

Should Museum Art and Antiquities be returned to their country of origin?

Who is the rightful owner of an art work?

If an art work is taken from its country of origin, taken from its culture – should it be returned? Nations around the world have been fighting over artworks for centuries, endeavouring to determine the value of the artwork in question. Is the value only due to the money that a country can make through means such as tourism? Or does the value go deeper in to the culture of the person or people who created it? For many centuries around the world, art is the only tangible thing that is left. It has survived war, through time. Artwork lives on and tells a story of times gone by. Does this not give the artwork value? The Parthenon Elgin marbles, the bust of Queen Nefertiti and the battle between Spain and the Cassirer family for a Pissarro painting are all among many controversial arguments.

Another conflict of interest in the ownership of art is a Pissarro painting in a Spanish museum. Just as the British Museum is the best place for the Elgin marbles to be viewed and appreciated by the whole world, the Spanish museum also provides a public area where the work of Pissarro, a famous Impressionist, can be viewed. “Rainy Day in Paris” by Pissarro is better left where it is. Until recently it was unknown that this painting was originally stolen by the Nazis. Claude Cassirer has fond memories of his grandparents’ painting hanging in the living room for years before the Nazis came and removed it. Photographic evidence proves that this is in fact the case. The family escaped with their lives on condition that they leave the painting behind. When the war ended “proof of systematic plunder in cultural artefacts was revealed”. Thousands of paintings and sculptures had been stolen from families, museums and even churches. The Cassirer family’s Pissarro remained missing for more than 60 years until it turned up in a Spanish museum having changed hands at least five times in three countries over a fifty year period. When Claude Cassirer saw his family’s painting had been found, he commissioned the museum to return what he believed to be stolen. Thus began the long and still on-going battle over the ownership of this 20 million dollar painting.

Historically, Pissarro’s work was revolutionary in the art world. Pissarro was an artist who was involved in the Impressionist movement alongside other well-known artists such as Monet, Renoir and Degas. At the time (1870s) this movement was particularly avant-garde in its style. Impressionism focused on the effect of light and reflections on shape and created some truly incredible work. This artwork should be freely exhibited in the museum, able to be appreciated by all. If the painting was given back to the Cassirer family it would most likely be kept in a private home or collection, unable to be viewed freely. An artwork of this importance should be open to the public.

Morally the painting should have been returned to Claude Cassirer. In an interview, he explained that “with the painting was my grandmother’s love and how she fed me, how she went on excursions with me, helped educate me. All these things are interrelated.” The painting held many intimate memories from the time that it had hung in his grandparent’s living room. In Claude’s eyes, the painting had been stolen and “You cannot keep stolen goods”. He has since passed on and his family have taken over the fight in his memory but I feel that the personal connection to the painting to return it is redundant.

The Spanish Museum is comfortable with the fact the painting has had five previous owners over a multitude of years, the painting now belongs to them and they have no legal

entitlement to pass it on. They are the one “legitimate owner of the painting” and “M.Cassirer’s claim that the painting be returned to him has no legal foundation in accordance with Spanish law”. Also, it has been shown that the Cassirer family has been given \$13,000 compensation for the painting; therefore the case can be made that the Cassirer family has been reimbursed. Thomas R.Kline, legal expert from George Washington University says “Generally the more the object changes hands the more difficult the case will be. The point at which law ends and morality ends is often very hard to find. The museum has to make a legal, moral and ethical judgement about what it should do.” In conclusion, the above three cases mentioned should stay where they are. Even though they came from a culture that wants them back, they have created a culture around themselves from spending so long in one place, or in the case of the Pissarro, many places. Also, having the artworks sitting outside of their normal context and country allows them to be viewed by many who can see them alongside other cultures and works, enriching the culture of those who see it. Morally, stolen artwork should be returned to its original owner, but in the cases where art was purchased legally, the art should stay where it is. As Ronald S. Lauder says, “The problem of stolen art must be recognised as a moral issue that can be solved only with morality as its primary basis.”

3

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2