

Provenance-Centered Reckoning. A Memory Infrastructure for the Colonial Past?

Jonathan Bach

ABSTRACT: *What does it mean in Germany for colonial history to acquire the status of a new phase of coming to terms with the past alongside, and often in tension with, the memory of the National Socialist and East German pasts? This article explores this politics of memory through the changing role of material restitution at the governmental level. Governments play a central role in shaping and enabling (or disabling) what becomes part of a country's public memory through state-sanctioned discourses and institutional structures, which we can call memory infrastructures. This article specifically inquires into how provenance research, once a relatively obscure art-historical method, has come to play a critical role within German memory culture. Through examining government discourses that shape the discursive field, I show how a memory infrastructure for colonial reckoning builds on the centrality of provenance research in reckoning with Nazi looted art and adapts it for confronting the colonial past. I suggest we might call this provenance-centered reckoning, and that it has begun to reshape the contours of reckoning with the past in Germany.*

KEYWORDS: *colonialism, Germany, material culture, memory, provenance, restitution*

HOW TO CITE: *Bach, J. (2024): Provenance-Centered Reckoning: A Memory Infrastructure for the Colonial Past? In: Berliner Blätter 89, 43–59.*

In Germany, as across the former imperial world, a deeply belated confrontation with the colonial past and its contemporary entanglements is taking place. Colonial collections in museums form only one part of a much larger universe of colonial reckoning, yet they have come to occupy a privileged place within the German government discourse of dealing with the colonial past. How and why did this situation come to be? What might it tell us about the trajectory of colonial reckoning in Germany today? This article examines one dimension of this story: how the German federal government shaped the memory landscape as it became forced to reckon with the vast collections of colonial-era artifacts, objects, and human remains in German museum collections.

The government is far from the most dynamic site for colonial reckoning in Germany – this designation goes to the growing number of dedicated postcolonial and decolonial civil society groups who, building on decades-long work by Black German organizations and allied activists, do the hard work of connecting colonial memory to contemporary problems of racism, inequality, migration, refugees, and physical and structural violence. Yet gov-

ernments play a central role in shaping and enabling (or disabling) what becomes part of a country's public memory through state-sanctioned discourses and institutional structures which we can call *memory infrastructures*. Like physical infrastructures, these channel and shape how people work within the parameters of a system, create path dependencies, and allocate resources and attention.

In what follows I trace how the German government created a new memory infrastructure that connected repertoires for reckoning with both the Nazi and colonial pasts, if sometimes tenuously. This allowed colonial reckoning to be legible within established patterns and redemptive discourses about historical responsibility. At the same time, this new memory infrastructure struggles to fully contain the more radical implications of colonial reckoning, which question the very assumptions of Western knowledge practices and challenge the invisibility to which colonial violence has long been consigned.

Let us begin with a changing landscape that the government faced during the first two decades of the 21st century. For most of the postwar era, as is often remarked upon, public discussions of the colonial past scarcely registered on the West German national stage. Similarly, in East Germany, while anti-imperialist solidarity was official policy, acknowledgement of Germany's imperial past did not produce the kind of debates about complicity and implication that we associate with postcolonial and decolonial movements today. Reunification in 1990 did not immediately presage any change in this approach, yet in the early 21st century, Germany's colonial past began to become more visible in national media and politics, driven by the 100th anniversary of the genocide against the Herero and Nama, the repatriation of human remains from Germany back to Namibia, and, above all, by the controversy surrounding the construction of the Humboldt Forum, the reconstructed Berlin imperial palace that showcases the city's African and Asian ethnological exhibits, which prompted critics to deride it as »the museum of German colonial crimes« (Flakin 2021; see Bach 2019; Morat 2019).

The German government found itself increasingly compelled to address critics of the Humboldt Forum, since it was a national prestige project that received federal taxpayer funds and drew attention to colonial collections in other museums across the country. The government also faced reinvigorated demands for reparations, restitution, and acknowledgment for the Herero and Nama genocide, massacres during the Maji-Maji Uprising in today's Tanzania, the stealing of the statue of Ngonso from Cameroon, locating the missing skull of the chief Mangi Meli from today's northern Tanzania, and other colonial crimes. One result was a palpable rhetorical pivot: having rarely debated colonialism in the past (and then almost exclusively in contexts unrelated to Germany's own imperial actions), the *Bundestag* has debated colonial-related issues on average once a year since 2010. Upon taking office in coalition governments, all five of Germany's mainstream political parties since 2018 have explicitly incorporated *working through* the colonial past alongside the memory of National Socialism and the East German regime into the main policy documents that set their legislative priorities (»coalition agreements«) (German Bundestag 2018, 2021). In 2015, the German government began to use the term *genocide* to refer to the killings of the Herero and Nama and to begin to discuss forms of compensation, leading to a major, if controversial, agreement with Namibia in 2021 (see Habermalz 2021). The 2021 coalition agreement further establishes memory culture (*Erinnerungskultur*) as »a way to a common future« and introduces the phrase »colonial continuities« (*koloniale Kontinuitäten*) as an implicit recognition of the persistence of colonial structures while calling for »overcoming« (*überwinden*) them (German Bundestag 2021, 124–126).

In this changing atmosphere, the government began to include colonial artifacts along with Nazi looted art under the same stock phrase of Germany's historical and moral re-

sponsibility. Notably, as central to this task, the government highlighted a relatively obscure art-historical method of research into the origins and ownership history of specific objects known as provenance research (*Provenienzforschung*). For example, the 2018 coalition agreement »emphatically« highlights provenance research as the means for working through the past, with a special focus on the provenance of colonial heritage in German collections, a sentiment echoed by the follow-on government upon taking office. This rhetoric was accompanied by an increasing bureaucratic, financial, and symbolic investment in provenance research by the German government, helping institutionalize what Christoph Zuschlag (2019) has described as a new epistemological and moral paradigm around which museums, universities, and government funding are being re-oriented. Why and how did provenance research come to play this elevated role within contemporary reckoning with the colonial past?

From Nazi Looted Art to Colonial Collections: Provenance Research as Historical Responsibility

More commonly regarded as a technical, behind-the-scenes process, provenance research acquired a new salience as a moral practice in the late 1990s, when the restitution of Nazi looted art, specifically from Jewish owners, became a major international question. This turn of events unfolded towards the end of the first decade following German unification, when it seemed as if the end of the Cold War allowed for long-frozen legacies from the Nazi era to be finally confronted. Nazi looted art was often spoken about at the time as a last piece of unfinished business, following on the heels of two successful high-profile class action lawsuits: the retrieval of assets of Jewish Holocaust victims from Swiss banks and insurance companies, and compensation to formerly enslaved workers from German corporations that profited from forced labor during the war (Bazylar 2003; Eizenstat 2006; Marrus 2009). Yet, looted art was a very different kind of issue than the other two major 1990s cases.

Given the large and often confusingly unclear set of actors and circumstances involved, looted art could not be resolved the way hidden assets or unpaid wages were: by class action lawsuits or one-time cash settlements over a limited period of eligibility. Such resolutions proved impossible when the location, or even existence, of looted artworks themselves were often unknown, much less all the rightful heirs. This was also one of the main reasons why looted art had long remained a rarely successful area of reckoning, subject not only to the vagaries of evidence and tangled trajectories but to a labyrinth of various treaties, agreements, varying jurisdictions, and statutes of limitation that few could make it through (Eizenstat 2006).

Thus in 1998, when a landmark international conference on Nazi-confiscated art was held in Washington, D.C., hosted jointly by the U.S. State Department and the U.S. Holocaust Memorial Museum, it seemed a significant breakthrough to a problem that had resisted any sort of effective collective resolution since the war's end. The influential final document from the conference, the *Washington Conference Principles on Nazi-Confiscated Art*, called on all 44 participating nations to commit to a meticulous weighing of available evidence on a case-by-case basis in pursuit of »just and fair solutions« in the absence of — or as an alternative to — legal redress, propelling provenance research into the international spotlight of reckoning with the National Socialist past (U.S. Dept. of State 1998).¹

Rather than being an ending, however, this turned out to be just the beginning of a different kind of reckoning, since the agreement to »solve« this outstanding problem was

really an agreement to keep looking and deal with each case as it surfaced. Even more than twenty years after the conference, around 100,000 objects remained missing (Cascone 2018; Eizenstat 2019). As a form of reckoning, then, the *Washington Principles* were dealing with a challenging temporality, one in which the resolution of the injustice would stretch into subsequent generations, making the method for resolution part of the process of reckoning itself. Unlike the agreements on assets and forced labor compensation that sought closure, it created a future-oriented process for coming to terms with the past.

Not surprisingly, the *Washington Principles* had a particular impact in Germany. During most of the postwar years, the German government had shown a reluctance to restitute looted art, seeking refuge instead in the unforgiving paragraphs of legal statutes, treaties, and the ambiguity of evidence to reject, or at least complicate, efforts at restitution. Provenance research, as an important part of any claim for restitution, could provide reasons to reject claims as much as confirm them. That is, if they were pursued at all — as the head of provenance research at Sotheby's recalled, »[w]hen I started working for the auction house in the mid-90s the motto was ›Don't mention the war‹« (von Richthofen 2018).

It was all the more notable, then, when provenance research started to be invoked by German officials as an act of responsibility towards the past in the years after the Washington conference. »Nowadays«, as Germany's then-Culture Commissioner Bernd Neumann (2010, 12) put it ten years after the *Washington Principles* had been signed and three years before the Gurlitt scandal broke, »Germany's approach to dealing with the topic of Nazi-looted art is exemplary on an international scale.« Provenance research in particular, he continued, is »extremely important for the reputation of Germany as a cultural nation.« This reputation included Germany's standing as a global leader in coming to terms with the past, something that shortcomings in the area of Nazi looted art had come to reflect negatively upon, especially since the German government was criticized for hedging implementation of the *Washington Principles* by refusing to change its legal structure to support restitution (Schönberger 2018).

Yet, provenance research began to assume an increasingly important role both rhetorically and practically, as the end of the Cold War changed the landscape for new claims (Sandholtz 2007; Grimsted 2017; Gaudenzi 2020). For the first time, the federal government created an office specifically devoted to provenance research of Nazi looted art, the Office for Provenance Research (*Arbeitsstelle für Provenienzrecherche und -forschung*), which came into being in 2008, located at the Institute for Museums Research at the Prussian Cultural Foundation (SPK) (later incorporated into the German Lost Art Foundation upon its founding in 2015) (IKKG 2009, 417).

Neumann's rhetorical characterization of provenance research as internationally exemplary and nationally important fit rather seamlessly into how the German government would like to see itself with regard to colonial reckoning, which was increasing in visibility almost in parallel to the revived attention focused on Nazi looted art. As the growing controversy over the Humboldt Forum increased pressure on the government to address colonial legacies, provenance research began to play a central role in this discourse, appearing as a »crucial« tool for addressing Germany's colonial »blind spot«, as Monika Grütters (2018), Neumann's successor as Culture Commissioner, put it, a sentiment echoed regularly in *Bundestag* debates and political speeches, including by the Federal President in his speech at the long-delayed opening of the Ethnological Museum and the Museum for Asian Art in the Humboldt Forum (Steinmeier 2021). Accepting historical responsibility for the country's three officially difficult pasts, the Nazi era, East German era, and the colonial

past, is, as the 2018 coalition agreement put it, integral to Germany's »fundamental democratic consensus« (German Bundestag 2018).

New Institutional Structures for Provenance-Centered Reckoning

In this emerging government discourse, provenance research became increasingly deployed as a byword for a particular understanding of what historical responsibility looks like in action. Perhaps we could call this *provenance-centered reckoning*. At the symbolic level, this allowed colonial pasts to be added to a quasi-sacred state space originally reserved for the Nazi past. The vanished East German SED-regime had also been admitted to this space, sparking controversy over an implicit comparison between the two regimes (Jesse 2005; Stoleis 2019). The government uses the word *dictatorship* to refer to both, but struggles with finding the right way to talk about the East German era without seeming to conflate it with the Nazi era (SZ 2019). Thus, for example, the 2018 Coalition Agreement warns that »in referring to each other, the remembrance of the two German dictatorships should not lead to either relativizing the NS terror regime or trivializing [*bagatellisieren*] the SED tyranny [*Unrecht*]« (German Bundestag 2018, 167). Bringing the colonial past into this discursive space introduced new questions around the hierarchy, comparison, and characterization of these different historical periods. It also raised the question of what kind of institutional framework would be appropriate for issues emerging around the colonial past, and especially those around German colonial collections, made newly visible due to the Humboldt Forum.

Answering the institutional question fell to a relatively new actor, the office of the Commissioner for Culture and Media (*die Beauftragte der Bundesregierung für Kultur und Medien*), most often referred to by its German initials BKM, that serves as the rough equivalent of a cultural ministry. Until the BKM emerged, the federal government response to colonial reckoning, such as it was, had fallen largely under the purview of the Foreign Office, which continues to take the lead in negotiations with Namibia, oversee the return of human remains, and promote the building of cultural institutions in Africa.² Yet, because the issues around colonial looted art squarely implicated German museums, the government also needed to respond in the realm of domestic cultural policy.

The BKM in its current form emerged only in the late 1990s with a broad portfolio of various topics that fall under culture and media, and, importantly, a third official remit called »working-through and commemoration« (*Aufarbeitung und Gedenken*). This makes it, effectively, also a ministry for memory. It is not an exact counterpoint of culture ministries in other European countries, for postwar Germany sought to avoid the kind of centralized cultural concentration of power that the National Socialists instrumentalized to such devastating effect. As a result, the German constitution (the Basic Law) locates cultural policy within the purview of individual state governments. Because of this, until the late 1990s, federal policy had been coordinated through a cultural committee within the Interior Ministry. Despite its lack of stature, however, the federal government steadily increased its role in cultural matters in the years immediately after reunification, allocating funding to former East Germany for cultural affairs and acting as the main interlocutor with EU cultural policy. State governments, fearing the erosion of their sovereignty, forced the dissolution of the cultural committee, only, ironically, to have it replaced, in 1998, by a new stand-alone office — the BKM — that soon grew in size and influence.

To square the circle of having a federal role for cultural policy without overstepping the constitution, the BKM's head shares a direct report to the Chancellor with cabinet ministers, even though she carries the rank of minister of state (a step below), and was known as commissioner (*die Beauftragte*).³ Under the Christian Democratic Commissioner Monika Grütters (2013 – 2021), this quasi-ministry grew considerably in power and scope, more than doubling the number of staff to 400 and its budget to over two billion Euro in 2021. Remarking on the growing power of the office under Grütters, one journalist quipped that »even her counterpart in centrally organized France would go pale with envy« (Dege 2022).

As the controversies over the Humboldt Forum drew attention to colonial collections across the country, the BKM took on an increasingly prominent role in shaping what came to be the federal government response to colonial reckoning. Endowed with an enhanced budget and increased clout, it created two departments (K47 and K56) to deal specifically with provenance research for »lost cultural heritage« and colonial collections (BKM 2022). These built on the precedent of the earlier Office for Provenance Research created by Grütters' predecessor Neumann to help with searching for Nazi looted art. Grütters notably merged this office in 2015 with a relatively small organization called the *Coordinating Office for the Return of Cultural Property* to form the German Lost Art Foundation (DZK). In 2019, in addition to its main focus on the Nazi era and, to a much lesser extent, the Soviet Occupation Zone/GDR, the DZK added a funding unit for »colonial contexts« in what one participant characterized to me as a political »quick fix« for a government under pressure to address colonial issues. Grütters, who had championed this unit, hailed its role in supporting provenance research as a »decisive contribution« to overcoming the »blind spot« of colonialism within Germany's memory culture (Bundespresseamt 2019). The BKM also funds the German Museums Association (DMB), which issued two landmark sets of guidelines on colonial collections, which we will shortly examine in detail.

All of this activity effectively created a center of gravity around which cultural policy on colonial collections could converge, if not entirely cohere. The BKM came to function as *primus inter pares* among a set of institutions across all three levels of Germany's complex federal structure (federal, state, and local), forming a matrix for a rapidly expanding infrastructure for funding and guiding provenance research. These include, *inter alia*, the German Lost Art Foundation, the Cultural Foundation of the States (*Kulturstiftung der Länder*), which hosts a Contact Point for Collections from Colonial Contexts (*Kontaktstelle für Sammlungsgut aus kolonialen Kontexten*), various provenance research units at the state or municipal levels such as in North Rhine-Westphalia and Lower Saxony, and academic, non-governmental, and museum organizations with whom the state institutions collaborate or consult, such as the Research Association for Provenance Research (*Arbeitskreis für Provenienzforschung*).

This matrix both helps shape, and is shaped by, what art historians Christian Fuhrmeister and Meike Hopp (2019) have referred to as a provenance research boom (which they critique for its siloed and subjective nature). The boom was driven by the end of the Cold War, the opening of archives, political pressures from both governments and activists, and, importantly, by digital technologies that transform how one captures, catalogs, and seeks basic knowledge about objects. The BKM and partner organizations contributed substantially to the emergence of a normal science paradigm for provenance research through a proliferation of sponsored projects, professorships, publications, and degree programs, which established provenance research as a new, interdisciplinary field. As a recent German journal dedicated to provenance research wrote in its inaugural editorial, it is the »uniting,

cross-disciplinary ›Power of Provenance‹ that »reveal[s] hidden interrelations and potential synergies« (Saß et al. 2022, 1).

Setting the Parameters of Discourse

The government's approach to colonial reckoning thus included developing a symbolic and bureaucratic memory infrastructure around the key issue of colonial collections, with provenance research playing a starring role. But symbolic and bureaucratic structures must translate into practice, and this poses a different challenge for the government. What does it mean in practice for colonial history to acquire the status of a *new* phase of coming to terms with the past alongside, and sometimes in tension with, the Nazi and Communist regimes? How to navigate the relationship between these different pasts, where the *working through* of them all belongs to Germany's »fundamental democratic consensus« (German Bundestag 2018)? If colonial legacies are found in the structural inequalities and racism present today, how should the government characterize the scope and temporality of colonialism? What language should be used to signal inclusion within the emergent memory infrastructure?

German bureaucracy's attempts to formulate policy around the question of colonial collections and human remains suggest a provisional response to these questions. The government was, and is, reluctant to introduce legislation to directly address colonial restitution, preferring to rely on non-binding guidelines and statements of principles, which avoid setting legal precedents and are strategically ambiguous. Such documents function as a form of soft law, playing a leading role in setting the terms of discourse in the absence of formal policies. These documents deserve our attention because they form the discursive parameters of the emerging memory infrastructure around colonial collections.

The first set of government guidelines on Nazi looted art was issued in 2001, not long after the *Washington Principles* (BKM 2001). The first colonial-related guidelines, focusing on human remains, appeared more than a decade later, under the aegis of the German Museums Association (DMB) in 2013, followed by guidelines on colonial collections in 2018 (they have all been revised more than once). The year after, in 2019, the government summarized its »principles« in a joint federal, state, and local statement, known as the *Framework Principles for Dealing with Collections from Colonial Contexts* (BKM 2019). The timing of these documents is significant. The initial guidelines on the care of human remains appeared in the wake of a controversially handled return of skulls from Germany to Namibia (Förster 2013). The last two documents — the guidelines on colonial collections and the principles statement, as well as a substantial update to the human remains guidelines — appeared in the years immediately following French President Emmanuel Macron's famous 2017 Ouagadougou speech on restituting African collections from France. This timing lent the documents the air, if not the formal status, of official policy, especially coming together with a revised version of the guidelines on human remains.

Macron's 2017 Ouagadougou speech had captured the world's attention and heightened expectations that other European states would feel compelled to follow his lead. Yet no national European government followed up with a similarly sweeping promise by its head of state. The German Chancellor declined to imitate his oratory or commission authors to match the influential French *Sarr-Savoy Report on Restituting African Cultural Heritage* (2018). It fell to these guidelines and principles to seemingly fill in for absent political promises or legislation. As historian Jürgen Zimmerer, a frequent critic of German government

efforts at restitution, put it after the release of the *Framework Principles*, »Germany has missed the chance to make a big political gesture like France, but this document shows it is taking the subject very seriously« (cit. in Hickley 2019). Indeed, to outsiders, these documents certainly looked like an official government policy since they were, as the Ghanaian scholar Kwame Opoku (2018) observes, formally presented »on Government premises by a Federal Minister« (*id est*, Minister of State Grütters) in a way that seemed to proclaim »the Government's answers to the difficult topic of restitution.« Similarly, anthropologist Larissa Förster (2023a, 65) notes how the *Framework Principles*, with its scope spanning local to national political levels, are Germany's »key policy document.«

These documents form part of a larger set of texts within Germany that together make up the discursive field, including the *Stuttgart Recommendations* (2003) on dealing with human specimens and the *Heidelberg Declaration* (2019) of the directors of 26 ethnological museums in German-speaking areas, but Förster (2023a, 58) argues that these foundational documents created new vocabularies that became »crucial for talking about the history of collections« and »critical for re-assessing museum objects and collections and making decisions about their future.« This, in turn, enabled new forms of critical practice, with far-reaching implications both for the administration of museums and for dealing with restitution claims.

Above all, they established the (non-binding) principle, similar to the guidelines on Nazi looted art, that restitution (when warranted) is in fact the goal, a significant shift from the previous era when it was considered something to be actively opposed (Savoy 2021). But the documents are also structured by a strategic ambiguity that exemplifies the tension in provenance-centered reckoning between drawing attention to colonial violence and distancing oneself from it. Building on Förster's (2023a) insights, in this last section I look briefly at three key discursive moves in the documents that embody this tension: the phrase »colonial contexts«, the refusal to set a time frame for the colonial period, and the category of injustice.

Colonial Contexts

In the *Guidelines on the Care of Colonial Collections* (DMB 2021), the conspicuous phrase »colonial contexts« is used to refer to all complex issues around colonial cultural heritage and their restitution. The phrase has become widely adopted, including in the *Framework Principles*, and is now nearly ubiquitous in any government-related document that mentions colonialism. It functions as a distanced, neutral description which could in principle be applied to any historical situation (after all, what doesn't have a context?). Yet, this term has a strikingly different effect than using, for example, colonial violence, which is both visceral and has a perpetrator and a victim, and which seems to disappear in the dry language of »context«.

While the term distances the reader from colonial violence, it also seeks to reconfigure dominant White German understandings of colonialism beyond an exclusive identification with specific acts of past violence, such as the genocide against the Herero and Nama or situations of formal colonial governance, and towards an understanding of colonialism as a structuring force deep in the seams of daily life and all parts of today's society, one which replicates structural violence and racist ideologies. Capturing this scope and nuance is a practically and politically challenging task, since the format of guidelines by definition simplifies and abstracts complex questions, and these are all politically charged topics. It is also an epistemologically fraught exercise, since such guidelines are written by and for the very

museums which are implicated in commissioning, benefitting from, and perpetuating the colonial injustice they are being encouraged to undo. This is a tricky line to walk.

To operationalize the nuances of these broader meanings of colonial contexts, the *Guidelines on the Care of Colonial Collections* offer readers a usable grid in which museums can place a given object into one of three categories. The first category is »formal contexts«, which encompasses objects from areas under colonial rule when the item was acquired, such as ethnographic artifacts from German Southwest Africa, the Benin Bronzes, or botanical or zoological specimens from New Guinea, but also other items from the era such as raw materials, commercial products, or »semi-luxury and standard foodstuffs«, from ivory to coffee and tea. The second one is »informal contexts«, which refers to a wide range of quasi- and neo-colonial conditions after independence or in the absence of formal colonization, such as the sale of indigenous costumes in Guatemala to Europeans under dire economic conditions, Chinese art looted during the Boxer Rebellion, or religious objects relinquished to European missionaries from Latin America to the South Pacific. The final category, »objects that reflect colonialism«, is the most capacious, encompassing objects that »reflect colonial thinking or convey stereotypes based on colonial racism.« These can include advertisements or art, whether explicitly glorifying colonialism or engaging in »subtle, defamatory racist ways of thinking or portrayals of colonial contexts.« Examples given include colonial-era postcards and advertisements for colonial exhibitions and ethnic shows, fine art with stereotypical iconography, or theatre, dance, film, books, or music that, intentionally or indirectly, reproduce a colonial perspective (DMB 2021).

These categories are both rigid and vague at the same time. Intended »to sensitize those who use the Guidelines«, the gist of the categories is to explain how deeply entwined, and implicated, the entire edifice of modern German society is in the legacies of colonialism. At the same time, the guidelines consistently emphasize their non-binding nature (which is mentioned eight times), the primacy of legal regulations, and the need to consider each situation on a case-by-case basis (DMB 2021, 30). This creates the effect of a double movement of engagement and evasion of accountability.

The Temporality of Colonial Injustice

The *Guidelines on the Care of Colonial Collections* also notably refuse to identify a specific time frame for colonial contexts. Similar to how the use of »colonial contexts« sought to expand the scope of colonial injustice beyond singular acts of violence to society at large, the refusal of a time frame in part proactively refutes the entrenched myth that Germany bears reduced responsibility for colonialism due to its relatively short formal colonial period. Instead, the formal colonial period is presented as emerging from the colonial entanglements of Germans prior to 1871, and then leading to the »multi-faceted racial supremacy« mind-sets of later years (without mentioning the National Socialists by name) up to forms of racism today. This is a tall temporal order, and the text wrestles somewhat clumsily with the elasticity of colonial injustice.

In a way, the refusal of a time frame is one of the more radical moves in the guidelines because it directly implicates a wider swath of German society in colonial crimes both historically and today. This potentially and tantalizingly expands the scope of reckoning by allowing for connections to contemporary forms of injustice and oppression. Yet the very breadth ironically also makes it harder to adapt one of the more successful legal strategies

employed in confronting the Nazi past – using today's law to judge actions in the past, something otherwise frowned upon by modern legal systems.

This is known in law as the intertemporal problem: during the Nazi era (as during colonialism), what we today consider to be acts of injustice were often given the imprimatur of law, making it legal at the time to discriminate, denaturalize citizens, expropriate property, and imprison and kill in ways deemed illegal today. This made it more difficult after the war to seek justice, since courts generally recognize the validity, if not the morality, of prior laws and hesitate to apply new laws retroactively. To get around this conundrum, the period between 1933 and 1945 became in certain respects an exceptional legal period, where specific laws could be invalidated on moral grounds without questioning the entire foundation of the legal system. This, effectively, allowed a kind of legal work-around when it came to certain kinds of Nazi persecution that would have been legal under German law at that time. Similarly, designating certain kinds of persecution as crimes against humanity could remove the legal constraints of statutes of limitation or sovereign immunity (see Goldmann et al. 2021; Hackmack et al. 2021; Heidt 2021).

Since lawsuits or prosecution for colonial crimes would likely be bedeviled by similar constraints (*id est*, the actions in question may have been legal at the time, or at least not illegal, or there may be statutes of limitation, etc.), the approach to the fascist era can appear a useful model for the colonial. The fascist-era model, however, works precisely because 1933 – 1945 is a strictly time-limited period. Critics such as Andreas Schlothauer (2019) see the insistence in the guidelines on a wide temporal scope as making legal exceptions more difficult, thereby preventing, rather than encouraging, restitution. A more circumscribed period of formal rule, he argues, would strengthen the ability to develop a legal framework for restitution, allowing for more restitution using the model applied to the National Socialist era.⁴ Coming at the same problem from a different angle, critical legal theorists argue for considering colonial crimes as crimes against humanity at the time of their commission, even if the legal term was invented later (Anderson 2005; Sarkin 2009; Atilés-Osoria 2018).

Conceptualizing Injustice

The last example is the documents' use of the German notion of »injustice« (*Unrecht*), a term that, Förster (2023a) argues, serves as the connecting tissue between colonial and NS efforts at restitution. The *Guidelines on the Care of Human Remains* hold that »injustice« refers »above all« to the Nazi period and the East German regime and only »more recently« to the colonial past (DMB 2021, 17).⁵ This formulation exemplifies at least two things: an implicit hierarchy of injustice, and the deep resonance of the German word *Unrecht* with the Nazi past. This resonance takes the form, as Förster (2023b) puts it, of a shared »moral and ethical terrain« that is legible, and therefore usable, for museums and other institutions, especially in thinking about just and fair solutions.

Yet its legibility is also the source of discomfort: expanding the use of *Unrecht* to different contexts triggers the fear that any suggestion of comparison could lead to a slippery slope of relativization, unsettling the centrality of the Holocaust in German memory culture and, with it, postwar German identity.⁶ This »specter of comparison« (Rothberg 2020) reappears with striking and strident regularity in public debates, making it a political and cultural minefield. One visible result is the inclusion of an almost stock qualifying sentence within nearly any state-related document dealing with colonial reckoning that reaffirms, as the *Framework Principles* version puts it, the »unprecedented and unparalleled« incom-

parability of the Holocaust (BKM 2019). This lends the German discourse around colonial reckoning a structure in which responsibility for colonialism is embedded within a national culture of contrition centered around National Socialism, only in order to then be ritualistically distanced. Any attempt to institutionalize colonial reckoning at the state or state-supported level in Germany has to engage in this ritual and negotiate its parameters. As the director of an agency directly involved in restitution questions around cultural heritage put it to me, this results in »a daily act of balancing and negotiation« (*ein tägliches Aushandeln und Aushandeln*).

Conclusion: Productive Dissonances?

The *Washington Conference Principles on Nazi-Confiscated Art* appear as a ghostly presence throughout the documents discussed above: the latter reflect the former document's spirit in their desire to pursue »just and fair solutions« for colonial cases when litigation cannot (or will not) resolve restitution claims. And yet, the documents shy away from suggesting that they constitute, or even advocate for, a colonial equivalent of the *Washington Principles*. The implication is that such an equivalent would be politically and pragmatically impractical given the wide scope of colonial contexts. Instead, one encounters vaguer formulations that evoke, but stop short of, the original *Washington Principles*. For example, the *Washington Principles* call for specific actions that consist, *inter alia*, of identifying all relevant pieces, opening archives, working around temporal challenges, publicizing the art, and creating a central registry. The *Framework Principles* encourage these very kinds of efforts in a more elliptical way. They call, for example, not for unfettered access to archives (a longstanding demand from activists), but rather for key actors »to play an active role in addressing the history of collections« and to »acknowledge the importance« of identifying and publicizing objects (BKM 2019).⁷

The cautiousness of the *Framework Principles* is a rather classic example of bureaucratic language, which can famously serve both as a form of evasion of accountability and as a strategic move for building political support for accountability across diverse constituents who do not all agree. Both are likely at work here; the emerging memory infrastructure is an expression of contradictions, not the resolution of them, even if government discourses are inclined to privilege closure. Thus, when we look more closely at how the German government struggles to respond to demands for colonial reckoning, we see a mixture of enthusiasm and hesitation, of a desire for justice and rule-bound caution, of a moral language of duty and a bureaucratic language of grids and grants.

These efforts are in tension with each other and can produce contradictory results. On the one hand, the government has come a long way from two generations ago when, as Bénédicte Savoy (2021, 195) shows, the German museum world fobbed off responsibility for reckoning with the colonial past onto future generations in a »nasty play for time«, leaving a festering wound. Today, as measured by the aggressive delaying and rhetorical tactics of 45 years ago, the play for time seems to have run its course; German museums with government support now publicly agree, at least in principle, to a moral imperative to return objects and to take steps towards decolonization, even if what this means in practice is highly contested. It is also a far cry from even 2009, when the Federal Government claimed that it was »unaware of any cases where the ownership of cultural objects originally from former colonial countries in German museums is in question« (Bundesregierung 2009, 5). In this sense, the government's embrace of provenance research as historical responsibility-in-action helped

provide political cover for German museums, which are also undergoing a generational change, to respond more positively to vocal demands from civil society activists for restitution and decolonization.

Yet, all this notwithstanding, there is no lack of criticism of the German museum world for being overcautious, fundamentally conservative, and hidebound. An even more trenchant critique, as voiced by Ghanaian art historian Nana Oforiatta Ayim (2021), is that the privileging of provenance research and restitution continues »a dominant European discussion that reproduces colonial patterns« because provenance research is a dominant European discourse that plays to the strengths of the legal and funding structures of Western governments. The guidelines' goal of »sensitizing« (*sensibilisieren*) White Europeans to colonialism's legacies, combined with vague recommendations, risks appearing as an alibi of the sort that could be used »to buy ... a good conscience at a cheap price« (Mbembe 2021, 161). From the opposite side of the political spectrum, the German political right wing has found it attractive to attack advocates of colonial reckoning in museums and cultural ministries with tactics similar to those which Savoy (2021) described as effective in the 1970s: scaremongering about a »radical emptying of German museums«, myth-building about the innocence of German collectors, rehashing well-worn arguments about German generosity in salvaging and conserving African culture for the benefit of the world, and veiled racist sentiments questioning the basis for African claims and their ulterior motives (see Häntzschel 2018).

One can therefore have long discussions over whether the emergence of a memory infrastructure for provenance-centered reckoning, as discussed in this essay, is a breakthrough in how Germany confronts its implication in colonial injustice, or amounts to new forms of evasion of accountability, about whether the documents discussed above lay the groundwork for far-reaching changes, or are sophisticated versions of playing for time, and about how to disentangle good intentions and noble goals from unconscious bias and structural constraints. Fundamentally, however, Ayim is right: while victims or their heirs can demand the return of objects, those in whose possession these objects remain are empowered to validate those claims, or to agree to hear them at all in the first place. The »agency of domination«, to paraphrase Foucault (1980, 62), lies not in the one who receives the returned object, but in the one from whom the object is wrested.⁸

Thus, what we are calling here provenance-centered reckoning takes the form of a double movement which both enables and evades a confrontation with colonial violence and in the process produces dissonances. On the one hand, as an evidentiary process rooted in historical method and structured by legal parameters, provenance research claims a certain objectivity, a certain distance, that seeks to stand apart from moral and ethical judgement and thus fits within the purview of governmental administration as a scientific and (ideally) apolitical approach. On the other, the process is also a practice that exceeds its boundaries, gathering stories, memories, making connections, and unearthing evidence, turning it into a site of narration, rediscovery, and implication in emotional and violent histories for both perpetrators and victims. This dissonance opens new questions about what kind of memory work provenance research is doing, and for whom.

How should we think, for example, about provenance researchers themselves in terms of their roles in the memory landscape? While they are often funded or hired by state-led organizations, they increasingly call for expanding provenance research both conceptually and practically away from its evidentiary purpose, which, as Samuel Bachmann and Marina Berazategu (2022, 23) argue, »fails to grasp« the current historical moment. Researchers increasingly collaborate with civil society, artists, and »societies of origin«, and critique the very

institutions in whose name they are carrying out the research (Deußen 2020; Grimme 2020). In so doing they arguably are navigating between official and vernacular memory (Bodnar 1992; Gluck 2007). While not exactly memory activists, they also do not explicitly advance a political agenda as politicians do; rather they are contributing to a shift in how provenance research itself is perceived, framed, and practiced as a kind of memory work.

An intriguing example of this shift is found in a recent draft concept paper from the German Lost Art Foundation (Lost Art 2022). Unlike the almost exclusive focus on clarifying legal property rights and ownership that dominated provenance research in the decade following the *Washington Principles*, the draft paper implies that the practice of provenance research can itself function today as a kind of just and fair solution in its own right: the goals of provenance research now include making visible the suffering of victims of injustice, remembering them, and describing the larger structures of violence and dispossession that caused this suffering. Beyond facilitating the return of objects to their rightful heirs, provenance research is presented as capable of providing »material witnesses« to later generations to help them »articulate« their own lost histories.

Framed this way, provenance-centered reckoning is not only a state discourse and bureaucratic infrastructure, but also a site where reckoning can take place independently of restitution as a goal (Förster 2016), and as a subject around which wider social debate can form. Provenance research, for example, has moved from being a behind-the-scenes activity to itself constituting the subject of exhibitions, with over 155 such exhibits, the vast majority in Germany, showcasing provenance research regarding the Nazi, socialist, or colonial periods in the eleven years since 2012, compared to less than two dozen for the first twelve preceding years of the 21st century (DZK 2023). The Lost Art Foundation's concept paper reconceptualizes provenance research as no less than a new »object-centered working-through of history« (*objektzentrierte Geschichtsaufarbeitung*) which can be »thematically expanded« from the Nazi period to a »pluralistic memory culture beyond competition among historical contexts or victim groups.«

This concept paper sits alongside a seemingly ever-larger number of projects, initiatives, articles, and discussions about provenance research in relation to Nazi and colonial pasts and, to a lesser extent, the Soviet occupation and East German era (see Deinert et al. 2022). In this article, I have sought to name this phenomenon *provenance-centered reckoning*. I have argued that it became an increasingly visible part of the contemporary German memory landscape through a memory infrastructure that adapted the discourse of provenance research as it developed from Nazi looted art to confronting the colonial past. Yet how this development reshapes memory culture in general, and colonial reckoning in particular, depends, in part, on its relation to other dimensions of reckoning that do not fit as easily into legible, state-sanctioned forms.

As Kenyan writer Yvonne Adhiambo Owuor (2020) reminds us, restitution of colonial heritage in museums and collections, to which provenance research is indelibly linked, forms only a small part of a much vaster »settling of outstanding accounts« that includes banks, corporations, and many other actors who feasted on »the colonial feeding frenzy.« Can provenance-centered reckoning avoid becoming another »strategy of obfuscation« (Mbembe 2021, 160) that evades responsibility even while pursuing it? The answer will lie, perhaps, in the productive dissonances generated by provenance-centered reckoning, especially in its governmental forms, as it straddles hegemonic and reparative discourses. While provenance-centered reckoning, as explored in this article, provides cover for state actions and inactions, the reckoning that accompanies it cannot be fully captured or contained by state-led structures. Indeed, it might even be capable of transforming them.

Acknowledgments

Research for this paper was supported by a DAAD Research Stay Grant and a Faculty Research Grant from the Provost's Office of The New School. Special thanks to Sharon Macdonald and her colleagues at the rich intellectual community of the Centre for Anthropological Research on Museums and Heritage (CARMAH) at Humboldt-Universität zu Berlin, which generously hosted me for this research, and to all who shared their knowledge and experience with me.

Notes

- 1 The *Washington Principles* have been accompanied in the ensuing years by additional documents, such as the *2009 Terezin Declaration on Holocaust Era Assets and Related Issues*, and several German statements on the Principles, including the 1999 *Common Declaration* and the 2018 German-U.S. *Joint Declaration Concerning the Implementation of the Washington Principles*.
- 2 The Foreign Office considers the promotion of museums in Africa as a form of taking responsibility for the colonial past. The Foreign Office works closely on relevant matters with the BKM, though they are not without their tensions. The Development Ministry played a central role in reckoning in 2004 when its minister, Heidemarie Wiczorek-Zeul, apologized to Namibia without apparently first clearing it with the government (Zuern 2012, 512).
- 3 When the office was created, the *Bundestag* changed the law to allow the first Commissioner, Michael Naumann, to hold the title of Minister of State, since he was not a Member of Parliament, and until then only Parliamentarians could be State Ministers. As of this writing (June 2023), the Commissioner is Minister of State Claudia Roth.
- 4 Schlothauer (2019) is acerbic, accusing the guidelines of not living up to their own goals and turning instead into a »post-colonial variant of Eurocentrism.« He harshly criticizes the guidelines' definition of objects, arguing that the object itself gets lost in the mix when generally described as »sensitive« and when the collection itself becomes the object.
- 5 Sophie Schönberger (2021, 49 f.) calls attention to a prehistory of the term *Unrecht* in German debates about colonialism, but one that is precisely the inverse of today: public discourse in Germany immediately after World War I referred to the *loss* of colonies as a kind of injustice by the victorious powers against Germany.
- 6 This caution around comparison, implicit or explicit, is also present in talking about the East German regime (Jesse 2015; Stoleis 2019).
- 7 See the very critical public appeal in response to the *Framework Principles: Open the Inventories (Öffnet die Inventare, 2019)*.
- 8 The original quote is as follows: »the agency of domination does not reside in the one who speaks (for it is he who is constrained), but in the one who listens and says nothing; not in the one who knows and answers, but in the one who questions and is not the one who receives it, but in the one from whom it is wrested.«

Bibliography

- Anderson, Rachel J. (2005): Redressing colonial genocide: the hereros' cause of action against Germany. In: *Scholarly Works* 228, 1155 – 1190.
- Apoh, Wazi (2020): Sankofatization and decolonization: the rapprochement of German museums and government with colonial objects and postcolonialism. In: *Museum Anthropology* 43/1, 29 – 44.
- Atilés-Osoria, José (2018): Colonial state crimes and the CARICOM mobilization for reparation and justice. In: *State Crime Journal* 7/2, 349 – 368.
- Ayim, Nana O. (2021): The long history of claims for the return of cultural heritage from colonial contexts. Online roundtable at the German Lost Art Foundation, 19.11.2021.
- Bach, Jonathan (2019): Colonial pasts in Germany's present. In: *German Politics and Society* 37/4, 58 – 73.
- Bachmann, Samuel/Marina Berazategui (2022): Documenting coloniality: from absent information to narrative provenance. In: Carl Deußen/Yagmur Karakis (eds.): *Thinking About the Archive & Provenance Research*. Boasblogs Papers 4. Berlin, 21 – 27.

- Bazyler, Michael (2003): *Holocaust Justice: The Battle for Restitution in America's Courts*. New York.
- Bazyler, Michael/Roger P. Alford (eds.) (2006): *Holocaust Restitution: Perspectives on the Litigation and its Legacy*. New York.
- Bodnar, John (1992). *Remaking America: Public Memory, Commemoration, and Patriotism in the Twentieth Century*. Princeton.
- Bundesbeauftragte für Kultur und Medien (BKM) (2001, revised 2007): *Handreichung zur Umsetzung der Erklärung der Bundesregierung, der Länder und der kommunalen Spitzenverbände zur Auffindung und zur Rückgabe NS-verfolgungsbedingt entzogenen Kulturgutes, insbesondere aus jüdischem Besitz*. Berlin.
- Bundesbeauftragte für Kultur und Medien (BKM) (2019): *Erste Eckpunkte zum Umgang mit Sammlungsgut aus kolonialen Kontexten*. Berlin.
- Bundesbeauftragte für Kultur und Medien (BKM) (2022): *Organisationsplan, Stand 12.4.2022*. Berlin.
- Bundespresseamt (2019): *Aufarbeitung der Kolonialgeschichte: Das Deutsche Zentrum Kulturgutverluste startet neuen Förderzweig*. Pressemitteilung 41. Berlin, 4.2.2019.
- Bundesregierung (2009): *Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Sevim Dağdelen, Hüseyin-Kenan Aydın, Wolfgang Gehrcke, weiterer Abgeordneter und der Fraktion DIE LINKE. Kolonialismus, Rassismus und Migrationspolitik*. Drucksache 16/12521.
- Cascone, Sarah (2018): *It's been 20 years since the creation of the Washington Principles to return Nazi looted art. But how effective have they been?* In: *Artnet News*, 27.11.2018. <https://news.artnet.com/art-world/washington-principles-nazi-looted-art-agreement-turns-20-1403614>, accessed on 22.8.2023.
- Dege, Stefan (2021): *Die Erfolgsstory des BKM*. In: *Deutsche Welle*, 24.8.2021. <https://www.dw.com/de/20-jahre-bkm/a-58967270>, accessed on 10.8.2023.
- Deinert, Matthias/Katja Lindenau/Charina Merseburger/Annette Müller-Spreitz/Alexander Sachse (2022): *Welchen Stellenwert hat Provenienzforschung zu Kulturgutverlusten in der Sowjetischen Besatzungszone und in der DDR?* In: *transfer – Journal for Provenance Research and the History of Collection* 1, 110 – 121.
- Deußen, Carl/Yagmur Karakis (2022): *Thinking about the Archive & Provenance Research*. Boasblogs Papers 4. Berlin.
- Deutscher Museumsbund (DMB) (2021): *Leitfaden – Umgang mit Sammlungsgut aus kolonialen Kontexten*. 3rd ed. Berlin.
- Deutscher Museumsbund (2022): *Empfehlungen zum Umgang mit menschlichen Überresten in Museen und Sammlungen*. Berlin.
- Deutsches Zentrum Kulturgutverluste (DZK) (2022): *Erinnerungskultur: Konzept zu möglichen Vermittlungsaktivitäten der Stiftung Deutsches Zentrum Kulturgutverluste (Entwurf)*. Berlin [unpublished].
- Deutsches Zentrum Kulturgutverluste (DZK) (2023): *Ausstellungen zur Provenienzforschung*. <https://www.kulturgutverluste.de/Webs/DE/Recherche/AusstellungenProvenienzforschung/Index.html?sessionId=367CE70F9EC09D258266CAC444320CEF.m1>, accessed on 9.8.2023.
- Eizenstat, Stuart (2003): *Imperfect Justice: Looted Assets, Slave Labor, and the Unfinished Business of World War II*. New York.
- Eizenstat, Stuart (2019): *Art stolen by the Nazis is still missing. Here's how we can recover it*. In: *The Washington Post*, 2.1.2019. https://www.washingtonpost.com/opinions/no-one-should-trade-in-or-possess-art-stolen-by-the-nazis/2019/01/02/01990232-0ed3-11e9-831f-3aa2c2be4cbd_story.html, accessed on 11.8.2023.
- Flakin, Nathaniel (2021): *The museum of German colonial crimes*. In: *Exberliner Magazine*, 20.01.2021. <https://www.exberliner.com/politics/german-colonial-crimes-humboldt-ethnological-museum/>, accessed on 11.8.2023.
- Förster, Larissa (2013): *›These skulls are not enough‹ – The repatriation of Namibian human remains from Berlin to Windhoek in 2011*. In: *Darkmatter – In the Ruins of Imperial Culture*, Afterlives 11.
- Förster, Larissa (2016): *Plea for a more systematic, comparative, international and long-term approach to restitution, provenance research and the historiography of collections*. In: *Museumskunde* 81/1, 49 – 54.
- Förster, Larissa (2023a): *Talking and going about things differently: on changing vocabularies and practices in the postcolonial provenance and restitution debates*. In: Sharon Macdonald (ed.): *Doing Diversity in Museums and Heritage: A Berlin Ethnography*. Bielefeld, 57 – 76.
- Förster, Larissa (2023b): *Talking and going about things differently: on changing vocabularies and practices in the postcolonial provenance and restitution debates* [unpublished draft].
- Foucault, Michel (1980): *The History of Sexuality*, Vol. 1. New York.
- Fuhrmeister, Christian/Meike Hopp (2019): *Rethinking provenance research*. In: *Getty Research Journal* 11, 213 – 231.
- Gaudenzi, Bianca (2020): *Crimes against culture: from plunder to postwar restitution politics*. In: Simone Gigliotti/Hilary Earl (eds.): *A Companion to the Holocaust*. Hoboken, New Jersey, 191 – 208.

- German Bundestag (2018): Deutschlands Zukunft gestalten: Koalitionsvertrag zwischen CDU, CSU, und SPD. Berlin.
- German Bundestag (2021): Mehr Fortschritt wagen: Koalitionsvertrag zwischen SPD, Bündnis 90/die Grünen und FDP. Berlin.
- Gluck, Carol (2007): Operations of memory: ›comfort women‹ and the world. In: Sheila Miyoshi Jager/Rana Mitter (eds.): Ruptured Histories: War, Memory, and the Post-Cold War in Asia. Cambridge, Massachusetts, 47 – 77.
- Goldmann, Matthias/Beatriz von Loebenstein (2021): Alles nur geklaut? Zur Rolle juristischer Provenienzforschung bei der Restitution kolonialer Kulturgüter. In: Thomas Sandkühler/Angelika Epple/Jürgen Zimmerer (eds.): Geschichte durch Restitution? Ein Kunst-Historikerstreit. Cologne, 347 – 384.
- Grimme, Gesa (2020): Systematizing provenance research on objects from colonial contexts. In: Museum and Society 18/1, 52 – 65.
- Grimsted, Patricia K. (2017): Pan-European displaced archives of the Russian Federation. In: James Lowry (ed.): Displaced Archives. New York, 130 – 156.
- Grütters, Monika/Michelle Müntefering (2018): Eine Lücke in unserem Gedächtnis. In: Frankfurter Allgemeine Zeitung (FAZ), 15.12.2018. <https://www.auswaertiges-amt.de/de/newsroom/muentefering-gruetters-faz/2172172>, accessed on 11.8.2023.
- Habermalz, Christiane (2021): Deutschland erkennt Kolonialverbrechen als Genozid an. In: Deutschlandfunk, 21.9.2021. <https://www.deutschlandfunk.de/versoehnungsabkommen-mit-namibia-deutschland-erkennt-100.html>, accessed on 11.8.2023.
- Häntzschel, Jörg (2018). Kulturpolitik der AfD: So raffiniert wie zwielichtig. In: Süddeutsche Zeitung (SZ), 26.7.2018. <https://www.sueddeutsche.de/kultur/afd-neue-taktik-1.4067399>, accessed on 11.8.2023.
- Heidelberg Declaration (2019): Dekolonisierung erfordert Dialog, Expertise und Unterstützung – Heidelberger Stellungnahme. Heidelberg. <https://www.rem-mannheim.de/sammlungen/weltkulturen/heidelberger-erklaerung/>, accessed on 15.4.2022.
- Heidt, Sheila (2021): Koloniales Unrecht, Rückgabeforderungen und Provenienzforschung. In: Thomas Sandkühler/Angelika Epple/Jürgen Zimmerer (eds.): Geschichte durch Restitution? Ein Kunst-Historikerstreit. Cologne, 321 – 346.
- Hackmack, Judith/Wolfgang Kaleck (2021): Warum restituieren? Eine rechtliche Begründung. In: Thomas Sandkühler/Angelika Epple/Jürgen Zimmerer (eds.): Geschichte durch Restitution? Ein Kunst-Historikerstreit. Cologne, 411 – 429.
- Hickley, Catherine (2019): Culture ministers from 16 German states agree to repatriate artefacts looted in colonial era. In: The Art Newspaper, 14.3.2019. <https://www.theartnewspaper.com/2019/03/14/culture-ministers-from-16-german-states-agree-to-repatriate-artefacts-looted-in-colonial-era>, accessed on 22.8.2023.
- Institut für Kulturpolitik der Kulturpolitischen Gesellschaft (IKKG) (Ed.) (2009): Jahrbuch für Kulturpolitik. Klartext 9.
- Jesse, Eckhard (2005): Das Dritte Reich und die DDR – zwei ›deutsche‹ Diktaturen? Totalitarismus und Demokratie 2/1, 39 – 59.
- Marrus, Michael R. (2009): Some Measure of Justice: The Holocaust Era Restitution Campaign of the 1990s. Madison, Wisconsin.
- Mbembe, Achille (2019): Out of the Dark Night: Essays on Decolonization. New York.
- Morat, Daniel (2019): Katalysator wider Willen: Das Humboldt Forum in Berlin und die deutsche Kolonialvergangenheit. In: Zeithistorische Forschung 16, 140 – 153.
- Neumann, Bernd (2010): Greeting. In: Koordinierungsstelle Magdeburg (ed.): Die Verantwortung dauert an: Beiträge deutscher Institutionen zum Umgang mit NS-verfolgungsbedingt entzogenem Kulturgut. Berlin, 9 – 14.
- Opoku, Kwame (2018): Brief comments on German guidelines on handling objects acquired in colonial contexts. In: Deutscher Museumsbund blog, 10.10.2018. <https://www.museumsbund.de/brief-comments-on-german-guidelines-on-handling-objects-acquired-in-colonial-contexts/>, accessed on 21.11.2021.
- Open the Inventories (*Öffnet die Inventare*) (2019): We demand unrestricted access to museum inventories of African objects in Germany! An open appeal to the conference of ministers of culture. https://oeffnetdieinventare.files.wordpress.com/2019/10/appell_eng-4.pdf /, accessed on 30.8.2023.
- Owuor, Yvonne A. (2020): Derelict shards and the roaming of colonial phantoms. Online keynote address, International Conference: Colonialism as Shared History. Past, Present, Future. Berlin, 9.10.2020.
- Rothberg, Michael (2020): The specters of comparison. In: Zeitgeister: International Perspectives from Culture and Society, <https://www.goethe.de/prj/zei/en/pos/21864662.html>, accessed on 14.9.2021.
- Sandholtz, Wayne (2007): Prohibiting Plunder: How Norms Change. Oxford.

- Sarkin, Jeremy (2009): *Colonial Genocide and Reparations Claims in the 21st Century: The Socio-Legal Context of Claims under International Law by the Herero against Germany for Genocide in Namibia 1904 – 1908*. Westport, Connecticut.
- Sarr, Felwine/Bénédicte Savoy (2018): *The Sarr-Savoy Report on the Restitution of African Cultural Heritage: Toward a New Relational Ethics*. Paris.
- Saß, Ulrike/Florian Schönfuß/Christoph Zuschlag (2022). Editorial. In: *transfer – Journal for Provenance Research and the History of Collection* 1/1, 1 – 5.
- Savoy, Bénédicte (2021): *Afrikas Kampf um seine Kunst: Geschichte einer postkolonialen Niederlage*. Munich.
- Schlothauer, Andreas (2019): *Der ›Leitfaden zum Umgang mit Sammlungsgut aus kolonialen Kontexten‹ (2018) als Ausdruck post-kolonialer Deutungshoheit*. <https://www.museumsbund.de/wp-content/uploads/2019/04/2019-3-3-schlothauer-anmerkungen-leitfaden-kolonialen-kontext-3319.pdf>, accessed on 30.8.2023.
- Schönberger, Sophie (2018): *Die Zeit heilt keine Wunden*. In: *Dossier zu NS- Raubkunst*, Stiftung Preussischer Kulturbesitz, Berlin. <https://www.preussischer-kulturbesitz.de/newsroom/dossiers-und-nachrichten/dossiers/magazin-ns-raubkunst/die-zeit-heilt-keine-wunden/>, accessed on 9.8.2023.
- Schönberger, Sophie (2021): *Was soll zurück? Die Restitution von Kulturgütern im Zeitalter der Nostalgie*. Munich.
- Steinmeier, Franz-Walter (2021): *Bundespräsident Frank-Walter Steinmeier beim Festakt zur Eröffnung der Ausstellungen des Ethnologischen Museums und des Museums für Asiatische Kunst der Staatlichen Museen zu Berlin am 22.9.2021*. Berlin, <https://www.bundespraesident.de/SharedDocs/Reden/DE/Frank-Walter-Steinmeier/Reden/2021/09/210922-Humboldt-Forum.html?nn=9042544>, accessed on 9.8.2023.
- Stoleis, Michael (2019). *Debatte über die DDR. Kaum ein Staat ist ganz ›Unrechtsstaat‹*. In: *Der Tagesspiegel*, 14.10.2019. <https://www.tagesspiegel.de/politik/kaum-ein-staat-ist-ganz-unrechts-staat-5946028.html>, accessed on 11.8.2023.
- Stuttgart Recommendations (2003): *Die Stuttgarter Empfehlungen zum Umgang mit Präparaten aus menschlichem Gewebe in Sammlungen, Museen und öffentlichen Räumen*. In: *Deutsches Ärzteblatt* 100/8, 378 – 383.
- Süddeutsche Zeitung (SZ) (2019): *Kritik an Ramelow und Schwesig in Debatte Unrechtsstaat*. 7.10.2019. www.sz.de/dpa.urn-newsml-dpa-com-20090101-191007-99-195843, accessed on 9.8.2023.
- U.S. Department of State (1998): *Washington Conference Principles on Nazi-Confiscated Art*, Office of the Special Envoy for Holocaust Issues, 03.12.1998.
- von Richthofen, Luisa (2018): *Nazi-looted art: why are restitutions still the exception?* In: *Deutsche Welle*, 30.11.2018. <https://www.dw.com/en/nazi-looted-art-why-are-restitutions-still-the-exception/a-46507241>, accessed on 12.2.2021.
- Zuern, Elke (2012): *Memorial politics: challenging the dominant party's narrative in Namibia*. In: *The Journal of Modern Africa Studies* 50/3, 493 – 518.
- Zuschlag, Christoph (2019): *Vom Iconic Turn zum Provenancial Turn? Ein Beitrag zur Methodendiskussion in der Kunstwissenschaft*. In: *Deutsches Zentrum Kulturgutverluste (ed.): Provenienzforschung in deutschen Sammlungen. Einblicke in zehn Jahre Projektförderung*. Berlin, 347 – 355.

