

## THE ELGIN MARBLES A Summary

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But most the modern Pict's ignoble boast,  
To rive what Goth, and Turk, and Time hath spared. . . .

—LORD BYRON, *CHILDE HAROLD'S PILGRIMAGE*<sup>1</sup>

**BETWEEN 1801 AND 1812**, Thomas Bruce, seventh Earl of Elgin, removed approximately half of the remaining sculptures and decorative relief-carvings of the Parthenon, the most imposing temple structure on the Athenian Acropolis. The sculpted marbles were shipped to England, where they have been on exhibit in the British Museum for almost two hundred years.

The dispute over the Elgin Marbles is probably the most famous and longest-running debate over cultural property in the world. Public controversy over the marbles began in the early nineteenth century, when Elgin first offered the sculptures to the British nation. Even at the time, questions were raised about the legitimacy and morality of Elgin's actions. The controversy was also fueled by personal vendettas in the world of British arts, by the ongoing war with France, and by Britain's on-again, off-again alliance with Turkey.

Elgin had served as British ambassador to the government of the Ottomans in Constantinople from 1799 to 1803. He was a passionate enthusiast of the art of ancient Greece, and had sought the post of ambassador in order to indulge his antiquarian interests. Elgin hired an Italian artist, Giovanni Battista Lusieri, and a work crew; placed them under the direction of his chaplain and secretary, the Reverend Philip Hunt; and sent them to Athens while he took up his duties in Constantinople.

In ancient times, the Acropolis of Athens was the citadel as well as the religious center of the ancient town, a walled plateau enclosing several major sanctuaries and small temples, with altars and statues scattered throughout the complex. Pericles had ordered the building of the Parthenon at the highest point of the plateau under the direction of the great sculptor Phidias; it was completed in 438 BCE. The building's decoration was extraordinary: the upper platform was completely surrounded by



Fragment of a frieze from the Parthenon, c. 440 BCE, Athens, Greece.  
Photo 1850-80, courtesy The Library of Congress, Prints and  
Photographs Division, LC-USZ62-108948.

forty-six Doric columns; above them were two triangular pediments containing numerous sculptures in the round depicting the birth of Athena and her battle with Poseidon. The architrave included ninety-two metopes, on which scenes from mythological and historical battles were carved in high relief. Around the inner chamber, the final event of the Panathenaea festival was represented on a low-relief frieze: a procession of priests, citizens, warriors, women, and girls bringing sacrificial animals and a richly embroidered garment to adorn one of the statues of Athena on the Acropolis.

By 1800, when Elgin's men arrived, Greece had been ruled by the Ottomans for some four hundred years. Athens was a backwater of the empire, governed by a Voivode and a Disdar, the local representatives of Ottoman authority. What had once been the great city of Athens was a squalid settlement of huts and bazaars crowded onto the north and east slopes of the Acropolis. On the plateau, the Turkish garrison built houses and gardens, and laid out tented encampments and fortifications. William St. Clair states, "Everywhere it was obvious that for years the ruins had been a main source of building materials. Slabs of crisp-cut marble were built into rude modern walls, and here and there, pieces of sculpture could be seen among the fortifications."<sup>2</sup>

The Parthenon had remained in fairly good preservation through the Middle Ages, when it was converted into a church and then into a mosque. In 1687, however, the building was severely damaged by the explosion of a powder magazine stored in it by the Turks during a battle with the Venetians. The roof was destroyed, and architectural and sculptural remains were left strewn on the ground. Many of these were used as building materials to reconstruct the Acropolis's walls. Then followed centuries of attrition. Although the Turkish authorities did their best to protect some ancient structures, especially the Parthenon, Pentelic marble pieces from within the Acropolis were crushed and reduced to lime for construction by Turkish soldiers and local inhabitants. Tourists and other souvenir seekers removed fallen sculptural and architectural elements and chipped away at accessible bits of the frieze and metopes. The accelerated damage to the sculptures in the decades immediately prior to Elgin's arrival is shown in numerous drawings made by travelers.

Elgin's original intent was to take extensive measurements and make drawings and plaster casts from the Parthenon and other ancient ruins of the Acropolis complex. His plans, like those of most other contemporary

visitors to the site, included the collection of antiquities, but not the dismantling and removal of sculptures from existing monuments.

However, beginning when Elgin was residing in Constantinople, his workmen, under the direction of Rev. Hunt and Lusieri, were allowed by local authorities to dismantle a substantial proportion of the finest of the remaining decorative elements on the Parthenon. Over the course of eight years, they removed 274 feet of the frieze of marble blocks that surrounded the Parthenon's main inner chamber, fifteen of the ninety-two metopes from the outer colonnade, and seventeen figures in the round from the triangular pediments. Elgin's workmen further compromised the physical structure of the building by removing the large cornices above the frieze in order to sever the pins holding the marble slabs in place.

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Elgin left the post of ambassador to the Porte in 1802. Although he had many political and military successes during his stay in Constantinople, his work as ambassador was jeopardized by reversals in British policy, and he himself suffered great personal frustration and distress. An illness one winter resulted in a terrible infection of his nose, which was almost completely eaten away within weeks, leaving a hideous, festering sore that refused to heal. At first, his young wife had been fascinated by their exotic surroundings, but she grew weary of the expense and tedium of diplomatic life and was dismayed, to say the least, at her husband's disfigurement.

Before heading back to England, Elgin traveled with his family to Athens to review the ongoing work on the Acropolis. From this point, his crew of workmen left, and Lusieri continued to work alone until 1808, concentrating on excavations to uncover buried sculptures and other antiquities.

En route to England through France, the Elgins were sequestered when war broke out again in 1803. Elgin had made an enemy of Napoleon by his role in driving the French from Egypt, and Napoleon was said to have been especially bitter that Britain, not France, had secured the marbles. During his house arrest and periodic imprisonment, Elgin was constantly fretting over his collection of antiquities. Several shipments had been sent to England, and over the next several years were installed by Elgin's mother in a temporary "museum," a shedlike building in the back of a house in Park Lane.

Elgin's wife was allowed to return to England in 1805 after the death of her infant son. She traveled in the company of a young and handsome

friend named Robert Fergusson. In Elgin's absence, she began an indiscreet affair with Fergusson that culminated in a humiliating divorce. When Elgin finally returned to England in 1806 he was deeply in debt, physically and psychologically damaged, and fixated upon the marbles as the one great achievement of his life.

In acquiring the marbles, Elgin claimed to have been motivated by a desire to raise the level of understanding and appreciation of Greek art, and to revitalize artistic endeavor in Britain. In this, at least, he succeeded. Roman art had been considered the artistic ideal. Many artists expressed astonishment at the beauty and naturalism of the marbles; the seventy-one-year-old Benjamin West said, "I have found in this collection of sculpture so much excellence in art, and a variety so magnificent and boundless, that every branch of science connected with the fine arts cannot fail to acquire something from this collection."<sup>3</sup> J. M. W. Turner wrote to Elgin "to pay my homage to your Lordship's exertions for this rescue from barbarism."<sup>4</sup> Among the less sophisticated examples of popular enthusiasm were a day-long display of a nude British sportsman posed next to the marbles and several boxing matches held in Elgin's Park Lane museum, both intended to "highlight the perfection of the human form."<sup>5</sup>

The presence of the marbles in Britain had far-reaching effects on the understanding of art history and the collection of antiquities. Previously, it had been commonplace to restore ancient sculpture by recarving broken areas. When the sculptor Canova was approached by Elgin to do this, he refused, and is reported to have said that it would be "sacrilege in him or any man to presume to touch them with a chisel."<sup>6</sup> In Britain and elsewhere in Europe, antiquities began to be viewed as timeless works of art rather than merely decorative objects.

Elgin had expected to enhance his political interests and his honor among his countrymen by securing the marbles for Britain at the expense of the French. Instead, Elgin's legal claim to the marbles was questioned almost immediately, and both his integrity and that of the marbles were attacked by some of the most eminent cultural figures of his day.<sup>7</sup> There was fierce debate in Parliament over the purchase of the marbles for the British Museum. Some argued for keeping them for their protection, others for holding them in trust; still others, a minority, wished to return them to the Ottoman government.

The most eloquent and effective arguments against the removal of the marbles were made in verse by Lord Byron. Byron had been at Athens and become friends with Lusieri, utilizing his services as a guide and even falling briefly in love with Lusieri's wife's young brother. Perhaps because of this acquaintance with Lusieri, Byron warned Elgin in 1812 that he would attack him in his new work, *Childe Harold's Pilgrimage*.<sup>8</sup> Elgin was not concerned, believing that public attention would further his cause with the government, but he vastly underestimated the poem's virulence and its effect. *Childe Harold* sold out several editions immediately and firmly established Byron's reputation as a serious writer. Public sympathy turned away from Elgin and toward the Romantic hero, who was to die during the last years of the Greek struggle for independence from the Turks. Byron's scathing if inaccurate attacks on Elgin have continued to resonate through the debate over the marbles.

In the end, the marbles were Elgin's social, financial, and political ruin. Parliament finally authorized the purchase of his collection and its placement in the British Museum in 1816, but Elgin recouped less than half of his expenses and died impoverished in France, where his name has become an epithet synonymous with the looting of art treasures, *elginisme*.

This is our history, this is our soul. . . . You must understand us. You must love us. We have fought with you in the second war. Give them back and we will be proud of you. Give them back and they will be in good hands. —MELINA MERCOURI, 1983<sup>9</sup>

In 1982, Greek Minister of Culture Melina Mercouri made a dramatic call for the restoration of the marbles at an International Conference of Ministers of Culture. That year, for the first time, Greece made a formal request to Britain for their return. Minister Mercouri appealed to a public audience deeply suspicious of the taint of empire. Her plea for repatriation heightened public awareness of the issue of cultural patrimony, and grassroots organizations were formed to lobby for the marbles' return in both Britain and Greece.<sup>10</sup> In 1984, the British government refused the Greek request, stating that responsibility lay with the British Museum trustees. Since then, the trustees have stated several times that their duty to the public and interest in preserving the

sculptures precluded any consideration of return of the marbles, but that they were prepared to make long-term loans of other important works of Greek art to Greece.

When the Greek government announced plans to build a new museum to house the marbles along with the remaining sculptural elements from the Parthenon in time for the 2004 Olympic Games in Athens, the fate of the marbles became once again as public and controversial an issue as it had been in Lord Elgin's time. The case of the marbles not only embraced most of the conflicting moral, legal, national, and internationalist arguments over cultural property; it was also a matter of urgency. Lawsuits charging that building the museum would destroy additional archaeological sites<sup>11</sup> delayed construction and made it impossible to complete the project in a timely manner, but the Greek government has continued to request that the marbles be returned.

### **The Legal and Moral Arguments**

There have been two basic approaches to the question of the proper place for the marbles. One has to do with the legality of the removal of the sculptures from the Parthenon by Lord Elgin. If the marbles were stolen, then neither Elgin nor the British Museum has title to them. Arguments have also been made for the future disposition of the marbles on ethical grounds, placing issues of cultural nationalism in opposition to internationalist positions.

Essentially, the legality of the removal is based on whether or not Elgin's actions were authorized by the Ottoman government. It is generally accepted that, rightly or wrongly, the granting of permission for the dismemberment of the Parthenon was within the rights of the Ottoman sovereign at the time.

During its first year, the Elgin expedition's work of drawing and making casts had been continually hindered by the local Ottoman officials in Athens; Lusieri's scaffolding was taken down, and he and his men were often refused permission to work on the site. At Hunt's request, Elgin obtained a *firman*, a document from the Ottoman government at Constantinople giving official authorization to allow Elgin's workers free access and to permit digging to expose the foundations of the buildings for study. In Athens, Hunt was able to utilize this document to obtain permission from the local authorities, the Disdar and Voivode, to remove

many large sculptural elements from the Parthenon itself. While most of the large sculptures were taken down by Elgin's team over the next two years, Lusieri continued to collect materials until 1808.

Hunt had also requested that a translation of the document be sent to him in order to be certain of its contents. When Parliament considered the purchase of the marbles, the terms of this *firman* were used to legitimate Elgin's removals. An English translation of this purported translation into Italian of the original *firman* was entered into the records of the parliamentary review committee.<sup>12</sup>

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The crucial element of the document states, “[I]t is incumbent on us to provide that they meet no opposition in . . . [And here follows a long list of activities, from walking through to copying, drawing, molding, and measuring] and that no one meddle with their scaffolding or implements nor hinder them from taking away any pieces of stone with inscriptions and figures.”

International legal scholar David Rudenstine<sup>13</sup> has questioned both the authenticity of the translated document and the existence of the original. The Italian “translation” has several omissions within the document and lacks a seal. He has been unable to locate any record of the original *firman* or of any related documents in the Ottoman archives. Rudenstine suggests that the parliamentary committee had an interest in obtaining the marbles for Britain and in clouding the legal issues. And he notes that many of the original records of the 1816 committee were lost in a fire.

However, the validity of the translated document supplied by Hunt is not as crucial as it might seem because, as legal scholar John Henry Merryman points out, Elgin did not limit his activities to drawing, measuring, casting, digging, and taking up fallen pieces. Rev. Hunt clearly exceeded the scope of any activity permitted in the document by actually dismantling sculptures from the Parthenon's walls. The translation presented by Hunt seems more rather than less likely to be authentic because Elgin clearly went beyond what it authorized. Elgin's legal position rests instead on the tacit acceptance of his actions by the local authorities during the eight years spent in physically removing the sculptures from the structure, and the fact that after a delay of some months during which permission was withheld, the Ottoman authorities in Constantinople authorized the shipping of the marbles to Britain.

According to Merryman, the legal norms, both at that time and today, allow a government to legitimate an action after the fact, and that



is what the Ottomans appear to have done. The accepted international law of the time allowed the Ottoman government to dispose of what was essentially state property. The higher authorities at the Porte seem to have been eager to offer favors to Elgin, whose position as ambassador allowed him tremendous influence after the defeat of the French in Egypt by British forces. The local Ottoman officials in Athens appear to have accepted bribes from Elgin and to have been afraid that they would be punished for allowing the work to continue, since Hunt requested that Elgin obtain additional letters of assurance to them from the Porte. Nonetheless, the Ottoman government was willing to overlook the local overstepping of authority, and the statues were eventually permitted to travel.

Time is also a factor in the legal argument. The Greeks gained their independence from Ottoman rule in 1828, and the first official diplomatic demand for the return of the marbles was made through Minister Mercouri in 1983. Greece has never sued in English court seeking the return of stolen property; if they did so now, the statute of limitations for such an action would definitely have run out.<sup>14</sup>

Passion, opportunity, and immediate circumstance determined Elgin's actions. The Ottoman position was based on political concerns having little to do with the actual removals. The case of the marbles seems to be an early example of a cultural property issue decided on the basis of temporary, political expedience.

The legal argument is of less moment today because the Greek government has declined to raise it in discussions with the British Museum. Rather than claiming ownership, the Greek government has asked that the marbles be returned on long-term loan.<sup>15</sup> The ethical argument now forms the core of the debate.

If, as it seems, the taking was legal, was it ethical? Is it morally correct for Britain to retain the marbles? Here the arguments have been identified by Merryman as falling into broadly *cultural nationalist* and *internationalist* categories.<sup>16</sup>

The essence of the *cultural nationalist* argument is that the sculptures are Greek and therefore belong in Greece, either restored to the Parthenon or in as close proximity to the Acropolis as possible. The marbles are an inalienable symbol of Greek identity, representing Greek history at a time of great cultural achievement. Their absence is a personal and

national loss to all Greek citizens. The fact that Greece still has enormous amounts of ancient art of exceptional quality may weaken the logical basis for this argument. Merryman asks if it is theoretically necessary that *all* Greek art be returned in order to make Greek identity whole. He also poses the question whether Greek identity suffers or is enhanced by the honored place given Greek art in many world museums.<sup>17</sup>

More political issues of Greek identity are raised in charges of unfair and unlawful deprivation of the Greek people of their national heritage. In this argument, British ownership of the marbles is a reminder of past political weakness and an affront to Greek pride. Greece has a legitimate interest in the preservation, study, and enjoyment of the marbles, and an interest in utilizing the marbles to enhance the country's prestige. It also has a right to exploit them commercially, as the British Museum now does, to increase tourism or in other ways. Without physical possession of the marbles, Greece has lost a part of its national wealth as well as its national identity.

Many organizations supporting the return of the marbles find the argument that Greek art belongs in Greece compelling. Organizations in Britain add another element to the mix, saying that the retention of the marbles by Britain demonstrates adherence to an imperialist ethos, a relic of an aggrandizing past that is no longer in keeping with *their* identity as Britons. Whether or not the marbles were legally removed, returning them would be an act of enlightened self-interest.

If the fate of the marbles is tied to nationalist political issues, it is equally tied to the place of Greek culture in the development of interconnected civilizations that extended from the Mediterranean far into western Asia, and to a common European cultural heritage consciously founded on a Hellenic past. The *internationalist* argument is grounded on issues of preservation, education, and optimum use of this common cultural heritage.

One of the strongest arguments raised in the nineteenth century to justify Elgin's actions was that the wholesale removal and preservation of the marbles in a museum was the only way of preserving the Parthenon's sculptural elements, if not the building itself, intact. This argument is supported by evidence that the Parthenon and other structures on the Acropolis were being damaged by the depredations of visiting tourists, local antiquities dealers, and agents of other countries. Conversely, it

must be said that Elgin's workmen severely damaged the context for the sculptures, the Parthenon itself, even if removing the statues did preserve them.

It has also been argued that the marbles were sure to be removed by somebody—if not by the British, then by the French or the Bavarians. The French were very active in gathering art for their national collections at the time. In the last years of the eighteenth century, the French ambassador to the Porte had established his own agent at Athens, Fauvel, with instructions to "... enlever tout ce que vous pourrez."<sup>18</sup> Merryman points out, however, that this is a morally ambiguous argument; one person is not justified in a wrongful act just because another person will do it if he does not.<sup>19</sup>

The preservationist argument in favor of the removals has been challenged by pointing to an incident that took place between 1937 and 1938 in which the British Museum failed in its responsibilities to protect the marbles. The art dealer Lord Duveen, who was financing a new gallery for the British Museum, concealed his intention from curators and bribed museum staff to do an abrasive cleaning of the marbles in order to whiten them, thereby removing surface patina and traces of their original paint.<sup>20</sup>

The question of access or better use is weighted in turn by the arguments above. Is it more important for a smaller number of people, the majority of them Greeks, to have access to the marbles, as they would if they were stored in Athens, or for a larger number of people to see them in the British Museum? The marbles remain one of the most popular of all the British Museum's holdings, and are seen by almost all of the five million visitors a year who come to the museum from around the globe. Education, distribution, and access all seem to be favored by the retention of the marbles in the British Museum. In a recent paper, Merryman makes an important argument for the viewing of art within the humanist context of a world museum like the British Museum, in which the marbles are seen as part of the larger artistic endeavor of all humankind.<sup>21</sup>

The integrity argument has been rendered more difficult by structural and environmental concerns. The Greek government cannot at this time replace the marbles on the Parthenon. Not only did Elgin's workmen damage the building structurally in removing parts of the frieze and metopes, many of the remaining sculptures on the building have

been removed by the Greek government in order to protect them from Athens's Pentelic marble-consuming smog.<sup>22</sup> There may be an integrity argument for placing the British Museum marbles next to the remaining Athenian sculptures in a new Athenian museum. The question is whether the risks attendant on moving the Elgin Marbles, the risk associated with having all the Parthenon sculptures in a single location, and the reduction of access in terms of the number of people who will see them can be balanced against the advantages of placing all the marbles together in *another* museum with a view of the Parthenon.

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Finally, Merryman points to the legal and ethical principle of repose. It seems clear that moving the marbles will not increase their protection, preservation, or access. At some level, it would place them at additional risk. Therefore, there is something to be said for simply leaving them where they are. This principle of repose is also tied to the potential consequences of a decision to return the marbles on the future of other objects that rest in museums and private collections outside of their country of origin. Because the issue of the marbles is the most famous of all cultural-property debates, it also has the highest symbolic value for those who argue for repatriation or retention of other artistic treasures in museums around the world.