The materialities and legalities of forgetting

Dispossession and the making of Turkey's (post-) Ottoman heritage

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In November 2011, the Metropolitan Museum of Art (MET) reopened its Islamic art section, now named 'Art of the Arab Lands, Turkey, Iran, Central Asia, and Later South Asia'. More than a superficial reshuffling, the gesture of renaming implicitly responded to critical examinations of Islamic art as a field of art history, its historical formation and its analytical frames. The redesigned galleries include two rooms featuring works from the collection of Ottoman-Armenian archaeologist, art dealer and pioneer of Islamic art Hagop Kevorkian (1872–1962). They frame a gallery sponsored by the estate of Turkish businessman Vehbi Koç (1901–96). While dedicated to 'works created within the borders of the Ottoman Empire', the gallery in fact mostly surveys art from within the boundaries of present-day Turkey.¹ The immediate adjacency of these collections reproduces silences rooted in state violence, dispossession and the displacement of peoples and artworks. To interrogate the silences, this chapter maps episodes of violence against non-Muslims in the late Ottoman Empire and the early Turkish republic in the course of which artworks were expropriated, looted and displaced. It proposes that beyond individual intentions or professed institutional mission, violence and dispossession have created the material conditions for forgetting in art historical accounts and in museum narratives, and hence in the knowledge production at the intersection of 'Ottoman', 'Islamic' and 'Turkish' art. These histories have not only shaped national forgetting in Turkey but also pervade the representation of Turkey's past in the globalised category of Islamic art. These modalities of forgetting are further compounded by protections of cultural heritage formulated in response to European experiences of war in the nineteenth and twentieth centuries. The chapter probes how these formulations and the legal blind spots they have produced have shaped the perception of Islamic heritage in Europe when it comes to the Ottoman past of contemporary Turkey.

Constituting blind spots

The MET's physical layout and the narratives and erasures that the exhibition design produces, provide an opportunity to draw attention to an issue that has thus far been left out of critical engagements with the concept of Islamic art and its taxonomies, especially when it comes to the legal successor of the Ottoman Empire: the Republic

of Turkey. To dissect these erasures, let us first turn to the biographic positionalities of Kevorkian and Koç. Hailing from Kayseri, central Anatolia, Hagop Kevorkian seems to have settled in New York after the Hamidian Massacres (1894–96) that targeted Armenians and other non-Muslims and paved the way for the Armenian genocide (1915–17) two decades later. The genocidal violence was accompanied by extensive state-led expropriation during which artworks were lost, looted, made illegible or destroyed. Koç, in turn, belonged to a rising republican business elite that at times directly and at others indirectly benefited from what is often called the ‘Turkification of the economy’ – a process underwritten by state violence and discriminatory practices that was aided by large-scale dispossession of non-Muslims and that characterised the decades following the establishment of the Turkish nation-state in 1923 (Buğra, 1994). Together with the Armenian genocide, these waves of violence propelled people and ‘things’ into diasporic trajectories, shaping not only national memory and forgetting in Turkey but also making objects available for the national and international art markets.

These different registers of violence are not addressed in the MET’s display, and yet end up being reproduced through art historical taxonomies that conflate ‘Islamic’, ‘Ottoman’ and ‘Turkish’ art. Following the problematic notion of Turkish citizenship that despite its civic rhetoric has ethnicised religion in practice by defining all Ottoman Muslims as Turks, the interchangeable use of Ottoman, Muslim, and Turk in international museum settings reifies a nomenclature that obscures the lives and works of non-Muslim artists, patrons, collectors, and audiences when it comes to the territory of contemporary Turkey. This interpretation of the Ottoman past through the hegemonic conceptualisation of the national present, follows the logic of what Christine Philiou (2008) has called ‘the paradox of perception’. This paradox has also foreclosed pluralistic art histories of Turkey needed to capture the heterogeneity of its Ottoman and post-Ottoman formations, reducing them instead to a homogenous national frame. This reduction is not only constitutive of ‘Turkish national art history’ but also bears upon the ways in which artistic heritage from that part of the world is presented in international museums.

How can this obscuring of non-Muslims in the Ottoman exhibit of the Koç rooms be explained, especially as other galleries of Islamic art tend to the ‘interculturality of Islam’ and the role of non-Muslim artists, and patrons along with objects from other religious contexts (Rabbat, 2012)? This focus on the interculturality of Islam that can also be found in the new Islamic art galleries across Europe, with which the MET, like the US context overall, is intimately connected. Indeed, Islamic art collections across these diverse locations emerged in dialogue and sometimes in competition to each other not least because they were supplied by the same art dealers (like Kevorkian and Dikran Kelekian, to whom I will turn in more detail below; see also Wharton-Durgaryan, 2020). Notions of ‘cultural stewardship’ along an imagined East–West divide and the emergence of legal provisions that govern (and protect) cultural heritage, too, have been shaped by entanglements between Europe and the United States. Be it the British Museum, the Victoria & Albert Museum (V&A), or the Louvre, it is not that non-Muslim artefacts from the region that is today’s Turkey are absent from their collections. Rather their mere – and

numerically small – inclusion does establish an adequate account of Turkey's Ottoman past, its diverse populations and artistic producers. In the case of the MET, Armenian artefacts of Anatolian provenance are displayed in the Byzantine galleries, rather than the Ottoman ones (although being dated to the eighteenth century).² In the case of the V&A, for example, a ceramic plate depicting the Archangel Michael is firmly situated in the Jameel Gallery. Despite the object's visual inclusion into the Islamic art collection, the descriptive label tells the viewer nothing about Armenian presence in Anatolia, nor the centrality of Armenian craftsmen and patrons in the development of Kütahya's famed ceramics production.³ And yet, all of these more recently reconfigured Islamic art galleries have emerged in response to a long line of critical inquiries into the very concept of Islamic art (e.g. Grabar, 1978). These inquiries have questioned the prevalent periodisation in the field of Islamic art (Necipoğlu, 2012). Others have called the field's geographical coverage and presumptions of homogeneity over time and space with regard to the religious and artistic practices of Muslims a 'mirage' (Blair & Bloom, 2003). They have tended to the role of religion in what is commonly designated Islamic art by deconstructing the *Bilderverbot* and notions of iconophobia long attributed to Islam (Flood, 2016), and problematised attempts to reduce Islamic art to a mere facilitator of the 'evolution of Western art' (Shalem, 2012), especially with regard to abstract modernism. The prevalent reduction of Islamic art to a vehicle for cultural diplomacy in the aftermath of 11 September 2001 has likewise garnered critical attention (Necipoğlu, 2012; Shaw, 2012; Winegar, 2008), especially as Islam and Muslims have been increasingly identified as the main source of contemporary political predicaments, both in Europe and the United States. Given these expansive critiques, the silence on violence and artistic dispossession in the geographies of the late Ottoman Empire that make up contemporary Turkey, is especially striking.

While often hailed for its capacity to mobilise memory (Hirsch, 2012), this chapter examines art as a site at which forgetting is established and maintained materially and legally. The second part of the paper thus outlines how the late Ottoman and Turkish republican cases are not captured by provisions against crimes against humanity, war crimes, and the conventions on looted art elaborated first within nascent international law and then by UNESCO and the EU. I argue that state violence and dispossession have shaped 'the politics of our lack of knowledge' (Lowe, 2015, p. 39) as to what constitutes the artistic heritage of the post-Ottoman landscape of Turkey.⁴ Together with imperialist designs and colonial aspirations that other European powers and the United States (Bahrani, Çelik & Eldem, 2011) cultivated with regard to the later Ottoman Empire, the material and legal conditions of forgetting have enabled the acquisition and accumulation of artefacts classified as Islamic, and hence of material objects that are integral to the making of Islamic heritage in the international arena. By centring the question of dispossession, the chapter highlights the transmission and circulation of objects, rather than following art historical narratives that frequently end the history of Islamic art in the nineteenth century. I propose that this focus on transmission allows for working through the blind spots of existing legislation and regulations on the protection of cultural heritage.

The foreclosure of pluralistic art histories on Turkey's (post-)Ottoman formation that the adjacency of the Kevorkian and Koç galleries at the MET produces is also mirrored in the case of the Museum of Islamic Art (Museum für Islamische Kunst) in Berlin. This is despite its attention to religious difference in other parts of the world where Islam is a majority religion, including the Arab lands of the former Ottoman Empire exemplified by the museum's famed Aleppo room.⁵ The museum's mission statement begins as follows:

It is after the Museum of Islamic Art in Cairo the oldest and one of the most important collections of its kind in the world. It occupies an unrivalled position in Germany – no other institution contains such a systematic and comprehensive collection of masterpieces of art and applied arts and objects of material culture stemming from Islamic societies as well as the Christian and Jewish communities living among them.⁶

Yet, this mission statement and the cohabitation with non-Muslims that it generally acknowledges⁷ does not find expression in the exhibitionary regime in terms of the configurations of those parts of the Ottoman Empire that are encapsulated by contemporary Turkey. Indeed, just like in the MET's and in other Islamic art galleries in Europe, there is a notable lack of acknowledgement of how the Armenian genocide 'set free' art works and antiquities in the shadow of World War I (Polatel et al., 2012).⁸ While a growing number of studies have tried to capture the scope of dispossession during the Armenian genocide (Bardakçı, 2013; Onaran, 2010; Üngör & Polatel, 2011), Heghnar Zeitlian Watenpaugh's 'The Missing Pages' (2019) is the first study to trace concretely the complex itinerary of the one particular set of objects, namely the Canon Tables, from before to the aftermath of genocidal violence. Originally, part of a manuscript illuminated by Toros Roslin in 1256, the Zeytun Gospels (named after the town of Zeytun, today Süleymanlı in the Mediterranean region of Turkey) were cleaved at the time of the Armenian population's deportation. While the manuscript made it to the Republic of Armenia decades later, the Canon Tables were acquired by the Getty Museum in 1994. Watenpaugh summarises the ensuing legal battle as follows:

In 2010, the Western Prelacy of the Armenian Apostolic Church of America filed a lawsuit in Los Angeles County Superior Court against the J. Paul Getty Museum seeking the return of the Canon Tables, asserting that the holy pages had been stolen. The suit avowed that the pages had been removed from their mother manuscript, the Zeytun Gospels, as a result of the Armenian Genocide. The Church asserted the pages had been stolen, and that the Getty knew or should have known it was acquiring stolen goods. The museum's legal counsel maintained that the Getty owned the pages as works of art, having acquired them legally, that the Canon Tables had been in the United States for more than ninety years without anyone questioning their legal status, and that the suit should be dismissed without merit.

(2017, p. 754)

Violence and dispossession obscure the way in which objects are transmitted and in doing so shape frames of perception and (art) historical narratives. 'The politics of our lack of knowledge', to use Lisa Lowe's term once again, are compounded by the low standards of what counts as sufficient provenance documentation when it comes to works from what is today Turkey (Bogdanos, 2016; Muscarella, 2012).⁹ As archaeologist and former Senior Research Fellow at the MET, Oscar White Muscarella, has noted, these standards have allowed for earlier auction sales to count as proof of provenance. Muscarella suggests a wilful obscuration of the way in which such objects became available for the market in the first place by those responsible for the acquisition of objects for museums, conditions that he proposes are unknown to 'most scholars and the public' (2012, p. 114). Provenance is not only a question of rightful possession but also a central means of knowledge making (Feigenbaum & Reist, 2013). The issue of provenance also raises questions with regard to the adequacies and inadequacies of existing legal frameworks, their possibilities and limitations to which I will return in the second part of the chapter.

Dispossession and the writing of Turkish and Islamic art history

In order to understand how the material conditions that structure understandings of Islamic cultural and artistic heritage as well as their blind spots have been created, let me now briefly sketch some of the processes of dispossession that brought present-day Turkey into being.

In Turkey, dispossession has been integral to the making of the nation-state and its periodic consolidation: founded on the remnants of a multiethnic, multireligious and multilingual empire, national homogenisation of the Turkish republic was achieved through violent and discriminatory means. The Armenian genocide engendered one of the earliest and most catastrophic but not the last in a long line of episodes of state violence – all of which entailed practices of dispossession. Apart from homogenising the population, the intent to create a Muslim bourgeoisie (Akçam, 2012) motivated the Armenian genocide as much as subsequent waves of violence (Ünlü, 2017). Among these violent episodes were the punitive wealth tax, instated in 1942, that ostensibly was enacted to close Turkey's treasury deficit incurred in the course of the Second World War. Targeting overwhelmingly non-Muslims this one-time tax was instrumental in 'Turkifying' the economy (Aktar, 2000), that is, transferring property and capital from non-Muslims to Muslims. Monetary assets and entire households, antiquities and artworks were confiscated or auctioned off under duress to meet the tax. Those unable to pay were sent to labour camps. On the back of tensions with neighbouring Greece and competing claims to the island of Cyprus, the next two decades would witness further hostilities against non-Muslims. First, the 'events of 6–7 September 1955', a covertly organised pogrom during which non-Muslim-owned businesses, places of worship and homes were ransacked and demolished by covertly organised mobs (Güven, 2005). And then, in 1964, the Turkish government forcefully expelled around 13,000 Greek-Orthodox residents, mainly of Istanbul. Allowing the expellees to take only minimal personal effects and 20 dollars with

them, they were forced to abandon not only their homes but also most of their belongings, leaving them vulnerable to theft. Dispossession has been both a prerequisite for and a consequence of making certain populations into minorities (Tambar, 2016), and the very delineation between majorities and minorities is a central characteristic of state violence (Pandey, 2006). All of these events entailed dispossession in the form of sales under duress, of looting or confiscation, and all were facilitated by legal (such as the wealth tax) or extralegal means (lootings), or both. During the Armenian genocide, for instance, swift laws were enacted to end the pillaging by perpetrators and bystanders, and to regulate the redistribution of 'abandoned property' (Der Matossian, 2011). The oral histories that I have collected thus far, as part of my ongoing research project that examines how the dispossession of artworks has shaped the writing of art history in the post-Ottoman context of contemporary Turkey, suggest a surge in the number of artworks, paintings and antiques available at local art and antiquities dealerships in the days, weeks and years following the wealth tax. The lootings of 1955 were followed by impromptu yard sales, featuring objects from stores, households and places of worship. The trajectories and current whereabouts of these objects are largely unknown. The loss of the cultural assets and artworks that were part of these episodes of state violence, be it in material terms or in the form of obscuring the contexts out of which they emerged, have created the material conditions of forgetting by way of their absence. These absences have been compounded by decades of disinvestments, ruination and spoliation of non-Muslim sites, including places of worship, throughout Turkey.¹⁰

And yet what is absent, be it through material loss or through illegibility of origin, leaves traces and shapes how the material world is experienced (Hallam & Hockey, 2001; Meskell, 2010). Absences present 'cultural, physical and social phenomena' (Bille et al., 2010, p. 4) rather than pure nothingness. As violence and dispossession enable redistribution, they also create the material conditions of forgetting, including in art historical and museal knowledge production.

The practice of writing art history is a vital site at which absence and forgetting of art dispossessed through violence and discriminatory practices become inscribed and reproduced. Islamic and Turkish art histories as accounts of the past are deeply implicated in each other, even though Turkish art history has long been preoccupied with how to write 'modern Turkish painting' into the 'Western tradition' by divorcing itself from Islamic art and discounting Ottoman art altogether (Shaw, 2011). And yet, Islamic and Turkish art histories have long been complicit in obfuscating the work of non-Muslim artists under the impetus of nationalism. Anthropologists, like art historians, have deconstructed the concept of Islamic art and have identified the plunder of cultural assets, ranging from historical artefacts to libraries, across the Middle and Near East as constitutive for the field (George, 2010; Hirschkind, 2009; Shannon, 2009; Stokes, 2015; Winegar, 2008).

The persistence of these dominant tropes and blind spots in the museal presentation of art from the Near and Middle East is all the more striking when we consider watershed moments in the genesis of the field of Islamic art in the early twentieth century, such as the 1910 exhibition 'Meisterwerke Muhammedanischer Kunst' in Munich. The volume *After One Hundred Years The 1910 Exhibition*

'Meisterwerke muhammedanischer Kunst' Reconsidered edited by Andrea Lerner and Avinoam Shalem (2010) impressively demonstrates how many of the issues that have been raised to problematise the taxonomies of Islamic art were already present at its very inception. Among these issues was the question of how to position these works in space and time (Shalem, 2010). Other tensions arose from the differentiation between ethnic or religious cultural production and artworks, and from the question to what extent historical contextualisation is conducive to aesthetic appreciation in its own right.¹¹ This conundrum is perhaps best expressed by Eva-Maria Troelenberg's assertion that the very drive to 'emancipate' the exhibited 'object' 'from its historical background [...] incidentally, also serves as a justification for its Western contextualisation' (2010, p. 38). While many of these observations are true for 'non-Western' art and artefacts in general, this perpetual collapsing back into a self-referential and self-reifying frame has relied on and furthered the obscuration of non-Muslim cultural and artistic production in the case of what is present-day Turkey. The globalised category of Islamic art does not account for the experiences of non-Muslim collectors, audiences and producers, their loss, or the diasporic trajectories that survivors had to take. Nor does it account for the contexts out of which their artworks and 'cultural assets' – left behind or looted, stolen, and lost – emerged and the ways in which they changed hands.¹²

As dispossession creates the conditions for redistribution (Karaca, 2019), it also creates the material conditions of forgetting. These material conditions of forgetting shape museum narratives and exhibitionary orders as much as they shape the art historical archives that they rely on and produce. These archives are likewise not set up to capture this history of dispossession and the violence that enabled it. Such is the case, for example, of the archive of art dealer Dikran Kelekian (c.1868–1951) that is located at the MET. Born in Kayseri (central Anatolia) and educated in Istanbul, Kelekian remains an elusive figure, even though he is known as one of the important 'tastemakers' in the field of Islamic art. Within the archive and the sparse literature that exists on him, Kelekian's Ottoman-Armenian background and the mass violence directed against Armenians are addressed only in passing (DeCamargo, 2012). Notably, Kelekian was a patron to diasporic Armenian artists and bequeathed his entire estate to the Armenian General Benevolent Union (AGBU) before taking his life. Here, I do not mean to reduce Kelekian to his ethnic background – which itself would present a form of epistemological violence – yet it is striking that the question of how Kelekian experienced the Armenian genocide from the diaspora and how this experience in turn shaped his practice of collecting, acquiring, selling and exhibiting objects from the (former) Ottoman lands, including (Ottoman-)Armenian art has not received any attention.

Legal modalities of forgetting

The absences produced by dispossession in art historical and institutional accounts of Turkey's Ottoman past are mirrored in the legal realm. The interrelated cases of state violence and dispossession in the late Ottoman Empire and the Turkish republic sketched in this chapter fall through the cracks of the law: culture is left out of the

genocide convention (O'Neil & Hinton, 2009), and although the Armenian genocide informed the 'crimes against humanity' legislation, it is denied by Turkey and has not been internationally prosecuted. The subsequent episodes of dispossession are rooted in the kind of structural violence that relies on historical erasure (Farmer, 2004) or discriminatory practices that have remained concealed in understandings of the modern nation-state as ostensibly guaranteeing freedom from such violence (Skurski & Coronil, 2006).

Three vexing sets of issues continue to haunt the status of dispossessed art and other cultural assets from the former Ottoman Empire (and the region in general) in international law and the conventions on 'cultural property in armed conflict' and on looted art that have been elaborated since the 1970s in the framework of UNESCO and the EU.¹³ The first has to do with the somewhat triumphalist narrative on the development of these legal frameworks that puts the Nazi art loot, with the Nuremberg trials, at its centre (see, e.g. UNESCO, 2008). The Nuremberg trials did indeed achieve that the 1907 Hague Convention – that in the framework of 'the laws and customs in war on land' also regulated the fate of art, monuments, and museums in armed conflict – was accepted as customary international law (Schorlemer, 2009, p.140). But this narrative has also established discursive blind spots that continue to impact heritage-making. The much-cited genealogy of Nuremberg and the experiences of World War II as a turning point has obscured the actual legacies of the Nazi art theft, including the vast network of beneficiaries of the illicit trade with Nazi-looted art that stretches into the present day and that has significantly shaped private and public collections throughout Europe and the United States (e.g. Kohldehoff, 2014). It has fed into the idea that not only Germany but the European continent overall (along with the international art world) has faced and largely overcome this dark past.¹⁴ And finally, it has positioned the Euro-American powers once more as global stewards of world heritage in terms of capabilities, historical competencies, and the power to define what is worthy of protection.

While the idea of global stewardship of arts and culture has a long history in the self-fashioning of the 'West',¹⁵ its latest iteration in conjunction with the ongoing wars in Afghanistan, Iraq, Syria and other parts of the Middle East, cannot be thought apart from post-9/11 discourses of 'the Muslim' as the quintessential stranger, and migrant, in the Euro-American imagination.¹⁶ This Eurocentric perspective is illustrated, for instance, in a 2016 article by Francesco Rutelli, former Mayor of Rome (1993–2001) and Italian Minister of Cultural Heritage (2006–2008). He juxtaposes the destruction of cultural heritage by ISIS in Syria with the advances in cultural heritage protection after the painful experiences of World War II in Europe with the following words: 'These tendencies to respect cultural heritage (actually, heritage in terms of a shared, common legacy, even with its radical differences) were inherited from a painful legacy of accountability. It was, finally, a victory of the culture of the West' (2016, p. 145). Here, the notion of accountability does not extend to the colonial past but is limited to the experience of fascism and war. Recasting this experience as triumphantly overcome, Rutelli reaffirms: 'the West's' dominant position in heritage-making at a time when debates on decolonising the museum landscape have moved to the forefront.¹⁷

The persistence of the motif of cultural stewardship is echoed even in more nuanced positions, exemplified once more by the mission statement of Berlin's Museum of Islamic Art:

In the difficult climate currently surrounding the public discourse on Islam, the Museum für Islamische Kunst sees itself as a mediator of a culture of great sophistication. Its exhibitions uncover the history of other cultures, something which in turn helps foster a better understanding of the present. This lends the collection its sharp political relevance, both within Germany and abroad, as a cultural storehouse for Islamic societies and peoples.

The notion of an institution born out of imperial aspirations as a 'cultural storehouse', rather than one of active knowledge production remains wedded to understandings of the 'West' as a steward of global heritage, including 'Islamic heritage', however configured. This is not to reject the potential mediating function that museums possess – even though the idea of cultural diplomacy through art remains fraught because it reduces artworks to ethnic or religious cultural production, as mentioned in the beginning of this chapter. Yet, I would argue that this potentiality can only unfold – and the current modalities of forgetting can only be disrupted – when museums and other cultural institutions account not only for the ways in which their collections were accumulated but also probe the legal blind spots that protections of cultural property have produced. Such an interrogation must also include the ways in which museums have used these very protections to shield themselves from restitution claims. This is often done, for example, by citing the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property as a cut-off point, and by arguing that acquisitions prior to 1970 are not subject to this regulation.

The second, related, issue with regard to international regulations regarding the protection of cultural heritage concerns the lack of critical investigations of their central categories, their historical indebtedness to archaeology in its colonial and imperial formations, and the birth of the museum as an epistemic space. The growing literature on cultural heritage in armed conflicts, especially on the background of the waves of destruction under ISIS rule, has to contend with these historical formations and taxonomies as well the enduring question of whose heritage – or art – is at stake. As the legal successor of the Ottoman Empire that has both been subject to and engaged in the displacement of cultural assets, Turkey inhabits a complex dual position in the field, which has yet to be made productive in these debates.¹⁸

The third and final issue I want to raise pertains to perhaps the most basic assumption of regulations to protect cultural heritage under conditions of war. Their formulations with regard to safeguarding cultural heritage ultimately rest on the idea of 'civilis[ing] conflict (by international norms)' (Schorlemer, 2009, p. 141). However, this idea stands in contrast to the generally held notion of cultural assets being central to warfare. Indeed, the destruction and dispossession of cultural property (artworks, cultural sites and historical artefacts) is not a mere side-effect, or collateral damage, of war but also a weapon of war itself (Turku, 2018). It is not

only a symbol of dominance but also a means to cut off targeted communities from the sources of cultural production and reproduction. The official denial of this violence on the part of Turkey, compounded by blind spots in art historical accounts and in museums, ultimately presents a continuation of this violence.¹⁹

The unresolvedness of this central tension becomes evident, too, in the many iterations and reformulations of the protections of art and material culture that can be traced from the late nineteenth century onwards.²⁰ Some of these modulations were certainly related to developments in the technologies of warfare (such as protections from aerial and naval bombings); others seem to speak to a certain inefficacy or deficiency of existing legal and extralegal instruments, be they international protocols or memoranda of understanding. While these modulations signal a certain dynamism and possible paths towards more equitable and just approaches in the field of heritage, they also mark cultural heritage as a terrain of insecurity that is in need of ever more fine-grained legal codification. These codifications yet have to address the genocidal violence and discriminatory practices that enabled the large-scale dispossession experienced in Turkey. The growing number of countries officially recognising the Armenian genocide over the past few decades has thus far not translated into transnational heritage policies and knowledge production that substantially shifts discourses on Turkey's Ottoman heritage.

Since 2011, there seems to be a growing consensus that heritage protection should be moved from the narrower purview of International Humanitarian Law, that is provisions that govern times of armed conflict, to that of International Human Rights Law that governs peace times (Turku 2018, p. 5), or rather that govern what counts as peace at a given political conjuncture. This move, at least in theory, reconfigures both stakeholders' rights to cultural heritage (mainly mediated through the notion of access) and the responsibilities of states with regard to the preservation of the past.²¹ It remains questionable, however, how effective such reformulations will prove for the Ottoman-Turkish case and beyond as long as the historical inheritance, blind spots and asymmetries inherent in the very concept of cultural heritage, along with ideas of cultural stewardship and liberal formulations of both humanitarian and human rights law, remain – in essence – unaddressed.²²

Conclusion

The legal discussions sketched above shape understandings of how to deal with cultural objects in present conflicts. They also reinforce past heritage regimes. Important interventions and activism regarding the decolonialisation of museums notwithstanding, they naturalise and normalise how collections have been historically assembled and the narratives through which they are *now* accounted for. Many of these issues transcend the particular case of the late Ottoman Empire, or modern Turkey for that matter. But given that the episodes of violence and dispossession discussed in this chapter remain largely unrecognised both within Turkey and in the international arena, the larger dynamics that surround heritage regimes of this particular part of the (post-)Ottoman landscape remain similarly unproblematised.

The increased attention to restitution as part of historical justice, including art looted by the Nazis and during colonial times, and the art plunder and destruction accompanying

current wars in Afghanistan, Iraq and Syria has brought about new theoretical approaches to how cultural heritage is made and remade through processes of violence. It has also produced initiatives for alternate ways of preservation. Grassroots groups and universities, state and supranational institutions have initiated a variety of digital mapping projects and online archives, especially in the wake of the war in Syria.²³ Yet, the question remains as to how to address the violent conditions of the loss of cultural assets in the past, and how that loss continues to bear upon processes of knowledge production, including museum displays, art historical narratives and archives.²⁴

Turkey's past and its dominant conceptions of Ottoman or Islamic heritage are rooted in layers of obscured violence at the intersection of imperial and colonial power and the (structural) violence of the modern nation-state. Knowledge production in the museum, in art history and in the field of cultural heritage needs to address these layers as well as its own historical implicatedness in these processes. Under the conditions of ongoing wars in the region, the current moment, quite fatefully so, presents a chance to resist the reproduction of dominant knowledge about Turkey's Islamic art and heritage and to break with the operating logics that likewise dominant heritage discourses and practices have long relied on.

Notes

- 1 Based on a \$10 million donation, the gallery is to carry the Koç name for a duration of 75 years. See the press release, 'Istanbul-Based Vehbi Koç Foundation Funds New Galleries for Ottoman Art at Metropolitan Museum', <http://www.metmuseum.org/press/news/2009/istanbulbased-vehbi-koç-foundation-funds-new-galleries-for-ottoman-art-at-metropolitan-museum>. The few exceptions cover artefacts from Egypt, Syria, Iran, and an Andalusian ceiling.
- 2 One such example is the following egg-shaped ceramic ornament from Kütahya: <https://www.metmuseum.org/art/collection/search/478391?searchField=All&ortBy=Relevance&ft=armenian&offset=0&rpp=20&pos=3>.
- 3 The extended database entry on the object, after a short description of the visual motifs and the patron, includes the following information: 'the patron, Abraham Vardapet [...] was an Armenian cleric [...] in the Turkish town of Tekirdagh [...] The dish was produced in the town of Kütahya in western Turkey, where a group of Armenian settlers were involved in ceramic production. It shows that Armenian merchants and churchmen were the patrons of ceramic production in both Turkey and Iran, where Armenian immigrants lived in scattered communities linked by trade'. This description is notable since Tekirdagh (today: Tekirdağ) had a substantial Rum (Greek-Orthodox), Armenian and Jewish population but is described as a 'Turkish' town during Ottoman times. Secondly, why are Armenians involved in ceramic production in Kütahya designated as 'settlers' when indeed their presence in Anatolia (or Western Armenia) predates the arrival of Muslims/Islam in those lands? Why are they described as 'involved in ceramic production', and not as an integral part to it, given the existence of longstanding colouring techniques that explicitly reference Armenian craftsmanship. And lastly, why is Armenian patronage in Anatolia equated with that in Iran, implying that Armenians in what is today Turkey just like Eastern Armenians who migrated to Iran in the seventeenth century are immigrants rather than natives. This description is especially striking in the case of the V&A, since it acknowledges the Armenian genocide in another collection of the museum, i. e. in the Curtin Foundation Gallery ceramic section through a contemporary piece (see: <http://collections.vam.ac.uk/item/O1347548/dish/>) but not the Islamic art section. For the complete entry in the V&A database see, <http://collections.vam.ac.uk/item/O9327/plate-unknown/>

- 4 Throughout the chapter, I use 'art' when gesturing at objects as subjects of art historical inquiry. Cultural heritage in turn designates not only discourses and practices of a collective past deemed worthy of protection but broader political and disciplinary interrogations.
- 5 For an introduction to the Aleppo Room and its contextualisation within Berlin's Museum for Islamic Art, see: <https://www.youtube.com/watch?v=4toX47mtAIE>
- 6 For the full statement, see <https://www.smb.museum/en/museums-institutions/museum-fuer-islamische-kunst/about-us/profile.html>
- 7 The formulation 'living among them' is itself problematic given the vast geographical coverage of 'Islamic art' (encompassing an array of political configurations of interfaith practices) but also because many of these communities predate the arrival of Islam in its diverse lands.
- 8 How the recognition of the Armenian genocide by the German Parliament in June 2016 might play out in German museums and art institutions remains to be seen.
- 9 Marine officer and New York attorney, Matthew Bogdanos, notes that the exhibition of the Shelby White and Leon Levy collection of 200 Greek, Roman and Near Eastern works by the MET in 1990 featured more than 90 percent artifacts of unknown provenance (2016, p. 120). It would be hard to imagine that such a massive lack of provenance documentation would have been acceptable in the case of 'European Masters' or 'European modernism', for instance.
- 10 For an example of contemporary forms of destruction and spoliation in the form of 'treasure hunting', see Bieberstein (2017).
- 11 Not unlike Sally Price's (2007) observations on 'non-Western' art in the holdings of the Quai Branly, these kinds of conceptualisations have reinforced long criticised yet stubborn dichotomies of 'East' and 'West', 'ethnic art' and 'art proper' (see Shatanawi, this volume).
- 12 As art historian Vazken Davidian has noted, Ottoman Armenian painters, for instance, have been doubly obscured, as they have been written out of Ottoman and as well as Armenian art history. Their work remains in a limbo of silence and is largely unacknowledged. Biographies of those who are called Turkish or Armenian painters have been in Davidian's words 'conscripted into the service of national project[s]' – and generally subject to (or rather non-subjects because of) what he calls 'hostile historiographies' (2014, p. 13 and p. 49).
- 13 Among these are the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property by UNESCO, the Convention Concerning the Protection of the World Cultural and Natural Heritage (UNESCO, 1972), and the 1995 UNIDROIT convention that builds on 1970 UNESCO convention on stolen or illegally exported cultural objects.
- 14 It is important to remember that the 1938 law that regulated the confiscation of art by the Nazis was never revoked by the Allies, in part because the American art market that benefited considerably from the sale of confiscated modernist art from private and public collections (Petropoulos, 2017, p. 136).
- 15 While the history of the idea of cultural stewardship transcends the scope of this chapter, art historian Erin Thompson's work (2017), for example, critiques the idea of stewardship by analysing the arguments in favour thereof made by John Henry Merryman. She also offers an interesting intervention by highlighting the differences in museums' attitudes towards Nazi-era restitution versus restitution claims that cover archaeological and historical artefacts from 'non-Western' societies, not least by diagnosing a gap between scrutiny from outside and convergence of opinions within museums (Thompson, 2014).

- 16 In his unpublished keynote 'The Inheritance of Loss: Collective Memory, Collateral Damage, and the Ruins of Ruins', writer, poet and literary scholar Sinan Antoon (2016) has poignantly described the differential attention that 'ruins' and damaged cultural heritage have received first in Iraq and then in Syria, in contrast to the people who are living, or trying to survive in these war zones. The salvaging efforts and international attention that material culture has received raises questions regarding the valorisation of human lives in the Middle East (see also Brusius, this volume).
- 17 For a recent evaluation of France's cultural heritage practices and a roadmap for restituting artefacts to former colonies on the African continent, see Sarr & Savoy (2018).
- 18 It is notable that Turkey has pursued aggressive restitution campaigns vis-à-vis international museums, while being silent, for instance, on the significant Syrian and Palestinian artefacts, originating from its own imperialist past, in its public holdings.
- 19 In addition, the illicit trade of historical artefacts has become an important revenue flow, and increasingly finances armed groups in the Middle East (Charney, 2016).
- 20 For historical studies on the different incarnations of heritage protection and its legal formulations beginning with classical law and stretching into the present day, see O'Keefe (2006) and Kastenbergh (1997).
- 21 It remains an open question how to legally pursue individual acts of looting versus state-led dispossession, especially in cases where individual acts were tacitly state-sanctioned.
- 22 For a critique of humanitarian law and its application in practice, see for example Tiktin (2011).
- 23 One such example is the Syrian Heritage Archive Project supported by the German Archaeological Institute (DAI). For more detailed information, see <https://arachne.dainst.org/project/syrher>.
- 24 see also Brusius, and Shaw, this volume.

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