ABSTRACT

Yaawo beadwork culture has a significant presence in the archives of the British Museum. So far, object biographies of John Moir's collection of Yaawo beaded hair combs at the British Museum indicate they were acquired through 'consensual' commercial dealings. By approaching the complexity of cultural repatriation in praxis, this article aims to explore the following: How should we think of seemingly 'consensual' commercial transactions between colonisers and the colonised in the context of cultural repatriation? In what ways can the socio-philosophical boundaries of 'return' be expanded in these cases? This research is further proof that early colonial era trade relations are embedded in ethically ambiguous terms of negotiations that cannot always be clearly judged from a contemporary perspective.

Cultural objects acquired in this manner face multiple legal constraints when they are discussed in relation to cultural repatriation. Lastly, the article calls for expanding cultural repatriation beyond the materiality of cultural objects, with a redirection towards cultural agency.

keywords

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Beyond the Material:
A Case Study of the Yaawo Beaded Hair Combs for Repatriating Agency

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Introduction

In 2022, I finalised my master's thesis in African Studies in Leiden University, *Out of Reach: In Search of Yaawo Beadwork in European Ethnographic Museums*. In it, I explored Yaawo beadwork collections present in Dutch, British, and Portuguese ethnographic museums with the aim of answering the following questions: *What can the Yaawo beadwork present in European ethnographic museums say about its cultural significance and usage? How can these pieces uncover the complexities of colonial interactions and African agency?* It had not been my intention to delve on cultural repatriation with my work; however, my curiosity surrounding the topic peaked when I had the opportunity to conduct online interviews with two Yaawo elders from northern Mozambique. Their enthusiasm in sharing their knowledge on Yaawo beadwork culture and their fascination with the fact that some Yaawo beaded items were currently archived in European ethnographic institutions were catalysts for some reflections I had on cultural restitution.

It is undeniable that the topic of cultural repatriation has dominated the Museum Studies field over the last decade, with discussions touching on the legal (Godwin 2020), ethical, moral (Björnberg 2015), and historical-political (Shehade and Fouseki 2016) implications surrounding the restitution of cultural objects. However, the definition of *cultural repatriation* is itself ever-changing through the increasingly vocal participation of diverse interested groups: indigenous peoples from the Americas, Africa, and Asia (and their diasporas), archaeologists, historians,

philosophers, legal scholars, and political thinkers. Although legal frameworks take a considerable amount of time to change, the manner in which all these invested groups engage with the topic has naturally led to reflections on what *repatriation* signifies. Repatriating to whom? For what reasons? To what end? And finally: what to repatriate?

Material cultural restitution generally refers to the return of previously looted or stolen cultural property to its country/group of origin. Yet what defines *cultural property* has changed overtime. The 1954 Hague Convention on the Protection of Cultural Property defined it as material 'of great importance to the cultural heritage of every people' (as cited in Godwin 2020: 149). Such material encompassed the areas of architecture, literature, visual art, and archaeology. Sixteen years later, the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property expanded its definition by including natural specimens and musical instruments (UNESCO 1970). More recently, in 2018, the European Union passed legislation which demanded specific licencing of cultural items in an attempt to prevent illegal trafficking. In this legislation, cultural goods are described as objects older than 250 years and worth, at a minimum, 10,000 euros (Council of the European Union 2018). According to these definitions, cultural goods have a specific age, monetary value, and material form.

Legally, the repatriation of cultural property is considered when 'theft, clandestine excavation and illegal export' of cultural objects have occurred (Prott 2009: 104). The international legal system has attempted to respond to calls of repatriation, on the basis of theft, through the adoption of UNESCO 1970's Convention and the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects. Additionally, the UNESCO Intergovernmental Committee for Promoting the Return of Cultural Property to Countries of Origin or Restitution in Case of Illicit Appropriation has been established as a non-legal mechanism to mediate these discussions (Prott 2009: 104).

Despite these efforts, cultural objects that fall outside strictly defined situations of illicit trafficking are rarely considered. An item being stolen implies an act of violence (physical, emotional, psychological) where a clearly defined oppressive actor has taken material advantage from another. When certain conversations are based on items acquired more than a century ago under very different perceptions of what 'legal' and 'consensual' entailed, what can be considered 'stolen' becomes nebulous.

Discussions on cultural repatriation have focused on cases that attract high levels of media attention, such as the Benin Bronzes in The British Museum (Spero and Adeoye 2022). These debates have highlighted the importance of the objects'

materiality and their accessibility to Western and non-Western publics. Meanwhile, lesser-known African material cultures acquired during the colonial era have not received the same attention. Yaawo beadwork culture, which has a significant presence in the archives of The British Museum, is one such example.

Equally neglected by literature on cultural repatriation is the idea of repatriating agency. In the context of cultural restitution, agency corresponds to the power of autonomously deciding what should happen to one's own cultural heritage. Therefore, repatriating agency means transferring the control of knowledge production to a different party, to the objects' source community. In this article, it will be argued that *agency* should occupy a more central position within discussions on cultural repatriation.

This conceptualisation of cultural restitution as an opportunity to restore indigenous agency over their cultural objects is not a radical or a particularly innovative idea. For instance, in 2017, the Pitt Rivers Museum launched the Living Cultures Initiative, where they formed partnerships with Maasai representatives in Kenya and Tanzania. Throughout this on-going project, Maasai community members have travelled to England to view exhibited and archived cultural objects and have given their perspectives on how these artefacts should be engaged with the public (Zaidi 2020). Nevertheless, I argue that this conceptualisation of repatriation should be extended to other museums which are more legally restricted within cultural repatriation discussions – The British Museum being an example of that.

The Yaawo beadwork pieces present in The British Museum, particularly the beaded hair combs donated by Maitland Moir, daughter of Scottish trader John Moir, add a complex layer to the discussion of cultural agency due to their potential commercial value and/or political symbolism when initially acquired. Therefore, I aim to answer the following questions: *How should cultural objects seemingly acquired through 'consensual' circumstances be approached within agency repatriation? How and why is an agency repatriation approach a suitable way to engage with the Yaawo beaded artefacts currently present at The British Museum?* Based on an object biography conducted in 2021 and 2022, these Yaawo beaded artefacts will serve as an example of how cultural repatriation based on *agency* can be approached.

Object biography: a project in development

Object biography is a qualitative methodology generally used in anthropology, introduced by Igor Kopytoff (1986). The methodology focuses on the 'culturally constructed entity' of an object, approaching its 'culturally specific meanings' and

the classification and multiple reclassifications of its 'culturally constituted categories' (Kopytoff 1986: 68). Kopytoff (1986: 89-90) makes an analogy between individuals and things to show that both have social identities directly influenced by the social spaces, interactions, and times surrounding them. The concept is centred on the idea that an object cannot be disassociated from its context of 'production, use, exchange, and disposal' and the connections it establishes with people through time and space (Carbone 2019: 754).

A biographical approach in analysing Yaawo beaded artefacts within the context of agency repatriation is thus ideal precisely because of this emphasis on studying cultural objects beyond their materiality to cover relations the objects have had with people through time and space. Broader socio-historical realities can be uncovered through the lens of the object's materiality: 'a social history of a particular class of artefact and its changing role and meaning' (Mytum 2003: 111).

Not all movements of objects are recorded and documented. Perhaps this was the most challenging aspect of studying and dialoguing with these Yaawo artefacts: as a researcher, I was restricted in working with often limited surviving material. Furthermore, accessing such material was not always easy, particularly during the COVID-19 pandemic. The reflections in this article were based on research conducted for my Master's thesis in 2021 and 2022: access to written documents, archives, and people proved difficult. For instance, some of John Moir's written work (as well as secondary literature about him and the *African Lakes Corporation*) have yet to be analysed. They are currently held at the University of Glasgow; surveying them would likely bring a more detailed insight of the company's activities and relations with the Yaawo communities in the Lake Malawi region, a significant aspect in the biography of the artefacts under discussion. Consequently, the information I have collected throughout my research does not reflect or reconstruct the entire socio-historical movement of the beadwork; it does not represent a path with a clear beginning and end. I collected and engaged with the data available to me at the time. This does not mean that the stories of these artefacts are finished.

On the contrary, I want to view this work as a starting point for a much larger reflection on how future cooperation with Yaawo people, from different walks of life and perspectives, can potentially be enriching to the construction of Yaawo beadwork biography, particularly of the beadwork currently held at European ethnographic museums. Hopefully, other conclusions will be reached with further research in the future, whether they complement my findings or even challenge them. Object biography is not one person's task: it extends across the years and connects other researchers and source community members. It is a continuously fulfilling and enriching process that is not afraid of talking and, most importantly, listening to the objects, though flexibility and cooperation are required to do so.

[1] Despite appearing written in different ways, such as Yao, Wayao, and Ajaua, I have adopted the orthography 'Yaawo' throughout this article. It corresponds to the standardised version established by the African Studies Centre at Eduardo Mondlane University in Mozambique (Ngunga and Faquir, 2012).

Lastly, the fact that I am a Portuguese academic writing about Yaawo beadwork culture in the context of agency repatriation is not lost on me. Portugal was the main colonial power involved in the colonisation of Mozambique, one of the three African countries with the largest Yaawo populations (alongside Malawi and Tanzania). While this article was prompted by my conversations with Yaawo participants, I was the only one privileged with access to the Yaawo artefacts approached here. I was afforded the possibility, during a pandemic, to visit The British Museum's archives and see, in-person, the items in question. Neither of my Yaawo interviewees had such an opportunity, with their access to the objects limited to photographs on a computer screen. This limitation and the added complexity that my positionality as a researcher brings to the topic further incentivised me to reflect on agency restitution and how restoring agency can be a way to broaden Yaawo people's accessibility to these objects.

Yaawo beaded hair combs in The British Museum

Twenty-two beaded hair combs registered as 'Yao'[1] are held in The British Museum's collection. They were originally acquired by their collectors either in Mozambique or Malawi and were incorporated into the Museum's collection in different years. The two Yaawo beaded hair combs presented in this paper were donated by Maitland Moir in 1957, alongside six other Yaawo combs.

Af1957,01.2 (see fig. 1) is 8.25 centimetres in height, and 6 centimetres in width. On the other hand, *Af1957,01,4* (see fig. 2) is slightly smaller, with 7.50 centimetres in height and 5 centimetres in width. Both objects present the same depth, 0.25 centimetres. They share the same materials: the shafts are adorned with multiple beads, all the same type, strung together with what might be elephant hair. The teeth are long and thin, made of cane. *Af1957,01.4* has the most visible signs of damage: four of its teeth are broken. The beadwork in the comb *Af1957,01.2* forms pale pink and light blue geometrical shapes on a dark red background. The geometrical patterns represent two elephant trunks (the ears are in light blue, and the trunks are in pale pink). On the other hand, the beadwork in *Af1957,01.4* showcases a simpler design: navy blue and ivory white beads form a square on a light pink background.

Their inventory numbers indicate they were donated to The British Museum at the same time, in 1957, and are registered as having been donated by 'Miss Maitland Moir'. Upon archival research in the Museum's correspondence files, I came across a 1956 letter signed by 'M. L. Maitland Moir'. Sent on December 31st, the letter

Fig. 1 – Hair comb *Af1957,01.2*.

states that M. L. Maitland Moir had found a box of 'African curios brought by [her] father about the year 1900' while moving out of her house.[2] She proceeded to explain that she did not know the exact value of the collection and asked the Museum to make a selection of what objects they deemed valuable to keep. At the end of the letter, M. L. Maitland Moir shares her father's name: 'John W. Moir'.[3]

[2] Moir (Maitland), The British Museum, Personal Correspondence, 31 December 1956, British Museum Archives, Uncatalogued collection.

[3] Ibid.

Fig. 2 – Hair comb *Af1957,01.4*

Understanding Yaawo beadwork: interview with two Yaawo elders

European colonial officials and Western researchers have authored most written sources about Yaawo history and culture (see Lacerda e Almeida and Burton 1873; Stannus 1922; Mitchell 1956; Amaral, 1990). Because of this foreign positionality, some aspects of Yaawo culture might have been misconstrued or oversimplified.[4]

[4] One example of possible Western misinterpretation or even fabrication of Yaawo cultural practices comes from Reverend Joseph Thomas Last who, in 1885, travelled to Mozambique to explore the economic viability of the Namuli Mountain region. While describing his findings, Last (1887: 468-69) pointed out: 'The coast Mahommedans have been for many years passing up and down this valley, but their influence seems to have little power to induce the natives [Yaawo] […] to embrace Mahommedanism […]. Cannibalism is but little practiced by the Yaos, still there are some of the great chiefs, as Mtarika and Nyangwali, who indulge in such orgies. I have been frequently told by Yao men, […], that feasts of human flesh are frequently made in secret by the chiefs, […]'. Last confidently stated that the Yaawo chiefs in the Lugenda river region by the mid-1880s had not incorporated any aspects of Arab or Swahili culture. However, this contradicts Livingstone's observations (Livingstone 1874: 68). Additionally, from all the historical sources consulted that referenced Yaawo history and cultural practices, this is the first (and only) one to ever indicate Yaawo's participation in cannibalism (or anthropophagy). Indeed, Last admitted he never witnessed any Yaawo person participating in it: such acts, apparently, were only done by Yaawo chiefs in secret, away from their peoples. As such, one can question the validity of such a claim (see Heintze, 2003).

Therefore, a structural step in the object biography conducted was my recorded conversations with two Yaawo elders from northern Mozambique who volunteered to share their memories from youth. Although they did not witness the actions of their ancestors in the nineteenth century, they can recount oral traditions that have been passed on through generations and which provide testimonies on what Yaawo culture looks like today.

Woman A (who asked to keep her identifying details private) was not fluent in Portuguese or English, only Ciyaawo, therefore, a local interpreter was employed. The same was not needed with the second interviewee, Mr. Chindojo, who spoke fluent Portuguese. Interviewee recruitment was possible through the mediated contact of Dr. Tobias Houston, a research fellow from the University of the Free State. The interview was held at the office of the *Projecto Moçambicano de Tradução Yaawo da Palavra de Deus* (PROMOTYPAD), located in the Nyasa Province, and using Dr. Tobias Houston's Skype account while I was in the Netherlands due to COVID-19 travelling restrictions. The interviewees thus did not have the opportunity to see the two beaded hair combs analysed in this article in-person. Photographs provided by The British Museum's website and others taken by me during my visit to the Museum's archives in November 2021 were shared with the interviewees. The combs *Af1957,01.2* and *Af1957,01.4* have never been exhibited in public since their acquisition by The British Museum. Not only have Woman A and Mr. Chindojo never seen nor touched these objects, it is highly unlikely that other Yaawo people have personally interacted with them. My interviewees' interactions with the objects were, therefore, relegated to the digital format of photographs shared during a Skype conversation.

Having been away from the rural areas for many years, the information both interviewees shared are based on their experiences and knowledge gathered while they were children, teenagers, and young adults.

Both Woman A and Mr. Chindojo are part of the Yaawo Mataka clan. The Mataka, the title given to the clan's headman, possesses limited political influence and is generally restricted in Mwembe, a district of Niassa Province in the north-western region of Mozambique. In Mwembe and other rural areas, traditional elements of Yaawo culture, such as the *unyago* (a general term for initiation rites), are still followed. Nevertheless, according to Woman A, in the Province's big cities, such as Lichinga, more traditional aspects of Yaawo culture are not so closely followed, particularly by the younger generations.[5]

Glass beads came from the coastal areas, bought from Arab and European traders. According to Woman A, these beads were transported to Yaawo villages in glass jars and subsequently sold to the people there. Inside the jars, the beads would come separately and unattached.[6] Purchasing these beads was challenging due to

[5] Woman A, interview by Beatriz Madaleno Alves, 27 April 2022.

[6] Ibid.

their high cost. Families needed to exchange large quantities of corn and potatoes to buy them. Since extensive possession of beads clearly mirrored a higher social position, it influenced the Yaawo perception that interaction with foreign markets was a fundamental first-step towards power ascension. This information converges with work conducted by East African history scholars such as Edward A. Alpers (1969), Fair (2001), and Prestholdt (2012).

My conversation with Woman A and Mr. Chindojo mainly focused on beadwork usage amongst Yaawo women, since glass beads were more regularly used within that demographic. Wearing visually appealing beaded ornaments was significant in a Yaawo women's journey through her femininity, sexuality, and desirability (Alves 2022: 90).

However, it was surprising that Mr. Chindojo and Woman A became puzzled when I showed them pictures of the hair combs in question. Mr. Chindojo revealed that hair combs decorated with beaded patterns would be gifted to the chief, but only very rarely.[7] Hair combs were indeed produced by Yaawo people for daily usage, but without beaded ornamentation – that was solely reserved for the chief as a political gift. It has been documented that the employment of specific types of glass beads or beaded ornaments were reserved for higher status individuals in Yaawo societies. For instance, Amaral (1990: 94) noted that beads denominated as *cilalaka* were exclusively used for the crowns worn by Yaawo chiefs' daughters to distinguish them from the other 'commoner' women. This class-based differentiation in bead usage became a symbol of political and economic power. Alpers (1969: 410) indicated that 'the headman, or chief, seems also to have controlled the distribution of […] beads, which were acquired at the coast. This procedure further enhanced his prestige by enabling him to reserve certain kinds of […] beads […] for his own personal use and that of his relatives'. This link between glass bead possession and political ascension reached a peak during Yaawo communities' involvement with the East African slave trade between the 18th and 19th centuries, with a wide variety of European and Arab glass beads serving as payment to acquire enslaved labour captured by Yaawo raiders (Alpers 1969). Considering that Woman A and Mr. Chindojo have never socialised closely with their Yaawo Mataka chief, their astonishment in witnessing such hair combs (even if just through pictures) was justified.

Although my conversation with Woman A and Mr. Chindojo did not focus on the topic of cultural repatriation, I inquired how they felt about these objects, manufactured by Yaawo people in the nineteenth century, being in a European museum, physically so distant from their home-country. Both expressed their satisfaction that Yaawo beaded hair combs and other beadwork remained materially preserved, even if far away from Eastern Africa. As pointed out previously by Woman A, the

[7] Mr. Chindojo, interview by Beatriz Madaleno Alves, 29 April 2022.

older Yaawo generations seem to feel that younger Yaawo people, particularly those who live in bigger cities, are not engaged in traditional Yaawo cultural expressions, like the employment of beadwork as ornamentation. That generational divide is a cause for concern among older community members, who feel like the work of their ancestors and their practices is slowly fading into obscurity.

The Collector: John Moir and the African Lakes Corporation

David Livingstone's theory of religion and 'legitimate' commerce being vital tools to incentivise slave trafficking in Eastern Africa (see Monk 1858; Livingstone 1865; Livingstone 1874) profoundly influenced British imperialist projects in the region. To spread Christianity, one also needed to possess faith 'in the capitalist system as an instrument of improvement' (Macmillan 1970: 62; see also Comaroff and Comaroff 1986: 1). It is in this context that the *African Lakes Corporation* (ALC), founded by the Moir Brothers, appears.

John William Moir was a Scottish trader born in Edinburgh on 26 January 1851. Inspired by the death of the missionary David Livingstone (Moir 1924: 1) and the American evangelical movement of Dwight L. Moody and Ira D. Sankey, John Moir and his brother Frederick Moir sailed to the African continent in 1877 (Macmillian 1970: 95). In 1878 they became the founding managers of the *Livingstonia Central Africa Company,* which would assume the name *African Lakes Corporation* in 1894. John Moir would continue to live in southern Malawi until 1900, having maintained contact with Yaawo populations for roughly 22 years.

At the height of its activities, the ALC covered the following areas:

> […] the whole of what is now Malawi, and parts of Zambia, Mozambique, and Tanzania. It formed an approximate rectangle bounded on the south by the river Zambesi flowing down to its delta on the Indian Ocean, on the west by the Luapula river and a line drawn from its source to the Zambesi, on the north by a line drawn from Lake Mweru across the south end of Lake Tanganyika to the north end of Lake Malawi, and on the east by the eastern shores of Lake Malawi and a line south from there including Lake Shirwa and the Shire Highlands (Macmillan 1970: 1).

The company's central role was to provide logistical support to the British missions working in the Lake Malawi region. This included providing, maintaining, and operating steamers on the Zambesi and Shire rivers and on the Lakes Malawi and Tanganyika:

> According to their contract they were to superintend the line of navigation from Quelimane on the Indian Ocean coast to Livingstonia, the Free Church of Scotland Mission which was at that time situated on Cape Maclear, a peninsula at the south end of Lake Malawi. This was about four hundred miles [644 kilometres] from the coast. In addition, they were to organise a service to Tete, a Portuguese settlement some three hundred miles [483 kilometres] up the Zambesi; and to run in cooperation with the mission a steamer service on the lake itself; to carry on the trade with the people and to establish depots at convenient points in connection with this trade (Macmillan 1970: 99-100).

The Moir brothers concluded that ivory was the most valuable commodity in those regions and could effectively steer African communities away from slave trafficking. It turned out to be a good business decision: in 1893, nineteen tons of ivory from Central-Eastern Africa were exported, bringing around £18,300 in profit (Branson 2020: 66).

The Date and location of acquisition: two speculations

With this emphasis on ivory, the ALC first established contact with Yaawo groups in the Nyasa region. One of the most important relations was with the Yaawo chief Mponda, who traded ivory with the company in exchange for European cloth and glass beads. Between 1875 and 1883, the Company distributed around 25 tons of beads: 'The Moirs were attempting to satisfy the certainly pre-existing demand for western products, especially cloth and beads, on the assumption that if these demands could be satisfied through the sale of other commodities, the sale of slaves would be made unnecessary' (Macmillan 1970: 120).[8]

Two possible acquisition places can be pointed to: the first is in Blantyre, where the Blantyre Mission Station from the *Universities' Mission to Central Africa* had been since 1876. The station had good relations with the Yaawo chief Kapeni and had convinced him to stop his involvement in slave trafficking completely. Kapeni was also one of the Yaawo chiefs who signed John Moir's petitions to Queen Victoria in 1885. Such petitions were to demonstrate that certain areas in the Nyasa region effectively possessed a robust British presence, and its local inhabitants were requesting colonial protection. Economic and administrative interests were also at play, as any British protection would be exercised through the *African Lakes Corporation* (Ross 2018: 121), a plan that was ultimately not realised. These objects could have been produced by an artisan in Kapeni's territory and offered as a gift

[8] The bead trade conducted by John Moir and the African Lakes Corporation ties with Livingstone's thesis: '[…] if the slave-market were supplied with articles of European manufacture by legitimate commerce, the trade in slaves would become impossible. It seemed more feasible to give the goods, for which the people now part with their servants, in exchange for ivory and other products of the country and thus prevent the trade at the beginning, than to try to put a stop to it at any of the subsequent steps' (quoted in Monk 1858: 106).

to John Moir in 1885. Considering that beaded hair combs were presumably for the exclusive usage of Yaawo chiefs and their closest relatives, gifting such an object to John Moir would signal allegiance, recognising the *African Lakes Corporation* as an entity which could provide valuable military protection to Kapeni and his community.

Another possibility lies in Mulanje, a town in the southern region of Malawi, close to the border with Mozambique, approximately 69 kilometres southeast of Blantyre. In 1893, John Moir became a tea planter and purchased 4,200 acres of what is now known as the Lauderdale estate, staying there until his retirement (see Hutson 1978). This region had a historical presence of Yaawo groups, corresponding to the territories of Yaawo chiefs Matipwiri and Mkanda (Morris 2014: 6). If trade relations were established between John Moir and the artisans of these two Yaawo chiefs, they most likely date from around 1895 and 1900, the final stages of Harry Johnston's military campaign when British forces subjugated both chiefs (Morris 2014: 13).[9]

[9] For more on Harry Johnston's military campaigns in Malawi and the subsequent military defeat of Yaawo chiefdoms in the area, see Macmillan 1970, and McCracken 2012.

A consensual transaction? Acquiring artefacts in the colonial era

In the written sources consulted, nothing indicates the Yaawo beaded combs were exchanged without consent. Frank J. Garcia (2018: 26) defines consent in commercial transactions as a 'voluntary, bargained-for exchange of value' in which the economic benefit is mutually advantageous for the parties involved. The *African Lakes Corporation*'s relationship with the Yaawo communities in the region appears to have been transactional: both parties involved obtained goods that met their demands – *The African Lakes Corporation*, by exchanging glass beads and cloth with Yaawo populations, would gain access to vast amounts of ivory. Even if these beaded hair combs ended up in John Moir's possession through a gift from a Yaawo sovereign as an allegiance symbol, there is still an exchange of value that is not completely unilateral: the gift giver (the Yaawo ruler) transferred something of economic value to the gift receiver (John Moir) as a grateful reminder of their transactional relationship based on further exchange of goods and services (Garcia 2018: 23).

However, whether the commercial transactions between the *African Lakes Corporation* and Yaawo populations were always mutually beneficial is questionable. The voluntary nature of commercial exchanges between colonial officials and colonised (or later colonised) peoples is a topic of debate among scholars. As Warrior (2008: 14) explains, trade does not merely involve an economic transaction; it encom-

passes a set of relationships where different values and objectives are exchanged and fomented.

The *African Lakes Corporation*, and John Moir's active management of it in its first decades of operation, is intrinsically linked to David Livingstone's colonial project for Britain. Livingstone's belief in Christianity and commerce as instruments to establish British presence in Malawi is embedded in the ALC's commercial activities. While providing logistical support for the various British missions taking place in the Lake Malawi region, the company also established important trading relations with the indigenous peoples of the region to disincentivise the trade of enslaved people (a business practice that was dominated by Yaawo traders throughout the eighteenth and nineteenth centuries). ALC's influence in the region and in the establishment of British colonialism in Malawi cannot be understated. The connection between trade and imperialism has been pointed out by scholars such as Arghiri Emmanuel (1972: 186), emphasising how vital commerce was in developing an imperial project in the nineteenth century: 'All imperialisms are, in the last analysis, mercantile in character'. Autonomous agency under a colonial (sub) context may be undermined due to the socio-political discrepancy between the colonial agent (in this case, John Moir) and the colonial targets (the Yaawo communities) (Matthes 2017: 948).

As Ypi (2013: 158) argues, colonialism creates and sustains a political organisation in which members are denied 'equal and reciprocal terms of cooperation'. This lack of reciprocal cooperation touches every aspect of the political system's foundation. According to Ypi (2013: 175), to develop a successful political cooperation, this principle of equal consideration is a foundational aspect: 'the claims granted to one group [must be] proportionally equal to those recognised for another'. Without such terms, relations shift to those of subjugation and exploitation, even if these are not intended.

On the other hand, a complete denial of Yaawo's involvement in these political engagements would mean that they had unknowingly complied with a highly exploitative agreement. The exchange of Yaawo beadwork (whether symbolically, as a gift, or commercially, as a commodity) could reveal a desire from Yaawo leaders to participate in continuous transactional relationships with Europeans, catering to their aesthetic preferences (Hofmeest and de Zwart 2018: 18; see also Prestholdt 2008; Prestholdt 2012; Kingdon 2019). Exclusively viewing John Moir's Yaawo beadwork collection as a consequence of imperialist exploitation takes away the fundamental agency Yaawo traders and leaders had in this process, relegating them to the role of 'passive' spectators of a unilateral transaction. Ultimately, the implementation of Christianity and the promotion of 'legitimate' forms of commerce outside of the slave trade would not be enough to establish a solid British

colonial project in the Malawi region: 'the coloniser had to enter into entangled relations with indigenous elites, and at each step along the way, these groups reshaped each other' (Kingdon 2019).

Revisiting repatriation: an emphasis on agency

Throughout the object biography I conducted in 2021/2022 the topic of repatriation was rarely mentioned and a well-structured biography of these objects has yet to be completed, meaning robust discussions regarding the restitution of these beaded combs to the Yaawo communities have not occurred. It is difficult to ask questions with regard to a possible return of these items when their date and location of acquisition for now remain speculation. Moreover, my conversations with the two Yaawo interviewees did not record any intentions of having these artefacts returned. Nevertheless, their enthusiasm in being a part of the study of their own cultural heritage was palpable. The information they provided about the cultural employment of Yaawo beadwork was crucial in understanding and contextualising the objects archived in The British Museum. Their participation added invaluable insight on the previous lives these objects might have had and added intangible meaning that had not been documented before. For instance, the written sources consulted all fail to mention the exclusive use of beaded hair combs by Yaawo chiefs and how this exclusivity was a visual marker of socio-economic dominance. The interviewees' participation in my initial research made me reflect on how these objects' biography could further be explored if The British Museum established a collaborative approach in the stewardship of its Yaawo beadwork collection.

Significant limitations impede the cultural repatriation of these Yaawo beaded hair combs, however: firstly, Björnberg (2015: 464) points out that cultural repatriation cases normally involve the unlawfully illegitimate acquisition of an object. This means that an illicit act took place (the object was stolen or acquired clandestinely), a deceitful or exploitative contract was signed for its acquisition, or the transfer was agreed by a third party who was not the original owner. Repatriation when one of these three wrongdoings is not explicitly proven is not impossible, it simply cannot be argued on the grounds of a past injustice, which is the legal justification most commonly used in these cases. The Yaawo beaded combs in The British Museum exemplify a case in which cultural repatriation based on past unlawful acquisition would not be suitable. According to the object biography conducted so far, the artefacts were either gifted or perhaps sold to John Moir.

Camille Labadie (2021) further explains that the dubious provenance context of cultural items such as the Yaawo beaded combs would complicate a hypothetical call for their repatriation:

> […] many restitution requests relate to objects acquired decades or centuries ago. […] these claims may […] be […] complicated by the determination of the unlawful nature of the dispossession itself, or by material difficulties relating to the traceability of the artefacts insofar as they have often been subject to multiple transfers of ownership, nationally and internationally, which can obscure the chains of title (Labadie 2021: 139).

Secondly, these objects are currently archived in The British Museum and the British legal system is skewed in favour of the institution, with the current administrative structure of The British Museum unable to presently consider a repatriation call for the Yaawo hair combs. The museum was established from the Last Will and Testament of Sir Hans Sloane, an Anglo-Irish physician and entrepreneur born in 1660. Sloane was a zealous collector of natural history-related items and, upon his death in 1753, his collection encompassed over 71,000 objects. Sloane's will, signed and (re)sealed in 1751, explicitly stated that his vast collection was to be sold to the Parliament for 20,000 pounds and exhibited in a museum to be visited 'by all persons desirous of seeing and viewing' it (quoted in Hamilton 2018: 24). A Board of Trustees would first need to be established to oversee the integral preservation of the museum's collection: '[…] I do Will and de[s]ire that for the promoting of the[s]e noble ends […] my collection in all its branches may be, if po[ss]ible, kept and pre[s]erved together whole and [e]ntire […]' (quoted in Godwin 2020: 158). The British Museum Act of 1963 further clarifies this duty: the Board of Trustees in The British Museum is lawfully bound by fiduciary duty to preserve the Museum's collection (Godwin 2020: 147).

The case of the Yaawo hair combs and their potential 'lawful' acquisition poses a challenge to the current international legal system: should groups revoke the transactions conducted by their ancestors? How to efficiently codify that necessary ancestral connection into law? These are challenging questions that have no easy answer. For instance, one of the ways that international law has attempted to manage these challenges has been through the establishment of the Intergovernmental Committee for Promoting the Return of Cultural Property to Countries of origin or Restitution in case of Illicit Appropriation (ICPRCP). While this Committee offers an opportunity for more complex repatriation cases to be heard and debated, it is confined to inter-state disputes (Hausler and Selter 2022). This restriction becomes particularly limiting in cases of African repatriation where ethnic

groups are rarely delimited by state borders – Yaawo people, in this case, have communities historically based in three different countries: Mozambique, Malawi, and Tanzania.

Ultimately, our current international legal instruments have yet to catch up with the diverse and complex nuances of colonial era collections. As Godwin (2020: 153) notes, 'while international law has sought to alleviate the lack of consent surrounding cultural property acquisition, it has achieved little in inspiring institutions to halt acquisitions or repatriate cultural property'.

In the face of an international legal conjuncture that is currently not adequately meeting the increasing number of repatriation calls, it is urgent to approach cultural restitution in a more dynamic and fluid manner that is not intrinsically dependent on juridical technicalities. If museums intend to preserve and exhibit the material and the immaterial, the tangible and the intangible[10], then the manner in which ethnographic institutions such as The British Museum approach the topic of cultural repatriation must go beyond the idea of physically moving a cultural object. Repatriating an object, in such cases, is not possible, ideal, or even enough: *agency* is what should be repatriated.

Despite their years of academic study and professional experience in their respective fields, curators and material culture experts should not be the sole source of knowledge about non-Western cultural objects at European ethnographic institutions. While the contributions of specialists in Museum and Heritage Studies are valuable and must be considered – I am included in this group, after all – specialists cannot make claims of authority over cultural objects that have gone through a convoluted process of 'aesthetical decontextualisation' (Appadurai 1986: 28). The Yaawo beaded combs in The British Museum are undeniably detached from their original cultural context.

The Yaawo beaded combs in The British Museum have never been exhibited in public. Since their acquisition in 1957 from Maitland Moir, they have been carefully kept and preserved in the museum's archives. When it is time to view, touch, and photograph the combs, all due diligence is put in place to preserve their material form. However, the intangible importance of these objects until my interviews with Yaawo participants had remained practically unexplored. The participation of Yaawo elders in this research was, therefore, crucial in understanding the possible meanings and usages of these objects in Yaawo traditional society. The tools that I had as a researcher in searching for information in archives and secondary literature needed to be supported by the generational knowledge of Yaawo people in order to make sense of the objects I had in front of me. For the first time since their acquisition by The British Museum, the Yaawo beaded combs were being engaged beyond their materiality and their intangible sensibilities were being

[10] In August 2022, the International Council of Museums elaborated a new definition for the concept of museum, stating that it is 'a not-for profit, permanent institution in the service of society that researches, collects, conserves, interprets and exhibits tangible and intangible heritage' (ICOM 2022).

explored and dissected by Yaawo community members kilometres away from the museum. This positive experience of sharing and combining knowledge from diverse backgrounds showcased what repatriating agency in the future could look like: a future where museum workers and source communities share the stewardship of museum collections and both are responsible for their material preservation and immaterial engagement.

Two successful agency restitution cases have been the collaboration between the Cheyenne people and the Smithsonian National Museum of Natural History (Curry 2023) and the Living Cultures Initiative launched by the Pitt Rovers Museum in 2017 in partnership with Maasai communities (Adams 2020; Zaidi 2020). Both initiatives have not always led to the material repatriation of the objects in question. A substantial amount of the cultural artefacts remain in museums' possession, whether because unlawful acquisition of the objects was not proven or because the source communities wished to educate the museum's public through the exhibitions. However, this does not mean that the museums maintain sole control or custody of the objects' fate and presentation. Every decision requires the active participation of museum professionals and source communities in order to reach a mutual agreement.

This more fluid and dynamic approach to cultural repatriation carries a multitude of advantages: first, the museums are held accountable by source communities and have the opportunity to correct past mistakes surrounding the contextual violence of their collections. Indeed, history cannot be modified and colonisation will remain a wound in the historical relations between Europeans and Africans. But repatriating agency proves that there are possibilities for a healing present and transformative future.

Second, through the engaging collaborative effort of indigenous communities, museums will find innovative approaches in displaying, documenting, and preserving cultural objects in their care. Besides providing a space to educate museum visitors about indigenous peoples' efforts to preserve their cultures, it would also serve as an opportunity for reflection: thinking about other museum practices that differ from Western approaches (see Mignolo 2011).

Third, repatriating agency would make restitution conversations increasingly more localised, circumventing the need to open inter-state disputes that necessarily carry legal requirements. This point has been recently emphasised through the Recommendations on Participation in Global Cultural Heritage Governance in 2022, stating that heritage matters should be dealt on a community basis outside of state prerogative (Hausler and Selter 2022). The dialogue conducted by museums would directly engage indigenous members and their requirements without the interference of state officials, who might not understand the specific needs of

ethnic communities. Therefore, the legal constraints imposed by the 1970 UNESCO Convention would be bypassed.

Fourth, anchoring indigenous agency in cultural repatriation conversations diverts attention away from the materiality of cultural heritage. Cultural artefacts' materiality is not the only aspect worth preserving; their immaterial, intangible value must also be respected and such respect essentially takes the form of research, engagement, and communication. To preserve is to understand that cultural heritage goes beyond the physical, 'it also includes knowledge, behaviours, customs, arts, history, experience, languages, legacies, beliefs, values, institutions, philosophical systems, social relations, and other creations handed down from the past' (Peleg 2014: 2). Agency, the power of autonomously deciding what should happen to one's cultural heritage, is a crucial aspect of cultural construction. This must also be preserved alongside the material nature of the object.

Lastly, repatriating agency is a viable solution for restitution calls that are based on what Björnberg (2015: 462) calls 'aesthetic grounds', where restitution is considered for the contextualised integrity and holistic understanding of the cultural artefact. Since the shared stewardship of cultural objects necessarily requires the dynamic involvement of source communities and the integration of their cultural practices and knowledge, the objects become subject to an aesthetical *recontextualisation*. This means that all the socio-cultural meanings they have acquired through their spatial and temporal trajectory are acknowledged and considered in their artefactual interpretation.

Repatriation based on aesthetic grounds does not necessarily require the prior unlawful acquisition of the object. This justification for restitution would be particularly useful for the case of the Yaawo beaded combs in The British Museum. Aesthetic grounds give room for situations where consensual terms of agreement behind the acquisition might have been dubious, and where the justification is not one of unlawfulness but a need to add more context to the cultural objects. This aspect is particularly significant to these beaded hair combs, which were reportedly solely employed by chiefs. Conducting more interviews and establishing collaborative relationships with current Yaawo chiefs to understand their perspective on the matter would not only bring more knowledge to The British Museum's archiving and exhibiting spaces, it would also provide the opportunity for other Yaawo community members to understand the political significance of these artefacts. This possible democratisation of knowledge could lead to a greater engagement of younger Yaawo people in the traditional practices of their ancestors.

Repatriating agency then can be assumed as a more flexible approach to engaging with these Yaawo beaded hair combs. The British Museum's current legal framework does not prevent it from collaborating with Yaawo community mem-

bers in the intangible construction of Yaawo beadwork. Collaborating with Yaawo representatives would shine a light on cultural objects that have not received public attention and it would introduce Yaawo culture and artistry to a wider public. If The British Museum is dedicated in educating the masses and making knowledge of 'mankind's culture' easily available, entering in dialogue with Yaawo people and promoting their archival works is a fundamental step. Moreover, sharing the stewardship of Yaawo beadwork would not only provide an opportunity for Yaawo people to closely engage with the cultural practices of their ancestors (and promote intergenerational cultural renewal), it would also keep with the official internationalist stance The British Museum has held towards the topic of cultural repatriation: the value of their collections is based on their universal importance to the heritage of humankind – therefore, the stakeholders responsible for the care of such heritage also need to be multiple and in constant dialogue with each other (see Matthes 2017).

My conversations with Yaawo people revealed a concern for the issue of cultural renewal. The continual abandonment of Yaawo traditional practices and the participation of Yaawo young people in an increasingly globalised world are two aspects that worried the Yaawo participants in this research because they were seeing essential parts of their cultural fabric being lost in time. Listening to their testimonies and noting them down in written form was one way of solidifying their cultural knowledge; however, the material contributions of Yaawo people in the past require a deeper conversation with museum workers in order to enshrine Yaawo knowledge in The British Museum's museological practices. Repatriating agency and stewardship back to Yaawo people does not equate to 'revitalisation of traditional practices' or 'a return to outdated ways of life that have no relevance in the modern world' (Simpson 2009: 124) to the younger Yaawo generations. It would, however, ensure the 'protection and preservation of cultural heritage' (Simpson 2009: 124) and renew pride in the art and culture of Yaawo artisans.

Conclusion

Cultural repatriation is a heated topic which touches on the sensibilities of multiple entities interested in the appropriate preservation of humankind's cultural heritage: museum workers, cultural heritage scholars, anthropologists, archaeologists, historians, and indigenous community members. Nevertheless, all of these actors are focused on the same objective: preserving the integrity of the cultural objects currently archived in ethnographic institutions. It is around that shared

mission that this article calls for a more sharing, diverse, and transparent approach to cultural restitution.

This article has defended the need to redirect repatriation efforts towards *cultural agency*. Agency corresponds to the power, the responsibility, the duty, and the right to decide the fate of the cultural functioning and legacy of a group. Even at the dawn of colonialism, African peoples had substantial degrees of agency with respect to their own communal, political, and economic matters. African agency in trade relations with Europeans cannot be understated. In East Africa, in particular, African traders could define what was desirable or not in their commercial transactions with Europeans and could as easily adapt their trading offer according to European sensibilities (Prestholdt 2008; Prestholdt 2012). Considering the monopoly Yaawo people had in the trade of enslaved people and ivory throughout the eighteenth and nineteenth centuries, it is logical to conclude that they had sufficient power and influence to dictate part of the negotiation terms with European colonial agents (Alpers 1969; Alpers 1975). This explains why John Moir's Yaawo combs collection remains such an engaging case study for repatriating agency: it requires an enlarged perspective on what should and can be returned in a case of a 'seemingly' consensual interaction. While John Moir's collection and its hypothetical repatriation would face several barriers from a legal perspective, an agency-oriented standpoint provides a solid case for restitution on aesthetic grounds.

If scholars and museum professionals continue to conceptualise cultural repatriation as a matter of material removal, then cases such as these exemplified Yaawo beaded hair combs will never be adequately explored. There is an urgent need to move cultural repatriation conversations beyond what the international legal systems conceptualise as unlawful and illicit. Repatriation through a purely legal perspective is highly bureaucratic and can sometimes take several years to reach resolution. These conversations necessarily require more local, inter-personal mediations which take into consideration the complexities of cultural construction and identity.

Cultural objects transcend their material form. Their importance in the cultures of the past, present, and future is not confined by their physical characteristics *per se* but in how that physicality gives meaning, guidance, and configuration to a cultural logic. That cultural logic is understood, built, and cherished by the people who live within it; museums will only gain a holistic understanding of the cultural objects they possess in their care if they actively reach out and collaborate with the source communities related to the collections. Culture, and the material realities of it, encompass a set of philosophies, religious beliefs, and business practices that should be taken into consideration when archiving and displaying cultural artefacts in a museum. Culture is not necessarily bound to state borders and it does not accompany the slow changes in legal systems. Culture is personal, com-

munal, localised, ever-changing and evolving, and repatriation talks should follow a similar pattern. Transcending materiality should thus be a focal point in discussions relating to cultural repatriation.

Whether or not future repatriation requests take place, respecting and understanding the original cultural values carried by Yaawo beadwork remains relevant to achieving a holistic state of preservation. This is only possible through the active cooperation of Yaawo community members who share the enthusiasm of preserve the memory and traditions of their ancestors. The passionate participation of Woman A and Mr. Chindojo in our discussions proves that some Yaawo people are indeed eager to share their ancestors' artistic abilities and cultural traditions.

What the museum community gains is much more valuable in a decolonial framework: it is provided with the opportunity of establishing meaningful, productive, and respectful conversations with people who live the cultural reality embedded in those objects. It grounds museum work in reality and detaches it from material possession and authority claims. And that is how the museum can stay alive.

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