

# Ethical Issues in Collections Management

## Sally Yerkovich

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### Hypotheticals

#### I. Totems

In the 1980s, a private collector purchased some small, carved sculptures, locally referred to as totems, from a tribe in Eastern Africa. The totems were legally purchased under local law and legally imported into the United States. Twenty years later, the collector donated them to a local natural history museum, which has held them in their collection every since.

The museum has full legal title and regularly displays the totems in their galleries where they have become very popular with local audiences. Recently, members of the tribe contacted the museum, stating that the totems should have never left the ancestral land. The tribe believes that they have suffered crop failures and ailing livestock as a result of the removal of the totems and has requested that the totems be removed from exhibition and returned.

Does this situation present a legal issue? YES or NO

Does this situation present an ethical issue? YES or NO

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#### II. Emily Eager

Emily Eager is a long-time, dearly beloved volunteer for the county's 19th-century art and history museum.

Emily has a small painting she received from her grandmother when she was a child, sometime in the late 1930s.

- Her grandmother told her that it probably dated back to the mid-1880s. Emily would like to donate the painting to the museum.
- Before sending the deed of gift to Emily, the museum's curator does some research and discovers that the artist who painted the painting wasn't born until the late 1880s and that the painting was most likely done in the early 1930s, well after the period covered by the museum's collections.



- The museum, not wanting to offend Emily or her many friends who help the museum, accepts the painting on the basis that it is small and won't take up much room.

Has the museum acted unethically in accepting the painting?

Would your answer be different if you knew that Emily had offered to set up a small fund to help take care of the painting?

Would your answer be different if you knew that Emily's will includes a major gift to underwrite collections care for the museum?

Does the museum have an ethical duty to tell Emily the truth about the date of her painting?

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### III. Pitcher

A pitcher was stolen in one country and then illegally exported to another. In the second country a dealer purchased the pitcher and then lawfully sold it to a collector who immediately legally imported it to the United States. A few years later the collector sold the pitcher. The purchaser of the pitcher eventually donated it to a museum.

Does the museum have clear title to the pitcher? YES or NO?

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### IV. Painting

An art museum has in its collection a small oil painting depicting a Paris urban street scene. The painting has been in the collection for two decades, having been donated by a local art collector. That collector bought the painting at auction in the 1960s. The museum receives a letter from a woman who claims the painting belonged to her great aunt and was taken from the aunt's Parisian apartment in 1943. The woman claims to be the last living relative and requests the painting be returned.

What should the museum do?

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## **Ansel C. Blodgett House**

The Ansel C Blodgett House was built in 1878 by its namesake on the site of the first permanent dwelling in Libertyville. After Mr. Blodgett 's death, the residence served as the Blodgett Memorial Library for nearly 50 years, before it was turned over to the Libertyville-Mundelein Historical Society which turned it into a house museum. Inside are two floors of period rooms, decorated with a collection of Victorian-era furnishings, a few original to the house, others of the period along with Blodgett family artifacts as well as two offices. The attic is used for collection storage.

**Staff:** Director/Curator, Public Programs Manager/Educator, Maintenance /Groundskeeper, and 20 loyal volunteers who assist with programs and give tours.

**Finances:** \$ 250,000 annual budget; balanced budget but no capital budget/reserves \$75,000 endowment. Revenue comes from grants, membership (317), two large annual fundraising events, and a small amount from interest on the endowment.

### **Status of Collections Care:**

- On site collections storage in the attic is crowded and not climate-controlled
- The roof leaks in many places, including over the storage rooms and period rooms

**Sold:** 1 painting and 3 pieces of furniture (properly deaccessioned), netting about \$150,000. The museum's collections policies say that the museum can use the funds for acquisition and direct care.

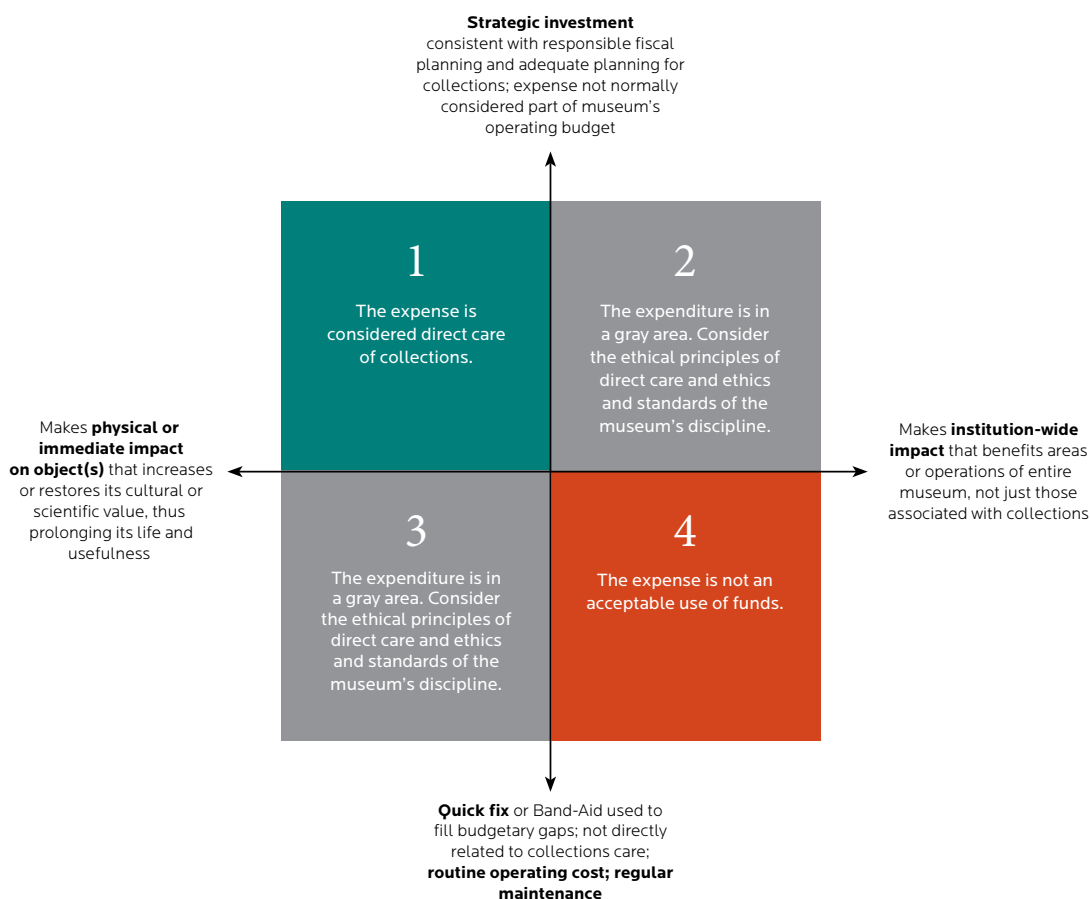
### **The museum wants to use the funds to:**

1. Install an independent climate control system in collections storage/attic
2. Pay the director's salary
3. Replace the entire roof

**Which of these qualify as direct care? Use the matrix and guiding questions (on the next page) to decide.**



## Direct Care of Collections Matrix



### Guiding Questions

“Yes” answers indicate a “direct care” action:

- Will this investment enhance the life, usefulness or quality of an object(s)?
- Is this a strategic decision based, for example, on an institutional plan, a collections care plan or a conservation assessment?
- Will the expenditure have a physical impact on an item(s) in the collections?
- Will this investment improve the physical condition of an item(s) in the collections rather than benefit the operation of the entire museum?
- Is this decision being made without pressure resulting from financial distress at the museum or parent organization?
- Is this a cost that is not normally considered part of the museum's operating budget?
- Can this decision be clearly explained to the museum's stakeholders and the public?

