part of a broader discussion of equity and access. The second day of the conference focused on Africa. The day’s first session centered around the many changes made to collections access and storage practices for indigenous American communities and how these changes have profoundly impacted museum policy on heritage assets. Examples illustrated the various expansivie and fluid ways arts have been and can be accessed, utilized, stored, and loaned to communities for spiritual, religious, and performative purposes. The Smithsonian, for example, has consulted widely with indigenous communities, who assisted conservators in treatments and repairs using local techniques and sinew thread for the Living Our Cultures, Sharing Our Heritages: The First Peoples of Alaska exhibition, and communities utilized a substantial number of Smithsonian loans in indigenous performances.

During the second half of the day, conversations ranged from problematics with the term...
“traditional” and its opposition to “contemporary”—where does one start and the other end?—to a further discussion of the challenges African museums face. Most relevant here was the presentation by Daudi Karungi, director of the Kampala Biennale, who not only articulated the challenges facing a majority of Kenya’s museums (space, collections, resources, finances), but enumerated new roadblocks: security, terrorism, fewer international visitors, and reductions in revenue. Development professional Asif Shaikh picked up where Karungi left off, noting that arts and culture are often left out of broader funding packages, primarily because their benefits are difficult to prove quantifiably.20 Another key issue that emerged was education, training, and mentorships. Karungi agreed that “what was taken away should be brought back to our country,” but admitted that Kenya might not yet be ready due to a lack of public knowledge about restitution, not to mention resources and collections care. In this instance all agreed that training, using other countries (like Nigeria) as models, is key, as are funding packages that should accompany returns. The day concluded with a discussion of future possibilities and bold ambitions. Moderated by Christine Mullen Kreamer of the National Museum of African Art (NMAA), this session brought together a number of African curators and professors in conversation with administrative heads of Western museums.21 Closing remarks ended on a note of collaboration, with verbal commitments for the participating museums to develop budgets and grants to support cultural heritage, inventories, and restitution. As Gus Casely-Hayford, former director of NMAA, put it: we should be “sharing the burden and trying to find solutions together.”

CONVERSATION IS NOT ENOUGH

I want to conclude with an example from the Benin Kingdom in the collection of the NCMA that is currently on view (Fig. 2). The cast copper alloy and silver bell (erewo) was created sometime in the nineteenth century (before 1897) by an unidentified Edo artist and originally would have been placed on an altar, where its ring called ancestral spirits to and originally would have been placed on an altar, where its ring called ancestral spirits to

conducting research on conflict-driven collections, we wouldn’t have secured the opportunity for pro-bono provenance researchers.21 This piece is the “best” case scenario—meaning its history was conveniently emblazoned on its surface—and already we have potentially identified the Dr. Menzies in question. The NCMA Benin Kingdom elevo also delineates some of the critical issues that many American museums are facing: state, city, or national institutional guidelines might prevent return (and what do we do with that?); while Benin Kingdom arts receive greater attention, this is a much larger and longstanding issue; input from stakeholders will need to be sought and the level of emotion and memory ascertained and considered; the government of Nigeria is separate from the royal family and Nigeria’s modern borders did not yet exist, so context is important and complexity is a defining character; and finally, this artwork presents one of the easiest starting points for action regarding provenance research. This will not be the case for a majority of our African collections in Western collections.

Starting somewhere is the point, and many of us are doing provenance work. Conversation—indeed, careful listening—is imperative as well, but too much can stagnate the process as it did forty years ago. We, as scholars and museum practitioners, need to start chipping away at this mountain. While we are at the listening stage, it is time to start planning and implementing actionable items. These provenance efforts may or may not prove fruitful, but I would suggest that we can with a large degree of certainty ascertain that certain genres of objects very likely came out under duress due to the object’s importance (for example, to the court of Benin), historical circumstances (for example, the Biafran war) and/or convenient gaps in time, as the RISD Museum did in their recent but unsuccessful attempted repatriation efforts (Raichovich 2019). We may also listen to African communities who designate objects of significant importance to national or cultural heritage and simply let go.

While no cultural institution has yet permanently returned artworks to Nigeria, larger museums have been able to come to agreements regarding long-term loans. These loans are a positive effort, but in order to truly return agency to African institutions, ownership should be transferred to African stakeholders and loans back to Western institutions then be considered (see Opoku 2019, 2020). So far, private individuals have had more success, including a bell strikingly similar to the NCMA’s which was returned in 2013 by Briton Mark Walker.21 If restitution opens up a new “space for creativity” for youth and young people in Africa, as Sarr has suggested, one then wonders if works like these bells will inspire a new generation of artists, curators, and scholars in

Nigeria as restitution did in the work of Eddy Kamuanga Ilunga (Sarr and Savoy 2018: 4). Restitution and reparations offer the opportunity to more directly transform and be transformed by objects, to access and thereby adapt knowledges, and to ultimately build a new, more ethical, inspired, informed and informative future.

A CALL TO ACTION

We are in a moment of information gathering and attentive listening to our peers and colleagues, both on and off the continent. Should our conversations remain ephemeral, we stand to lose a great deal. In order to maintain momentum and not fall prey to the failure of earlier decades, several next steps should be taken. Based on the conversations I witnessed and participated in at the events in Chapel Hill, Washington, and New York, I call for museum professionals, grant funding organizations, and heritage sectors to:

• Form a consortium (with NAGPPRA as a potential model) to form guidelines and strategies
• Commit to regular meetings that report steps planned and made to this consortium
• Create and publish inventories and databases of all historic African works
• Conduct in-depth provenance research
• Recognize that emotion matters
• Maintain transparency (with regards to objects, histories, provenance, and willingness to commit)
• Observe tangible as well as intangible heritage
• Make financial commitments and/or secure grant funding
• Secure community and stakeholder feedback and involvement

Ultimately, museums need to take responsibility, publish historic African works, and raise the funds to work with the associated stakeholders. This will prepare us to deal with works that continue to flow out of Africa under similar conditions today (looting, conflict, extortion, etc.). I would like to suggest a conference in one year’s time—in person or virtual, as the pandemic evolves—to present research findings and offer the opportunity for museum professionals to share stories of successes or foibles. This should be the subject of dissertation and focused scholarly research. It is imperative that a better understanding of the history of collecting in a contemporary context be explored and disseminated so that forward momentum is maintained, and in order to benefit the next generation of scholars and stakeholders.

Perhaps next time we meet, the NCMA bell will have even more to tell.
Notes
1 Interview conducted by Carlee S. Forbes and translated by University of North Carolina student Sarah Frisbie.
2 Bénédicte Savoy is a French art historian focusing on the cultural history of African art in France from the eighteenth to twentieth centuries. She is affiliated with the Collège de France and is professor in the departments of art history and technology at the Technische Universität Berlin, where she also serves as chair for modern art history. Felwine Sarr is a Senegalese economist, poet, philosopher, and artist who currently teaches as professor of economics at the Universität Göttingen Berger, Saint-Louis, Senegal.
3 The papers presented and conversations with many attendees at the conference deeply informed this Final Word. My thanks to everyone involved for your stimulating thoughts and discussions.

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4 It has been argued that museums arose out of the broader civicizing narrative accessible only to the most elite patrons. Collecting, owning, and displaying the world in a "temporal" way was a way to establish and establish and assert Africa's contributions. Additionally, Sidney Lonetree and Denzin, Lincoln, and Tuhiwai Smith, and Foran, Strother (2019) points out in an op-ed for The Atlantic, "In Restitution Debate," participation with communities on the continent. The NCMA has been publishing a study on its collection. It's a win-win situation and illustrates that conversation does work and can produce meaningful action.
5 Walker is the grandson of a former soldier who participated in the sacking of Benin City. According to NPR's Emma Jacobs (2019) and "the voice and challenging the power of the curator and the museum by deconstructing binaries, using multivocality, and tackling the trauma of colonization head on. Decolonizing arguments for materialist and discursive connections postcoloniality and seeks to open and rupture the technologies of colonization, such as language, which is crucial when examining the language of museums, exhibitions, and labels. Broader, none of us contains only one identity. See the works of Amy Longettet, Lincoln, and Tuhiwai Smith, and Foran, Strother (2019) points out in an op-ed for The Atlantic, "In Restitution Debate," participation with communities on the continent. The NCMA has been publishing a study on its collection. It's a win-win situation and illustrates that conversation does work and can produce meaningful action.
6 According to Shaikh, good governance is key to care, and therefore restitution of historic, art, as billions of dollars flow to countries like Mali and Nigeria because of their long history of arts and associated governance.
10 The NCMA consistently researches the provenance of its collections and has a history of the return of several objects. Example, Lucas Cranach the Elder’s Madonna and Child in a Landscape (ca. 1518), was found in 2000 in the United States and returned by the Nazis. The NCMA worked with the Viennese family to return the artwork. In gratitude, the family gave half the value of the painting back to the museum so it could stay in the NCMA collection. It’s a win-win situation and illustrates that conversation does work and can produce meaningful action.
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13 As Nevzati's paper, "repatriation is convoluted " and "never straightforward." Immediate justice and art galleries are empty at any time soon. Not all Afrodecendants want to repurpose their property. Some agree that the object of history and culture and culture are best kept in museums for consultation by future generations" (2019: 279).
14 The conference papers are expected to be published in a special issue of the North Carolina Journal of International Law, vol. 45, issue 1, forthcoming 2020.
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in memoriam

Daniel P. Biebuyck 1925–2019

Allen F. Roberts

Daniel P. Biebuyck died on December 31, 2019, aged 94. First trained in philology and law at the University of Ghent, Dr. Biebuyck took advanced degrees in cultural anthropology at the London School of Economics. Working for the Belgian Institute for Scientific Research in Central Africa from 1949 to 1961, he undertook detailed ethnographic studies in east-central Belgian Congo among Lega, Nyanga, Bembe, and related peoples. He wrote monographs and scholarly articles from these experiences, and through shorter IRSAC projects, he visited more than fifty other Congolese ethnic groups, contributing to wide-ranging overviews such as Congo Tribes and Parties (1961) that he coauthored with Mary Douglas. Through a position at the University of Delaware in 1961, Dr. Biebuyck helped found the Department of Anthropology. After teaching anthropology at UCLA from 1964 to 1966 and curating the university’s first African collections, he returned to Delaware for the rest of his long career. He enjoyed guest professorships at Yale and several other universities, and retired from Delaware as H. Rodney Sharp Professor of Anthropology and the Humanities in 1989. Dr. Biebuyck’s last years of teaching were at the University of Southern Florida as Golding Distinguished Professor of African Art.

Dr. Biebuyck’s greatest intellectual passions were African visual and narrative arts. Among his many publications, Lega Culture: Art, Initiation, and Moral Philosophy among a Central African People (1973) remains one of our most significant studies of African humanities to date. Lega people produced an astonishing panoply of sculptures in ivory, bone, and wood, and as Dr. Biebuyck evocatively demonstrated, single objects and complex displays were mnemonic and didactic, recalling aphorisms, relationships, and ethical purposes of Bwami as a Lega association through which initiatives achieved increasing levels of esoteric

Photo: reproduced with permission from Brumhilde Biebuyck


Photo by Henri Brands during the shooting of Les Seigneurs de la Forêt (dist. Twentieth Century Fox, 1958), for which Dr. Biebuyck was a consultant.

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