

Case 2: The Diamond Divide

Throughout history, valuable items have been taken, exchanged, and claimed as spoils of war and conquest. Although these actions were frequently considered legal at the time, modern perspectives raise important ethical questions about how those objects were acquired and who should rightfully possess them today. Museums, especially those from former imperial nations, have extensive collections of items acquired during colonial rule. While these institutions often present themselves as protectors of global heritage, many of the objects they display remain deeply contested. This leads to debates about ownership, justice, and historical responsibility regarding the legality and ethics of these artifacts.

One of the more well-known examples is the Koh-i-Noor diamond. Originally mined in India, the diamond circulated among various South Asian rulers, including Mughal, Persian, and Afghan leaders, changing hands through warfare, political alliances, and shifting regimes. The diamond eventually came under British control in 1849, following the defeat of the Sikh Empire and the enactment of the Last Treaty of Lahore, which forced the young ruler, Maharaja Duleep Singh, to give the diamond to the British East India Company, who later formally presented it to Queen Victoria. It was subsequently incorporated into the British Crown Jewels, where it remains today.

Since then, multiple countries, including India, Pakistan, and Afghanistan, have made official requests. Most notably, from 2000-2024, India made multiple public attempts to secure the diamonds' return. Prime Minister Narendra Modi's government stated that India must make every effort it can to regain the diamond, as "it's connected to [India's] emotions". Arguing that the diamond does not only have monetary value but also holds cultural and political importance, representing the broader history of colonial exploitation. Tushar Gandhi, the great-grandson of independence leader Mahatma Gandhi, stated that it should be returned to "atone for the colonial past" in 2009. In their view, agreements made during imperial rule cannot be considered fully voluntary, as they were often shaped by political pressure and coercion. The return of the diamond would represent an acknowledgment of historical injustice and a step toward restoring cultural dignity. In this way, the continued possession of the Koh-i-Noor by Britain is seen by many as a lingering symbol of unequal power dynamics established during the colonial era.

However, some critics of repatriation also worry that returning high-profile artifacts like this could set a precedent. Conservative UK politician Robert Jenrick argues this will lead to "Instead of conserving collections," curators will "denude them." This, in turn, might significantly diminish the scope and accessibility of these institutions, which currently serve as global centers for education and cultural exchange. Another concern often raised by the opposition is the risk of damage the artifacts could suffer in the event of repatriation to a country with political instability, limited resources, and inadequate preservation capabilities. Politician Robert Jenrick has stated many of the artifacts kept in UK institutions "would not have survived had they remained in [their country of origin]." Many valuable objects require careful climate control, security, and conservation expertise to survive over time. Skeptics question whether all claimant nations possess the necessary resources, infrastructure, and stability to ensure the diamond's protection. In a country facing political instability due to factors such as war, environmental degradation, and economic crisis, there is no guarantee that such objects will be preserved, exposing them to the risk of damage.

Furthermore, the question of rightful ownership is far from straightforward; returning it to one nation could create further disputes, rather than resolve them. One could even argue that the Koh-i-Noor has, over time, become part of the United Kingdom's own historical and cultural narrative, meaning the diamond is now intertwined with British royal heritage and national identity. Some proposed solutions attempt to balance these concerns, for example, through long-term loans, shared custodianship, and/or rotating exhibitions that allow multiple countries access to culturally significant items.

The Koh-i-Noor diamond has never been returned, despite ongoing discussions between India and the UK. Ultimately, the debate surrounding the Koh-i-Noor diamond raises broader ethical questions: do modern nations have a responsibility to correct the actions of their historical governments? How's a moral argument for repatriation of the diamond to be balanced against the practical realities? While there is no simple answer, the issue highlights the ongoing tension between preserving global heritage and addressing the lasting impacts of colonialism.

Discussion Questions

1. Should artifacts like the Koh-i-Noor diamond be treated differently from other forms of property? Why or why not?
 2. How should museums balance global access to artifacts with the cultural rights of their countries of origin, while also considering preservation concerns? Is it possible to achieve both ethical repatriation and global access? If so, how?
 3. If multiple countries have legitimate claims to the same artifact, what principles or processes should be used to determine ownership?
 4. Can shared custodianship, long-term loans, or rotating exhibitions offer a fair solution to the tension between cultural repatriation and global access to heritage in cases of colonial acquisition, or do they fail to address deeper issues of historical injustice and ownership?
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Sources

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