

5-2013

Cultural Property Rights in August Wilson's *The Piano Lesson* and J.K. Rowling's *Deathly Hallows*

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Research Papers. Paper 349.
http://opensiuc.lib.siu.edu/gs_rp/349

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CULTURAL PROPERTY RIGHTS IN AUGUST WILSON'S *THE PIANO LESSON* AND J.K.
ROWLING'S *DEATHLY HALLOWS*

by

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B.A., Southern Illinois University, Dec. 2009

A Research Paper
Submitted in Partial Fulfillment of the Requirements for the
Master of Arts

Department of English
in the Graduate School
Southern Illinois University Carbondale
May 2013

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RESEARCH PAPER APPROVAL

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A Research Paper Submitted in Partial

Fulfillment of the Requirements

for the Degree of

Master of Arts

in the field of English Literature

Approved by:

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Graduate School
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April 5, 2013

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Cultural rights, that is, the concept that cultural groups have the legal right of ownership to important cultural artifacts, has become an increasingly important topic in international law. This concept that peoples have legal claims to their cultural artifacts is not a new one, but the legal filings on behalf of the Peruvian government concerning artifacts from Machu Picchu in 2008 and Yale University's eventual agreement in 2010 to return the artifacts to Peru has relit the spotlight on the issue. Recent books that discuss the life of Hiram Bingham III, the person credited with the re-discovery of Machu Picchu, like Christopher Heaney's *Cradle of Gold* and Mark Adams' *Turn Right at Machu Picchu* have brought further attention to the Peru-Yale case and to the issue of cultural rights as a whole. The purpose of this paper then is to explore how specific literary texts, August Wilson's *The Piano Lesson* and J.K. Rowling's *Deathly Hallows*, approach the subject of cultural rights and more specifically how they focus this issue around specific cultural artifacts and groups. I intend to argue that both authors instead of providing any real resolution to this issue portray the real complexities and troublesome questions that are still being debated. These authors do not take a specific side, so to speak, without presenting the complex issues surrounding the topic and focus instead on creating a space for dialogue and debate.

Historical and Legal Background on Cultural Property Rights

The topic of cultural property rights has become increasingly important in the areas of law, museum studies, archeology, anthropology, and cultural studies. Various laws and treaties have been passed concerning different aspects surrounding this issue. The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict in 1954 produced a treaty to prevent the confiscation or destruction of cultural property in times of war (“Convention for the Protection of Cultural Property”). While the Hague convention sought to do away with the old adage “to the victor goes the spoils”, it was followed by “what is probably the most significant international treaty on cultural property”, the UNESCO Convention of 1970 (Pulsinelli 1129). The General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO), meeting in Paris in November 1970 discussed cultural property rights and passed its treaty on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. The UNESCO Convention emphasized the importance of cultural property to the “knowledge of the civilization of man” and explained that its “true value can be appreciated only in relation to the fullest possible information regarding its origin, history and traditional setting” (UNESCO 1). In 1983, the Convention on Cultural Property Implementation Act was signed into law in the United States allowing the government to “implement Articles 7(b) (1) and 9 of the Convention” (Background).

The Hague convention, the UNESCO convention, and the Cultural Property Implementation Act recognized the importance of cultural property and sought to safeguard it for each state and the world at large. This recognition of cultural property and its importance has allowed Native Americans to demand the return of artifacts from the U.S. government, and the Greek government to demand that the British government return the “Elgin Marbles” and other

artifacts taken from the Parthenon in 1806 (Pulsinelli 1117). In these cases, instead of a descendant demanding a return of an item, those who are making the claim, are, instead, making it on behalf of a nation or ethnic group which argues that “certain older artifacts are so tightly linked to particular cultures that they should be returned to the current-day members of those cultures, regardless of who owns the artifact under the traditional laws of tangible property” (Pulsinelli 1101). This position, then, demands the return of cultural property “even if a museum or collector has an iron-clad claim of ownership in an important cultural object” (Pulsinelli 1101).

In the U.S., protection of cultural property rights was restricted to the rights of states or countries until the passing of the Native American Graves Protection and Repatriation Act (NAGPRA) in November 1990. NAGPRA recognized the cultural property rights of cultural groups, specifically of Native Americans and Native Hawaiians. This Act officially recognized the rights of cultural groups and initiated the repatriation of cultural property from government lands and museums to Native American groups (NAGPRA). The recognition of cultural property rights and the subsequent repatriation of cultural objects to specific groups was a marked difference from the UNESCO treaty and prompted stark criticism and debate concerning the issue of who owns cultural property.

As one can imagine, the passing of NAGPRA created more questions than it provided answers concerning the issue of cultural property rights. While this legislation only dealt with artifacts held by the federal government, it marked recognition of the legitimacy of cultural rights and created a sense of uneasiness and concern on the part of museum curators, archeologists, and legal professionals around the globe. This increase in cultural property rights legislation coupled with a growing concern in various fields about the future of historical artifact

study resulted in the creation of the *International Journal of Cultural Property*, a journal dedicated to an interdisciplinary approach and exploration of this complex issue (Pulsinelli 1130).

The two main sides to the debate concerning cultural property rights are those of the “cultural nationalists” who “give nations a special interest, impl[ing] the attribution of national character to objects, independently of their location or ownership, and legitimizes national export controls and demands for the ‘repatriation’ of cultural property” and the “cultural internationalists” who think about cultural property as “components of a common human culture, whatever their places of origin or present location, independent of property rights or national jurisdiction” (Merryman 831-832). The differences between these two approaches “become particularly significant in cases of what might be called ‘destructive retention’ or ‘covetous neglect.’” (Merryman 846). The differences center on what is best for the item itself. The cultural internationalists argue that sometimes it is better to remove cultural and historical items from countries and cultures that cannot properly study or preserve them; whereas, the nationalists see “the destruction of national cultural property through inadequate care [as] regrettable, but might be preferable to its “loss” through export” (Merryman 846). This debate and its implications for museums and researchers is an ongoing one. Both sides continue to explore and argue for specific interpretations of cultural property and what it means to protect them.

While the argument between nationalists and internationalists continues, there appears to be an international trend toward cultural nationalism (Yasaitis 108-109). Court cases like *U.S. v Schultz*, a case that ultimately saw a prominent and well respected antiquities dealer, Frederick Schultz, convicted of conspiracy to traffic in stolen cultural artifacts, has seemingly established a legal precedent that enables the U.S. judicial system to apply the National Stolen Property Act

(NSPA) to cases involving alleged dealing in illicit cultural property and has museum curators and antiquities dealers concerned about the future of their professions (Yasaitis 108-109).

Cultural Property Rights and August Wilson's *The Piano Lesson*

August Wilson's plays are about the historical plight of African Americans and are often set in sequential decades. His interests in African American history and culture predominate his plays, and in *The Piano Lesson* Wilson explores the history and culture of the Charles family through conversation and debate concerning the ownership of the object that is placed in the forefront of the play—the family piano. Wilson's play centers on a piano that is intimately connected to the Charles family history. He purposefully explains how the piano is connected to the history of the family, but he does not merely focus on the issue of ownership between the Charles' and the Sutters, but also explores the issue of ownership within the Charles family itself. "The battle over the piano, its meaning as both legacy and opportunity, and the choices all the key characters make comprise the central conflict of *The Piano Lesson*" (Bogumil 74). These discussions of ownership along with the debate of what to do with the piano, I will argue, represent the debates surrounding cultural rights both in America and internationally.

The story of *The Piano Lesson* revolves around the issue of ownership concerning the Charles family piano, but what type of object is the family piano? This piano is no simple instrument; it has a deep historical connection to the Charles family. Doaker explains this connection to Boy Willie when he informs him that Doaker's grandmother, Berniece, and his father were traded for the piano during "slavery time" (Wilson 42-43). It is not merely that Doaker's family members were traded as commodities for the piano that creates this connection, but the piano itself is transformed into an artistic object portraying the Charles family history as Doaker explains: "Sutter called him [Willie boy] up to the house and told him to carve my

grandmother and my daddy's picture on the piano" (Wilson 44). However, as Doaker explains, his grandfather, Willie Boy, did not stop at simply carving the images of his wife and son. He also carved pictures of his own mother, Mama Esther and his father, Boy Charles, onto the piano, and he did not stop there (Wilson 44). He continued carving images of the Charles family onto the piano:

Then he put on the side here all kinds of things. See that? That's when him and Mama Berniece got married. They called it jumping the broom. That's how you got married in them days. Then he got here when my daddy was born...and here he got Mama Esther's funeral...and down here he got Mr. Nolander taking Mama Berniece and my daddy away down to his place in Georgia. He got all kinds of things what happened with our family. (44).

Wilson's having Willie Boy carve ethnographic images onto the piano explicitly transforms the piano from a basic musical instrument into an object of significant historical and cultural meaning.

Wilson provides the history of the piano because, according to Aaron Bryant, the history of an artifact including "where and when the object was made, and for and by whom it was created" is incredibly important to the study of artifacts. He goes on to explain that history of an artifact also "outlines changes in ownership, condition, and function over time" (Bryant 31). For Bryant, Wilson purposefully has Doaker explain the history of the piano through its changes in ownership to point out "the importance of appreciating the artifact's provenance" and argues that Wilson is "positioning the play's conflict within the historical context of the artifact's lineage" which is essential to the "connoisseurship of identifying and authenticating artifacts, both of which impact the object's meaning and significance" (Bryant 31-32). Bryant argues that the

carvings on the piano transform it from “European object to African artifact” and positions the theft of the piano by Boy Charles as reclamation of an “artifact of family and cultural history” and that Wilson “positions the piano as an object of conquest and repatriation” (Bryant 32-33).

The term “repatriation” should be familiar from the earlier discussion of cultural property rights, and Bryant ties Wilson’s exploration of this issue to a concern about African relics being housed in French and British museums and argues that the carvings on the piano imply “a critique of the excavations of African artifacts, people, and histories” (Bryant 33). The repatriation of the piano becomes “more than a back story. It is symbolic of an essential theme in Wilson’s play and a major topic in African American material culture studies” (Bryant 33).

Another possible link to the issue of cultural property rights one might consider is the timing of the publication of Wilson’s play. *The Piano Lesson* first premiered at the Yale Repertory Theatre in 1987, but Wilson would alter the ending before premiering then publishing the newest version in 1990 (Tackach and Benoit 283). The original version of the play ended “with no resolution to the siblings’ debate” and audiences who first saw the play urged Wilson to alter the ending. Wilson would revise the ending of the play to resolve the debate over property ownership after Lloyd Richards, the director of the Yale Repertory Theatre, “convinced Wilson to revise the play’s ending so that audiences could leave the theatre with closure” (Tackach 284). The new version which provided a resolution to the debate of ownership premiered in 1990 just months before the U.S. would pass NAGPRA.

If Wilson were concerned about the excavation of African artifacts and the possession of said artifacts by French and British museums as Bryant suggests, he may have been following the contemporary debates surrounding cultural property rights, including the issues concerning Native Americans which would lead to the passing of NAGPRA. Two key concepts defined in

NAGPRA focus on the historical and cultural significance of an item to a cultural group and an item's cultural affiliation. The term "cultural patrimony" is defined as a phrase "which shall mean an object having ongoing historical, traditional, or cultural importance central to the Native American group or culture itself" (NAGPRA). The second key term that is applicable to this discussion is "cultural affiliation" which "means that there is a relationship of shared group identity which can be reasonably traced historically or prehistorically between a present day Indian tribe or Native Hawaiian organization and an identifiable earlier group" (NAGPRA). While the Charles family is not Native American or Hawaiian, their connections to the piano both historically and culturally as well as its shared identity with the family piano certainly seems to at least parallel the language in the Act. The piano certainly has ongoing historical and cultural significance to the family, and the Charles family has a shared group identity that can be traced back to an earlier group. These key terms help establish cultural property rights in the play for cultural objects under the Act.

Wilson clearly establishes the Charles family's historical and cultural connection to the piano, and its ethnographic carvings would certainly qualify the piano as a cultural object under the Act, but perhaps what is more important is the shared identity the Charles' share with the object. Wilson emphasizes the interconnectivity of the Charles family identity and the piano when Doaker explains Boy Charles' feelings about the piano, "He never could get it off his mind...He be talking about taking it out of Sutter's house. Say it was the story of our whole family and as long as Sutter had it...he had us" (45), and Berniece refuses to sell the piano and tells Boy Willie "Money can't buy what that piano cost. You can't sell your soul for money" (50). Boy Charles and Berniece describe a connection to the piano that goes beyond "material and physical and exists outside the confinement of one's life and body" (Bryant 40).

The debate within the Charles family over what to do with the piano might also be seen as a connection to debates over cultural property rights. One of the criticisms of Greece's request for the return of the Elgin Marbles is that they only view the marbles as a source of monetary gain and not as objects of significant cultural and historical value (Reppas 928). This criticism of nations of origin and other cultural groups' motivations behind the desire of the repatriation of objects (an internationalist argument) can be seen in the contrast between Berniece and Boy Willie's reasons for wanting the family piano. When Berniece connects the piano to her soul and refuses to sell the piano Boy Willie replies "I ain't talking about all that, woman. I ain't talking about selling my soul. I'm talking about trading that piece of wood for some land" (50). Boy Willie sees the piano's monetary value and wants to sell it: "To Boy Willie, the piano represents his economic mobility; the land is an invaluable investment in contrast to any sentimental attachment to the piano that Berniece may have" (Bogumil 83). Berniece views the piano as a cultural object intimately tied to her identity and even though she no longer plays the piano nor has she taught her daughter, Maretha, the history and significance of the object she still values it and believes it belongs with her, a nationalist argument. Throughout the text, Wilson sets up a contrast between Berniece and Boy Willie, one placing cultural value on the piano and the other placing monetary value on it. However, Boy Willie's stance is actually more complicated than merely placing monetary value on the object in question. It is not just its monetary value that concerns him; he focuses on the production value of the object. If the object serves a productive purpose then Boy Willie can at least understand the argument.

A further complication to the debate about who owns the Charles family piano is the ability of the piano itself to drive off the original owner, the ghost of Sutter. The piano is a

repository of a certain kind of agency. Coupled with Berniece, the piano has agency and therefore has some say in who rightfully owns it. It is the playing of the piano and the calling on the Charles family ancestors whose images are carved into the wood that drives off the ghost of Sutter at the end of the play. The piano's agency can be seen to represent the internationalist argument's focus on what is best for the object itself. Here, the object gets to decide where it should reside. Interestingly, in Wilson's play what is best for the object is to remain in the hands of the person who has the intimate historical and cultural connection to the object, an internationalist argument focused on what is best for the object that also reinforces the cultural property rights of the Charles family.

The Charles family dispute over the ownership of the piano is only settled once the piano's productive value and cultural value come together. Berniece's playing of the piano is what finally ends the ongoing debate with Boy Willie. Once he sees that the family piano will be used and not simply set on display as a family heirloom, Boy Willie agrees to let Berniece keep it (108). For Boy Willie, the emphasis is placed on an item's potential production, but he recognizes the cultural connection and when its productive value is realized in tandem with the artifact's cultural significance it trumps his claim based on monetary value.

Goblins or Gryffindors: Cultural Property Rights in *Deathly Hallows*

Like *The Piano Lesson*, J.K. Rowling's *Deathly Hallows* approaches the subject of cultural property rights by placing two different cultural groups into direct conflict over legal rights of ownership for historical artifacts. The conflicting views concerning cultural property rights is represented in both the sword of Godric Gryffindor and the goblin made tiara belonging to the Weasley family. Harry and his friends are involved in a dangerous quest to find horcruxes and end up seeking the aid of Griphook the goblin (487). Griphook's price for lending them his

aid is the sword of Godric Gryffindor. When Ron offers Griphook gold or treasure from the Lestrangle's vault instead of the sword, Griphook reacts fiercely: "I am not a thief, boy! I am not trying to procure treasures to which I have no right!" (505). Griphook is not after treasure, but is instead interested in the sword for its cultural and historical significance to the goblins. When Ron asserts that the sword is theirs because they are members of the house of Gryffindor which owns it, Griphook responds, "'No!' bristling with anger as he point[s] a long finger at Ron. 'Wizarding arrogance again! That sword was Ragnuk the First's, taken from him by Godric Gryffindor! It is a lost treasure, a masterpiece of goblinwork! It belongs with the goblins!'" (505-506). The conflict concerning the rightful ownership of the sword is introduced with Griphook the goblin's insistence that goblin made artifacts belong with the goblins. As Gary Pulsinelli points out in his article "Harry Potter and the (Re)order of the Artists: Are We Muggles or goblins?", Griphook's claim to the right of ownership of the sword is not based on any connection to the creator of the sword, Ragnuk, as a descendant, but instead is based on the historical and cultural significance of the sword in relation to the goblins as a group (Pulsinelli 1104). Griphook's view is contrasted to that of Bill Weasley's defense of wizards' rights to ownership of these artifacts due to their purchasing them. This conflict and the complex issues surrounding the concept of cultural rights are continued through the text with Harry's agreement to return the sword of Godric Gryffindor to Griphook. Harry, though, attaches a stipulation for the return of the sword, an act that could be representative of Yale University's attachment of stipulations concerning further rights to study artifacts it returns to Peru.

In order to look at Griphook's claim of ownership as an issue of cultural property rights, we must first attempt to qualify the sword as a legitimate piece of cultural property by looking at whether a sword qualifies as a cultural object under previous cultural rights legislation. The

sword of Godric Gryffindor is ancient; the founder of the Gryffindor house lived over a thousand years ago from the time the novels take place (*Chamber of Secrets* 150). By its age, the sword can certainly be considered an antique or an ancient artifact, but does a weapon qualify as a cultural object? The sword can be considered an artistic object. Griphook claims that it is a masterwork piece of goblin artisanship and as such may be considered an artistic object (*Deathly Hallows* 505-506).

The other primary feature to consider is the object's historical and cultural connection to a specific cultural group. Griphook's claim of ownership rests in the identity of the goblins. He establishes his claim based on the sword's connection to the goblins as a cultural group: "He is asserting the right in what he sees as an important cultural artifact, the sword...on behalf of the goblins as a cultural or racial group, much as the Native Americans demand the return of tribal artifacts on behalf of the tribe or the Greek government demands return of the Elgin Marbles on behalf of the Greek people" (Pulsinelli 1122). Griphook's demand of the return of the sword to the goblin race definitely appears consistent with real cultural groups' demand for the repatriation of cultural artifacts and is in line with nationalist arguments concerning cultural property rights.

Griphook's claim of ownership concerning the sword is disputed, however, by Bill Weasley. Bill instinctively responds to Griphook's questioning if the tiara is goblin made, when Griphook sees the Weasley family heirloom of the tiara by insisting it was "paid for by wizards" and receives a look that was "both furtive and challenging" from Griphook (*Deathly Hallows* 512). Bill describes to Harry a very different view concerning goblins' view of property. Bill explains to Harry that goblins do not view property the way wizards do and claims that their [goblins] interests in goblin-made objects is based on its monetary value. According to Bill,

goblins see the purchasing of an item as akin to rent and once the renter of the object dies, it should return to the goblin that crafted it unless further rental payment is forthcoming from the wizard's estate (*Deathly Hallows* 516-517). Bill's description of goblins' view of property is different than what Griphook describes when he requests the sword. Griphook never mentions a lapse of payment, something akin to royalties, when discussing the rightful owner of the sword, nor does he connect himself to Ragnuk the First in any way besides a racial or cultural one "Griphook makes no reference to knowing the particular creator of either piece, or being descended from any such creator, as would be expected if his claim were based on the view described by Bill" (Pulsinelli 1104). This discrepancy between the two descriptions of goblins' views complicates the issue of rightful ownership of property in the wizarding world of the Harry Potter series. In fact, Bill explains that disputes over ownership between goblins and wizards have been going on for centuries (*Deathly Hallows* 517).

Several of the disputes between the wizarding world and the goblins can most likely be attributed to conflicting stories concerning how wizards obtained goblin-made objects in the first place. As Griphook's argument with Ron over the ownership of the sword suggests stories about how wizards like Godric Gryffindor came to possess the sword are highly contentious and in dispute by one group or the other. Griphook claims that the story wizards are taught concerning the sword of Gryffindor is incorrect. The goblins claim that Godric Gryffindor never hired a goblin artisan to craft the sword for him, but that he stole it from the goblins. Therefore, according to the goblins, any claim of ownership of the sword by Gryffindor or other wizards is problematic because the sword was illegally obtained via theft.

This dispute between Griphook and Ron and the differing descriptions of the goblins' view of property rights shares some similarities with the debates between Greece and Great

Britain over the Elgin Marbles. As discussed above, one chief criticism of Greece's demands for the repatriation of the Elgin Marbles is the claim that Greece only places value on the Marbles due to its monetary and not its cultural value to Greece. This complaint is a common internationalist position and one that is represented in Bill's description of goblins' views of property. Bill sees Griphook's claim solely as monetary value. He claims goblins want the object because of its monetary value or the lack of income potential from a sword that is handed down in wizarding families for centuries. However, the goblins claim, as does the government of Greece, that the object(s) in question is valuable as a historical and cultural artifact that belongs with their cultural group.

Of course, Ron's contention that the sword is theirs because they are Gryffindors can also be made on cultural grounds. Harry, as well as other Gryffindors, establishes meaningful connections to the sword throughout the Harry Potter series. The sword plays an integral role in allowing Harry to establish an identity clearly distinct from that of Voldemort. Prior to his slaying of the basilisk, Harry had been tormented by the disturbing similarities between himself and the man who murdered his parents. Among these similarities is the rather rare ability to communicate with snakes. The extremely rare gift of speaking parsle tongue (the language of snakes) is one that Harry and his arch nemesis share. This ability is most often associated with wizards from the Slytherin house—the house the majority of dark wizards have come from. Harry begins to wonder if he is in the wrong house and if the sorting hat has made a mistake. His crisis of identity and the conflation of Harry and Voldemort are solved when Harry is able to draw the sword of Gryffindor from the sorting hat and use it to defeat the Basilisk. Dumbledore's explanation that the sword of Gryffindor only appears to members of the Gryffindor House helps ease Harry's conscience and allows Harry to distinguish himself from

Voldemort. The sword of Gryffindor plays an integral role in the defining of Harry's identity and establishing Harry's rightful place among the ranks of Gryffindors.

Throughout the Harry Potter series, the sword becomes more and more historically and culturally significant to the wizarding world at large as well as to the House of Gryffindor and its individual members. Through the physical use of the sword, members of Gryffindor establish an intimate relationship to the artifact. Harry defeats the basilisk and delays Voldemort's return to the flesh while also saving Hogwarts from closure; Ron Weasley establishes himself as a true Gryffindor by using the sword to destroy the locket horcrux; and Neville uses it to destroy the last remaining horcrux which enables Harry to finish Voldemort once and for all. By the end of the series, the sword of Godric Gryffindor has become intimately tied to the legend of Harry Potter and played an active role in the historic events leading to the destruction of Voldemort. The sword is forever tied to the wizards who wielded it and the historic events it took part in.

The establishment of a cultural connection to the sword of Godric Gryffindor by various characters in the Harry Potter series parallels a key argument in the dispute over the Elgin Marbles between Great Britain and Greece. England has claimed a cultural connection to the famous Elgin Marbles as a defense for retaining the artifacts. They have claimed that the artifacts have been in their possession for so long and have become such an important part of their culture that they too have a claim to the Elgin Marbles as cultural property. The British Museum has argued that the sculptures have "over the last 200 years acquired a European and worldwide significance" and that "The sculptures from the Parthenon now in the British Museum have been in London longer than the modern state of Greece has been in existence. As a result, they have become part of this country's heritage and have acted as a central focus for western European culture." ("The Parthenon Sculptures" 10.4).

Harry, though, does agree to give Griphook the sword but there are stipulations attached to the deal. Harry does not hand the sword over because he is moved by Griphook's argument on the grounds of cultural property rights, but instead agrees to return the sword to Griphook and to the goblins as an extension through Griphook, in exchange for Griphook's help with breaking into Gringott's (508-509). Other deals brokered concerning the repatriation of cultural objects have also come with stipulations. The initial agreement between the government of Peru and Yale University stipulated that Yale would return *most* (my emphasis) of the artifacts in question, but would retain certain specimens for further use by the university and required the government of Peru to place the returned artifacts in a newly constructed museum in Peru (Peru v. Yale). The initial agreement broke down when Yale and Peru could not reach a mutual agreement concerning which artifacts would remain at Yale University resulting in Peru's filing suit in D.C. District Court (Peru v. Yale).

In addition to stipulations attached to the return of the sword, Harry also purposefully deceives Griphook as to when he will be given the sword. Harry agrees to give Griphook the sword in exchange for helping him break into Gringott's but he purposefully does not give Griphook any specifics concerning the exact timing of the returning of the sword (508). Harry needs the sword to destroy the remaining horcruxes and decides not to return the sword until after he is done with it which, as Hermione points out, could take years (508). Harry is concerned primarily with his own need of the sword, not whether he deals honestly with Griphook. The goblins can have the sword back, but only when Harry is done with it.

However, Griphook does regain the sword after he helps Harry and his friends break into Gringott's. While Harry and the others are busy trying to survive the Lestranger's vault, Griphook sees his chance to reclaim the sword and takes it (540). Griphook takes the sword then

calls for help in stopping the thieves because as Harry points out “the goblin never expected them to keep their word” (540). Does Griphook’s reclamation of the sword represent the successful repatriation of a cultural object? Rowling, as author, does allow Griphook to reclaim the sword, but is this a positive achievement in the novel?

Viewing this instance of the repatriation of the sword of Godric Gryffindor, or of Ragnuk the First if you’re a goblin, as a positive result in the novel is problematized by two things. First, after losing the sword, Harry and his friends have an even more challenging task ahead of them because the sword was the one thing they possessed that was capable of destroying horcruxes, and destroying the horcruxes is necessary if they want to destroy Lord Voldemort. So a task that is portrayed as being necessary to save the world from the iron-fisted rule of Voldemort, someone who has a distinct disdain for nonhumans as well as nonmagic folk, becomes increasingly difficult by Harry’s loss of the sword. Thus, the increased difficulty of Harry’s quest is directly tied to the repatriation of the sword. Second, like the piano in August Wilson’s play, the sword of Godric Gryffindor itself has agency. The sword has the magical ability to appear to a member of the house of Gryffindor in times of need as Dumbledore explains to Harry: “Only a true Gryffindor could have pulled that [the sword] out of the hat, Harry” (*Chamber of Secrets* 334). It appears to Harry when he fights the basilisk in the Chamber of Secrets (*Chamber of Secrets* 320) and appears to Neville back at Hogwarts in *The Deathly Hallows* (733). It is precisely the sword’s appearance to Neville at the end of the novel that further problematizes the issues surrounding the repatriation of the sword. Griphook had reclaimed the sword earlier in the novel, but the sword, because it has agency due to its magical ability, chooses to appear to Neville, a Gryffindor, when it is most needed. The reappearance of the sword in a wizard’s hands is what allows the final horcrux to be destroyed and enables

Harry's defeat of Voldemort. The sword, like Wilson's piano, decides who should possess it. However, contrary to Wilson's play, the object in question does not choose to return to or reinforce the culture of origin's property rights; instead, the sword appears to a Gryffindor. An item having a choice in who possesses it seemingly represents what is best for the item itself, but in Rowling's novel what is best for the sword seems to be to remain in the possession of the wizards, who put it to optimum use, instead of the goblins who crafted it.

You Say You Want a Resolution

The topic of cultural property rights has been increasing in popularity and importance for years. Both August Wilson and J.K. Rowling confront and portray this evolving debate and legal trend. They place key objects in the forefront in their works and use the disputes surrounding the ownership of the objects to portray the complicated issues and debates surrounding cultural property rights. Further complications seen in both literary texts are the seeming agency of the artifacts themselves. Playing the piano in Wilson's play wards off the ghost of the old owner, giving the artifact itself some power to decide who should possess it. In Rowling's novel the sword of Gryffindor presents itself to members of the Gryffindor house who find themselves in dire need of it. Here the sword decides to whom it will appear giving it the power to also decide who will possess it. This complication is related to one of the chief concerns of museum curators and scholars around the world, chiefly that certain cultural groups cannot properly take care of or make use of their cultural artifacts. This issue revolves around what is best for the item itself which then seems as if the item itself has some say in where it belongs.

Both August Wilson's *The Piano Lesson* and J.K. Rowling's *Deathly Hallows* appear to resolve the questions of ownership at the end of the respective texts. Boy Willie agrees to let Berniece keep the piano in Wilson's play and the sword of Gryffindor presents itself to Neville

in *Deathly Hallows*. Of course, the resolution is really only temporary. The piano and the Charles family ancestors do not destroy the ghost of Sutter nor does Boy Willie simply acquiesce to Berniece's demands. The ghost may return in the future, and Boy Willie threatens to reopen negotiations with Berniece should she fail to use the piano (Wilson 108). In *Deathly Hallows*, the ending of the novel would seem to reinforce the internationalist approach to cultural property rights, but Rowling did allow the goblins to reclaim the sword-- if only for a brief time. In addition, Rowling does not tell us whether Harry has the sword returned to the goblins or if it is placed back on display in the headmaster's office in Hogwart's. In fact, we have no idea what happened to the sword after the battle. Both texts leave the readers with questions, and leave the debates surrounding the ownership of cultural property unresolved. They portray the complexities of the issue and create a space for debating and exploring the issue of cultural rights.

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Research Paper Title:

Cultural Property Rights in August Wilson's *The Piano Lesson* and J.K. Rowling's
Deathly Hallows

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