



## The Parthenon Sculptures: The Cause for Reunification

*John Papaspanos*

On May 10, 2012, an actress playing the role of a high priestess focused the sun's rays in a parabolic mirror, performing the ritual of lighting the Olympic flame during a ceremony at the ancient sanctuary of Olympia, Greece, the home of the ancient Olympic Games. That flame was then carried by relay throughout Greece for a week before reaching the Panathenaic Stadium in Athens, the site of the first modern Olympic Games in 1896. There, the flame was passed on to members of the British delegation, including Princess Anne, David Beckham, and Sebastian Coe, Chairman of the London Olympics organizing committee, who then carried it on board a gold-painted jet called, *The Firefly*, and the flame was flown to the UK where it was carried in another torch relay throughout the host country. Observing the Greeks' role in this long-standing tradition, Mr. Coe remarked, "it [has] reminded them that, for all the current challenges, you can't expunge twenty-eight centuries of history. This is uniquely theirs and a moment of celebration."<sup>1</sup> Essentially, a renowned international cultural figure, particularly a British citizen, acknowledged that the Olympic Games are a product of ancient Greece that represents an important element of the cultural heritage of modern Greece. He even suggests that depriving them – of that recognition, their cultural identity, and that which is "uniquely theirs" – would be morally and ethically wrong. Likewise, the international campaign to reunify the Parthenon Sculptures ("the cause") calls for a similar recognition on the part of the UK and the British Museum by stating: the so-called Elgin Marbles are of "central significance" to the Greeks' sense of cultural

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identity; and, aside from the legal merits of the case, their reunification in Greece is the right thing to do.

The story of the kidnapped marbles begins early in the 18<sup>th</sup> century when the Ottomans occupied the territory of Greece. At that time Athens was a much smaller city that was centered around the foot of the Acropolis. Lord Elgin, the British Ambassador to the Ottoman Empire, desired to obtain the Parthenon sculptures to adorn his home in Scotland. Although he was not granted the “specific authority” to remove sculptures from the Parthenon, through a series of bribes and threats, he succeeded in taking them down.<sup>2</sup> After some 2,250 years of being prominently displayed atop the Acropolis, Elgin “sawed off the backs of the frieze blocks in order to break them off,”<sup>3</sup> and transported his “colonial loot”<sup>4</sup> by sea to Britain. Thereafter, he encountered personal debt issues, leading him to sell his plundered treasure to the British Parliament and the sculptures were ultimately displayed in the British Museum in London.

Even in that imperial era, many Brits were skeptical of the circumstances surrounding Elgin’s removal of the Parthenon sculptures. Members of the British Parliament considered the legitimacy of Elgin’s claim of title when they were put to vote on whether to purchase the collection of sculptures from Elgin in 1816. The resulting vote had clearly demonstrated that the British Members of Parliament harbored doubts about Elgin’s dubious acquisition: eighty-two members voted for the motion whereas thirty members against...<sup>5</sup> with the naysayers feeling that “Elgin improperly took them from Athens.”<sup>6</sup>

Perhaps the most scathing critic of Elgin and his act of plundering the Parthenon<sup>7</sup> was Lord Byron. He mounted attacks against the “legality and rightness of Lord Elgin’s conduct,” particularly through his poetry.<sup>8</sup> He was not only dedicated to ancient Greek culture, but he also supported the contemporary Greek nation, leading him to fight alongside the freedom fighters in the 1821 Greek War of Independence. Ultimately, the Phil-Hellene’s passion for Hellenism led to his death sacrificed in the Greek town of Messolonghi.

Much as Greece would have wanted to see the marbles returned, the major effort to reunify the stolen marbles to its home in Greece is rooted in the modern era when Melina Mercouri “really got the campaign going.”<sup>9</sup> Mercouri – equally renowned for her work in international film hits such as *Stella* and *Never On Sunday* and for her fervent opposition to the Greek junta of 1967-74 – served as the first female Minister for Culture of Greece in 1981 in the first administration of Andreas Papandreou.<sup>10</sup> With unrelenting energy and charisma, she leveraged her knowledge of culture and the arts, her experience as a political activist, and her influential position in the Greek government to undertake the challenge of reunifying the Parthenon sculptures.<sup>11</sup> Among her many contributions to that effort, her expressions of what the Parthenon

marbles represented as a symbol of the modern Greeks' cultural identity were most compelling: "You must understand what the Parthenon Marbles mean to us. They are our pride. They are our sacrifices. They are the supreme symbol of nobility. They are a tribute to democratic philosophy. They are our aspiration and our name. They are the essence of Greekness."<sup>12</sup>

Other prominent advocates have been inspired to carry the torch of the reunifying cause in the wake of Mercuri's efforts. James Cubitt, a distinguished British architect, met with Mercuri and her husband, Jules Dassin, before he established the British Committee for the Reunification of the Parthenon Marbles (BCRPM) in 1983. The Committee remains strong to this day under the chairmanship of Eddie O'Hara, a former British Labour Party politician and Member of Parliament.

The U.S. counterpart organization is the American Committee for the Reunification of the Parthenon Sculptures, formed by Michael J. Reppas, Esq. Mr. Reppas has been at the forefront of the cause here in the U.S. since his involvement began over 15 years ago when he authored a significant L.L.M. dissertation on the subject, *The Deflowering of the Parthenon: A Legal and Moral Analysis on Why the "Elgin Marbles" Must Be Returned to Greece*.<sup>13</sup> The article has been often cited by legal scholars across the country and many law professors have placed it on their syllabi for courses on intellectual property rights and art repatriation. Reppas has written a new book *Why Don't We Just Sue the British Museum?: A Litigator's Perspective on the Elgin Marbles Debate*.<sup>14</sup> He invites the general public to examine the legal issues relating to the cause from the perspective of an experienced litigator, as if the matter were on trial. Released in August 2012, all the proceeds of the book will be generously donated to the American Committee for the Reunification of the Parthenon Sculptures.

The British and American Committees, in addition to their counterpart organization from Australia, hosted an international colloquy on the June 18-20, 2012, coinciding with the third year anniversary of the new Acropolis Museum and the Olympic Games in London. With the attention of the global media and billions of people around the world focused on London, and particularly the Olympics, an international sports festival widely associated with the country of Greece, it was an opportune time to convene for the cause. The colloquy was a great success. Human rights advocates, art historians, lawyers, journalists, former Members of Parliament, and other prominent advocates united to discuss many aspects of the cause, including what they are doing to educate people about the issues. For example, Michael Reppas emphasized the many presentations he gives to audiences in the U.S. and abroad. He has led an effective effort in educating the public, recently providing a personal information session to former Massachusetts Governor, Michael Dukakis, at a photographic exhibition featuring the

Parthenon. As a result, Dukakis has now become an Honorary Board Member of the American Committee.

Another highlight was Dr. Tom Flynn's talk on the universal museum concept, or the similar notion of the encyclopedic museum. He started his speech by articulating the arguments proffered by those such as Neil MacGregor who desire to retain the Parthenon sculptures in London, namely that such collections are representative of all the world's cultures and help build civil society by encouraging curiosity, respect, and learning. He then proceeded to undermine these arguments by pointing out that such institutions are unsustainable both on practical and philosophical grounds. First, it is difficult to fund the display of all works belonging to a single major museum, and second, it is "anachronistic and unrealizable" to "enclose the whole world under one roof." To the contrary, he supports a more equitable sharing of cultural property by considering which works deserve special attention for the purposes of repatriation and then returning them without setting a precedent.

Flynn also addressed the argument posed by the leading museum directors of the world, who assert that their institutions should not be dismantled and advise that others should simply build their own. He aptly rebutted that possibility by citing the fact that museum-quality objects from a distant past are not only in short supply, but also, the vast majority of them have long ago been appropriated by imperial nations. Unless the government or private organization holds vast quantities of wealth, then it is prohibitively expensive to establish a new encyclopedic museum such as the London Museum.<sup>15</sup>

The legal issues relating to the Parthenon Sculptures are very complex. In his *The Deflowering of the Parthenon*, Michael Reppas asserts that the Greeks have never brought an action against the British, "in part because the only venues in which they would have standing do not have laws in force that would allow the Greeks to win their case."<sup>16</sup> But more importantly, "in whichever court Greece might have a chance to win, there is no power to force the British to resolve the dispute." Therefore, the "Greek efforts to legally repatriate the Marbles before any type of court may fairly be characterized as an exercise in futility."<sup>17</sup>

Even if it could be proven that the British Museum does not hold good title to the sculptures, there would be some procedural hurdles that are "seemingly insurmountable."<sup>18</sup> In a private communication with Matthew Taylor,<sup>19</sup> the Treasurer of the British Committee and the International Association for the Reunification of the Parthenon Sculptures (the umbrella organization which coordinates the efforts of all the national committees), Taylor said that the British Museum is legally prevented from returning the sculptures by the British Museum Act of 1965. However, they can be sent to Greece "as part of a long term renewable loan." Mr. Taylor goes on to say, "if there

was the political will in the UK, it would be easy to amend the Act [and] allow full return and transfer of ownership. It has already been done with Nazi looted items . . . .” Nevertheless, attempting to bypass these procedural obstacles would “likely be tremendously time consuming; potentially taking years to be resolved considering the unwillingness of the Government to ‘lose their Marbles.’”<sup>20</sup>

Consequently, it is the policy of the British Committee to emphasize cultural and ethical arguments. Reports emerged about a week after the colloquy suggesting that the British Committee was planning to sue the British Museum over the sculptures. In a private communication with Chairman Eddie O’Hara, he said that the reports are a “fabrication” and the organization put out a statement completely dissociating itself from them.



*Ares Kalogeropoulos*

Given the debate between cultural nationalism and cultural internationalism and the attendant arguments regarding the universal museum concept, one of the strongest arguments for the cause is the aesthetic objection. The late author, Christopher Hitchens, was among the most eloquent advocates for the reunification of the Parthenon marbles, authoring a whole book on the subject, called *The Parthenon Marbles: The Case for Reunification*. In a *Vanity Fair* article<sup>21</sup> titled, “*The Lovely Stones*,” depicting his visit to the new Acropolis Museum in July of 2009, Hitchens – one of the first authors to visit the new, state-of-the-art museum – described the division between the two collections of the same architectural work as “grotesque.”<sup>22</sup> Using another popular work in a hypothetical, he wrote, “If the *Mona Lisa* had been sawed in two during the Napoleonic Wars and the separated halves had been acquired by different museums in, say, St. Petersburg and Lisbon, would there not be a general wish to see what they might look like if re-united?” In the case of the Parthenon sculptures, the separation is even more absurd: “. . . the body of the goddess Iris is at present in London, while her

head is in Athens. The front part of the torso of Poseidon is in London, and the rear part is in Athens. And so on.”<sup>23</sup>

According to Hitchens, the common responses made by the British with respect to the cause are as follows: 1) the return of the sculptures might set a precedent that would be devastating for the major museums of the world, 2) more people can observe the works in the British Museum, and 3) the Greeks do not have an adequate facility to showcase them. All three arguments do not hold up under scrutiny. Although a more in-depth discussion of the issues can be found in Hitchens’ book, the prevailing counterarguments can be summarized in brief.

The first response invokes the fear of dismantling the great museums of the world; but the reunification of the Parthenon sculptures is a unique case and will not set a precedent because the same problems outlined above for Greece will also impede other countries from following suit. Museums can make decisions to repatriate art on a case-by-case basis. In addition, there have been instances where foreign entities, such as the Vatican, Salinas Museum, and Heidelberg, have returned pieces of the sculptures, without opening the floodgates for future claims. The second response can be easily dismissed. Jules Dassin had an excellent rebuttal when he told a British parliamentary committee in 2000 that using the standard of annual visitors, both the British and Acropolis Museums should be emptied and displayed in Beijing.<sup>24</sup> The third response is totally invalid after the opening of the new Acropolis Museum. Hitchens was accompanied by the esteemed professor and Director of the Acropolis Museum, Dimitrios Pandermalis<sup>25</sup>, among others, and his observations on the excellent new facility can be found in the *Vanity Fair* article already cited.

Furthermore, Matthew Taylor, the treasurer of the British committee, who is also an architect in the UK, explained the aesthetic benefits that would accrue if the sculptures were reunified in Athens, concluding that their display in the new Acropolis Museum is “the only sensible solution.” Taylor emphasizes that the sculptures were “not designed as paintings, or free-standing statues that can be moved about, but formed integral parts of the structure of the Parthenon.” He proceeds to say, “You entered the Acropolis site through a specific route and only followed a certain path to approach the sculptures . . . [and thus] it is hard to understand the sculptures without understanding how they related to the Parthenon.” The new Acropolis Museum emulates the viewing framework for the sculptures on the Acropolis. In clear view of the actual temple, with an identical orientation and dimensions, the museum enables a visitor to observe the sculptures in their original context—as the master sculptor, Phidias, intended. In contrast, Taylor said it is difficult to visualize the sculptures’ positions as they related to the original building in the Duveen Gallery in the British Museum: “they all face

inwards, so the entire [collection] is inverted and the gaps where pieces are missing have been closed up, making understanding [them] even more complicated."

As for the ethical argument, the much honored British actor Stephen Fry presented a compelling case for their return in an article, *A Modest Proposal*,<sup>26</sup> in 2011, and more recently, during a debate hosted by *Intelligence Squared*<sup>27</sup> in June, 2012. Fry emphasized the present day as being an excellent opportunity for the sculptures' return, posing the rhetorical question, "What greater gesture could be made to Greece in its time of appalling financial distress?" Moreover, he added that such a "fine gesture might also help make the rest of Europe decide [the Brits] are not always the perfidious Albion they have traditionally believed [them] to be." Given the fact that copies can be made of the authentic sculptures, Fry believes that Britain would "gain far more than [they] lost." Outlining several contributions of Greece to the modern world, specifically Britain, Fry said, "Greece made us. We owe them. They are ready for its return and have never needed such morale boosting achievement more. And it would be so graceful, so apt, so right." Essentially, Fry proposes that Britain should acknowledge that it has held the sculptures for 200 years, but now it is time to return them. In short, he appealed to the gentleman-like sensibilities of the British, by asserting that "an expression of faith in the future of the cradle of democracy would be so, well just so damned classy."

The discussion above has presented a brief history of the Parthenon sculptures, the prominent organizations and individuals at the forefront of the campaign to reunify them, and the major arguments on both sides of the debate. The most relevant question now is how to capitalize on the current circumstances in order to advance the cause of having the Parthenon sculptures returned to their rightful home. The first objective is to continue educating people about the issues. The presentations by Reppas, in addition to the relevant articles, petitions, and videos, have been very effective in informing the public. Recently, the American Committee has supplemented its approach by launching the *MISSING* global awareness campaign at the forecourt of the British Museum during the international colloquy. Based on the well-recognized "Missing" images on American milk cartons, Kostantine Vaxevanaris envisioned and set up a multi-format platform online at *MissingSince1801.com* to unite and mobilize support for the cause.

Another imaginative initiative to repatriate the marbles has been undertaken by musician and photographer Ares Kalogeropoulos. His video shows images of the Parthenon sculptures kept in Britain with the following statements:

You can steal a statue, But you can NOT steal my origin.

I AM GREEK

Citizens of the World. I am being kept hostage.

I WANT TO RETURN HOME, to Greece

I was made be ridden by Heroes. I was made to run on stone.

I AM GREEK And I WANT TO GO HOME.

Anyone interested in seeing the video and perhaps sharing it with others can easily find it on the Internet by searching the following: I Am Greek and I Want to Go Home.

Endy Zemenides, Esq., the Executive Director of the Hellenic American Leadership Council (HALC), agrees that imagery has the power to enhance the marketing campaign to influence the public's opinion on the issues relating to the Parthenon Sculptures. He emphasized that imagery can sometimes be "far more captivating" than writing or speech, particularly in the first few seconds of being exposed to the source of information. In fact, HALC has effectively used imagery in its visually appealing website, *hellenicleaders.com*, and their news aggregation website, *greekcurrent.com*, to become a leading organization dedicated to civic involvement, human rights, and democratic values. Zemenides noted that the *Intelligence Squared* debate was "particularly instructive" because the audience was polled both before and after the debate performances by the speakers. What began as "a slight win for those in favor of keeping the sculptures in Britain turned into a resounding vote in favor of their return."<sup>28</sup> From his experience in politics, Zemenides pointed out the potential for increasing public support, citing the change in the opinions of the audience members as an indication that "*the informed vote is in favor of the Parthenon Sculptures.*"<sup>29</sup> Therefore, the education of Americans, Greeks, Brits, and others about the cause is central to creating the political will to resolve the dispute.

The 2012 London Olympics was a great opportunity to bring attention to the campaign to reunify the Parthenon Marbles. Huang Qing, a council member of the China Foundation of International Studies, said, quite fittingly, "That's why the Olympics is so great, because it convinces people to do the right thing, quite like a purifier cleaning up the air."<sup>30</sup> However, some commentators may deem the colloquy and other events this past summer as a series of missed opportunities because the Parthenon sculptures remain in Britain. That characterization would not be accurate. The advocates of the sculptures' reunification have laid down the foundation for success by hosting the first-ever conference of national committees and clinching an overwhelming victory in the *Intelligence Squared* debate. They set down the principles and values that form the core ethos of their group. A challenge now facing Greek Americans and their many institutions is to adopt their spirit, continue their movement, and work tirelessly to obtain *nike* in the cause of unifying the sculptures in their home at the foot of the Acropolis.

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- <sup>1</sup> <http://www.guardian.co.uk/sport/london-2012-olympics-blog/2012/may/17/olympic-flame-handover-from-greece-to-london-live-coverage> .
- <sup>2</sup> Michael J. Reppas II, *The Deflowering of the Parthenon: A Legal and Moral Analysis on Why the "Elgin Marbles" Must Be Returned to Greece*, 9 Fordham Intell. Prop. Media & Ent. L.J. 911 (1999).
- <sup>3</sup> Reppas, *The Deflowering of the Parthenon*, p. 915.
- <sup>4</sup> <http://www.vanityfair.com/culture/features/2009/07/hitchens200907> .
- <sup>5</sup> *Ibid.*, p. 924.
- <sup>6</sup> *Ibid.*, pp. 952-953.
- <sup>7</sup> In reference to Elgin and his act of removing the Parthenon sculptures, the term "Elgenism" is meant to refer to "the act of removing cultural property from its site." See Rappas, *The Deflowering of the Parthenon*, p. 929.
- <sup>8</sup> Reppas, *The Deflowering of the Parthenon*, p. 98. See Byron's *Child Harold's Pilgrimage* (1812) and *The Curse of Minerva* (1815).
- <sup>9</sup> <http://www.stephenfry.com/2011/12/19/a-modest-proposal/> .
- <sup>10</sup> <http://www.stephenfry.com/2011/12/19/a-modest-proposal/> .
- <sup>11</sup> Although Mercouri passed away in 1994, the Melina Mercouri Foundation has adopted her aspirations and strives to advance the advocacy of return of the Parthenon marbles.
- <sup>12</sup> [http://www.melinamercurifoundation.org.gr/index.php?option=com\\_content&view=article&id=58%3Athe-parthenon-marbles&catid=17%3Athe-parthenon-marbles&Itemid=53&lang=en](http://www.melinamercurifoundation.org.gr/index.php?option=com_content&view=article&id=58%3Athe-parthenon-marbles&catid=17%3Athe-parthenon-marbles&Itemid=53&lang=en)
- <sup>13</sup> See footnote 2.
- <sup>14</sup> <http://www.parthenonmarblesusa.org/index.php/support-acrps/michael-j-reppas-new-book>.
- <sup>15</sup> Greek shipping tycoon, George Embiricos, sold the world's most expensive artwork to Qatar's royal family: Cezanne's *The Card Players* for more than \$250 million.
- <sup>16</sup> Reppas, *The Deflowering of the Parthenon*, p. 945
- <sup>17</sup> *Ibid.*, p. 945.
- <sup>18</sup> *Ibid.*, p. 948.
- <sup>19</sup> Michael Taylor is also the founder of *Elgenism.com*, a website dedicated to the cause, where he posts his own personal commentary.
- <sup>20</sup> Reppas, *The Deflowering of the Parthenon*, p. 954.
- <sup>21</sup> <http://www.vanityfair.com/culture/features/2009/07/hitchens200907>
- <sup>22</sup> In the article, Hitchens described the Parthenon and its attendant decorative sculptures: "As with all things Greek, there were three elements to this, the most lavish and beautiful sculptural treasury in human history. Under the direction of the artistic genius Phidias, the temple had two massive pediments decorated with the figures of Pallas Athena, Poseidon, and the gods of the sun and the moon. It then had a series of 92 high-relief panels, or metopes, depicting a succession of mythical and historical battles. The most intricate element was the frieze, carved in bas-relief, which showed the gods, humans, and animals that made up the annual Pan-Athens procession: there were 192 equestrian warriors and auxiliaries featured, which happens to be the exact number of the city's heroes who fell at the Battle of Marathon.
- <sup>23</sup> Hitchens, *Vanity Fair*.
- <sup>24</sup> <http://www.vanityfair.com/culture/features/2009/07/hitchens200907> .
- <sup>25</sup> Pandermalis also provides tours of the Acropolis Museum with students during the American Hellenic Institute Foreign Policy Trips. It was an honor learning about the Parthenon Sculptures from him directly when I was a participant of the program in 2010.
- <sup>26</sup> <http://www.stephenfry.com/2011/12/19/a-modest-proposal/>
- <sup>27</sup> <http://www.intelligencesquared.com/events/parthenon-marbles/>

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<sup>28</sup> <http://www.elginism.com/20120612/the-intelligence-squared-debate-over-whether-the-parthenon-marbles-should-be-returned-to-athens/>

<sup>29</sup> Zemenides was a former advisor to Alexi Giannoulias, the Illinois State Treasurer and U.S. Senate candidate.

<sup>30</sup> [http://www.chinadaily.com.cn/olympics/2008-08/18/content\\_6945535.htm](http://www.chinadaily.com.cn/olympics/2008-08/18/content_6945535.htm)

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