

# Should Cambodian 'blood antiquities' be returned?

By **Mark V. Vlasic** and **Tess Davis**, Special to CNN  
June 7, 2012 -- Updated 1757 GMT (0157 HKT)

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COURTESY OF THE METROPOLITAN MUSEUM OF ART



This kneeling figure at the Metropolitan Museum of Art was estimated to have been carved around 921 to 945.

### STORY HIGHLIGHTS

Writers: Met and Sotheby's have ancient figures thought to have been looted in Cambodia

U.S. authorities have attempted to seize Sotheby's figures; now Cambodia seeking those at Met

Vlasic, Davis say some in art world act the victim because Cambodia wants its art back

Writers: Why would anyone want stolen art? Both sides must make reasonable concessions

**Editor's note:** Mark V. Vlasic, a senior fellow and adjunct professor of law at Georgetown University, served as the first head of operations of the joint United Nations-World Bank [Stolen Asset Recovery Initiative](#) and leads the international practice at Madison Law & Strategy Group PLLC. Tess Davis is the executive director of the [Lawyers' Committee for Cultural Heritage Preservation](#) and is working with Cambodia to combat the illicit trade in the kingdom's antiquities.

(CNN) -- The last time most New Yorkers focused on pillaged antiquities from Cambodia was likely after the release of the Angelina Jolie film "Lara Croft: Tomb Raider," which featured the heroine's adventures through the country's famous archaeological wonder, Angkor Wat.

Now, real "tomb raiding" is making the news as the Cambodian government seeks to recover antiquities allegedly plundered from the kingdom's ancient sites during its civil war, ethnic cleansing and foreign occupation.

At Cambodia's request, the United States recently filed suit in U.S. District Court against Sotheby's in New York, [demanding that the auction house](#) forfeit a sandstone warrior that was "illicitly removed," [according to the complaint](#), from a remote jungle temple. But according to a recent [New York Times story](#), Cambodia has now set its sights on another Manhattan institution: the Metropolitan Museum of Art. It has specifically targeted the highlight of its Southeast Asian collection: two kneeling figures that archaeologists declare are companions to the contested Sotheby's piece.

If these stones could speak, what a story they would tell.

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Carved in the 10th century by some of the most skilled artisans known to history, they originally adorned the sanctuary of Prasat Chen, at the temple complex of Koh Ker. Experts believe that with other characters, they formed a three dimensional tableau from the Hindu epic the Mahabharata for a millennium. They say that came to an end when paramilitary groups trafficked them, sculpture by sculpture, overseas.

What a strange twist of fate: Having traveled halfway around the world, quite possibly through the illicit and licit markets, the three disputed objects are now just miles apart in New York City.

Phnom Penh's forceful request for their return has alarmed the less scrupulous in the art world, and with good reason: They have a lot to lose if the art is repatriated. American and European galleries, auction houses and museums are allegedly full of Cambodian plunder. Many of these artifacts were allegedly stolen during the country's long conflict, making them "blood antiquities," little different than "blood diamonds" from Sierra Leone and other war-torn African states.

The years before, during, and after the Killing Fields decimated the Cambodian population and led to the looting of most of the nation's archaeological sites. Yet sadly, now that Cambodia is at peace and in a position to recover its rightful property, some collectors are portraying *themselves* as the victims.

In the wake of the Sotheby's case, one Asian specialist lamented the "crisis" now facing collectors. [She warned that such legal actions](#) "threaten the very future of collecting and collecting museums" and the "next generation of collectors, donors and patrons." Such histrionics aside, it will always be difficult and expensive for countries such as Cambodia to recover their pillaged heritage through the courts, even when in the right.

Especially when its acquisition may have been made possible by tragedies such as the Holocaust, Cambodia's killing fields or even the more recent looting of the Baghdad Museum during the Iraq war, the real issue is why any collector or museum would want to possess stolen art?

Thankfully, individuals and institutions who would argue to keep looted art are a minority and do as much disservice to their fellows as they do to victims of the illicit art trade. Indeed, many have voluntarily repatriated antiquities to Cambodia, once learning they were wartime plunder. The Met is no exception, [having itself returned](#) a valuable piece to the country in 1997 at its own initiative.

There is much common ground between archaeologists, collectors and curators, as all share a love of the past, if not an outright obsession with it. Archaeologists recognize that there will always be, and should be, a legal market for antiquities, just as most collectors and curators agree that the looting of archaeological sites and trafficking of antiquities must be stopped.

Indeed, if there is to be any real progress, both sides of the issue will likely have to make concessions. But as campaigns like Cambodia's demonstrate, the art world must reconsider what is ethically acceptable. And today, the sale, purchase and exhibition of "blood antiquities" is not only deplorable, [it may actually be criminal](#). (The sale, possession, and transport of stolen property is illegal under the National Stolen Property Act.)

Sotheby's and the Met have a choice: They can treat Cambodia's requests as obstacles, or recognize them as the opportunities they are to right past wrongs and set the moral standard for the entire field. For Cambodia's sake, as well as their own -- and for all of humanity that finds these treasures important -- let us hope that they choose wisely.

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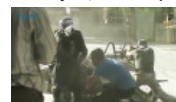
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**Ricky Bear** • 7 months ago  
They are national treasures of Cambodia. They should be returned to their ancestral home.  
I realize money is the problem... but isn't that always the case?

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**spurtulous** → **Ricky Bear** • 7 months ago  
just like all Egyptian artifacts, Peruvian etc.... Too bad the spanish christians cant give South/Central their religions back

2 ^ | ▾ • Share ▾



**sosakey** → **Ricky Bear** • 7 months ago  
They were not national treasures, they were piles of daily crap untill Cambodia itself destory everything they have in its own country , the lucky few escaped to other countries are now labeled as the national treasures that cambodia wants.

1 ^ | ▾ • Share ▾



**Thales70** • 7 months ago  
Sotheby's has been turning a blind eye to the questionable provenance of many of the artifacts they sell for years. Glad to see it finally getting some attention. Hopefully we can at least slow down the looting a bit. Its far more important to preserve these sites for study then to put the artifacts in millionaire's private collections.

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**Ahya** • 7 months ago  
I am Cambodian. I think these museums should not return the artifacts. They will be stolen again by Cambodia corrupt politicians for their own benefits.

12 ^ | ▾ • Share ▾



**musings2** → **Ahya** • 7 months ago  
Plus, the sale already happened in the past, by the people who happened to rule Cambodia, however cruelly. Napoleon sold the US New Orleans and the Louisiana Territory. When he fell from power we did not have to give it back.

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Also, since you are Cambodian and there are many Cambodian immigrants in the US who do not intend to go back and live in Cambodia, great city museums like the Met have a responsibility to show you and your fellow Cambodian-Americans the great art from your culture.

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**NewGawker** → Ahya · 7 months ago

Now that is actually a strong argument. It will most likely end up in the home of a wealthy collector.

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**Rstlne** · 7 months ago

This is a slippery slope. I don't see The British Museum or the Louvre giving back all of the Greek and Roman antiquities they have acquired; although no doubt Greece and Italy would love to get them back. If you purchased something in good faith, how is it fair that you should simply lose your investment so that the country/state/city/person of origin can have it back?

I believe it is a very fair argument that if you cannot protect your art, it should be acquired by those who can and will protect it. That has certainly been the argument used by The British Museum when confronted about this issue, and I believe it is an excellent argument.

10 ^ | | v · Share >



**dineshabe** → Rstlne · 7 months ago

so can i come to your house steal everything , and tell the same to u ? if you cannot protect your car , your tv let the ones who can have them. sounds fair ?

8 ^ | | v · Share >



**badcafe** → Rstlne · 7 months ago

Theft is theft, no matter how much you rationalize it. No legal 'purchase' was made here .. none of the Greeks or Italians or Indians or Egyptians saw a dime of these purchases. And the argument you make is twisted... by that token, I should be able to come and take away your kids if I argue you can't "protect" your kids

3 ^ | | v · Share >



**Rstlne** → Rstlne · 7 months ago

@dineshabe - The two scenarios are entirely different, as you well know. One cannot expect an individual to have the same abilities and resources that one would expect a country to have. And, I pay a lot of tax dollars to ensure that my local police will help protect my home and valuables.

Egypt could sue France for damage done to the Sphinx and other of its antiquities by Napoleon, however I seriously doubt they would win the suit. There needs to be a widely accepted international agreement on what does and what does not constitute "blood antiquities." I personally wanted to seriously hurt the Taliban members who destroyed so many Buddhas a few years ago, however NOT ONE SINGLE COUNTRY would intervene to save the Buddhas, which were ancient and priceless. Can anyone be held responsible now? Unfortunately I think not.

3 ^ | | v · Share >



**ChazSch11** → Rstlne · 7 months ago

excatly...you dont need to go to egypt to see any of king tuts stuff.....

its a shame. Britain really pillaged the whole world

3 ^ | | v · Share >



**CedarRapids** → Rstlne · 7 months ago

sorry rstlne but dineshabe's analogy is a good one, to try to claim that we took your possessions because you cannot protect it is still theft.

2 ^ | | v · Share >



**Steveko** → Rstlne · 7 months ago

Chaz, along with forcing opium on the Chinese.

0 ^ | | v · Share >



**Kenneth Gallaher** · 7 months ago

Send them back. Quit acting like imperialist neocons.

10 ^ | v · Share &gt;

**DarkStarWNY** → Kenneth Gallaher · 7 months ago

Should we send blood diamonds back to the country they came from as well?

This does remind me of one thing I've always wondered. At what point does a grave change into archaeological site that can be dug up and the contents put on display?

0 ^ | v · Share &gt;

**george165** → Kenneth Gallaher · 7 months ago

Why we took the oil by force too!?

0 ^ | v · Share &gt;

**tigresse** · 7 months ago

Return them to Cambodia. And while you're at it, return the Elgin Marbles to Greece. All this looting, pillaging and illegal trade of artifacts for money should stop. It's not only a moral issue but one of restoring a country's heritage. Finally to all the private collectors out there who "covet" something: just because you can afford to pay ridiculous sums of money, doesn't mean you rightfully own it. 99% of those transactions are illegal, so you don't rightfull own them.

8 ^ | v · Share &gt;

**HolyChikin** · 7 months ago

A price tag cannot be put on history. It is not the property of anyone but the people of Cambodia. It needs to be returned.

That would be like some dude waltzing into the white house, taking the picture of Benjamin Franklin off the wall and selling it at auction. It's not cool.

The excuse that the people of Cambodia do not have the skills or the place to preserve such a thing is not right either. It is their property, their culture, their history. If they want to smash it to bits, it is none of our business.

8 ^ | v · Share &gt;

**mensch3** → HolyChikin · 7 months ago

What if the White House, to raise funds, sold that picture of Ben? Should it be able to reclaim it 30 years from now? Some things were stolen, but not everything was.

2 ^ | v · Share &gt;

**Puma\_01** → HolyChikin · 7 months ago

Actually, Cambodia as we know it didn't exist (in boundary, culture, government, etc.) when this art was created. Perhaps a more apt analogy would be the U.S. President demanding that he be given an ancient indian artifact excavated 175 years ago in Wyoming so he can put it in the Oval Office.

0 ^ | v · Share &gt;

**Ryan Texan** · 7 months ago

Many of these were not stolen. The people in control of them sold them.

Now they have the opportunity to buy them back.

They are free to bid on them.

But we have no obligation to steal the artifacts from their present owners.

Two wrongs don't make a right.

8 ^ | v · Share &gt;

**frotc914** → Ryan Texan · 7 months ago

So if I stole your car and resold it, you would just say "aw shucks. Two wrongs don't make a right. You can keep it"?

2 ^ | v · Share &gt;

**James Chou** → Ryan Texan · 7 months ago

So what if there is a regime change? If the last Romanovs legally sold some Russian treasures prior to their, er, abdication, would the Soviet Union now have a right to demand reparation?

0 ^ | v · Share &gt;

**karmaapple** → Ryan Texan · 7 months ago

they don't want to "buy" them back... they want them given back... with the

they don't want to buy them back -- they want them given back -- with the museum and collector losing their entire investment, whatever price they paid to acquire the item, most likely in good faith.

0 ^ | v · Share ›



**Ryan Texan** → Ryan Texan · 7 months ago

frotc914 - A valid point if it is actually stolen. But if the people controlling the artifacts voluntarily sold them - that's a big difference.

0 ^ | v · Share ›



**Fabianzzz** → Ryan Texan · 7 months ago

@cnn-c415745df8560c516dcc9f4597:disqus

But thats the thing. These weren't "stolen". The townspeople sold them. Why should Americans pay the price?

0 ^ | v · Share ›



**frotc914** → Fabianzzz · 7 months ago

The townspeople didn't own them - it makes no difference that the seller's were Cambodian.

Admittedly, we can disagree about whether the government of Cambodia has a right to them, but it seems to me that when you deal in art or artifacts or diamonds or whatever, the onus is on you to make sure the person selling it actually owns it.

4 ^ | v · Share ›



**PudninTane** · 7 months ago

Do not return them. If every museum had to return everything from another country, all the museums would be quickly emptied of almost everything they have. The whole point of museums is to be able to experience the world without having to actually travel the world. Sheesh...pretty much everything in the British Museum was stolen.

8 ^ | v · Share ›



**spurtulous** → PudninTane · 7 months ago

u dont need the REAL item to see the item, so return the items where they were stolen from. all of them

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**Entrapment** → PudninTane · 7 months ago

Cambodians have to travel the world to see their own artifacts.

0 ^ | v · Share ›



**AsiaWatch** · 7 months ago

Kindly return those stolen artifacts to their rightful owners. If one is defenseless doesn't mean that you can plunder valuables from that country. Just return them or else there no difference between you and plundering thug.

7 ^ | v · Share ›



**ViewFair2012** → AsiaWatch · 7 months ago

good thought.

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**FauxNewz** · 7 months ago

I had my wallet stolen in Cambodia. I demand they return it.

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**miclyn1** · 7 months ago

I have been to Cambodia and to Angkor Wat it is wonderfull to behold . Yes they have the right to demand there history to be returned.

7 ^ | v · Share ›



**orion7x** · 7 months ago

I have thought about this a lot. Like one person said, the reason some of this stuff has even survived is because someone put it in a museum. These ancient people made us all. I'll never get to Cambodia but I'd like to experience things like this. On the other hand if someone wants it back then puts it out where it will dissolve with toxic rains and things, thats just dumb. If the restore a monument and properly protect it then I say much should go back to where it started. But when museums have warehouses full of this kind of stuff then they are wrong to hoard it and not let people see it. Seen this in



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7/8

whether or not they can protect them, these things belong to Cambodia.  
Cambodians have the right to decide the fate of their own relics. If they want us to "protect" their stuff for them, they'll ask.  
5 ^ | | v • Share ›

 **Ahya** → Ricky Bear • 7 months ago


I totally agree with you 100%....once returned, these artifacts will be stolen by people in power who claim they are loyal to Cambodia. These people in power today are the same people from the killing field in the late 70's.

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 **democrazygal** → Ricky Bear • 7 months ago

just head a stupid saying from Richard Bear

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 **way22go** • 7 months ago

Never too late to do the right thing because it's the same as buying a stolen Mercedes.

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