
THE ACROPOLIS, THE PARTHENON, ELGIN AND THE MARBLES
SEMINAR PAPERS, POWERHOUSE MUSEUM, SYDNEY, 26 AUGUST 2000



PRESENTED IN ASSOCIATION WITH THE INTERNATIONAL
ORGANISING COMMITTEE - AUSTRALIA
FOR THE RESTITUTION OF THE PARTHENON MARBLES

First published online 2002
Powerhouse Publishing, Sydney, Australia



part of the Museum of Applied Arts and
Sciences
PO Box K346 Haymarket NSW 1238
Australia
The Museum of Applied Arts and Sciences
incorporates the Powerhouse Museum and
Sydney Observatory

Editing: Karin Vesik, Powerhouse Museum
Layout: Anne Slam, Powerhouse Museum
Cover design: Rhys Butler
Cover photo: Paul Donnelly, Powerhouse
Museum

The Acropolis, the Parthenon, Elgin and the
marbles: seminar papers, Powerhouse
Museum, Sydney, 26 August 2000.

ISBN 1 86317 091 X

1. Parthenon (Athens, Greece) — Congresses.
2. Elgin marbles — Congresses.
3. Marble sculpture, Ancient — Greece — Athens — Congresses.
4. Acropolis (Athens, Greece) — Congresses.
5. Athens (Greece) — Antiquities — Congresses.

722.809385

© 2002 Copyright in relation to each paper is
vested in the author.

© 2002 Copyright in the published edition and
in the compilation is owned by the Museum of
Applied Arts and Sciences (Powerhouse
Museum), Sydney.

This work is copyright. You may download,
display, print and reproduce this material in
unaltered form only (retaining this notice) for
your personal, non-commercial use or use
within your organisation. All other rights are
reserved. Inquiries should be made to
Powerhouse Publishing.

The opinions in this publication expressed by
individual authors are their own and are not
to be taken as representing the views of the
Powerhouse Museum.

Published in conjunction with the seminar
'The Acropolis, the Parthenon, Elgin and the
Marbles' held at the Powerhouse Museum,
26 August 2000. Presented in association
with the International Organising Committee
— Australia — for the Restitution of the
Parthenon Marbles (now known as
Australians for the Return of the
Parthenon Marbles).

Chairs

Jennifer Bott, General Manager, Australia
Council; honorary member, International
Organising Committee — Australia — for the
Restitution of the Parthenon Marbles
Dr Vrasidas Karalis, Head, Department of
Modern Greek, University of Sydney
The Honourable Neville Wran, QC, honorary
member, International Organising Committee
— Australia — for the Restitution of the
Parthenon Marbles
Shane Simpson, Chair, NSW Museums and
Galleries Foundation; Chair, NSW Film and
Television Office

Speakers

The Honourable E G Whitlam, AC, QC,
honorary member, International Organising
Committee — Australia — for the Restitution
of the Parthenon Marbles
David Hill, Director of International Affairs,
International Organising Committee —
Australia — for the Restitution of the
Parthenon Marbles
George Vardas, Secretary, International
Organising Committee — Australia — for the
Restitution of the Parthenon Marbles
Kylie Winkworth, freelance curator; Trustee of
the Powerhouse Museum

Summation

Dr Nicholas Pappas, member, International
Organising Committee — Australia — for the
Restitution of the Parthenon Marbles;
member, First Greek Australian Museum
Foundation Committee; Trustee of the
Powerhouse Museum

Foreword

'The Acropolis, the Parthenon, Elgin and the marbles' seminar, held at the Powerhouse Museum on 26 August 2000, marked the first time that the long-disputed issue over the return of the ancient Parthenon sculptures to Greece had been discussed in a public forum in Australia.

The seminar coincided with the official opening at the Powerhouse Museum of a photographic display about the Parthenon marbles that was first launched in London in 1998, by the Greek singer Nana Mouskouri who funded the exhibition. After touring more than ten venues in the United Kingdom the display came to Australia for the first time, to raise awareness and encourage Australian support for the return of the marbles.

The public debate could not have been timelier as many Australians were enjoying a magnificent collection of Greek artefacts in the exhibition *1000 years of the Olympic Games: treasures of ancient Greece*. Developed by the Powerhouse Museum, the exhibition was organised and lent by the Hellenic Ministry of Culture, as a contribution to the celebration of the Sydney 2000 Olympic and Paralympic Games. The Powerhouse hopes to return the favour by making this contribution to the case for the restitution of the Parthenon marbles.

The seminar was organised by the Powerhouse Museum in association with the International Organising Committee – Australia – for the Restitution of the Parthenon Marbles (now known as Australians for the Return of the Parthenon Marbles). I'd like to thank all the contributors and chairpersons who made the day such a success, in particular Mr David Hill and Mr George Vardas who greatly assisted us in developing the program.

Dr Kevin Fewster, AM
Director, Powerhouse Museum

Contents

Foreword	3
Dr Kevin Fewster, AM, Director, Powerhouse Museum	
Introduction	5
‘What are the Parthenon marbles?’	
Opening speech	6
‘Pericles, Pheidias and the Parthenon’	
The Honourable E G Whitlam, AC, QC	
‘The Elgin story and the history of the Parthenon marbles’	14
David Hill, Director of International Affairs, International Organising Committee — Australia — for the Restitution of the Parthenon Marbles*	
‘Who owns the past? Legal, ethical and cultural issues relating to the return of the Parthenon marbles’	20
George Vardas, Secretary, International Organising Committee — Australia — for the Restitution of the Parthenon Marbles*	

* Now known as Australians for the Return of the Parthenon Marbles.

What are the Parthenon marbles?

When the Parthenon was built, between 447 and 432 BC, three sets of sculptures were created to adorn it. These consist of individual sculptural reliefs of battles, centaurs and Olympian gods; a 160 metre frieze of a temple procession; and pediment statues of gods.

Taken from the Acropolis in 1801 by the then British Ambassador to the Ottoman Empire, Lord Elgin, who intended them as ornaments for his estate garden, the Parthenon marbles were sold to the British Government in 1816. The sculptures are now in the British Museum.

In August 2000, the Powerhouse Museum held a seminar — ‘The Acropolis, the Parthenon, Elgin and the marbles’ — on the history of the Parthenon marbles and their removal to Britain in 1801; and on museums and the repatriation of cultural artefacts. The following papers are a selection from the seminar.

‘Pericles, Pheidias and the Parthenon’

The Honourable E G Whitlam, AC, QC

Under Darius the Great, who ruled from 521 to 486 BC, the Persian Empire extended from Egypt through Asia Minor to Macedonia. In 500, some of the Greek cities on the coast of Asia Minor revolted and Athens, the most significant maritime city-state on the Greek mainland, sent a small fleet to support them. In 490 a Persian army of 25 000 men landed unopposed on the plain of Marathon. The Athenians sent 10 000 men against them and, due to the tactics of their general Miltiades, expelled them. Pheidippides ran with the news to Athens.

Ten years later the Persians returned in vastly greater numbers under Darius’ successor, Xerxes I. The Greek army was commanded by King Leonidas of Sparta, the only Greek city-state that had kings, and the Greek navy was commanded by the Athenian Themistocles. Leonidas and his finest troops were killed holding the pass of Thermopylae. The Persians moved on and burned Athens. The population of Athens had been evacuated by sea to Salamis. Their navy severely defeated the Persian navy, which retreated to Asia.

In 478 BC, under the leadership of Athens, most of the Aegean islands agreed to contribute ships or money to a Delian League against the Persians. In 454 the League transferred its treasury from Delos to Athens. Within five years the League had become an Athenian empire and Athens had a democratic leader, Pericles, who was in his late 40s. He used the Delian League’s reserves to rebuild the temples destroyed by the Persians on the Acropolis.

The Parthenon, the temple of Athena the Virgin (Parthenos), designed by the architects Ictinus and Callicrates, was commenced in 447. The temple was completed and the 12-metre statue of Athena in gold and ivory by the Athenian sculptor Pheidias was dedicated in 438. The temple of Nike (Victory) and the Propylaea were begun in 437. Pericles died in 429.

The Parthenon is the paragon of Doric temples. The first Doric temples were built in the 6th century BC at Olympia, Syracuse, Selinus, Paestum, Delphi and Agrigentum. In the 5th century more were built in Aegina, Syracuse, Olympia, Agrigentum, Paestum and Athens itself (the Theseion). Ictinus commenced the temple of Apollo Epikourios at Vassai before, and completed it after, the Parthenon. (The Menzies government’s National Library has eight columns at each end but only 16 instead of 17 on each side.) Pheidias’ nine-metre bronze statue of Athena Promachos for the Acropolis was made about 456. His 13-metre ivory and gold statue of Zeus at Olympia, one of the Seven Wonders, was made about 430. Pheidias and his assistants were also responsible for the marble sculptures of the Parthenon.

Athens was occupied by the Spartans in 404, Philip II of Macedon in 338, Mithridates VI of Pontus in 87 and Sulla in 86. It was sacked by the Heruli in 267 AD, Alaric in 396 and the Slavs in 582. None of them stripped or damaged the Parthenon. About 450 the Parthenon was converted into a Christian church dedicated to the Holy Wisdom. The statue of Athena Parthenos was taken to Constantinople. The church was the seat

of a bishop. In the 9th century he was raised to metropolitan status.

In 1203 the armies of the Fourth Crusade laid siege to Constantinople. The statue of Athena was destroyed in a riot in the city. When the Crusaders took over the city in 1204, they appointed a Duke of Athens. The Parthenon became the Cathedral of Notre Dame d'Athènes, the Propylaea was converted into the ducal palace and the other buildings of the Acropolis were used as churches. The Florentine Acciaiuoli dukes re-established the Orthodox Cathedral of Maria Vergine del Partenone in 1403. The city fell to the future Emperor Constantine XI in 1446 and to the Turks in 1456. The Parthenon was converted to a mosque.

The Turks twice besieged Vienna, in 1529 and 1683. After the second siege was raised by King Jan Sobieski of Poland, the Catholic powers attempted to drive the Turks out of Europe. The greatest Venetian general, Francesco Morosini (1618–94), overran the Peloponnesos and besieged the Acropolis of Athens. There had been a Turkish powder magazine in the Propylaea before it exploded after being struck by lightning in 1645. A new powder magazine was placed in the Parthenon. On 26 September 1687 the Parthenon received a direct hit from a Venetian cannon. I quote William St Clair's authoritative book, *Lord Elgin and the marbles*:

When the garrison surrendered and Morosini took possession of the Acropolis he decided to take home to Venice as a trophy of his conquest the large group of sculptures from the west pediment which had survived the explosion. But when his engineers were lowering the massive statues their cables broke and the whole group was shattered. A head from one of the pedimental

figures, now in Paris, was taken back to Venice by Morosini's secretary. Two heads from a metope, now in Copenhagen, were taken by another officer of his army. The following year Morosini was compelled to withdraw from Athens, leaving the Acropolis a heap of marble rubble. More damage was done to the Parthenon in one year than in all its previous history.

The Venetians gave Morosini the title Peloponnesiaco and elected him doge.

British readers became familiar with the features and sculptures of the Parthenon from the descriptions and illustrations in *The antiquities of Athens* (1762) by James Stuart (1713–88) and Nicholas Revett (1720–1804). The first ambassador to seek sculptures from the Parthenon was a French nobleman, the Comte de Choiseul-Gouffier. He had met the French antiquary Louis-François-Sébastien Fauvel on a tour of Greece in 1780. They carved their names on the Monument of Philopappos in Athens. The British ambassador protested at their activities. The Turkish authorities refused to let the French remove any sculpture from the building itself.

The next British ambassador was a Scottish nobleman, Thomas Bruce (1766–1841), seventh Earl of Elgin. He presented his credentials to Sultan Selim III in November 1799. He engaged Giovanni Battista Lusieri (Naples 1755–1821 Athens) to work for him in Athens as Fauvel had worked for Choiseul-Gouffier. Elgin's arrival was timely. Napoleon Bonaparte's Egyptian Expedition had invaded Turkey's most precious province in July 1798. Nelson had destroyed the French fleet during the Battle of the Nile on the night of 1–2 August. (The boy Casabianca stood on the burning deck of the flagship *Orient*

before it exploded.) Bonaparte escaped to France between 22 August and 9 October. The French capitulated in Egypt in August 1801. The Turks turned a blind eye to Elgin's manipulation and corruption of their officials in Athens since he was the envoy of the British Empire that had saved the Ottoman Empire.

Elgin left Constantinople in January 1803. The first part of Elgin's collection arrived in England in January 1804 and the second part in May 1812. Lord Byron admired the plunder but abhorred the thief. He satirised Elgin in *Childe Harold's pilgrimage* and in *The curse of Minerva*. In November 1815 Antonio Canova found the marbles in pristine condition. In 1816 a Select Committee of the House of Commons judged £35 000 to be a reasonable and sufficient price for the Elgin Collection of Sculptured Marbles. Elgin died in Paris.

The first sculptures removed from a Greek temple to the British Museum did not come from the temple of Athena in Athens but from the temple of Apollo in Vassai. (The Select Committee called them the Phygalian Marbles.) In 1811 John Robert Cockerell (1788–1863), an architectural student, and Haller von Hallerstein, an agent of Ludwig, Prince Royal of Bavaria (Strasbourg 1786–1868 Nice), paid £40 to the leading men of Aigina for the marble pedimental sculptures on the temple of Aphaia. They then removed the 23 marble slabs of the cella frieze from the temple of Apollo Epikourios at Vassai. In 1812 the marbles from both Aigina and Vassai were auctioned in Zante, which had been included in the Illyrian Provinces of the Napoleonic Empire but had been occupied in 1809 by the British general Richard Church (Cork 1784–1873 Athens). The Aigina marbles were purchased for Prince Ludwig for £6 000. He had them renovated by Thorvaldsen in Rome and

built the Glyptothek to house them in Munich. The Prince of Wales, newly installed as Prince Regent, provided £15 000 for the British Museum to acquire the Vassai marbles.

(The Prince Regent was crowned as George IV in 1820 and the Prince Royal as Ludwig I in 1825. In 1827 Sir (1822) Richard Church was appointed commander in chief of the Greek forces. Prince Otto (1815–67), the second son of King Ludwig, was elected King Othon of Greece in 1832. King Ludwig, diminished by his association with Lola Montez, abdicated in 1848, the year of revolutions in Europe. King Othon was deposed in 1862. There is an obelisk to Church in the Protestant corner of the First Cemetery of Athens. A window with an inscription by Gladstone is dedicated to him in St Paul's Anglican Church designed by Cockerell in 1840. In the wall of the same church there is a marble monument to Lusieri. The present members of the Bavarian royal family are descended from our Stuart dynasty. Duke Franz of Bavaria has been the Stuart pretender since July 1996.)

My wife and I have very happy recollections of our visit to Zakynthos on Saturday 5 March 1983. The capital had been beautifully restored after the earthquake of 1953. There were fascinating reminders of the romantic poets Foscolo, Kálvos and Solomós, who were born there in 1778, 1792 and 1798. That evening we listened to the broadcast of the Labor Party's return to power under Bob Hawke. On Monday 7 March I was received in Athens by the Minister for Foreign Affairs, on Tuesday by Prime Minister Andreas Papandreou and on Wednesday by the Minister of Culture and Science, Melina Mercouri. She had been invited to visit Australia by the Fraser Government. I assured her that the Hawke Government would be even more delighted to welcome her.

In 1983 the Hawke government appointed me the Australian Ambassador to Unesco. In the opening speeches at the General Conference in October Melina Mercouri was followed by Senator Susan Ryan, Bob Hawke's Minister for Education, who announced that Australia proposed to become a party to Unesco's 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. In September 1984 Australia acceded to the 1954 Convention, but, due to ministerial and bureaucratic bungling, not the companion Protocol. In pursuit of the 1970 Convention I went to Athens in April 1985, as an observer at the fourth session of Unesco's Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation, chaired by Melina Mercouri. I observed the United Kingdom's reluctance to discuss the return of the Parthenon Marbles pillaged by Elgin. Australia was elected to the Committee at the next General Conference (8 October – 9 November 1985).

In the following February Lionel Bowen, Minister assisting the Prime Minister, wrote to an important Greek organization:

Australia has shown sympathy in United Nations fora for the broad principle of restitution of cultural property. When the question was raised generally at the United Nations General Assembly in November 1981, Australia voted in favour of the resolution, and was commended for its attitude at the second and third sessions of the Unesco Committee for Promoting Return of Cultural Property in

September 1981 and May 1983 respectively.

The Government recognises that the return of the Parthenon Marbles is a matter which the Greek Government, community and an increasing number of distinguished citizens and professional organisations regard as being of the utmost importance and has taken a sympathetic position on the question whenever the issue has been raised with the Government as, for example, in discussions in 1984 between the Minister of Arts, Heritage and Environment, Mr Cohen, and the Greek Minister for Culture, Ms Melina Mercouri.

Legal advice available to the Government is that the return of the Marbles is essentially a political matter to be resolved between the British and Greek Governments rather than a legal one and that, so far as international law is concerned, the title of the British Museum could not be successfully challenged. The Government, nevertheless, acknowledges the salience of arguments on aesthetic, technical and moral grounds.

Australia last year was elected Observer to the Unesco Committee for Promoting Return of Cultural Property and would be prepared to use its good offices in support of the return of the Marbles, should the matter be brought before the Committee.

As a member of the World Heritage Committee from 1983 to 1989 I was able to support the inscription of the first Greek sites on the World Heritage List, the Temple of Apollo Epikourios at Vassai in 1986, Delphi and the Acropolis of Athens in 1987, Epidavros, Mt Athos,

Meteora, the Paleochristian and Byzantine Monuments of Thessaloniki and the Medieval City of Rhodes in 1988 and Mystras and Olympia in 1989. Australia was re-elected to the Intergovernmental Committee at the Unesco General Conference (17 October – 16 November 1989). The Hawke government had accepted the 1970 Convention on 30 October 1989. The Keating and Howard governments did not seek election to the Committee.

The restitution of the Parthenon marbles was first raised in the Australian Parliament by Mark Latham a month after he was elected to my old seat in 1994. Knowledge of the Balkans is not among the talents of the most recent Australian foreign ministers, Gareth Evans and Alexander Downer. Evans obsequiously endorsed a superficial and supercilious reply by his Department:

1. The Australian Government considers that the question of the return to Greece of the Elgin Marbles, removed from the Parthenon to the British Museum in the beginning of the nineteenth century, is a matter for resolution by the Greek and British Governments. My Department has not made representations to either the Greek or British Governments, nor in Commonwealth or UN forums on this matter.
2. The fact that Australia and the United Kingdom have the same Head of State is not relevant to the resolution of this matter.

The British were still justifying the retention of the marbles in the British Museum by asserting that they were legally acquired and have been properly safeguarded. Both contentions were

demolished in the preface to the third edition of St Clair's book in 1998:

'My researches have brought to light the facts of how, in 1937 and 1938, while in the stewardship of the British Museum, the Elgin Marbles were, over a period of at least eighteen months, and against the regulations then in force in the Museum, scraped with metal tools and smoothed with carborundum in an effort to make them appear more white. As a result, the historic surfaces of most of the sculptures were severely and irreparably damaged. With recourse to the official records to which access was repeatedly denied to me until 1996, I am here able to present the full account of the circumstances in which the disaster occurred, and of the extent of the damage, which the official inquiry of the time, hitherto suppressed, said "cannot be exaggerated". I also describe the measures subsequently taken by the British Museum authorities to cover up, quite literally, the effects of the mistreatment, and then, by unlawfully denying access to the relevant public documents, to prevent the full facts from becoming known until now.'

In 1938, Lord Duveen of Millbank (Hull 1869–1939 London), the millionaire art dealer, undertook to pay for the construction of a new gallery in the British Museum to accommodate the marbles and ordered workers to 'spruce them up'. During World War II they were stored in a disused underground station at Aldwych. They were not installed in the Duveen Gallery until 1962, when at last the British Museum acquired proper air filters. Lords Elgin and Duveen were worse barbarians than Alaric the Goth.

Minister Downer has repeatedly stated that the Howard Government's position on the return of the Parthenon marbles is the same as the Keating Government's position stated by Minister Evans. Evans may not have read the 1967 and 1983 editions of St Clair's book. Downer and his Department do not have the third edition or St Clair's subsequent articles and speeches. They did not send observers to four significant conferences arising from St Clair's revelations:

- (a) the 10th session of the Intergovernmental Committee in Paris in January 1999, when a recommendation was adopted for 'further initiatives to promote bilateral negotiations' between the UK and Greece;
- (b) the seminar on 'The Parthenon sculptures: their history and destiny' in February 1999 in Washington at the Corcoran Gallery of Art, where a paper was delivered by Mr David Walden, the chairman of the Intergovernmental Committee;
- (c) the two-day conference, 'On cleaning the Parthenon sculptures', organised by the British Museum in London in November 1999;
- (d) the two-day international conference on the Parthenon Marbles organised in Athens by the Greek Government and the Greek National Committee for Unesco in May 2000.

In October 1999 the House of Commons Culture, Media and Sport Committee announced its intention to conduct an inquiry into matters relating to cultural property, including measures to control the illicit trade in such property. In February 2000 Chris Smith, the Secretary of State for Culture, Media and Sport, announced that the Blair Government would not ratify the two major

international conventions operating in this field, the 1970 Unesco Convention and the 1995 Unidroit Convention on Stolen or Illegally Exported Cultural Objects. The Committee held eight oral evidence sessions between late March and early June.

Downer and his department did not give evidence, written or oral, to the House of Commons Committee. They ignored the declaration on the Return of the Elgin Marbles, which received 341 signatures from the 626 members of the European Parliament. They ignored the petition supporting the return by members of the Australian Parliament led by Greek-speaking members Petro Georgiou (Liberal, Kooyong) and Lindsay Tanner (Labor, Melbourne). Australia's two latest ambassadors to Greece are outstanding historians and have written many books and articles on archaeology.

The Australian Committee for the Restitution of the Parthenon Marbles sent a memorandum to the House of Commons Committee. It pointed out that the Australian Committee is bipartisan and professional. Former Prime Minister Fraser, Premier Olsen, former Premier Kennett and leading monarchist, Sir James Killen, KCMG, belong to the Liberal Party and former Prime Minister Whitlam, Premiers Carr and Bracks and former Premier Wran belong to the Labor Party. The Committee includes the Chairman of the Australian Museum, Malcolm Long, the Chairman of the Sydney Opera House, Joe Skrzynski, and the General Manager of the Australian Council for the Arts, Jenny Bott.

On 4 July 2000, Dr William St Clair briefed me in London at his apartment and then in the Duveen Gallery. On 18 July Dimitrios Pantermalis, the professor of classical archaeology in the University of Thessaloniki, briefed me in Athens. Many of us met him in Melbourne

and Sydney last March. The Greek Government has just appointed him for a five-year term as president of the organisation for the construction of the new Acropolis Museum.

On 4 July, Prime Ministers Howard and Blair agreed to increase efforts to repatriate human remains to Australian indigenous communities. Indigenous human remains held in collections overseas are the responsibility of the Minister for Aboriginal and Torres Strait Islander Affairs, Senator Herron.

On 18 July, the House of Commons ordered that its Committee's report be printed. The Committee noted that Australia, Canada and France are State Parties to the 1970 Unesco Convention and Sweden and Switzerland have both announced their intention to accede. It did not recommend that the UK become a party to the Convention. It noted that the 1995 Unidroit Convention had 22 signatories and 12 State Parties. Despite Secretary Smith's announcement, it recommended that the UK sign the Convention and that the Government bring forward legislation to give effect to its provisions and facilitate early ratification. (Australia has not yet signed but France, Portugal, Switzerland, Netherlands and Russia have. Hungary and Italy are already State Parties.) The House of Commons Committee recommended departmental consultation on the terms of legislation to permit the trustees of national museums to remove human remains from their collections with a view to early introduction of such legislation.

All of us realise that the British Museum, which holds more than half of the surviving sculptures from the Parthenon, is not permitted under its current statute to engage in negotiations to return objects and that the introduction of any legislation to return the Parthenon

marbles is the responsibility of the British Government. The Australian Parliament is entitled and qualified to press the British Government to introduce such legislation. There are more people in Australia than in Britain who can speak Greek. There are more people in Australia than in Britain who know the politics and cultures of the Balkans — Orthodox, Catholic and Muslim.

It is sad that British governments, Labour and Conservative, in the second half of the 20th century have dissipated the affection and admiration that Britain enjoyed in Greece in the first half of the 19th century. Australian governments should earn the respect of the hundreds of thousands of Greek-speaking people who have migrated to Australia since World War II.

Australians, who are an exceptionally multicultural and multilingual people, should not be deterred by the floodgates argument advanced by some of the rogue elements in the official British campaign. The Greek Foreign Minister, George Papandreou, is a more literate, articulate and erudite person than the British Secretary of State for Foreign and Commonwealth Affairs, Robin Cook. Every year many more people, from home and abroad, visit the Parthenon than the Duveen Gallery. The Greeks do not ask for the Vassai marbles to be returned from the British Museum or the Aigina marbles from the Glyptothek.

The Turks do not ask for the return of the Hellenistic marbles from the British Museum to Bodrum or from Berlin to Bergama or from Vienna to Ephesus. They know that, when the first restitution of cultural property took place after Waterloo, the Bronze Horses were not sent back from the Arc du Carrousel to Constantinople, whence Doge Enrico Dandolo had taken them in 1204, but to the façade of St Mark's, since Venice had

been reclaimed by the Austrian Empire, part of the Coalition against Napoleon. If Napoleon had won at Waterloo, the Parthenon Marbles would not have gone back to the Turks in Athens and the Rosetta Stone would not have gone back to the Turks in Alexandria; both would have gone to the Louvre.

The Parthenon Marbles are incomparably the finest examples of classical sculpture. The city of Pericles was also the city of Aeschylus, Sophocles and Euripides. Athens became the city of Thucydides, Aristophanes, Socrates, Isocrates, Plato, Xenophon, Demosthenes and Aristotle. Athens was the centre of ancient Greek culture and civilisation. Western civilisation and democracy were born in Athens. Since Australians are among the inheritors of those assets, we should do what we can to have the most significant symbols returned to Athens.

‘The Elgin story and the history of the Parthenon marbles’

**David Hill, Director of International Affairs, International Organising
Committee — Australia — for the Restitution of the Parthenon Marbles**

The Acropolis, a limestone mass that rises from the Attic plain has been at the centre of Athenian life for more than 5000 years. Its most important buildings date from the 5th century BC, following the Persian invasions. They include the Erechtheum, the Propylaea, the temple of Athena Nike and, of course, the Parthenon.

The Parthenon is one of the most significant buildings of western civilisation. It has a number of remarkable architectural and geometric characteristics in that each of its parts was individually designed to contribute to the visual appeal of the overall structure. Incredibly, no two of its Doric columns are the same, which gives the building an incomparable resistance to the various theoretical attempts to reduce its design to any standard numerical formula of proportion. Accordingly it is a great work of art as well as a great feat of engineering.

We are fortunate that after 2500 years, so much of the building survives. We are also fortunate that a large portion of the marble sculptures that were part of the building also survive, though most are now in the British Museum.

The Parthenon marbles are a magnificent example of the high period of the Classic Greek Age and stand at the pinnacle of human artistic achievement. Carved from whitish pentelic marble, these beautiful classic sculptures represent a dramatic advance over the style of the earlier archaic period. Moving away from stiff symmetrical poses, the

works are typically characterised by a high degree of naturalism and idealised beauty, grace and movement, with a contrast between anatomy and attire and a variety of postures and gestures.

The sculptures should not be regarded as separate or additional to the Parthenon itself. They are an integral part of the building and its purpose. Together they achieve a unique balance between nature and pure geometry. They are the finest ancient artworks known to humanity.

Dedicated to the goddess Athena, the inside of the Parthenon was adorned with sacred ornaments and statues, the most important of which was the giant gold and ivory statue of the goddess Athena which stood well over 12 metres tall.

Sadly, nothing of the statue survives. It was lost some time around the 5th century, believed to have been taken by Christians to Constantinople and later broken up. We know something of the statue from descriptions of historians, including Pausanias who visited Athens in the 2nd century and also from some smaller and less perfect copies of the statue made during the Roman period.

The surviving marbles come principally from three parts of the building: the statues are from the east and west pediments; the sculpted metopes or panels on the architrave are from the exterior; and the Parthenon frieze is from the architrave above the internal pillars of the building.

The pediment statues were sculpted on an inspiring scale with most of the sculptures more than twice life size. The east, and most important, end of the building depicted the birth of Athena, springing from the head of the god of gods, Zeus. No trace of the central statues survives, their having been disposed of to make way for an apse when the Parthenon was converted to a church by early Christians in about the 5th century. Most of what survives are in the Elgin collection in the British Museum and include figures believed to be Kore, Demeter, possibly Iris, Hestia, Artemis and Aphrodite.

The west pediment depicts the battle scene between Athena and Poseidon for control of the land. Tragically, the surviving pieces of the two central statues are divided between Athens and London. The torso of Poseidon is shared between the British Museum and the Acropolis Museum. Similarly, while much of the torso of Athena is in London, its head, extremities and other surviving parts are still in Athens.

Around the architrave on the outside of the building are 92 panels or metopes, sculpted in high relief. Such a large number of carved metopes is without precedent on a Greek temple and was clearly designed to enrich the Parthenon beyond all other buildings. On most Greek monuments only a few, if any, metopes or panels were sculpted.

The sculptures on all four walls have a common theme: conflict between civilisation and barbarity or between order and chaos. The metopes on the south side represent the battle between the Athenians and the centaurs (two casts from the south metopes held in the British Museum hang in the main quadrangle at the University of Sydney). On the east is the struggle between the Olympian gods and the giants, on the

west between the Greeks and the Amazons and on the north, between the Greeks and the Trojans.

Unfortunately, many of the sculptures from the east, west and north walls have been badly weathered or damaged or were deliberately defaced when the building was converted to a Christian church.

Inside the Parthenon, facing out, was the magnificent Parthenon frieze, running for almost 160 metres and a little over one-metre high. Totalling more than 100 marble sections, it depicts a festival and a celebration, combining the mythological with the non-mythological and including hundreds of figures from the human, heroic and divine worlds. There is no comparable artwork from the ancient world that unifies so much on such a grand scale. Fortunately about 80% of the frieze survives. (Casts of four sections of the frieze are also in the main quadrangle at the University of Sydney.)

The Panathenaic procession begins in the southwest corner and proceeds in both directions with horse riders, charioteers, attendants, marshals and animals for sacrifice. One of these scenes inspired Keats, in the final stanza of 'Ode on a Grecian urn', to write:

Who are these coming to the
sacrifice?
To what green altar, O mysterious
priest
Leads thou that heifer lowing to the
skies?

One interpretation of the procession is that it celebrates the heroism of those who fell at Marathon in 490 BC, there being 192 horsemen and charioteers — the number who died in the battle.

The procession with all its contest, pomp and sacrifice, culminates on the eastern end where sit the gods. Awaiting the

arrival of the procession from the northern side sits Zeus, his consort Hera and behind them Iris, messenger of the gods. On the next panel of the frieze sit other gods including Ares the warrior, Demeter, Dionysus and Hermes.

Awaiting the arrival of the procession from the south sits Athena alongside the lame Hephaestus, god of blacksmiths. The next panels include Poseidon, Apollo, Artemis and Aphrodite.

Between the gods is the great puzzle of the Parthenon frieze. The celebrated centre panel remains something of a mystery, and has failed to attract a common interpretation among scholars and historians. From the early 18th century, it has been thought to represent the ceremonial replacement of the cloak, or peplos on the statue of Athena. But there are other interpretations, including the argument that the scene represents the sacrifice of the daughters of Erechtheus. In Greek mythology, the King of Erechtheus, on consulting the oracle of Delphi, was told that the sacrifice of his three daughters would save Athens from defeat. The daughters were duly sacrificed and Athens saved. A difficulty with this theory is the smallest figure, which many accept is a boy — both for the style of cloak and the bare buttocks. There is no other section in the frieze where parts of a woman's body are revealed.

Of the total surviving Parthenon marbles, more than half — over 100 pieces or fragments — are in the British Museum. About one third are on the Acropolis or in the Acropolis Museum. One or two pieces and a number of fragments are held in the Louvre, the Vatican, and museums in Copenhagen, Palermo and Vienna

In many respects the survival of so much of the Parthenon and its sculptures has been remarkable. It lasted fairly well for

almost 1000 years before being converted to a Christian church. Then the great statue of Athena was removed from its interior, the major statues were torn from the centre of the east pediment and most of the metopes on three sides of the building were defaced.

Over the following 1000 years, Athens saw a succession of invaders and conquerors — including Franks, Catalans, Florentines, Venetians and finally the Ottomans, who in the 15th century converted the Parthenon to a mosque and constructed a minaret. Throughout this long period relatively little new damage appears to have been inflicted on the building or on the marble statues.

But in 1687, in a battle between the occupying Ottoman Turks and the invading Venetians, the building, which by then was also used as a gunpowder arsenal, was blown up. The shell, which directly hit the Parthenon, blew out the roof and eight of the 17 pillars on the north side and five on the south side. The explosion destroyed or damaged many of the sculptures and left the building a ruin. It was never to be fully restored.

Pillage of the building then began in earnest, starting with the army of the Venetian Francesco Morosini who occupied Athens for less than a year. For the next 150 years, heads and other parts of the sculptures were removed by European collectors and souvenir hunters. Much of the marble was also broken up and taken for local building material.

Fortunately we have something of a record of the Parthenon and its sculptures before the explosion. In 1674, some 17 years before the tragedy, the artist Jacques Carrey, who was accompanying the French Ambassador the Marquis de Nointel, painted and drew most of the Parthenon statues. His work is largely preserved and is held in the Biblioteque

Nationale in Paris. The Carrey drawings show there was considerable deterioration in the condition of the sculptures between the time of his drawing and the end of the 1700s.

By 1800, Thomas Bruce, the seventh Earl of Elgin and the eleventh Earl of Kinkardine, enters our story. At 34 years of age the aristocrat Elgin had already been elected as a Scottish Peer to the House of Lords, become Lieutenant-Colonel in the Elgin Highland Fencibles and successfully petitioned the Government to become Britain's Ambassador to Constantinople. At the time of awakening to the splendours of the classic Greek age in northern Europe, Elgin wanted to use the position of ambassador to bring back the excellence of classic Greek art for the enrichment of British art and culture.

While the portraits of the time have him cutting a dashing figure, Elgin contracted an infection that ate away his entire nose, leaving him with an ugly, pussy sore. The affliction was never explained. At one stage his wife thought it was leprosy but it was almost certainly syphilis.

What began by Elgin as an exercise in drawing, painting, measuring and taking casts of the marbles became a large-scale program of tearing, sawing off and collecting more than 100 pieces of statues for shipment back to the Elgin estates in Scotland. Elgin only visited Athens twice before returning to Britain in 1803. The removal of the marbles, supervised by his staff, took many years with the last shipment arriving in London in 1812.

Taking the marbles was controversial from the outset — first in Athens and then in London. In the first recorded protest, the master of a Venetian-funded school in Athens, Ioannes Benezelos, wrote in 1803 to Elgin's secretary, Rev Philip Hunt, complaining of 'the last

deplorable stripping of the Temple of Athena on the Acropolis and other relics of antiquity ... The temple is now like a noble and wealthy lady who was ravaged ... Oh, how we Athenians must take this event to heart'.

An English visitor to Athens at the time, H W Williams, recorded

'when Elgin's agents removed the Caryatid from the (nearby temple of) Erechtheum, Athena wept over her lost virginity. But there were louder lamentations from the remaining Caryatids as they looked on their ravaged sister. And later, as Elgin's labourers were hauling the last of the marbles to Piraeus they had to stop suddenly and drop them to the ground, nor could they be prevailed upon to carry them further, protesting that they could hear the doleful moans of Athena deep within each vein of marble'.

In London the controversy against Elgin raged for some years, with the poet Byron among the most outspoken as he regaled the plunder in a number of poems, including *Childe Harold's pilgrimage*, which contained the line

'The last, the worst, dull spoiler,
who was he?
Blush Caledonia! Such thy son could
be'

And, in a rather unkind reference to his infection, Byron also wrote

'Noseless himself, he brings here
noseless blocks
To show what time has done, and
what the pox'

Things did not run smoothly for Elgin or the marbles after leaving Athens. Adequate shipping for what was a huge cargo proved hard to secure and took

more than ten years to complete. Elgin's own boat, *The Mentor*, laden with some of the most valuable sculptures including the centre panel of the east frieze, sank at the mouth of the port of the island of Kithera. Elgin complained that the loss of the ship and the two-year salvage of its cargo cost more than £6000.

Nor did the venture end happily for his staff. Elgin hired the Italian artist Giovanni Battista Lucieri from the start of the project to paint and draw the Parthenon. He stayed on in Athens and died in 1821, alone. It is said that he died of a burst blood vessel and when neighbours forced the door of his house they found him lying in a pool of blood with a big black cat sitting on his chest. Believing it to be the avenging spirit, the punisher of his crimes, or the form assumed by his own black soul, the neighbours immediately killed the cat.

On his way back to Britain, Elgin was arrested in France and interned by Napoleon following a renewed outbreak of war between England and France. Elgin was to be held for three years but his wife, on the death of their infant son was released earlier and struck up a relationship with Robert Ferguson of Raith on her return to London. Eventually released in 1806 Elgin successfully sought what was to be a messy, public divorce that saw him lose not only his wife but also her inheritance. Already short of funds Elgin no longer had the money for the expansion of his estates to house his collection of Parthenon marbles.

In 1816, Elgin finally successfully petitioned Parliament to buy the marbles. Following an inquiry by a House of Commons Select Committee it was agreed to buy the collection for the British Museum at £35 000, well below Elgin's asking price and certainly a lot less than Elgin would have spent on the venture.

The committee report is significant in a number of respects. While it found that by taking the marbles Elgin had provided them with asylum from further ravages had they been left on the Acropolis, they did not find that Elgin had acquired the marbles properly.

Much has been said about the Italian version of the Turkish authorisation (or firman) that Elgin's staff later produced as evidence to support the claim that his actions were permitted by the authorities in Athens at the time. However, the document is ambiguous at best. On any reasonable reading it was intended to permit the painting of, measuring and taking casts of the Parthenon and its statues and was not intended to authorise their removal.

The Parliamentary Committee also found that Elgin had taken the marbles for himself but used the influence of his position as British Ambassador to gain their release. Today, such use of public office for private profit could lead to allegations of corruption.

It is to be regretted that there is no history of the Elgin Collection of the Parthenon Marbles for the 200 years in which they have been held in the British Museum. As we have learned only in the past couple of years by the revelations of the eminent English historian William St Clair, much of the collection was severely damaged by staff of the British Museum's sponsor Lord Duveen, while 'cleaning' the sculptures with bleach, wire brushes and even chisels in 1937 and 1938. We have also learned that the collection was subject to major air pollution, largely from coal burning in London during the 18th and 19th centuries, before the protection of air conditioning. St Clair's revelations have certainly damaged the British Museum's claim that the Parthenon marbles are safer in their care than they would be in Greece.

The calls for the return of the marbles to Greece have gathered momentum. In the past few years a number of polls — the Mori Public Opinion Poll, a UK Channel 4 viewers survey and more recently a CNN international poll — have all shown that more than 80% of respondents support return.

In March this year, *The Economist* magazine poll showed that a staggering 84% of British Labour Government members would vote for the collection to be returned if given the chance. It is puzzling that the Blair Government has not yet shown any change in the old policy given that to return the sculptures is consistent with all the stated philosophies of New Labour.

The Parthenon and its sculptures are unique. They are at the heart of the heritage of western civilisation. From every conceivable point of view — historically, artistically, culturally, even spiritually — the marbles are an integral part of a magnificent whole and should be re-united with the rest of the collection in Athens — where they belong.

‘Who owns the past? Legal, ethical and cultural issues relating to the return of the Parthenon marbles

**George Vardas, Secretary, International Organising Committee — Australia —
for the Restitution of the Parthenon Marbles**

The question ‘Who owns the past?’ begs a number of other questions. What constitutes the past? Should the past be separated from the present? Is the past capable of being owned? Indeed, who, if anyone, can be said to have the right or responsibility to preserve the past’s material remains, or cultural heritage, as a record of a society’s shared experiences, interactions and relationships and how they evolved?

Any proper consideration of this issue must begin with the most celebrated and infamous case of exiled cultural treasures: the Elgin marbles. For they symbolise the ‘entire body of unrepatriated cultural property in the world’s museums and private collections’; they are an ‘essential part’ of our common past.¹

In order to consider the Parthenon sculptures in their historical and cultural context, as treasures from the past, it is necessary to review the actions of Lord Elgin and his agents at the time of their removal and the manner in which the British Museum has mounted its defence of their retention.

Lord Elgin in Athens

The traditional view of Elgin’s actions portrays him as a saviour, whose love of the arts brought him into contact with the beauty of classical Greek art through his rather fortuitous appointment as the British Ambassador to the Ottoman Empire at the turn of the 19th century.

In reality, Lord Elgin had rather grandiose ideas about his place in history when

appointed ambassador to the then Ottoman Empire. He imagined himself to be a connoisseur of classical art and architecture and at once saw the opportunity to use his position to influence the Turkish authorities to give him access to sites of antiquity in Greece.

The Parthenon which sits atop the Acropolis hill in Athens was the crowning glory in the administration of Pericles. It was a temple adorned with a series of elaborate marble sculptures in the form of pedimental statues, metopes sculpted in high relief and the incomparable Panathenaic frieze.

In 1801 Lord Elgin obtained a purported authority (called a firman) from the Turkish authorities to allow his artists and workmen to examine and take copies of the works and also to take plaster casts of the marbles. After further manoeuvring by Elgin’s secretary, Rev Hunt, a second firman was allegedly issued which decreed that no-one should hinder them from ‘taking away any pieces of stone with inscriptions or figures’.

Considerable doubt has been cast on the legitimacy of this firman and the precise nature of that authorisation.² The authoritative firman for the removal of the marbles was never found. It was not presented either to the British Parliament in 1816, nor found in the archives of the Turkish government. The original has never been produced and, even if it was issued in those terms, it could not have sanctioned the wholesale removal of more than 100 sculptural pieces from the Parthenon. The original intention was only

to model and draw the figures on the building and not to cause any harm to the monument. It is also clear that at this time the Turkish authorities were in the habit of exacting substantial bribes from foreigners. Elgin was no different, thereby casting further doubt on the legitimacy of his purported authority to remove the marbles.

According to Professor David Rudenstine³, the firman was a 'grand illusion' and the British Parliament did not carry out a full and proper enquiry into the circumstances by which Elgin and his men gained such unrestricted access to the Acropolis.

There is also a body of thought that the translated document produced by Hunt was a simple letter, not a firman. There was no special formulation of words ending with the word 'order' which deprived it of legal force under Ottoman law. The decision simply never existed.⁴

The author and historian William St Clair argues that the firman was simply a letter addressed to the Governor but there was no authority to take from the building. By means of threats and bribes, Elgin's men stretched the limits of the letter. St Clair's review of Elgin's records shows that the bribes paid to the local officials amounted to 35 times the annual salary of the local governor. Elgin had in effect obtained a dubious commercial concession to dig for antiquities.⁵

In any event, Elgin's primary purpose was to take copies and any sculptures and inscriptions that would not interfere with the works or walls of the temple. The document spoke of taking 'away any stones that might appear interesting to them'. The emphasis is on 'stones', not sculptures. It was intended to refer to loose stones after excavation. No destruction was authorised. One may rhetorically ask: why model sculptures if the intention was to remove them?

Lord Elgin's motives

Lord Elgin's actions in Athens at the turn of the 19th century have been portrayed as those of a lover of the arts and that his original intention was merely to obtain copies and moulds and drawings of the sculptures of the Parthenon as well as other antiquities in order to enhance the body of knowledge of classical Greek art in Britain. In his own report to the House of Commons in 1816 Lord Elgin maintained that position but a close analysis of his correspondence at the time reveals a different motive, one that casts doubt on the altruism and love of the arts which Elgin professed to have.

At this time Elgin had employed an Italian artist, Giovanni Lusieri, to supervise the works on the Acropolis. In correspondence at the time between Elgin and Lusieri the true motives of Elgin's actions in Athens begin to emerge. Lord Elgin had plans to build a stately mansion in Broomhall in Scotland. In a letter to Lusieri on 10 July 1801, Elgin wrote:

'The plans for my house in Scotland should be known to you. This building is a subject that occupies me greatly and offers me the means of placing, in a useful distinguished and agreeable way, the various things that you may perhaps be able to procure for me. The hall is intended to be adorned with columns: the cellars underneath I have altered expressly for this. Would it then be better to get some white columns worked in this country in order to send them by sea to my house? Or to look out for some different kinds of marble that could be collected together in course of time and decorate the hall ... with columns all different one from another, and all of fine marble?''⁶

In the same letter, Elgin went on to say:

‘I should wish to collect as much marble as possible. I have other places in my house which need it, and besides, one could easily multiply ornaments of beautiful marble without overdoing it; and nothing, truly, is so beautiful and also independent of changes of fashion. These reflections only apply to unworked marble. You do not need any prompting from me to know the value that is attached to a sculptured marble, or historic piece.’

Therein lies the reason why Elgin’s men paid little attention to the careful removal of the sculptures. Saws were used to hack off the sculptures in order to reduce their weight, causing considerable damage not only to the building but also to the pieces removed.

On 26 December 1801 Elgin wrote to Lusieri:

‘From the Acropolis I want to have samples of each cornice, each frieze, each column capital of the roof, decorations of the groove pillars, of the various architectural orders of the metopes and in general of anything, as much as possible.’⁷

The marbles in London

Lord Elgin’s petition was presented to the House of Commons on 15 June 1815 and debate took place in February and June 1816.⁸

The House of Commons ultimately voted in favour of the acquisition of the marbles but not before some members expressed concern at the manner in which Elgin had used his office to obtain the sculptures.

Lord Ossulston stated that whilst he did not object to procuring the advantage of

‘such an interesting collection’ to Britain, a question however did arise as to whether ‘an Ambassador, residing in the territories of a foreign power, should have the right of appropriating to himself, and deriving benefits from objects belonging to that power’.

Another member, Mr Bankes, noted that Elgin had ‘availed himself of his character as an English Ambassador to facilitate the acquisition’.

Yet another member, Mr Preston, opposed the motion and invited Elgin to make a donation of the collection. Elgin was not in a financial position to do so. However, Mr Preston went on to say that ‘if ambassadors were encouraged to make these speculations, many might return home in the character of merchants’.

A more trenchant criticism came from Mr Babington who thought that the mode of acquisition ‘partook of the nature of spoliation’.

The Committee found that Lord Elgin had not been able to gain access to the site for his artists for less than five guineas a day. Mr Hammersley felt that Elgin ‘had taken advantage of (Britain’s) success over the French to plunder the city of Athens and that no private traveller would have been able to obtain leave to remove the sculptures’. He concluded that bribery had been employed and that we should restore what we had taken away. Therefore, the House ought to recommend that Great Britain ‘holds these marbles only in trust till they are demanded by the present or any future possessors of the city of Athens and upon such demand, engages, without question or negotiation, to restore them, as far as can be affected, to the places from where they were taken, and that they shall be in the meantime carefully preserved in the British Museum’.⁹

The House of Commons eventually supported the motion 82 for 30 against and authorised a payment of £35 000. Later that year the marbles were technically transferred as property to the Trustees of the British Museum by a further Act of Parliament that was passed on 11 July 1816 ‘To Vest the Elgin Collection of Ancient Marbles and Sculptures to the Trustees of the British Museum for the Use of the Public’.

The intervening years

During the 1940s, Britain promised to return the marbles as a goodwill gesture for the sacrifices made by the Greeks during the war. Nevertheless, the marbles were still not returned because the time was found not to be appropriate for such a decision. This attitude was exemplified by Attlee, the Lord Privy Seal, who told the House of Commons in 1941 that, as regards the introduction of a piece of legislation allowing the return of the marbles to Greece, the moment was ‘inopportune’.

After the restoration of democracy in Greece, in 1975, the Greek Minister of Culture set up a committee for the preservation of the monuments of the Acropolis. The first official request from the Greek government was made in 1983 seeking the return of the marbles because:

‘They are an integral part of a unique building symbolic to the Greek cultural heritage — it is now universally accepted that a work of art belongs to the cultural context in which (and for which) it was created — and they were removed during a period of foreign occupation when the Greek people had no say in the matter.’¹⁰

In 1983 a Bill was introduced to the British Parliament to amend the British Museum Act, which would enable the Trustees of

the British Museum to return the marbles. The Bill was discussed and finally defeated in the House of Lords on 27 October 1983. It was claimed that the marbles were well cared for in the British Museum and that the return would set a precedent for denuding the world’s museums.

British parliamentary deliberations

In May 1997, a question was asked in the House of Lords as to whether the government would consider the return of the Parthenon marbles to Greece. Lord McIntosh of Haringey whilst acknowledging that there was a strong emotional case for the return of the marbles stated that it would not be feasible to return them ‘because they are the property of the British Museum and confiscatory legislation would be required to remove them’.¹¹

Lord Whyatt of Weeford was inclined to be more blunt:

‘It would be dangerous to return the marbles to Athens because they were under attack by Turkish and Greek firing on the Parthenon when they were rescued and the Greeks might easily start hurling bombs around again.’

In the House of Commons in June 1998, the Secretary for Culture, Media and Sport, Chris Smith, was asked whether the government had any plans to return the Parthenon sculptures. Smith replied that whilst he sympathised with the view expressed by the questioner, the government ‘had had time over the intervening 13 years to reflect on the matter and it is clear that the Parthenon sculptures were legally and properly acquired. They have been kept in very good condition — very great care has been taken of them ever since and they are seen for free by six million people a year from all

over the world. We believe that the British Museum is the best place to keep them'.¹²

The subject was revisited in the House of Lords in February 1999. Lord McIntosh, whilst restating the Blair government's position, went on to say that the Secretary for Culture, Media and Sport had been in correspondence with his Greek counterpart and that, in terms of the recommendation of the Unesco Committee on cultural property, the British Government accepts the Resolution which requires the Director General of Unesco to undertake further initiatives to promote bilateral negotiations. Lord McIntosh concluded:

'We have always been willing to take part in such bilateral negotiations'.¹³

The British House of Commons Culture, Media and Sport Committee, chaired by veteran Labour MP Gerard Kaufman, conducted an inquiry in early 2000 into the illicit trade in cultural property, including the historical removal of cultural treasures. Despite receiving considerable evidence on the Parthenon marbles it refrained from making any specific recommendations other than encouraging the British and the Greeks to engage in discussion to try to resolve the continuing impasse.¹⁴

Reinventing the past

In pursuing the question 'Who owns the past?' one ought to be mindful of any attempts to reinvent or rewrite the past.

The British Museum and its supporters over the years have been active in revising the past, or, if you like, romancing the stones. In a publication entitled *A short guide to the sculptures of the Parthenon in the British Museum*, published in 1921 by the Trustees of the Museum, the assertion is made that the sculptures of Athens 'were rapidly perishing from neglect and mutilation' and that much was lost by the time Lord Elgin had arrived in Athens.

Significantly, the guide notes that Lord Elgin's 'political influence at Constantinople, where Great Britain was on the side of Turkey against Napoleon, enabled his agents to rescue a valuable collection of sculptures'.¹⁵

In a later publication entitled *An historical guide to the sculptures of the Parthenon* the museum contends that the remaining sculptures of the Parthenon after the Morosini explosion were 'continually exposed to the vandalism of stone robbers, line burners, curio hunters and religious iconoclasts' and that but for Elgin's intervention it is probable that many of the remaining sculptures would have been damaged beyond recognition.¹⁶

These guides are conspicuously silent as to the manner in which Elgin and his men proceeded to remove the various sculptures from the structure.

In Haynes', *The Parthenon frieze*¹⁷ the author asserts that Lord Elgin in 1799 obtained the Sultan's permission to take away 'whatever sculpture he wished'.

In a subsequent publication by Robertson and Frantz, *The Parthenon frieze*¹⁸ the authors write that both the fabric and sculpture of the Parthenon had begun to deteriorate rapidly through the ravages of nature and man and that this had caused Lord Elgin, who had come in 1799 intending only to draw and take casts of the sculpture, to change his plans and he thereafter contrived to purchase a large part of the carvings and remove them to London.

Ian Jenkins, the assistant keeper in the Department of Greek and Roman Antiquities in the British Museum, has also published his edition of *The Parthenon frieze*. In dealing with Elgin's acquisition of the sculptures, Jenkins makes the following comment:

‘Throughout the rest of the 17th and 18th century the remains of the Parthenon stood open to the sky ... fallen masonry and sculpture were quarried to rebuild the damaged homes and defences of the small Turkish community who occupied the citadel of the much diminished city of Athens. Foreign travellers to the site broke off pieces of the sculpture to take away with them as souvenirs. This was a situation which Elgin’s men found on the Acropolis when, at the beginning of the 19th century, they set about gathering together the battered remains of the frieze, pediment and metope sculptures for transport to England.’¹⁹

In Corbett, *The sculpture of the Parthenon* it is boldly asserted that in 1799 Lord Elgin ‘profited by his appointment as Ambassador to Turkey to get permission for a party of artists and moulders in his suite to draw and take casts from the architectural and sculptural remains on the Acropolis’. Elgin, on realising the extent of the damage, ‘extended his plan by obtaining authorisation to remove carved or inscribed marble fragments, and in the event succeeded in rescuing a substantial quantity of sculpture, much of which had fallen from the Parthenon’.²⁰

The British Museum

The British Museum’s defence of the continued retention of its Parthenon sculptures collection is founded on a crude appeal to cultural colonialism and attempts to perpetuate an egocentric reinterpretation of classical Greek culture as the harbinger of modern British cultural life.²¹

Thus, according to the former director of the British Museum, Sir David Wilson:

‘To rip the Elgin Marbles from the walls of the British Museum is a

much greater disaster than the threat of blowing up the Parthenon ... I think this is cultural fascism. It’s nationalism and it’s cultural danger, enormous cultural danger. If you start to destroy great intellectual institutions, you are culturally fascist.’²²

Sir David has also claimed that the material now housed in museums all over the world was acquired legally and with the full — even eager — permission of their owners. ‘This is as true of the Elgin Marbles as of spears from Fiji.’²³

The ultimate defence is that museums are the last bulwark against cultural recklessness and that the return of the sculptures would lead to an increase in demands and ‘one of the greatest museums of comparative culture of the world would be destroyed for narrow nationalistic purposes’.²⁴

Ian Jenkins has asserted that the Parthenon marbles are the ‘pictorial representation of England as a free society and the liberator of other peoples’.²⁵ This is simply bizarre.

Jenkins has also produced the following apologia for the sculptures’ continued presence in the British Museum:

‘[The Parthenon sculptures] have become this great icon of western art because they were removed. They’re physically transformed, but also conceptually transformed: they became what they are through their repositioning. That transformation is an irreversible one: once you have made a museum object by displaying them at eye level, you cannot then see them other than as a result of that process.’²⁶

The current director of the British Museum, Robert Anderson, is no less jingoistic:

‘The Marbles are terribly important to the British Museum because they are part of the British Museum; they are part of, if you like, the British Museum culture which has developed from the inception of the Museum in the mid 18th century. They were acquired in the early 19th century, they have been here for 200 years now and they are very influential indeed in the development of British culture, indeed European culture.’²⁷

The current ‘spin’ put out by the British Museum is that the trustees would regard it as a ‘betrayal of their trust to establish a precedent for the piecemeal dismemberment of the collections which recognise no arbitrary boundaries of time or place’.²⁸

Leaving aside the irony of this statement, for there was nothing arbitrary about where or when the Parthenon sculptures were created, defenders of the British Museum warn that museum collections around the world will be ransacked, and collections would fall like cultural dominoes, if the Elgin collection were returned to Greece. Even the Kaufman Committee in its report rejected this notion.²⁹

The above arguments are both flawed and reveal the inherent contradictions in the retentionists’ arguments against return of the Parthenon marbles.

The British Museum’s right of stewardship

The repeated refusal of the British Museum to countenance the return of the marbles has been justified by references to their safe stewardship under British hands and, by implication, the inability of the

Greeks to look after them. An alternative, less charitable view has the trustees having come to regard these treasures as their own and themselves as the ‘true heirs of the culture that the marbles represented’.³⁰

In late 1999, a group of Greek archaeologists, chemical engineers and conservators inspected the sculptures in the British Museum and concluded that irreparable damage had been done to the priceless collection by the museum back in the 1930s during misguided attempts to make the marbles whiter than white. There had been excessive rubbing and polishing with scratch marks left by the unskilled labourers who had used copper chisels and wire brushes to clean them. As the author and art historian William St Clair has also demonstrated, what is even more disturbing is the way in which the Trustees of the British Museum went to extreme lengths to cover up the incident and to deny that the marbles had suffered any damage.³¹

In 1999, Ian Jenkins claimed to a journalist that ‘there has never been a cover-up’ in response to the allegations made by St Clair.³² When presented with irrefutable evidence at the November conference, Mr Jenkins finally admitted that there was illegal scouring of the marbles in the 1930s and conceded that the museum’s attempts to cover this up was a scandal but proceeded to claim that the Greeks were guilty of allowing the marbles on the Parthenon to rot.³³ This is consistent with St Clair’s observations that when information came out in the 1990s the British Museum made contingency plans including diverting attention to what the Greeks had done in the care of their own marbles.³⁴

This episode of ‘torture by cleaning’ has effectively undermined the museum’s argument that the Parthenon marbles

have enjoyed better conservation and care than would have been possible in Athens.

This kind of cultural imperialism betrays an incredible insensitivity on the part of the British Museum and those forces of conservatism within the British Civil Service who have advised successive ministers to resist calls for the return of the marbles on the grounds that it would create a precedent for the dispersal of other collections.

Prime Minister Tony Blair in 1999 stated his vision for the next 100 years for Britain: to turn it into a progressive 21st century nation that will no longer be shackled by the forces of conservatism. In the course of his speech at the Labour Party Conference at Bournemouth, the British Prime Minister singled out the 'old elites, establishments that have run our professions and our country too long' and urged Britons to be confident and radical and to step up the pace.³⁵

One of those great conservative forces, the British Museum, must now confront the future without the rhetoric and the sophistry that has characterised its defence of the marbles in the past.

Conclusion

The question 'Who owns the past?' in the context of the Parthenon marbles can be answered in a number of ways, depending on one's perspective. On the one hand, it can be argued that everyone owns the past because the past is the common heritage of all and therefore knows no national borders or constraints. On the other hand, cultural property defines a nation's creative energy and identity, a kind of cultural patrimony, so that the country of origin is said to own its cultural past. A third view is that no one owns the past because it is not the kind of thing that is readily capable of ownership or control.³⁶

In the case of the Parthenon marbles, the question of who owns the past transcends the debate between cultural nationalism and cultural internationalism or between parochial nationalistic sentiment and world cultural hegemony. Who owns the Parthenon marbles is no longer the real issue. Rather, it is where they properly belong for the sake of artistic and aesthetic completeness, for the sake of the integrity of the monument.

The Parthenon was created as an absolutely unique monument and as a democratic expression of classical Athens. As a result of Elgin's actions in striking what some would call the greatest of bargains, the unity and harmony of the sculptures and the monument have been compromised.

The Parthenon sculptures are best understood in context for they were and remain a site-specific work. The marbles were not sold or willingly disposed of by Greece. They are of immense symbolic importance having adorned the Parthenon for over 2000 years. As one writer has observed:

'For the Parthenon still stands as the most eloquent statement of that brief cultural nova (the golden age of Pericles), a marble beacon from the past, the monument of all monuments. The Parthenon, in its historical context, its mathematical refinement, its sculptural narrative, is a celebration of victory, a celebration of culture, a celebration of Athens as a cosmopolis; it speaks to us in intentional, unambiguous terms of the value of humanity in this world, of its perceptions, of its infinite potential. Humanity, safe on a mountaintop, surveying its past and future.'³⁷

The past has now caught up. The Parthenon, which ushered masterpieces

‘that have left the irreplaceable mark of their grandeur’ upon this earth, must be reunited with the sculptures currently housed in the British Museum for they bear witness to the ‘greatness of the human race and to the power of its intellectual creativity’.³⁸

-
1. J H Merryman, ‘Thinking about the Elgin marbles’ (1985) 83 *Michigan Law Review* 1881 at 1895.
 2. See, for example, the article by Dr Irene Stamatoudi, ‘The law and ethics deriving from the Parthenon marbles case’ [1997] 2 *Web Journal of Current Legal Issues*.
 3. D Rudenstine, ‘Did Elgin cheat at marbles?’ *The Nation*, 29 May 2000.
 4. See V Demetriades, ‘Was the removal of the Parthenon marbles by Elgin legal?’, a paper published in Volume III of the Appendices to the Minutes of Evidence before the British House of Commons Culture, Media and Sport Committee published 26 July 2000.
 5. W St Clair, ‘The Parthenon marbles: questions of authenticity’ in R Howland (ed) *The destiny of the Parthenon marbles* (2000).
 6. Quoted in C Hitchens, *The Elgin marbles: should they be returned to Greece?* (Verso, 1997) at page 31ff.
 7. C Hitchens, *supra*.
 8. A transcript of the debate is to be found as an appendix to C Hitchens, *The Elgin marbles: should they be returned to Greece?* at pages 116 to 129.
 9. Although these views were in the minority they serve to indicate the level of disquiet at Elgin’s activities.
 10. Cited in J Greenfield, *The return of cultural treasures* (Cambridge University Press, 2nd ed 1996) at page 83.
 11. Hansard, 19 May 1997.
 12. See House of Commons Hansard Debates, 1 June 1998.
 13. See House of Lords Hansard Debates, 4 February 1999.
 14. The evidence to the committee and its findings can be accessed at www.publications.parliament.uk/pa/cm.
 15. Trustees of the British Museum, *A short guide to the sculptures of the Parthenon in the British Museum (Elgin Collection)* (1921) at page 3.
 16. Trustees of the British Museum, *An historical guide to the sculptures of the Parthenon* (1971) at page 8.
 17. D Haynes, *The Parthenon frieze* (Batchwood Press, 1959) at page 3.
 18. M Robertson and A Frantz, *The Parthenon frieze* (New York University Press, 1975) at page 13.
 19. I Jenkins, *The Parthenon frieze* (University of Texas Press, 1994) at page 6.
 20. P Corbett, *The sculpture of the Parthenon* (King Penguin Books, 1959) at page 11.
 21. According to the current director, Robert Anderson, in an interview with Mike Toner in the *Atlanta Journal* on 7 November 1999: ‘They are our property. They have been an important part of British cultural life for two centuries. This is where they belong.’
 22. Interview given on the BBC on 15 June 1986.
 23. Sir David Wilson. ‘Return and restitution: a museum perspective’ in I McBryde (ed) *Who owns the past?* Papers from the Annual Symposium of the Australian Academy of the Humanities, Melbourne, (Oxford University Press, 1985).
 24. Sir David Wilson, *The collections of the British Museum* (Cambridge University Press 1989) at p11.
 25. *Daily Telegraph*, 29 June 1998.
 26. Ian Jenkins in an interview with Jonathon Jones, *The Guardian*, 3 August 2000.
 27. Broadcast on BBC on 4 June 2000.
 28. See British Museum website at www.british-museum.ac.uk.
 29. *Cultural property: return and illicit trade*, Seventh Report of the House of Commons Culture, Media and Sport Committee, issued 26 July 2000 at para 129:

-
- ‘We see few signs that museums are being engulfed in a tidal wave of claims designed to empty the galleries and display cases of British museums.’
30. I Hilton, ‘The museum should lose its marbles’ *The Guardian*, 10 November 1999.
 31. See generally W St Clair, ‘The Elgin marbles: questions of stewardship and accountability’, (1999) 8 *International Journal of Cultural Property* at pages 391ff.
 32. Quoted by H Smith ‘Museum ruined marbles’, *The Guardian*, 9 May 1999.
 33. Extracted from an unpublished paper ‘What happened to the sculptures of the Parthenon in the 1930s’ delivered to the London Conference by Ian Jenkins in November 1999. Interestingly, in an abridged version of the paper published in the March/April 2000 edition of *Minerva: the International Review of Ancient Art & Archaeology* Jenkins’ reference to the marbles rotting on the Acropolis has been deleted.
 34. W St Clair, ‘The Elgin marbles: questions of stewardship and accountability’ op cit.
 35. Reported in *The Daily Telegraph*, 29 September 1999.
 36. See generally P Messenger (ed), *The ethics of collecting cultural property: Whose culture? Whose property?* (University of New Mexico Press).
 37. R F Rhodes, *Architecture and meaning on the Athenian Acropolis* (Cambridge University Press, 1995) at page 2.
 38. Quoted from an address by Frederico Mayor, the Director-General of Unesco, on 14 March 1989, at the unveiling of a plaque commemorating the addition of the Acropolis to the World Heritage List.