

Deaccessioning & disposal in Europe 2008-2017

A research on possibilities and attitudes across the
European Member States
By Dieuwertje Wijsmuller



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The Dutch public cultural funding organization focusing on visual arts and cultural heritage.



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"Ultimately, mankind will not be defined by what she creates, but by what she refuses to destroy."

Victor Sonna, artist, Dutch Design Week 2016

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Preface

Deaccessioning and disposal have interested me ever since I learned of their existence during my Masters degree of Museology on the Reinwardt Academy in Amsterdam. Since my graduation I've been working in collections management, including these subjects. I've always wanted to see if the results of my thesis of 2008, on the possibility of a deaccessioning guideline of European level, would still merit and the Dutch Mondriaan Fund gave me the opportunity to research this. For this, I am very grateful to the Mondriaan Fund . Not only did they give me the financial possibilities, but as well the confidence to execute this study. It is in this regard that I owe even more to my life partner and probably my biggest fan, Karsten. You helped me through the days of writer's block, with a good cup of coffee and a friendly ear.

Ofcourse a very special thanks for my editor, Lori. Lori, I dreaded you but I love you. I dreaded the times I got my writings back and everything needed to be rearranged, but I love you for taking up this task and guiding me through this all. I wouldn't have managed without you.

I hope this publication will present a readable overview on the possibilities and attitudes towards deaccessioning and disposal in the E.U. Please keep in mind that although online translation software proved to be a big help, some texts might be different than when read in the original language. I've tried my best to get to the best translations possible. Next to this I unfortunately did not manage to get in contact with professionals from all countries. I hope to talk to everyone needed, in ten years, when I I hope to do this research again.

I'll be back.

Dieuwertje Wijsmuller,
Amsterdam, December 2017

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Summary

This publication is the result of one-and-a-half year research on the possibilities and attitudes of deaccessioning and disposal within the European Union member states. It is the sequence on the 2008 thesis *Deaccessioning on a European level: an opportunity or impossibility* (by the writer) on the same subject, focusing on what extent these possibilities and attitudes have changed over the last 10 years.

It turns out that in the last 10 years, seven countries have adopted (new) legislation on deaccessioning and disposal and the number of countries that have an official guideline on the subject has doubled. With the exception of Austria, all these countries are situated in the Northern part of Europe. The most visible formal changes are seen in the countries inclining towards the Anglo-Saxon tradition of museological practices.

However, this does not mean that in other parts of the European Union no progress has been made. The shifts are only subtler and not yet formalized. Here, the changes are happening on an informal level and the professional attitudes are slowly shifting towards a more positive attitude on deaccessioning and disposal. Even the Latin tradition countries, where the principle of inalienability of museum objects reigns (such as France and Italy), are opening up. Ideas are spreading that disposal will become a necessity, mostly because of the ever-growing collections and thus ever-growing storage space deficits.

The increased awareness of the necessity of practical disposal is how the discourse on deaccessioning and disposal started in the Anglo-Saxon countries as well. These countries have evolved from practical disposal, to thinking about deaccessioning and disposal on a curatorial level, an economical level or even on a philosophical level. This yields a new paradigm shift, from the 20th century thinking on collections as *the More the Merrier* to the 21st century *Less is More*.

Economically motivated (unethical) disposal however, is still the greatest fear for all museum professionals, shared in all countries. Together with a lack of knowledge and experience, these are three mayor factors as to why the discourse in most countries is alive, but the practical execution stays behind. The *Say-Do gap* is still substantial. However, it must be said that there are plenty of good practices that can be learned from as well.

Looking at the developments, it can be concluded that although the Anglo-Saxon countries are still refining their tools for deaccessioning and disposal, they are tending towards a more conservative attitude through more elaborate guidelines. This is mainly due to the occurrence of a number of high profiled disposals-gone-wrong of the last years. So while the other countries are looking towards the north for knowledge and experience, while adopting a more liberal vision on deaccessioning and disposal, the Anglo-Saxons are taking over the more pensative and conservative Latin school of thought. If this leads to converging traditions on this subject, is something only time will tell.

Chapter 1: Introduction

For nearly a decade I have been monitoring the development of deaccessioning within the European Union with the aim of understanding and identifying the contemporary views of various heritage professionals from member states. In 2007/2008 I wrote a thesis entitled "Deaccessioning: Opportunity or Impossibility?" through which I attained my Master of Museology degree from the Reinwardt Academy, faculty of the Amsterdam University of the Arts. This thesis research focused on the possibility of implementing a deaccessioning policy at a European level. I firmly believed that such a policy was necessary. However, after completing an extensive literary review based upon publications translated from English, Dutch, German and Spanish and reviewing the results of my research collected via a questionnaire, I quickly realized that such a policy would be impossible to implement.

Not only did the official position of the European Union present difficulties in facilitating such an encompassing policy (stating that, "heritage management is best pursued at a national or regional level by individual member states"¹), but the vast differences in the experiences, attitudes and (legal) frameworks between the member states varied too greatly. Therefore, the main results of my research from 2008 were:

Regarding (legal) possibilities:

- The legislation differed too greatly per country.
- There was a lack of legislation altogether.
- The system of valuing (national) heritage differed too greatly.
- The differences in deaccessioning tools per country were too large.

Of the twenty-seven EU countries included in the 2008 research, fifteen member states had legislation on cultural heritage and/or museums with specific legislation on deaccessioning and disposal of cultural heritage objects. Twelve countries had no legislation, whatsoever, that dealt with the act of removing objects from a museum's collection. Additionally, only three countries had an official guideline dealing with deaccession and disposal, namely the United Kingdom, Denmark and the Netherlands.

Regarding attitudes of museum professionals, the results encompassed:

- A felt lack of or unclear legislation.
- A felt need for better communication between governments and professionals regarding (legal) possibilities.
- Various fears felt regarding (different aspects of) the deaccessioning and disposal process.²

From these results, it became clear that in 2008, professionals from different countries, such as Austria had internal conflicting attitudes towards deaccessioning and disposal. The Austrian Federal Office for Preservation and Conservation of Cultural Goods (Bundesdenkmalamt) stated, "museum collections should be enlarged and saved for the future, which does not correspond to the idea of deaccessioning"³, while the director of the Albertina Museum stated in his lecture at the Austrian Museums Day (Salzburg, October 18-20, 2007)⁴ that there should be a more general acceptance of deaccessioning in special cases.

In other countries, however, the attitudes of museum professionals were on the verge of change and slowly began embracing deaccessioning as a decollecting tool. Sweden began working on a report in which deaccessioning would play a role⁵. As for the case of Belgium, an initial guideline was proposed in 2000⁶, but has never been officially adopted by the sector. In Denmark, where deaccessioning guidelines were implemented in 2003, museums 'never encountered great resistance'⁷. Likewise, The UK published its revised guideline on disposal, called the Disposal Toolkit, in 2006 with the Netherlands following shortly thereafter. Museum professionals in these countries had been dealing with disposal issues for decades⁸.

Through comparing the results, my conclusions of the initial 2008 research revealed that:

- There are two main views on (de)collecting in Europe: the Latin tradition and the Anglo-Saxon tradition. The Latin tradition (which encompasses: France, Spain, Italy and Greece) adheres to the fact that cultural heritage is inalienable and contributes to the collective national patrimony. In the Anglo-Saxon tradition (as is seen in: the

United Kingdom, the Netherlands and Denmark), the thoughts were more liberal, giving individual museums the autonomy to decide deaccessioning matters for themselves. Other countries were influenced by these two traditions.

- While an all-encompassing EU deaccessioning guideline was not feasible, I believed that the praxis of deaccessioning would become more widely accepted around the world, and certainly within Europe.

In 2014 my beliefs on the development of deaccessioning and disposal in Europe were challenged. While attending a COMCOL symposium in Celje, Slovenia in 2014 which focused on examining "the theory, practice and ethics of collection development"⁹, I met a variety of museum professionals from around the world who had interesting viewpoints on the use of deaccessioning and disposal techniques as a collection management tool. I noticed that other professionals were quite hesitant to acknowledge my beliefs. In fact, while speaking to one professional, who at the time was a curator at an institution in Berlin, the comment was made that that deaccessioning as a whole should never be allowed, even though Germany has had an official deaccessioning guideline since 2011¹⁰.

In order to determine whether my original conclusions from 2008 still have merit, I decided to use my research from 2008 as benchmark to reevaluate the current situation in the sector. Therefore, in 2015 I applied for and received a research grant from the Mondriaan Fund in the Netherlands to investigate the extent in which (legal) possibilities and attitudes of museum professionals from across European member states have changed since 2008. Thus, the hypothesis of the research is that possibilities and opinions within Anglo-Saxon countries have changed more than in Latin countries, but that these changes do not per se mean there is a wider acceptance of deaccessioning and disposal as a collection management tool.

Research Structure

Three main aspects on the subject were

studies, to properly contextualize the developments witnessed over the past decade, namely the trends in deaccessioning/disposal management, the praxis of legislation and tools and attitudes towards deaccessioning and disposal.

The structure of this research is similar to that of an iceberg:

as Germany, Spain and Belgium, have decentralized politics on cultural heritage matters. When necessary, the various states of these countries will be addressed. This counts foremost for Belgium, where the two regions Flanders and Wallonia adhere to the two different traditions, Flanders following more so along the Anglo-Saxon tradition while Wallonia follows the Latin.

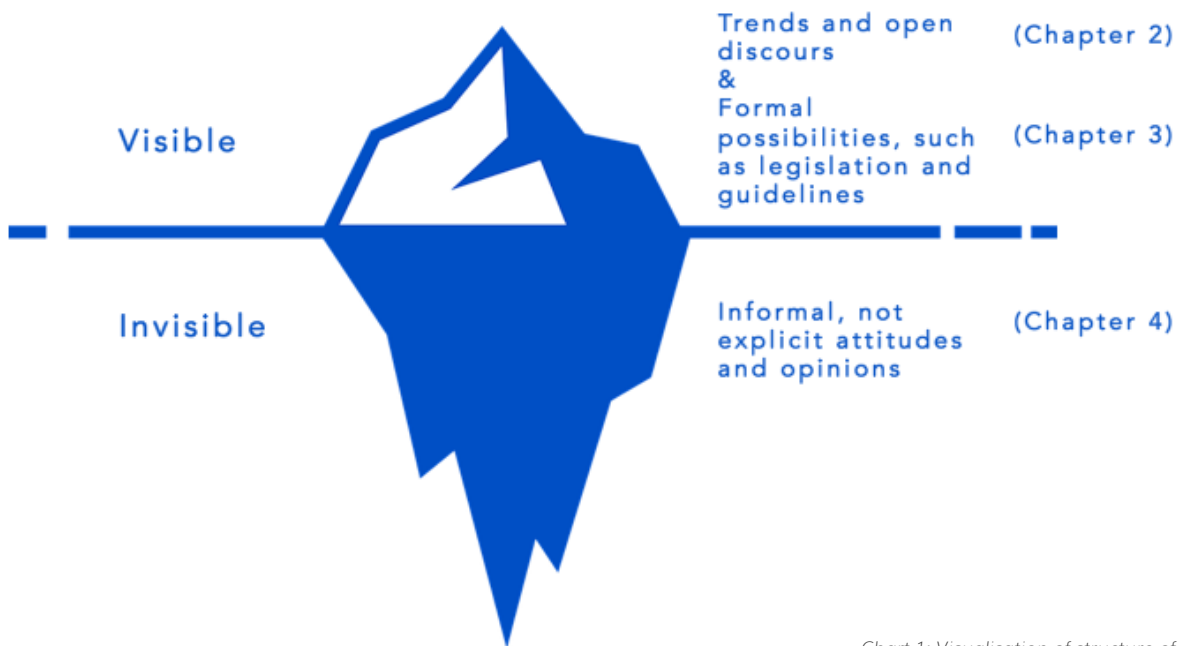


Chart 1: Visualisation of structure of research

Where the trends in deaccessioning and disposal are aspects that are openly discussed and where the available legislation and other tools are easily accessed and researched, the inexplicit attitudes of (museum) professionals are harder to draw to the surface. They are however, the foundation upon which the formal arrangements can thrive and are needed if deep-rooted, fundamental change in thought and culture is wanted. It will end with a conclusion chapter that discusses some insights gained and in which recommendations on further research will be outlined (Chapter 5).

Scope

This research and the participants therein have been limited to the twenty-eight European Union member countries. While Norway was included in the initial research of 2008, it has been omitted from this thesis since it is not a full member state of the EU. Some countries, such

Since this research covers the span of a decade - 2008 until 2017 – most case studies and publications presented in the theoretical framework come from this period. However, due to the significance of certain publications published before 2008, some exceptions have been made.

Although repatriation is mentioned in in this research as a possible method of disposal, it is a topic that will not be discussed in this research. Likewise, objects on loan at an institution and the restitution of illegally obtained cultural objects fall outside the scope of this research.

Methodology

This research is based upon material collected through quantitative and qualitative research. I conducted thorough desk research on legislation, regulations, guidelines and other deaccessioning tools, as well as a

legislation, regulations, guidelines and other deaccessioning tools, as well as a comprehensive literature review in order to provide extensive background into the various situations of all countries involved.

Additionally, I created and distributed a survey (see Appendix 1) via social media outlets for participants to complete. Thirty-three individuals from nine countries: Belgium, Croatia, Czech Republic, Estonia, Germany, Hungary, Lithuania, Romania and Sweden participated. Participants were questioned about their knowledge of the legal possibilities of deaccessioning in the countries in which they work and their own professional opinions regarding the subject matter. While I understand that thirty-three surveys do not represent the collective thought for the museum field in Europe, I will, at times, use this information as a general assumption towards deaccessioning on a national level.

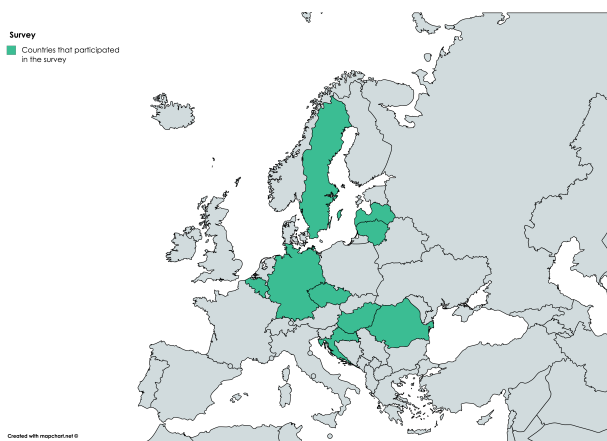


Chart 2: Countries that participated in the survey

Lastly, I conducted workshops in six countries: Belgium (Flanders), Croatia, France, Germany, Hungary and Sweden, which focused on investigating the contemporary setting. Specifically, topics included: legal possibilities of deaccessioning (both theoretical and practical), the desired situation of the participants and the necessary changes needed to achieve these goals. Professionals included in the workshops represented members of the museum field, government entities and academia. I purposely chose to include professionals of various backgrounds to determine whether or not their experiences and opinions varied greatly. Furthermore, since I believe that all three of these professional

branches greatly influence the discourse of deaccessioning, I thought it would be interesting to have them talk about the matter in one workshop. It is important to note that in some cases, this was the first instance in which representatives from all three fields have openly discussed the matter of deaccessioning together.

The following discussion topics were presented as drivers that influence the deaccessioning and disposal process and were derived from my years' of work experience as a deaccessioning professional:

- Organizational Culture (Is the organization you work for ready for such processes and willing to help?)
- Knowledge (What level of knowledge is there?)
- Cooperation (To what degree do institutions cooperate with one another?)
- Political Interference (To what degree does political interference affect the deaccessioning process?)
- Legislation (To what extent does legislation impact deaccessioning?)
- Fears (To what degree does fear affect deaccessioning efforts?)
- Communication (To what extent does an institution communicate that something is being deaccessioned?)

Context and terminology

In order to understand the content of this research, some preliminary information has been provided.

Anglo-Saxon and Latin tradition

One of the main conclusions of the 2008 thesis was the existence of two larger museological traditions regarding deaccessioning and disposal, the Anglo-Saxon and the Latin tradition.

It was clear to me that the Southern part of Europe stood out against the Northwestern part regarding this issue. Southern countries (see the area marked in red on the chart) such as Spain, Italy, Greece, Romania and France, represent leading examples of Latin tradition where principles of inalienation of museum objects exist combined with strict legal restrictions and hesitant attitudes towards

deaccessioning. In the Northwestern part of Europe (represented in green on the chart) countries such as the UK and the Netherlands lead the way in that deaccessioning and disposal have already been accepted as a proper collection management tool, supported by an abundance of guidelines and other tools, including being a topic of discussion. The Northwestern strategy seems far more practical, pragmatic and proactive than the Southeastern parts of Europe.

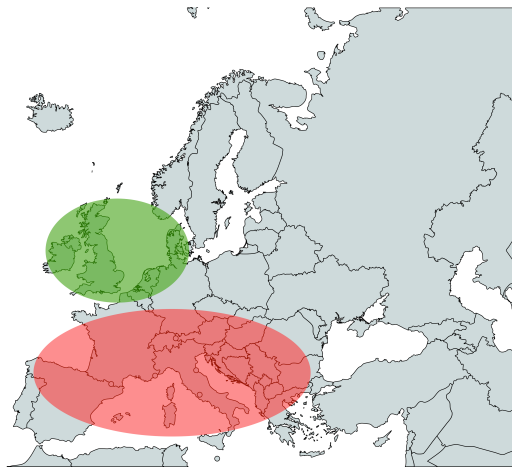


Chart 3: Anglo-Saxon and Latin traditions in Europe

Due to this geographical differentiation and the obvious grouping of the possibilities and attitudes towards deaccessioning and disposal, I named them Latin and Anglo-Saxon traditions.

As it turned out, after conducting a small scale research this division of (legal) possibilities and attitudes, together with the geographical situation, is used in literature in other aspects of museology as well, justifying the usage of these terms. The International Council of Museums (ICOM) published in its Key Concepts of Museology nota of 2011 the following statement, "It would nevertheless be too caricatural to divide museum literature into a practical component, strictly Anglo-American, and a theoretical component, closer to the Latin way of thinking [...]. The fact remains that a number of differences exist, and differences are always enriching to learn and to appreciate"¹¹. In the academic discourse on New Museology¹², Eduardo Gimenez-Cassina (urban sociologist and museologist from Spain) used the two schools in his essay on Identity in the new museologies and the role of the museum professional as well: "As a result of

the place(s)/contexts where they originated, and for clarity purposes, they have been labelled in this essay as the "Latin new museology" and the "Anglo-Saxon new museology"¹³. Just like my definitions, he uses geography and manner of approaching issues to define both traditions, next to language usage.

As has been said, in the deaccessioning discourse and practice, the Anglo-Saxon tradition distances itself from the Latin tradition in its practical way of thinking, regarding deaccessioning and disposal as a tool to better collections and as a tool to improve the visibility of the objects to be deaccessioned. The Anglo-Saxon tradition has legislation and guidelines that have a positive presumption towards the topic and its governments offer assistance to museums in the process. The Latin tradition however, has a strong presumption against deaccessioning and disposal and adheres to the principle of the inalienability of museum objects. Their cultural heritage policies are looked upon from a more national point of view, while Anglo Saxon policies are more focused on individual institutions.

There are no hard geographical boundaries presented in literature regarding these traditions, but for the 2008 thesis, I placed the UK, the Netherlands and Denmark under the Anglo-Saxon tradition and France, Italy, Spain, Greece and Romania under the Latin one. It does not mean that there are no other traditions to be found in Europe, but regarding the attitudes on deaccessioning and disposal, these are the main ones. The other EU countries (and probably the countries surrounding the EU) have been influenced, more or less, by either or both of these traditions.

Deaccessioning and disposal

Within Europe, the concept of deaccessioning and disposal are interpreted differently amongst professionals. While many professionals would agree that deaccessioning is the administrative act of documenting the removal of an object from the museums inventory, some professionals use the term deaccessioning as if it encompasses the entire

act of disposal as well, including transferring ownership from one (public) institution to another. For this research deaccessioning is defined as "the administrative act of documenting the removal of an object from the museums inventory" and disposal defined as "the process of shipping objects, including responsibilities from the museum managing it, to another managing institute or public body, via exchange, sale, donation or repatriation. If no public body wants to take the object, private new owners or managers can be found. As a last resort, total destruction of the object is a possibility".

It is important to note that in many countries, the transfer of an object between public museums is not regarded as a form of deaccessioning or disposal. Even in countries with the Latin tradition, these types of transfers are allowed, since the object remains in the public domain and most of the time keeps the same owner. However, in this research transfer of an object between public institutions is regarded as a form of disposal. It adheres, in this manner, to the Anglo-Saxon tradition.

Ownership and management

According to ICOM, "Museums are responsible for the tangible and intangible natural and cultural heritage. Governing bodies and those concerned with the strategic direction and oversight of museums have a primary responsibility to protect and promote this heritage as well as the human, physical and financial resources made available for that purpose."¹⁴ While the entity which legally owns the collection has the final decision making power when it comes to matters of deaccessioning and disposal, it is widely accepted that museums own the process of collection management and should therefore be allowed to designate which objects are eligible for decollecting.

In order to understand the decision-making process of deaccessioning and disposal, it is necessary to know that in general the owner of the object(s) has the final say. However, determining the owner of the object is not always as simple as it looks. There can be three different kinds of owners:

- The (national, regional, local) government
- The museum itself (with or without a specially

erected foundation)

- A third party, such as an organization of museum friends, or an endowment fund.

In the Anglo-Saxon tradition, it is (more) common to find a mixture of these owner types within one museum. In the Latin tradition, it is more common for (national) governments to be the sole owner of the collection.

In the Latin tradition adhering countries it is common that museums are an integral part of the government as a municipal service, like libraries or a municipal theatre. These museums are owned and managed by government entities, making professionals that work in the museum civil servants. However, in these instances the government has a direct influence on the administration (regardless of whether there is a board of directors). Here, museums are regarded as keepers of the national patrimony, serving the heritage sector as a whole.

Anglo-Saxon museums have a greater distance from the governments. More museums have a Board of Trustees that supervise the administration. Although most museums receive financial support from a government, they are, usually, not owned or managed by them. In the Netherlands, there are very few museums that still owned by a government body. In the '90's, the national government pushed museums towards become independent. This led to the government having no direct control on the administration and has made museums think more from their own perspective than from the perspective of national heritage, although most of the time these museums are funded in one way or another by a governmental entity.

All differences in ownership and management aside, there is one aspect that all professionals from all countries agree on: although the museum is most of the time not the owner of the objects, it is or should be the owner of the process of deaccessioning and disposal. Heritage professionals, themselves, should execute the process and should be able to select the objects that need deaccessioning. Owner should not have a direct say in this.

Notes:

- ¹ M. Vecco, M. Piazzai, 'Deaccessioning of museum collections: What do we know and where do we stand in Europe?', *Journal of Cultural Heritage*, 2014, p 4
- ² Wijsmuller, D. *Deaccessioning on a European Level: Opportunity or Impossibility?* Amsterdam, 2008, pp 76 -82
- ³ ibidem 2, p 74
- ⁴ ibidem 2, p 74
- ⁵ ibidem 2, p 62
- ⁶ Vlaamse Museumvereniging. *Museum Collecties, een (on)deelbare eenheid? Zin en vormgeving van een museaal selectie en afstotingsbeleid. Handelingen van een studiedag in Gent 27 november 2000.* pp 75-83
- ⁷ ibidem 2, p 66
- ⁸ As can be read in *Niets gaat verloren* (2006)
- ⁹ More information can be found on: <http://network.icom.museum/comcol/events/previous-comcol-conferences/>
- ¹⁰ The German MuseumsBund published *Nachhaltiges Sammeln Ein Leitfaden zum Sammeln und Abgeben von Museumsgut* in 2011
- ¹¹ ICOM *Key Concepts of Museology*, 2011, p 17
- ¹² As defined by Deidre Stam - Associate professor at Long Island University (USA), as "a movement that questions the traditional museum approaches to issues of value, meaning, control, interpretation, authority and authenticity" in Stam, D. 'The Informed Muse: The Implications of 'the New Museology' for Museum Practice' in *Museum Management and Curatorship*, 1993, 12, p 267
- ¹³ Gimenez-Cassina, E, 'Who am I? An identity crisis Identity in the new museologies and the role of the museum professional' , in *Sociomuseology* 3, Lisbon 2010, p 25-26
- ¹⁴ ICOM code of Ethics, principle 1, found on: <http://archives.icom.museum/ethics.html#intro>

Chapter 2:

Trends and discourse since 2008

Collecting has been a core function of museums since the beginning of their existence. Most collections started out as historical coincidences. "If we forget the splendid exceptions, most museum collections do not adequately reflect the title of the museum that contains those bears. They are the result of various historical conditions, of bequests, donations, grants and acquisitions"¹⁵. Collections Reviewer at University College London, Subhadra Das, states that "some [objects] should never have been collected. In the past such things have sometimes been disposed of thoughtlessly – by putting them in the skip"¹⁶. Museum professionals are increasingly regarding deaccessioning as a solution for collection problems, a concept that is supported by institutions such as the British Museums Association which has stated, "making decisions about disposal is part of a museum's professional and ethical responsibility"¹⁷.

In this chapter, the main trends found on deaccessioning and disposals are presented. The thinking about disposal has evolved into different levels: practical, curatorial, philosophical and economical. Over the last ten years financially motivated disposals advanced into the discourse, as did disposal in bulk. The thinking about collections management changed from object based into value-based collections management and the role of the public regarding collections and deaccessioning and disposal decisions is becoming more important.

Categorizing deaccessioning and disposal

The reasoning and outcomes as to why one disposes of museum objects vary greatly. In the last ten years there have been attempts to analyze and classify the reasons in order to be able to provide better guidance in the process. Where the *Museums Associations Code of Ethics* of 2002 only talks about disposal - "disposals should be undertaken only within the strategic framework of a long-term collections management policy, as a means of returning an item to its rightful owner, or improving care, access or context."¹⁸ -, providing no clear reasons as to why one would conduct a decollecting project, the 2007 version of the Code and in the 2008 Disposal Toolkit (which offers guidance to museums in the process of deaccessioning and disposal) introduced the term curatorially motivated disposal. This means that disposal decisions should be based upon

the motivation to improve the quality of the collections and, therefore, is the only form of disposal that is acceptable. In the new and improved 2014 version of the Disposal Toolkit, financially motivated disposal was added to the classification of disposal decisions, where the outcome of the process is primarily economically based and the improvement of the collections is secondary.

Observing the European discourse on deaccessioning and disposal, I subdivided curatorially motivated disposal into *practically motivated* and *curatorially motivated disposal*. Next to this, I noticed a new way of thinking about deaccessioning and disposal, on a more meta-level or ethical manner. I call it philosophically motivated disposal. This trend has only just emerged in the museological field.

Practically motivated disposal

Practical motivations are decisions based upon practical reasons, such as shortage of storage space. It is calculated that museum collections generally grow about 1-2% per year¹⁹. "Collecting leads ipso facto to a growing collection. [...] Until the middle of the 1980's, the museum world did not feel - or refused to feel - growth to be a problem"²⁰. In more recent times, growth of collections has become a major issue. The *ICCROM-UNESCO*²¹ *International Storage Survey*²² of 2011 states that:

- 2 out of 3 museums lack space
- 1 out of 2 museums have a lack of storage units or have overcrowded storage units
- 2 out of 5 museums have:
 - lack of management support for storage or related activities.
 - lack of trained staff.
 - large backlog of objects to be accessioned.
 - storage units not adapted to the types of objects.

Nick Merriman, director of the Manchester Museum conducted research on accessioning and deaccessioning rates within the British heritage sector for the Clore Leadership Programme. He concluded in his research entitled *Museum Collections and Sustainability* (2006) that the percentage of objects being deaccessioned is next to null in relation to the to the objects that were being acquisitioned²³.

In practically motivated disposals the primary outcome of the process is not to improve the content of the collection, but the physical condition of it. Practical reasons to dispose of objects, next to creating storage space, can be:

- Pest infestation
- Object is damaged beyond repair
- Restoration costs outweigh the intrinsic value of the object
- Object contains harmful substances

The idea that ongoing collecting would lead to unmanageable collections was an idea that had come to realization. Collections have become unmanageable both in size, number as well as in cost to conduct proper conservation. Combined with the fact that the financial crisis of 2008 has left museums with dramatic budget cuts all over the world, it leaves museums with growing deficits. To continue to collect objects without thinking about the consequences seems impossible. "If museums are already pressed to find space for future acquisitions [...]), then disposal has to be seen as a necessary 'evil' and a "problem that will not go away"²⁴.

In the last few years, museum professionals from outside the Anglo-Saxon domain, are starting to realize that growing collections are, or will become in a short matter of time, a problem their museums need to face too. In 2011 Paolo Mazzarello, an Italian historian and Chairman of the University Museum System, dedicated an article in *Nature*, an online journal on science, about the explosive increase of collections.²⁵ He concluded that "museums are facing a sort of Malthusian constraint — an explosive increase in the volume of their collections, coupled with a severe reduction in funding, fueled partly by the current economic crisis. Collections cannot be increased indefinitely and sustained forever"²⁶. Therefore, Mazzarello promotes planned disposals.

François Mairesse, professor at Sorbonne University in Paris and former director of the Royal Mariemont Museum in Wallonia, goes so far as to draw a relationship between collection managers who refuse to acknowledge the problem of growing collections to that of a

person with a psychological disorder of compulsive hoarding. "Some museums cannot escape this risk, as their galleries, and even more their storerooms, sometimes bear a striking resemblance to pathological collections"²⁷. Susanna Petterson, director of the Ateneum Art Museum and Finnish National Gallery, states that "the accumulation of material is one of the great concerns for the museums of today"²⁸.

In Latvia, the recognition of collections becoming unmanageable is present as well. Janis Garjans, Head of State Authority on Museums of Latvia writes, "The average growth of the Holdings is 100 thousand objects per year. The National Holdings of Museums include not only locally, but also internationally important history, art and nature collections and separate museum objects. It has to be admitted that the state of preservation of museum objects and resources for their restoration are by no means sufficient. The growth of the museum holdings has not been accompanied by the funds needed to preserve them."²⁹

However, not everybody in Europe sees these practical issues as a reason to implement disposal as a management tool. In Hungary, the museum professionals that participated in the workshop disclosed that their superiors would rather build new storage spaces than consider deaccessioning and disposal as an option.³⁰ This feeling is shared by more museum professionals. The online survey conducted for this research shows that more than 50% of the respondents prefers building a new depot, instead of having to select objects for disposal (see Appendix 1 question 23)³¹.

Looking back at the development of the deaccessioning and disposal practices (in the Anglo-Saxon tradition), it can be said that these practical reasons were the catalyst for these developments. In the Netherlands, the first major conference focused on deaccessioning and disposal, in 1999, was called Limits to Growth (Grenzen aan de Groei). It was at this conference that deaccessioning and disposal were unanimously accepted as a necessary tool of collections management³². Next to this, it is no coincidence that the 2003 publication of

the National Museums Director's Conference was, not sarcastically, called *Too Much Stuff?*.

Curatorially motivated disposal

Curatorial disposal decisions are based upon knowledge of the content and context of the collection. The primary outcome of curatorial based disposal decisions is the improvement of the content of the collections. *Too Much Stuff* states that "museums should be willing to dispose of objects when this will better ensure their preservation, [or] ensure that they are more widely used and enjoyed"³³. By extracting the object that does not fit within the collection, relatively more money and attention can be paid to the objects that do deserve to be kept.

Although it could be argued that practically motivated disposal and curatorially motivated disposal are the same, since they serve the same goal of improving the collections, they are in fact, different. The goal of curatorially disposals is to create a high quality content of collections, while practical disposals aims to create circumstances in which the collection can thrive at its best. Curatorially motivated disposal can sharpen collections profiles, improve visibility and access to collections or remove duplicates from the collection³⁴. It might even be that the link between the object and the collection is not present or not strong enough³⁵. Practically motivated disposal makes sure other objects or collections get enough space or resources to serve the collection they are kept in. Having said this, we must be aware that in all deaccessioning and disposal guidelines, it are the curatorially motivated decision that are preferred above all other motivations.

Philosophically motivated disposal

Deaccessioning and disposal can be regarded on an even higher level than practical and curatorially, namely philosophical; debating the reasons for collecting and challenging the aspect of keeping an object for eternity. For example, the Finnish Museums Association, in collaboration with six museums, participated in a deaccessioning project that led to the publication *Deaccessioning. Sharing Experiences from Finland* in 2016. In this publication the lifespan of an object is discussed. Interesting questions arose from

these discussions such as: to what degree should a museum strive to elongate the life of an object with perishable qualities? It is stressed that a museum should take the maximum museum lifespan of an object into account when acquiring it. "All objects have the beginning and end of their lifespans, and it is sought to identify the end already when an item is included in the collection."³⁶

Museum director of the National Museum of Twente in the Netherlands, (Rijksmuseum Twente) Arnoud Odding, questions this concept as well. How bad would it be if we did not keep the high standards of storage like we have now? "How bad is it if an object deteriorates slowly?"³⁷ These contemplations seem to threaten the foundation of museums - safeguarding cultural heritage for future generations, but might prove necessary in the near future, if the rate of collection growth does not diminish.

Economically motivated disposal

With the budgets for heritage institutions minimizing as a result of the 2008 crisis, some museums (or the owners of the museum objects – mostly local governments) turned to financially motivated disposal to solve their economical issues.

One case emerged in the UK in 2006 when the Bury Council removed and sold a Lowry painting from the collection of the Bury Metropolitan Museum to fill a gap in the city's finances. However, in this case the artwork in question was, undoubtedly, a curatorial treasure. One of the most used arguments against this disposal was that "[the painting] acted as a bridge between the 19th century and contemporary collections. As an example of artistic development during the mid-twentieth century it brought together two distinct collections, creating one single cohesive collection within the Gallery."³⁸ Three years later, yet another example emerged in the UK with the attempted sale of a painting by Sir Alfred Munnings and the sale of two bronze sculptures by Rodin by the Southampton City Council to raise funds for a new tourist attraction³⁹. The City Council agreed to follow the ethics of the disposal guideline produced by the Museum Association that allowed

financially motivated disposal in exceptional circumstances. The parameters of this type of disposal were at the time:

- It will significantly improve the long-term public benefit derived from the remaining collection.
- It is not to generate short-term revenue (for example to meet a budget deficit).
- It is as a last resort after other sources of funding have been thoroughly explored.
- Extensive prior consultation with sector bodies has been undertaken. The item under consideration lies outside the museum's established core collection as defined in the collections policy.
- Any money made from selling collections must be ring-fenced and used directly for the benefit of the museum's collection; it should be restricted to the long-term sustainability, use and development of the collection.⁴⁰

If a proposed disposal did not fit all requirements, it was regarded as a form of unethical disposal. The City Council thus needed to meet all of these requirements in order to get the Museum Associations approval for the sale. Ultimately, the city council decided to search for funding elsewhere, saving the museum from public disgrace, since the council could not meet the requirements and public uproar following the initial announcement was quite severe.

Next to this case, in 2012 the Tower Hamlets council explored the possibilities to sell a bronze sculpture by Henry Moore (valued at 20 million GBP)⁴¹ and in 2011, the Leicestershire City Council auctioned 124 artworks that raised 150.000 GBP. However the profits of the sale went to the arts and heritage provision⁴².

In 2011 a news item on the MA website states that this form of disposal is on the rise:

- Bolton Council is looking to sell 36 paintings, including a Picasso, to raise money to develop a new storage facility.
- The Royal Scottish Academy, in Edinburgh, is selling an LS Lowry, *The Hawker's Cart*, on 2 June. It will enable the academy to set up an endowment fund to support the work of its collections department and purchase key works by Scottish artists.

- A court will rule in December whether Wedgwood Pension Plan Trustee Ltd is permitted to sell items from the Wedgwood Museum to plug a £125m pension deficit.
- Aberdeenshire council is looking to save £90,000 in 2011-12 and £30,000 in 2012-13 by closing small museums, including Stonehaven's Tollbooth Museum, and transferring or disposing of some of its collections.
- Gloucester City Council recently invited Christie's auction house to value its collections, and has begun a review of its objects.⁴³

City councils trying to sell off their heritage to close their budget deficits, seem to be more prevalent in the UK than in the Netherlands, or any other country in the EU. However, the Netherlands has had its share of unethical disposals as well over the last few years. In 2011 the director of the World Museum wanted to refocus the collection and policy of the museum on Asia, therefore selling off its entire collection of African objects. This plan would also allow the museum to create a budget large enough that it would no longer be dependent upon the City Council of Rotterdam⁴⁴. Eventually the Supervisory Board of the museum and the city council rejected the proposal, after receiving pressure from the museum field and public initiatives to stop the sale.

One of the most widely controversial cases seen within the past five years was the sale of Marlene Dumas' painting, *The Schoolboys* (1986), in 2012 by Museum GoudA. The director of the museum argued that the painting no longer aligned with the vision and collection policy of the museum, but many, however, believed the director was forced by the municipality of Gouda to sale the artwork at Christie's in London in order close a budget deficit. The artist's reaction to the sale, was representative for the reactions of most museum professionals: "If this becomes standard procedure, chances are the Netherlands will lose artworks it cares about."⁴⁵

In 2007, the Dutch National Agency for Cultural Heritage, one of the safe keepers of the

national collection, sold part of its art collection that was not regarded as having national value, via an online auction. The auction took place after the pieces were offered to museums who were interested in retaining ownership of the objects, and after informing the artists, following the Dutch deaccessioning guideline (LAMO 2006). However, the public uproar and the anger from the artists or their heirs was tremendous.⁴⁶ While the auction was legal and not considered to be a breach of ethics, it raised some questions and can be considered a turning point in the praxis of disposal in the Netherlands. The national government was able to rationalize the sale of the artworks deciding that they were better off in the hands of the public, which led the way for museums to start their own trajectories.

Although many known cases of financially motivated disposal originate from the UK and the Netherlands, this trend is not restricted to these two countries. In Germany, for instance, the City Council of Krefeld wanted to sell a Monet, said to be the most precious work in the collection, in order to repair the roof of the museum.⁴⁷ In 2015 the mayor of Venice, Luigi Brugnaro, announced that he was planning to sell some artworks owned by the city. "There are urgent expenses for maintenance of public services such as schools; there is no money because of the budget deficit built up by previous administrations... [any works sold would not be] by Venetian artists, or about the history of Venice"⁴⁸.

While most financially motivated disposal cases are the result of poorly managed local governments, national governments have also proven to be an unreliable trustee of valuable cultural heritage when finances are scarce. For example, after the crisis of 2008, the country of Portugal found itself nearly bankrupt. In order to fill the national deficit, governmental officials proposed to sell off a collection of Miró paintings in 2014. The collection had been a private collection, owned by the Banco Portugues de Negocios, but when the national government seized ownership of the bank they also attained ownership over the Miró collection. Due to the fierce public outcry over the purposed sale, the planned auction set for 2016 was cancelled. However, it is unknown as

to whether the collection will remain a state asset or be sold to private collectors under the conditions that they remain on display at a museum in Porto.⁴⁹

Because of the ongoing disposals for profit, the British Museums Association implemented financially motivated disposal in her latest disposal toolkit (2014). It can be seen as an attempt to minimize this form of disposal, through raising the bars for implementing the process, as we will see later on. However, it has made economically motivated disposal, *nolens volens*, a trend in the last few years.

Bulk disposal

While in economically motivated disposal, the object of these processes are the one-of-a-kind artworks, these are not the objects that provide the most deaccessioning dilemmas within museums. Since the Second World War, collecting the legacy of the common man has become fashionable. Local museums started collecting daily life, without realizing that the local museum in the village five kilometers away was collecting the same objects. Most of the time, these objects are mass produced and as such hold a low financial value. Next to this, this is the group of objects that locals kindly donated to the museum, most of the time anonymously, or the registration of these objects is not up to date, creating difficulties in the disposal process.

In Finland, museum professionals acknowledged this and are working on a solution. A national project, called TAKO⁵⁰ started, to adopt communal collecting policies among the participating museums. The 65 museums all recognized that "mass production society produces huge amount of potential museum objects, museum storages are filling up. Physical storage space is very limited and the museum's knowledge of their existing collections and their contents is often rather limited as well. Lack of shared knowledge of the collections on a national level, collecting material "blindly" without knowing what museum has in its own collections and what other museums are collecting, has significant effect on acquisition and deaccession/ disposal activities and

processes."⁵¹ The museums are divided in collection groups. All groups focus on specific themes, upon which they collect and preserve their collections. The parts of collections that fall outside this thematic scope, are relocated in other participating museums or are disposed of, for they have proven to be duplicates in the whole of the national collection.

In the Netherlands, the burden of bulk has been a topic of discussion as well. Just like in Finland, the cultural, social, historically themed museums addressed this problem to the Dutch Museums Association, eventually leading to the addition of how to handle bulk objects in the newest LAMO (2016), that will be discussed later on.

Paradoxically, although the 'bulk' objects prove to be the biggest burden, high profile art works often form the basis for most of the existing guidelines due to their influence on public dismay. "Much is made of the mistakes, oversights and abuse of the disposal system, with the majority of this highlighted by the media being art-based and generating large sales income. What is not often reported is the continued use of disposal by many museums through transfers, loans, repatriation and destruction."⁵² In the Netherlands the only museum focused on written communication (the Scription Museum in Tilburg) closed due to municipal budget cuts. The entire collection of about 17.500 objects, varying from mass produced typewriters to expensive, one of a kind fountain pens, was sold by the trust holding the collection to a foundation, Disinherited Goods (Stichting Ontferd Goed) – which was specially established to help museums dispose of their collections. The fact that the entire collection was abandoned due to the museum's closure did not stir strong emotions among national media outlets. This stands in sharp contrast to the uproar surrounding the proposed sale of a Mondriaan painting by a municipal government in 1987 or the sale of the Marlene Dumas by Museum Gouda in 2012.

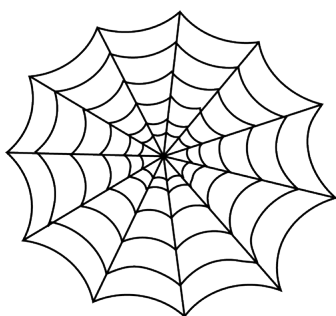
From object-based to value-based management

In the last ten years emphasis has shifted away

from deaccessioning being a goal, towards deaccessioning being a means to improve collections. Therefore, the justification for disposal transcends pragmatic (saving space and costs) reasoning and, instead, is focused on disposals based on clear frameworks (such as collections strategies), changing the discussion about decollecting entirely. "What is needed, is a review of the philosophy underpinning museum collecting and an examination of whether it still serves us well."⁵³ Nick Merriman discusses that "the museum profession has to give far greater attention to the purpose of holding collections in museums than it has before, rather than hiding behind notions of objectivity and permanence as a means of avoiding tackling pressing issues of collections management."⁵⁴ The case for accessioning an object is similar to that of deaccessioning an object in that they are always set against time, place and context, leaving room for subjectivity. By developing a collection review processes, the subjectivity can be eliminated to some extent. Collection reviews are processes that help museum professionals understand the content and contexts of the collections and form a basis to make objectified decisions. It focusses more on the value of the objects, in relation to its collections, or other frameworks.

It must be stressed that value-based management does not explicitly cover financial value, but rather intrinsic value. It looks at the contribution the object makes to the collection and how this object positions itself in relation to other objects. It focusses on what stories such object can tell and to what stories it can contribute. This way of thinking is best visualized

using the analogy of a spider web. At all crossroads objects are connected to other objects by contexts, stories and associations.



Thinking about the value or significance of a museum objects in their original context or museological context, first emerged in

Australia in 2001 when the Collections Council of Australia published *Significance*. This publication became an acclaimed guide on how to value museum and heritage collections and their significance. In the following years, the CCA revised the publication and produced *Significance 2.0: A guide to assessing the significance of collections*⁵⁵. In short, this guide places emphasis on determining why certain objects are collected, how they are important (for the museum), and the relationship they have with other objects or collections as a whole instead of just the factual information collected about them. Furthermore, the decision of what should be collected and its context is a decision that should not only be made by the curators, but also the community from which the object was used before becoming musealized. The *Significance* method has been an inspiration for many national guidelines, as we will discuss later on.

The role of the public

"Debates over deaccessioning and disposal should be conducted transparently, accompanied by a clear public explanation and rationale, and should involve the views of all stakeholders — from museum staff to local authorities and concerned individuals. This way, the public's sense of ownership of prized local collections can be honoured." Paolo Mazzarello calls for the deaccessioning processes to be executed in clear consultation with the public. This is a progressive school of thought, but in line with the development of the museum as an institution. Museologists argue that the museum field has changed its focus from internal (on the collection) to external (the public) functions. Since the museum field has become a visitor-centered paradigm, the visitor is invited, now more than ever, to actively participate in different fields of the museum.

One example of this collaborative or inclusive approach to deaccessioning took place at the University College London. UCL organized an exhibition on disposal which engaged visitors to think about the dilemmas museums face in a growing and dynamic society. Five of the objects in the exhibition were to be disposed of. Visitors were able to vote for the objects they would have chosen for disposal. As a result, visitors who experienced the exhibition left with

a better understanding of the concept of disposal. This gives evidence to the fact that when the public is actively involved in the deaccessioning process and it is clearly communicated, it is more likely to accept the outcomes, just as one of the outcomes of the British Museums Associations' *Public Consultation on Disposal* shows.

As museums are becoming more visitor centered and visitors are becoming more demanding, asking for transparency in administration, this trend will most probably develop further in the coming years.

Notes:

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- ¹⁸ MA Code of Ethics 2002, as quoted in *Too Much Stuff*, 2003, pp18-19
- ¹⁹ Lord, B., Lord, G. & Nicks, J. 1989. *The Cost of Collecting. Collection Management in UK Museums*. London,
- ²⁰ Meijer - Van Mensch, L., 'From disciplinary control to co-creation - collecting and the development of museums as praxis in the nineteenth and twentieth century, in *Encouraging Collections Mobility - A way forward for museums in Europe*. Helsinki, 2010. p 52
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- ²³ Merriman, N., *Museum Collections and Sustainability*, 2006
- ²⁴ Davies, P, 'Disposals: Debate, Dissent and Dilemma', in *Museums and the disposals debat. A collection of essays*, p 35
- ²⁵ Mazzarello, P, 'Museums: Stripped Assets, in *Nature, International weekly journal of science*, via <https://www.nature.com/nature/journal/v480/n7375/full/3480036a.html> - last visited 18 oct 2017
- ²⁶ ibidem 25
- ²⁷ Mairesse, F, 'Collections Strategies Now!', in *Encouraging Collections Mobility, a way forward for museums in Europe*, p 58
- ²⁸ Petterson, S, 'Collections Mobility - Stepping forward', in *Encouraging Collections Mobility, a way forward for museums in Europe*, p 166
- ²⁹ Garjans, J, 'Latvian Museums - Myths and Reality' in *Uncommon Culture*, 2010 Vol. 1, p 133
- ³⁰ This was discussed during the workshop on deaccessioning in Hungary, held in January 2017 in Budapest. See Appendix 1 for all information on the workshops
- ³¹ See Appendix 2, question 23
- ³² Kok, A. e.a., *Niets gaat verloren. Twintig jaar selectie en afstoting uit Nederlandse museale collecties*, 2007, backside of book
- ³³ NDMC, *Too Much Stuff?*, 2003, p 3
- ³⁴ Museums Association, *Disposal Toolkit*, 2014, p 9
- ³⁵ "Retningslinjer for indsamling ." Slots- og Kulturstyrelsen. Slots- og Kulturstyrelsen. Accessed November 2017. <https://slks.dk/museer/museernes-arbejdsgaver/indsamling/retningslinjer-for-indsamling/>
- ³⁶ Sarantola-Weiss, Minna & Välisti, Emilia. *Deaccessioning. Shared Experiences from Finland*. p 56
- ³⁷ Odding, A, 'Hoe houden we de eeuwigheid betaalbaar?', in *Onbeheersbaars Erfgoed. Zonder Kennis geen Keuze*, Nijmegen, 2013, p 40
- ³⁸ Fraser Webb, P, 'Strategic Collections Management', in *Museums and the disposal debate. A collection of Essays*, 2011, p 420
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- ⁵⁰ More information can be found on <http://tako.nba.fi/index>
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- ⁵³ Merriman, N., *Museum Collections and Sustainability*, 2006, p 4/5
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- ⁵⁵ Russell, R. and Winkworth, K., *Significance 2.0. A guide to assessing the significance of collections*, Collections Council of Australia, 2009, via <https://www.arts.gov.au/sites/g/files/net1761/f/significance-2.0.pdf>
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Chapter 3:

Praxis of deaccessioning and disposal

In addition to the trends in deaccessioning, the praxis has also changed over the past decade within Europe. There has been an emergence of national legislation, as well as an increase in national guidelines and other decollecting tools. All E.U. member states have legislation on the protection of cultural heritage and/or museums specifically. Twenty-three of them put deaccessioning and disposal in their laws. Luxembourg, Slovenia, Malta and Ireland, however, do not have legislation regarding deaccessioning or disposal.

In this chapter, we will look at the legislation and some regulations on the protection of museum objects, the possibilities in deaccessioning herein, and tools developed for this praxis, such as guidelines and databases.

The legislation on deaccessioning and disposal is directly linked to legislation on the protection of museum objects. The more protective the law, the less possibilities for deaccessioning and disposal. Therefore, the differences in legislation on the protection of museum objects are presented first.

Legislation

Museums have been developed with the understanding that they are to protect cultural heritage and safeguard it for future generations. Thus, in legislation around Europe, this is the guiding principle.

International legislation

On the European Union level, there is no legislation on deaccessioning. "The European Union officially adopts the subsidiary principle in matters of cultural policy, believing that heritage management is best pursued at a national or regional level by individual member states"⁶⁰.

The most followed international guidance and regulations in the museum sector, come from UNESCO and the International Council of Museums. The latter has dedicated six articles of its

Code of Ethics to the process of decollecting. It places emphasis on the importance of properly preparing for a decollecting project before any permanent steps are taken. Deaccessioning should only be executed when the significance of an object is known and the right governing bodies in compliance with the director and the curator of the museum have made a decision. Disposals can only be executed based upon a written collection plan, and the entire process must be documented precisely. ICOM states that the possible profits of a disposal should be used for the benefit of the collection, "usually for acquisitions to that same collection"⁶¹.

National legislation – protection of museum objects

As had been briefly mentioned the legislation for deaccessioning and disposal cannot be discussed without discussing the legislation on the protection of museum objects. There are different forms and levels of protection found in laws throughout Europe which are categorized into four groups:

- 1-level protection: legislation that covers the principle of inalienation, classification systems and national registers of objects, where all museum objects have the same, protected, status .
- 2-level protection: the law only protects a small part of the collection regarded as national importance, while the other parts have no specific protection.
- multiple level protection: the law dictates how museums should distinguish their museum collections into different groups with different modes of operation.
- no explicit protection: the law regards museum objects as national assets.

One-leveled protection - Principle of inalienation

Legislation in Spain, Italy, France, Greece and Romania follows the principle of the inalienability of museum objects. All five national laws state that museum objects are in principle not removable, with the exception of certain cases and only after deliberation and consent from a higher body (most likely the national government or affiliated institute) is granted.

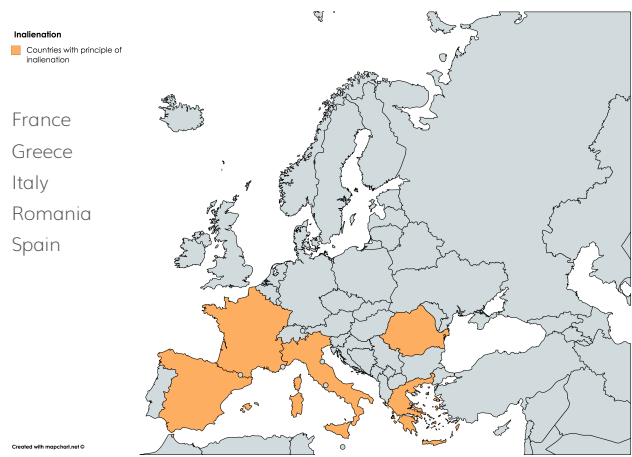


Chart 4: Countries with the principle of inalienation anno 2017

All objects that have once entered the museum inventory or will ever enter the inventory hold a special, protected status that differentiates them from regular state property. The decision to accession the objects into the collection automatically labels the objects of having national value, and, therefore, they must remain in the museum's collection for eternity. In legislation it is articulated as:

"Art. 32: The classified movable cultural goods, representing public assets of the State or of the territorial-administrative entities, are inalienable, imprescriptible and exempt from seizure." (Romanian law)⁶² or

"Article L451-3 The collections of the museums of France are imprescriptible." (French law)⁶³

One-leveled protection - Classification schemes
The inalienation of museum objects collides with the classification of all museum objects. Classification means the process of granting an object a special protected status, prohibiting any deaccessioning or disposal without explicit consent of a higher body. There are nine countries in Europe that work with the concept of classifying museum objects.

Although all laws use slightly different descriptions to describe a classified object, a general definition is that a classified object holds a high national value (whether it be artistic, historical, cultural, social, scientific or technical) and is, thus, irreplaceable.

The declaration of a classified object is executed by different institutions in every

country. In some cases, such as in the Czech Republic, Greece, Italy and Spain, the national government holds this responsibility.

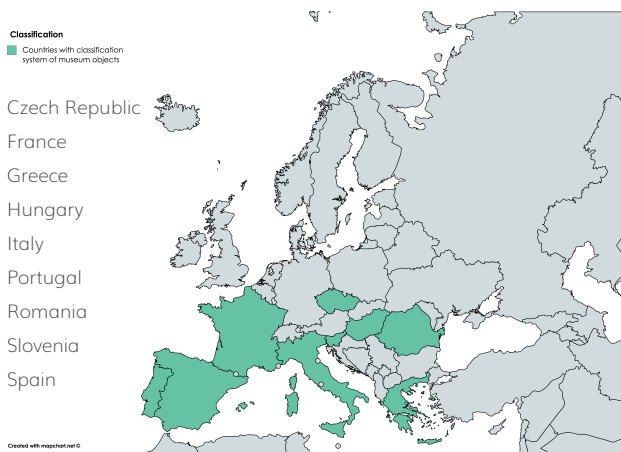


Chart 5: Countries with classification systems anno 2017

In Greece for instance, they use the term cultural monuments to signify objects of national value, and classify objects based upon historical periods:

- (movable) monuments from before 1453,
- (movable) monuments from 1453 - 1830 which constitutes finds from excavations or other archaeological research, or have been removed from immovable monuments as well as icons and other religious objects used for worship dating from the same period,
- (movable) monuments from 1453 - 1830, that are classified due to their social, technical, folk, ethnological, artistic, architectural, industrial or in general historic or scientific significance,
- recent cultural objects more than 100 years old that are classified due to their social, technical, folk, ethnological, artistic, architectural, industrial or in general historic or scientific significance,
- recent cultural objects that are classified due to their social, technical, folk, ethnological, artistic, architectural, industrial or in general historic or scientific significance.⁶⁴

The first two categories are unquestionably defined as being inalienable classified objects, while the other categories are classified based upon the decision made by the Minister of Culture, following a recommendation of the Service ("the competent Central or Regional Service of the Ministry of Culture"⁶⁵) and an

opinion of the Council (ad hoc competent advisory body which could be local councils, central councils or the council of museums).

It could be that a special committee is erected to decide upon accessioning proposals. Romania, France and Wallonia are examples of this. In Romania "classification shall be taken to mean the procedure of establishing which movable cultural goods belong to the thesaurus"⁶⁶ which is "formed of cultural items of exceptional value"⁶⁷. Cultural items of exceptional value are part of the national heritage, which includes

- a) goods of an exceptional valuable, historical, archaeological, documentary, ethnological, artistic, scientific and technical, literary, cinematographic, numismatic, philatelic, heraldic, bibliographic, cartographic and epigraphic, representing material evidence for the evolution of the natural environment and for the relation of humans with it, the potential creativity of man and of the Romanian contribution to the universal civilization;
- b) cultural goods that belong to public collections that appear in the inventory of museums, archives and libraries;
- c) cultural goods that are included in the inventory of religious cults and of ecclesiastical institutions.⁶⁸

The classification process is extensive. Art. 12 of the Romanian law of the protection of cultural heritage states:

- (1) Classification shall be performed on the basis of an expertise report elaborated by experts or specialists licensed by the National Commission of Museums and Collections.
- (2) The classification of an object must be completed within 3 months from the moment the procedure of classification began.
- (3) The competent scientific organism proficient in deciding on the classification submitting is the National Commission of Museums and Collections.
- (4) The classification decision will be signed by the president of the National Commission of Museums and Collections and will be approved by the Minister of Culture's order, within the term stipulated under paragraph (2).
- (5) The conclusions of the expertise report identifying the respective movable cultural object, the standard datasheet of the object

and a colour or black and white photograph will be attached to the classification decision. (6) In the case of movable cultural objects that were not submitted for classification, the conclusions of the expertise report containing the identification data of the goods will be communicated to the bearers of other real rights within 30 days after the expertise is over. (7) The expertise of the movable cultural objects that were not submitted to classification can be contested at the National Commission of Museums and Collections within 10 days after the handbill of the expert or specialist is received. The result of the contestation will be communicated within 20 days.

Likewise, in France: "Any acquisition, whether for valuable consideration or free of charge, of a property intended to enrich the collections of a museum in France shall be subject to the opinion of scientific bodies whose composition and methods of operation are determined by decree"⁶⁹. France has had this policy since the French Revolution, when the Royal collections were placed in public hands.⁷⁰

A similar procedure is seen in the region of Wallonia, Belgium, which has a "specific committee made up of experts from different specialties [that] is responsible for evaluating applications for acquisition and submitting an opinion to the Minister of Culture."⁷¹ The accessioning conditions are strict: "The request may relate to one or more goods, or even a set or a collection. The amount (including taxes and fees) of the acquisition must be at least 5,000 euros and cannot exceed 30,000 euros. A derogation from this ceiling is accepted for exceptional reasons (property whose purchase would represent a major enrichment of the cultural heritage in the Wallonia-Brussels Federation) that the museum will have to motivate. The property must have a heritage dimension (artistic, historical, archaeological, ethnological or scientific significance). If it is a work created by an artist who is still alive, the artist must have international recognition (which will be evaluated in relation to the exhibitions and publications dedicated to him)"⁷². The numbers of museum objects in the Wallonia Region are therefore a modest 27,000 objects divided over sixty museums in

Brussels and Wallonia.

In addition to governments and special committees having the decision-making power, museums themselves can decide what will enter the inventory. In Portugal, Hungary and Slovenia, museums themselves have the right to decide upon accessioning, and, thus, classification matters. In Portugal "classification shall be understood to mean the final act of the administrative procedure through which it is assessed that a certain asset possesses an inestimable cultural value"⁷³ Although the choice for adding an object to the museum inventory (thus classification) lies with individual museums, the responsibility for the object depends on the scope of its cultural interest. It can be classified on national, regional or municipal level. The various governments from that moment on are responsible for taking care of the object.⁷⁴ In the six weeks following the classification request, an investigation will be executed in order to figure out if classification is necessary. If an object is eligible for classification, it will be issued by governmental decree. The final decision will be communicated to all concerned parties including the municipality in which the asset was located, the service in charge of the investigation of the procedure, and any associations which may have taken part in the investigation. Every final decision shall be published and the decision will take effect on the date stated on the original notice.

One-levelled protection: List of all museum objects

The intention of such lists is to administer all objects that are managed by museums.

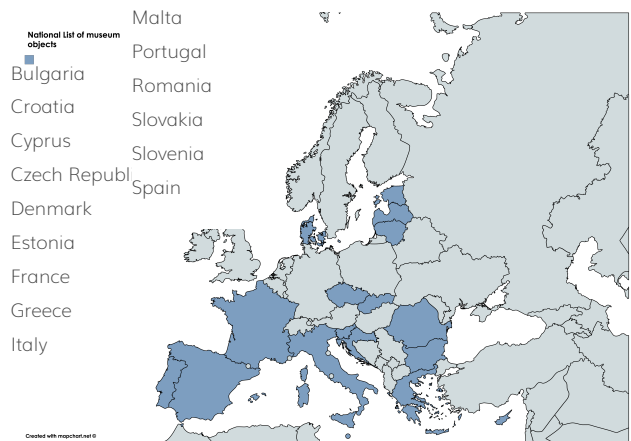


Chart 6: Countries with list of all museum objects anno 2017

Fifteen countries in Europe are required to maintain these all-encompassing registration lists. Examples include: The National Museum Stock (Bulgaria), the Central List of Cultural Monuments (Czech Republic), the Museums' Collection Register (Denmark), the National Inventory of the Cultural Property of the Maltese Islands (Malta), and the Patrimonial Register of Classification (Portugal).

The Maltese inventory was only recently established (16 December 2011), by the Superintendence of Malta which is the heritage agency of the Maltese Ministry of Culture). "It shall be the function of the Superintendence to establish, update, manage and, where appropriate, publish, or to ensure the compilation of, a national inventory of cultural property belonging to the State or State institutions, to the Catholic Church and to other religious denominations, to Foundations established in these islands, to physical and juridical persons when the cultural property has been made accessible to the public, or when such persons have given their consent for such a purpose."⁷⁵

In Lithuania 'the movable item holding cultural value' is inventoried in the Register of Movable Cultural Property, "the accounting documents of the museums and libraries whose founders are state or municipal institutions and other public legal entities (hereinafter referred to as 'museums and libraries') and the National Documentary Fund, processing and storage of data on cultural property"⁷⁶.

In Latvia, "state and municipal museums have gathered more than 5 million cultural heritage objects that, taken together, comprise the National Holdings of Museums"⁷⁷.

The Museum Documentation Center (MDC) in Zagreb manages the Register of Museums, Galleries and Collections in Croatia. In this register, museums are obliged to describe their collections on an object level. "The Register is actually a record of the 'musealized heritage' and contains data about all the museum institutions in Croatia irrespective of their legal and administrative status."⁷⁸ Due to the magnitude of this process, not every museum has added its collections to the Register.

However, it is the intention to have all museum collections on the register as soon as possible and to audit this inventory every ten years. As figure number 1 (on next page) shows, the inventorization of museum objects for Latvian museums is very elaborate. Greek museums also struggle with concurrent registration of their objects for their own records and for the list held at the National Inventory of Monuments, even though this registration is compulsory under Greek law.⁷⁹

The Estonian process of listing cultural object is perhaps exemplary for all countries:

§ 15. Database of museums

(1) The database of museums shall be established by the Ministry of Culture for registration of a thing of cultural value as a museum object, preservation of the data collected with regard to a museum object and a thing accepted on deposit with the museum for longer than a year and for registration of acts performed with a museum object and a thing accepted on deposit with the museum for longer than a year, as well as for introduction, free of charge, of a museum object and a thing accepted on deposit with the museum for longer than a year. The statutes of the database of museums shall be established by a regulation of the Minister of Culture.

(2) The database of museums may keep record of the acts performed with regard to a thing included in the auxiliary collection, the data collected thereof and acts performed with a thing included in the auxiliary collection.

(3) The chief processor of the database of museums is the Ministry of Culture.

(4) The duties of the chief processor of the database of museums may be performed by a legal person in private law on the basis of a contract under public law to the extent prescribed by the chief processor.

(5) Joining the database of museums shall be compulsory for a state museum and a museum with which a contract under public law is concluded for the use of the state-owned museum collection pursuant to § 9 of this Act, except for the museum collection in the field of nature for which data shall be available to the public in another manner.

(6) A museum of a legal person in public law, a municipal museum and a private museum

List of compulsory and recommended fields for the national inventory of Latvia

Field number	Field name	Required	Recommended	Classified	Publicly available
1 Identification of the item					
1.1.	Museum, other institution or individual, name	X			X
1.2.	The name of the unit		X		X
1.3.	Address	X			X
1.4.	The name of the collection		X	X	X
1.5.	Exposed	X			X
1.6.	Type of stock	X		X	
1.7.	Inventory number	X ¹			X
1.8.	Collection number	X ¹			X
2 Documenting the subject					
2.1.	Contract number		X		
2.2.	Act number		X		
2.3.	Registration date		X		
2.4.	Type of acquisition		X	X	X
2.5.	Acquisition method		X	X	X
2.6.	Source of acquisition:				
2.6.1.	name and surname		X		
2.6.2.	personal code		X		
2.6.3.	authority		X		
2.6.4.	post		X		
2.6.5.	address		X		
2.7.	Number of counting units		X		
2.8.	Number of copies		X		
2.9.	The price		X		
2.10.	Currency		X	X	
2.11.	Notes		X		
3 Description of the subject					
3.1.	Multimedia field		X		X
3.2.	Subject type	X		X	X
3.3.	Title of the item	X			X
3.4.	Other names		X		X
3.5.	Headline or title		X		X
3.6.	Author or maker		X		X
3.7.	Information about the author		X		X
3.8.	Artist		X		X
3.9.	Originally		X		X
3.10.	Manufacturer or publisher		X		X
3.11.	Place of manufacture		X		X
3.12.	Substance use		X		X
3.13.	Place of use		X		X
3.14.	Place of capture or collection		X		X
3.15.	Date of acquisition or collection		X		X
3.16.	Date of manufacture		X		X
3.17.	Language		X		X
3.18.	Authenticity		X	X	X
3.19.	Material		X		X
3.20.	Merit:				
3.20.1.	unit of measurement		X		X
3.20.2.	height		X		X
3.20.3.	length		X		X
3.20.4.	width		X		X
3.20.5.	height with presentation		X		X
3.20.6.	length with design		X		X
3.20.7.	width with presentation		X		X
3.20.8.	diameter		X		X
3.20.9.	the others		X		X
3.20.10.	unit of weight		X		X
3.20.11.	item weight		X		X
3.21.	Description		X		X
3.22.	Content description		X		X
3.23.	Memorial historical affiliation		X		X
3.24.	History of the subject		X		X
3.25.	Number of audio copy or visual copy of the subject		X		X
3.26.	Degree of preservation		X		X
3.27.	Binding to other items		X		X
3.28.	Terms of use		X		X
3.29.	Copyright		X		X
3.30.	Copyright holder		X		
3.31.	Topographic position of the subject		X		
3.32.	Stratigraphy		X	X	X
3.33.	Biological systematics		X	X	X

Figure 1: Table of content for national inventory of Latvia (as stated in the Regulations on the National Museum Stock 2006)

shall have the right to join the database of museums submitting an application to the Minister of Culture in this respect. The Minister of Culture shall decide on the joining with the museum on condition that the activities of the museum correspond to the functions of the museum provided for in subsection 2 (1) of this Act. The joining with the database of museums shall be enacted by concluding a contract between the museum and the Minister of Culture.

(7) The joining with the database of museums and the using thereof shall be free of charge for the museums.

(8) A museum shall have the right to process personal data which are included in the museum object or in the data describing thereof in the database of museums.⁸⁰

Almost all countries using the classification system, have a national list of museum objects. Only Italy seems to not use this. In the countries that use the national list as well, deaccessioning and disposal is possible.

Two-levelled protection

In Austria, the region of Flanders in Belgium, Denmark, Finland, Germany, Ireland, Luxembourg, the Netherlands, Poland, Slovakia and the UK there is a two layered division regarding the protection of museum objects: 1) objects that are regarded as invaluable significance for the country and, thus, are protected and 2) objects with no direct legislative protection.

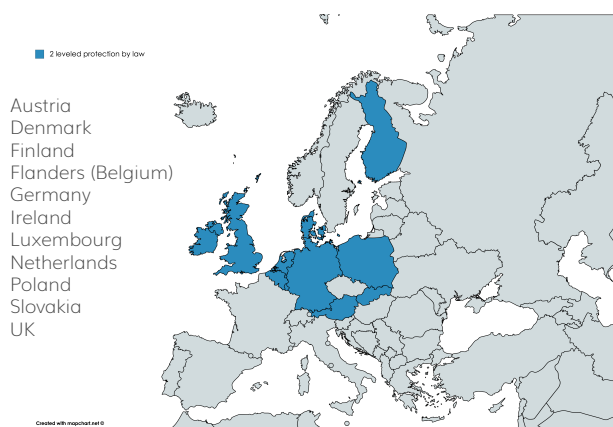


Chart 7: Countries with 2-level protection

In the Netherlands, Austria, Flanders, Finland, Germany, Poland and Slovakia the division is based upon an estimated intrinsic value. It must be of irreplaceable value for a country to

put such an object on this (small) list. This list of protected items is limited and is guarded by the Ministry of Culture or one of its services.

The Netherlands has such a list which currently holds 642 objects that are both privately and publically owned. "The objects that are designated have a particular cultural or scientific significance or are of exceptional beauty and are eligible for protection because they are considered irreplaceable and indispensable for Dutch cultural property. Inheritability applies if there are no similar objects (or collections) in good condition in the Netherlands."⁸¹ The list is quite static in that no accessions are expected the coming years.

In Flanders, there is the distinction between regular objects and pieces of excellence ('topstukken') that are "rare, indispensable, [or have] a special value for collective memory, including the function as a clear reminder, among other things, of persons, institutions, events or traditions that are important for the culture, history or science of Flanders."⁸² These pieces of excellence have their own legislation (Topstukkendecreet), while the other objects have no legislative grounds for protection.

In 2016 Germany issued a national law in order to protect national cultural property. This national cultural property is defined as "Particularly important for the cultural heritage of Germany, the countries or one of its historical regions and thus identity for the culture of Germany and its emigration would mean a significant loss to the German cultural heritage and therefore his whereabouts in the federal territory in the outstanding cultural public interest. By no means is any cultural property of great historical, artistic or scientific importance to be placed under this special individual protection. Only a few, particularly outstanding works can be considered for registration."⁸³ Since most of the cultural issues are handled on *Länder* level, it is quite an exception that the national government adopted this law.

Austria protects its 'monuments' (movable and immovable) defined as, "man-made immovable and movable objects (including remains and traces of creative human

intervention and artificially constructed or moulded ground formations) of historic, artistic or other cultural significance" [...]. Due to the significance, their preservation is in the public interest. This significance may be due to the objects on itself, but it may also arise from its relationship to, or location in relation to, other objects."⁸⁴

Luxembourg, Ireland, Denmark and the UK only make a division between state owned/managed objects and non-state owned/managed objects within museums.

Multileveled protection

In some cases legislation can explain how museums divide their collections based upon intrinsic value. Examples were found in countries such as Bulgaria and Latvia.

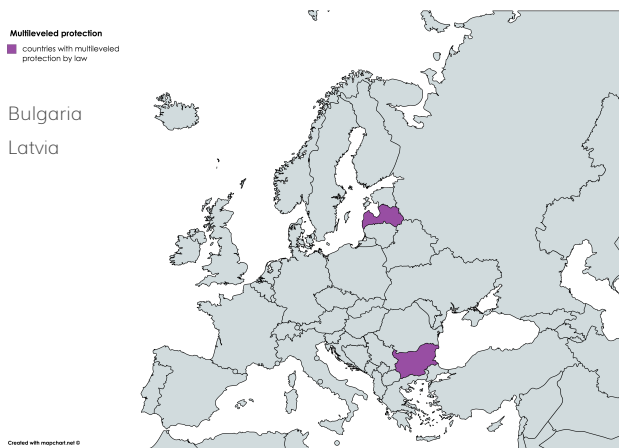


Chart 8: Countries with multi-levelled protection anno 2017

Bulgaria has three official levels of museum collections: "Museums shall keep main stocks, exchange stocks, and auxiliary research stocks."⁸⁵ The main stocks are the core collections while the auxiliary stocks are supportive collections. In other words an auxiliary collection is a collection formed for the purpose of supporting the function of a museum and includes objects which do not per se have heritage value. Exchange stocks consists of objects that do not meet the theme of the museum or are duplicates and, thus, are available for exchange.⁸⁶

In Latvia, "the Museum Law defines it [the National Holdings of Museums] as a national treasure under the protection of the state. The National Holdings of Museums ensure thematic and chronological reflection of the

national cultural history."⁸⁷ These national holdings are divided in three levels of heritage: the national collection, auxiliary collections and exchange collections.⁸⁸ The national collection consists of objects that have cultural, historical, artistic, memorial, or scientific value. Auxiliary resources include copies of the museum's subject matter such as:

- 1) objects made for research, cultural education or exhibition purposes,
- 2) objects not sufficiently studied by the museum which after research could be included in the national collection,
- 3) poorly preserved museum objects which after their restoration could be included in the national collection, or
- 4) museum items from unstable and untested material.

The exchange collection refers to museum objects that do not correspond to the museum's mission and collection policy. They include:

1. museum objects which do not conform to the mission and holdings acquisition policy of the museum;
2. museum objects purchased for exchange;
3. donations and bequests, if the donor or bequeather agrees to the utilisation of the museum objects for exchange;
4. museum objects accepted from public and private institutions for exchange;
5. other specimens of museum objects if the core holdings or auxiliary holdings at the museum contain analogous specimens of the relevant museum object;
6. museum objects which have been included from the core holdings in accordance with a decision by the Collection Commission of the museum and the permission of the Ministry of Culture; and
7. museum objects which have been included from the auxiliary collections in accordance with a decision by the Collection Commission of the museum and the order of the Director (manager) of the museum.⁸⁹

Defining these different levels of protection, with all the possibilities that encompass each level, makes the handling of collections easier and gives (at least in theory), a transparent overview of the protection level and thus disposal possibilities within a museum.

No specific protection of museum objects

There are two countries that do not make a distinction between museum objects and regular state assets in their legislation; Sweden and Poland.

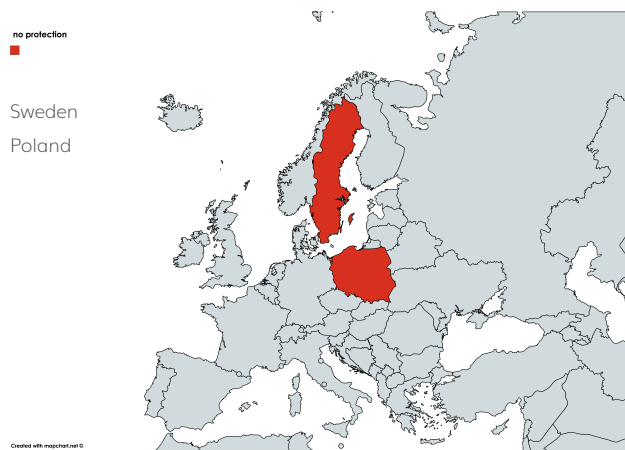


Chart 8: Countries with no legislative protection of museum objects

In Poland museum objects are not protected by law, but are seen as "the element of the state of local governments units and state administration units and in this sphere there are no regulations preventing or influencing the unit from disposing of cultural goods"⁹⁰. Museum objects are, therefore, simply state assets.⁹¹

In Sweden, one national museum⁹² was asked by the government to value its collection and include them in the financial statement of the museum. The curator tried to avoid this, since he believes museum objects should not to be economized. Even if the object's economic value were to be included in the budget, the balance sheet would become very unbalanced. However, museum objects held by national museums are regarded by law as national assets and fall under the Swedish Budget Law of 1996.

National legislation - Deaccessioning and disposal

There are some countries that have adopted specific legislation on deaccessioning and disposal. Within the legislation there is a distinction between a strong presumption against the process (as found in mostly one-levelled legislation) and the presumption that

deaccessioning and disposal should be possible. The details on the specifics differ per country; legislation in Flanders and Sweden give very little detail while Austria, Estonian and Latvian law provide extensive information. Next to the details, the scope of legislation varies. Estonian law counts for every museum, while UK legislation is restricted to the national museums.

Deaccessioning and declassification

In the countries that have classification systems the legislative deaccessioning process falls under declassification. Offering an object for declassification means that the object that is under governmental protection is no longer worth this protection, due to the loss of its cultural interest. After the declassification process, the government therefore no longer holds responsibility.

France, for instance, established the Scientific Commission on Collections (*Commission Scientifique de Collections Nationale - CSCN*) for this procedure in 2010. Marie Cornu, director of Research of the Institute of Political Social Sciences and member of the CSCN, explains that if a request is received the CSCN investigates all alternatives before regarding declassification an option. "Declassifying consists of taking a good out of the public domain in the sense of the General Code of the ownership of public persons. As this code links cultural property to the public domain according to its public interest – thus, regarding its historical, art, archeological, scientific or technical significance - the commission decides on a proposal for declassification based upon the loss of public interest towards the property from the French public collection."⁹³ It is important to note, however, that from 2010 until at least May 2017 the CSCN has never received a request for declassification.

In Slovenia "termination of monument status [thus declassification, DW] shall be decided by the authority competent for proclaiming the monument under the procedure laid down in respect of proclaiming a monument. A monument managed by a national or authorised museum shall have its status as a monument terminated upon its deletion from

the inventory ledger on the basis of an order issued by the authority which, according to the museum's memorandum of association, addresses all such issues in that field of professional activity within the museum"⁹⁴.

In Greece the classification of monuments can be revoked due to material errors⁹⁵, or if the object lacks historical, artistic or scientific significance⁹⁶. This revocation can only be issued by the Ministry of Culture after advisement from the Council.

In Portugal the declassification process is *mutatis mutandi*, the same as the classification process. In order to be illegible for classification (and, thus, eligible for declassification), an object must no longer meet one or more of the following criteria:

- (a) the matrix nature of the asset;
- (b) the brilliance of its creator;
- (c) the interest of the asset as symbolic or religious witness;
- (d) the interest of the asset as remarkable witness of historic life experiences or facts;
- (e) the intrinsic aesthetic, technical or material value of the asset;
- (f) the architectural, urban or landscape design;
- (g) the extension of the asset and its reflected features as seen from a collective memory angle;
- (h) the relevance of the asset from an historical or scientific investigation angle;
- (i) any circumstances likely to cause reduction or loss of the asset perpetuity or integrity.⁹⁷

Deaccessioning and disposal

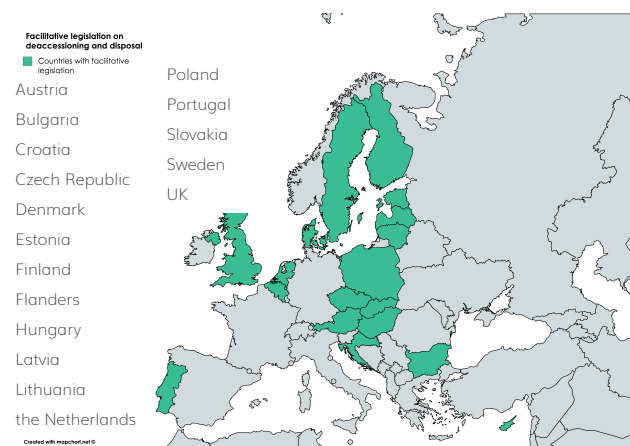


Chart 9: Countries with facilitative legislation towards deaccessioning

Austria, the Flanders region of Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Hungary, Latvia, Lithuania, the Netherlands, Poland, Portugal, Slovakia, Sweden and the UK all have specific legislation regarding deaccessioning and disposal. One common factor of these various laws is the principle that deaccessioning and disposal may be carried out with the permission of the object's owner and/or manager, whether this be a minister of a national cultural agency, the head of a governmental body, a board of professionals, or a similar institute.

Certain countries, such as Estonia, have formally included reasons for disposal in their national legislation. In addition, they also elaborate on why museums should deaccession in article 11 of the museum act:

- (1) A museum object of a museum that has joined the database of museums shall be deaccessioned from a museum collection, if the museum's object:
 - 1) has been damaged and cannot be restored;
 - 2) has been destroyed or lost and has not been found in the course of at least two consecutive regular inventories;
 - 3) is transferred to another museum that has joined the database of museums, library or the National Archives of Estonia on the basis of § 7 of this Act;
 - 4) has gone out of the possession of the owner against his or her will before the registration in the museum collection or has been taken out of another state and it shall be transferred to the owner or returned to another state.
- (2) A museum object may be deaccessioned from the museum collection if:
 - 1) the belonging of a museum object to the museum collection is not in accordance with the collecting policy of the museum;
 - 2) there are museum objects which are, to a significant extent, similar to a museum object in the museum collection of the same museum or another state-owned museum collection, which are in a better condition or the data of cultural value with regard thereto is more complete.
- (3) The deaccessioning of a museum object from the museum collection on the basis

provided for in subsections (1) and (2) of this section and the selection of the manner of disposal of the museum object shall be conducted on the decision of the founder of the museum, taking account of the reasoned proposal of the head of the museum, a person appointed by the founder of a museum or a person in public law or a decision making body thereof, to which the opinion of an independent expert is appended.

Swedish law talks about "items in the museums' collections which have a limited cultural historical value."⁹⁸ Bulgaria can only dispose of its exchange collections, as is also the case for Lithuania. "The exchange stocks shall include movable cultural values which do not correspond to its thematic scope, as well as recurrently repeated cultural values in the main stocks"⁹⁹.

In Croatia when an object "loses the qualities because of which it is protected" it is eligible for disposal.¹⁰⁰ In Latvia objects can be deaccessioned when: "the object has significant damage, due to which it cannot be restored, the object has been lost or naturally disintegrated, the object has been acquired illegally, or the object has lost the museum-related value thereof."¹⁰¹

Forms of disposal

The process of how to dispose is also, at times, explained by law.

Estonia Museum Act §11:

- (4) A damaged and irrecoverable thing deaccessioned from a state-owned museum shall be written off and destroyed on the basis of subsection 55 (2) of the State Assets Act pursuant to the procedure established by the administrator of state assets for declaring state assets unserviceable, writing off and destructing state assets.
- (5) A thing deaccessioned from the museum collection of a state museum on the basis of subsection (2) of this section shall be taken into use in the same or another museum that has joined the database of museums for the purpose of supporting the functions of the museum, transferred to a library or

- archives or returned to the person who has donated or sold the thing to the museum.
- (6) If the activities provided for in subsection (5) of this section are impossible, the thing shall be transferred for a consideration at a public auction, regardless of the usual value of the museum object.
- (7) The public auction shall be held electronically and the auctioneer for the purposes of the State Assets Act shall be the Ministry of Culture.
- (8) If, on the assessment of the administrator of the state assets, the expenses of the transfer were over the profit to be gained or if it is impossible to transfer a thing at a public auction, it shall be written off and destructed pursuant to the procedure for declaring the state assets unserviceable, writing off and destructing thereof, established by the administrator of state assets on the basis of subsection 55 (2) of the State Assets Act.

In Poland, the forms of disposal are clear:

1. State museums and local government museums may exchange, sell or donate museum objects subject to the consent of the minister responsible for matters of culture and national heritage protection. The consent to exchange, sell or donate a museum object may only be granted in exceptional and justified cases. Funds gained from the sales of museum objects may only be used to complement the collections held by the museum.
2. The minister responsible for matters of culture and national heritage protection may grant consent to exchange, sell or donate museum objects upon the motion of the museum director consulted with the museum council and submitted, via the competent entity referred to under Article 5 Sections 2 or 3 – upon consultation with the Council for Museums.¹⁰²

In Cyprus, when an antiquity loses its heritage value and no longer fits within the scope of a public museum, it can be disposed of via sale, exchange or otherwise.¹⁰³

Legislation in Austria and the Netherlands elaborates more so on the entire process of disposal rather than just the methods which may be used. Austria's legislation is quite

extensive:

§ 6. (1) The voluntary alienation of monuments which are under monument protection solely by virtue of legal presumption (§ 2 para. 1) requires the permission of the Federal Monuments Authority. If such monuments are voluntarily alienated without the permission of the Federal Monuments Authority such that at least half of the monument is now in the ownership of persons not specified in § 2 para. 1 first sentence, they continue to be subject to the provisions of § 2 para. 1, including all legal consequences arising therefrom. To the extent that the voluntary alienation occurs by law, this continuation of protection ends five years after the transfer of ownership. (2) Permission for alienation pursuant to para. 1 may only be granted if the acquirer is simultaneously identified as such. Prior to the decision whether to grant or deny permission for alienation to a person not specified in § 2, it must be determined pursuant to § 2 para. 2 whether a public interest in fact exists in the preservation of the monument. If it is determined that no such public interest exists, the procedure concerning the permission for alienation must be discontinued due to its redundancy. (3) Permission pursuant to para. 1 will expire if it is not made use of within a period of five years. (4) The alienation of monuments, the preservation of which has been determined to be in the public interest by regulation pursuant to § 2a or by decree pursuant to § 3 para. 1 or pursuant to another procedure specified in § 2 para. 3, or in respect of which a procedure for placement under monument protection has been initiated (§ 16 para. 2), must be notified by the alienor (or other person authorised to Federal law – consolidated www.ris.bka.gv.at Page 8 of 25 dispose of the monument, such as the commission agent) to the Federal Monuments Authority within two weeks, simultaneously identifying the acquirer. The determination that a public interest exists is not affected by the change in ownership. Without prejudice to the provisions of § 2a para. 7 and § 3 para. 3, the alienor (or other person authorised to dispose of the monument) is obligated to inform the acquirer of such a monument that it is

subject to the restrictions of this Federal Act or (if the acquirer is already aware of this), that a procedure for placement under monument protection has been initiated. (5) The voluntary alienation or encumbrance of individual objects from a collection requires the written permission of the Federal Monuments Authority if the Federal Monuments Authority has placed this collection under monument protection as a unit (§ 1 para. 4 and 5). Voluntary alienation or encumbrance without such permission is prohibited and considered null and void pursuant to § 879 of the Austrian Civil Code. Any execution procedure conducted in relation to individual objects belonging to such a collection must be discontinued upon the request of the Federal Monuments Authority. If an execution procedure is being conducted in relation to all objects belonging to such a collection, these must be disposed of as a whole if the Federal Monuments Authority has informed the court in a timely manner that it is a collection in the above mentioned sense. The circumstance that objects belonging to a collection which has been declared a unit have, in the meantime, passed into the ownership (coownership) of several persons (for example by the devolution of an estate of a deceased person) does not affect the legal status of the collection as a unit. In such cases, the Federal Monuments Authority may ex officio issue a decree revoking the status of the collection as a unit or redefining the unit.

Likewise, in the Netherlands the complete process of disposal is detailed in the Cultural Heritage Act of 2016 (Erfgoedwet). The first step is for a museum is to give notice of their intended disposal to the Minister of the Culture. This notice will be published in the national newspaper and online for a minimum of eight weeks for the public at large and professional colleagues to have access to it. Therefore, it is compulsory that the museum disclose details about the intention of the disposal project. During this period, however, the object(s) up for disposal may not be removed from the museum, even if a new owner is already found, since this waiting period is used to ensure the objects do not possess national cultural value.

If there is any doubt about the significance of an object, the ministry will assemble an independent commission which will conduct further research. If the object is of national importance, it may be transferred to another public museum, but may not leave the public domain¹⁰⁴. However, if the object does not have national value, it must be offered to another museum or public institute. If no other entity is interested in retaining ownership of the object, the museum is free to dispose the object in a manner it sees fit. This includes sale to the private domain and destruction.

However, not all legislation provides sufficient information about the process and/or reasons to dispose of an object. As of February 2017, the relocation of unwanted objects from museum collections in Flanders has, officially, become one of the functions of museums under the Cultural Heritage Decree (Cultureel Erfgoeddecreet¹⁰⁵). The understanding of how to deaccession and implement disposal techniques is left open for interpretation. The only sentence to be found is:

"§3.8: The functions [of museums, DW] are the recognition, collecting, appointing, mapping, registering documenting, assessing, acquisitioning, selecting and relocating of cultural heritage."¹⁰⁶

In the same way, the new museum law of Sweden only states that the government "may issue regulations requiring the state museums to transfer items from their collections to other museums in the general museum fair and the government may also issue regulations on disposals of such items in the museums' collections of museums which have a limited cultural historical value."¹⁰⁷

Denmark simply states, "In special circumstances, the museums owned by the state may dispose of objects from the collections, subject to the approval of the Minister for Culture."¹⁰⁸

The idea of transferring ownership of a museum object is wide spread. As was previously mentioned, even countries that do not prefer disposal do agree that the transfer of an object to another public museum, which would improve the visibility of the object, is an

acceptable action. In some countries this sort of exchange does not mean that the ownership of the object has changed. This explains why some countries do not see the exchange or transfer of objects within the museum sector as a form of disposal. However, the range in which museums can transfer objects is different per country. In Sweden, it is commonplace that the transfer of objects is only possible between public museums from the same governmental layer. In France, transfer is only possible between state accredited museums, Les Musées de France. "A public person may transfer, free of charge, the property of any of its collections to another public person if that party agrees to maintain the assignment to a Musée de France. The transfer of ownership is approved by decision of the administrative authority, after opinion of the Haute Conseil de Musée de France."¹⁰⁹ These Musées de France can be found on all governmental levels. Estonia works with a database of museums which is similar to the French system. Transfer between museums is always possible, unless "the transfer damages the integrity of the museum collection, and if the museum object is needed for the replenishment of the museum collection of another museum."¹¹⁰

Scope of legislation

The possibility of transfers is directly linked to the different scopes of legislation. In Dutch heritage law, all paragraphs apply to nationally owned heritage and the museums that are subsidized by the national government. Provincial and local governments are invited to develop their own regulation regarding cultural heritage.¹¹¹ The UK Museums and Galleries Act of 2010 only applies to five museums: the National Gallery, the Tate Gallery, the British Museum, the National Portrait Gallery and the Wallace Collection.

In countries such as Denmark, France and Estonia the national government has more legislative influence on local museums if they are subsidized by the national government. It is often the case that a national advisory commission responsible for the organization of the museum field. In Denmark this is Slot og Kulturstyrelsen (the Agency for Culture and Palaces). The agency is responsible for managing and maintaining state-owned

palaces and castles, gardens, and cultural properties.¹¹² This means that it guides museums in their professionalization, executes regular quality assessments in collections management, such as disposal, and can 'force' museums to change their ways.

The local Brønderslev museum was assessed in 2017¹¹³ and the Kulturstyreslen decided that the museum was in peril. The assessment was a follow-up from an earlier assessment in 2010 during which the peril was already noticed. The Kulturstyreslen decided that the museum needed to professionalize its collections management strategies. Although, in 2017 the museum disposed of 1,500 objects from a collection consisting of the 32.000, the Kulturstyreslen was not satisfied with these numbers and insisted that the museum could dispose of more objects in the coming years. This shows the possible direct influence a national government can have on local entities.

In other countries where there is no central organ responsible for the museum field local museums are more dependent on local governments to make regulation, as is the case in the UK. "Local authorities are by at their heart political bodies, governed by an elected council and subject to a certain amount of steer from central government. These bodies are subject to strategic change as political fortunes ebb, flow and the color of the elected bodies change."¹¹⁴ As we have seen in former chapter, it has led to many unethical and financially motivated disposals. Next to this, municipal museum professionals tend to find it difficult to implement long term policies, for every four years (after the local elections), new councils mean new ideas, prohibiting museums to plan ahead, as multiple participants of the workshops have mentioned this.

Accreditation schemes

Some countries also have accreditation scheme which acknowledge museums that follow the highest ethical standards in the country. An accreditation scheme "sets out nationally-agreed standards, which inspire the confidence of the public and funding and governing bodies. It enables museums to

assess their current performance, as well as supporting them to plan and develop their services"¹¹⁵. Such a scheme provides stakeholders with the notion that museums act/are managed by and function under a certain level of professionalism. Additionally, accredited museums have access to a broader range of subsidies than non-accredited museums.

If an institution were to propose an unethical disposal, the threat of losing accreditation may be forceful enough to stop the case since losing accreditation has far reaching consequences for a museum; facing public disgrace, losing the trust of stakeholders (and, perhaps, future donors), and potentially losing funding.

Accreditation schemes can be set by the state (as is the case in France, Greece, Latvia, Poland, Romania and Slovakia - pink in the chart) or by an independent museum organization (carried out in countries such as, Ireland, Austria, the Netherlands, Portugal and Slovenia - green in the chart).

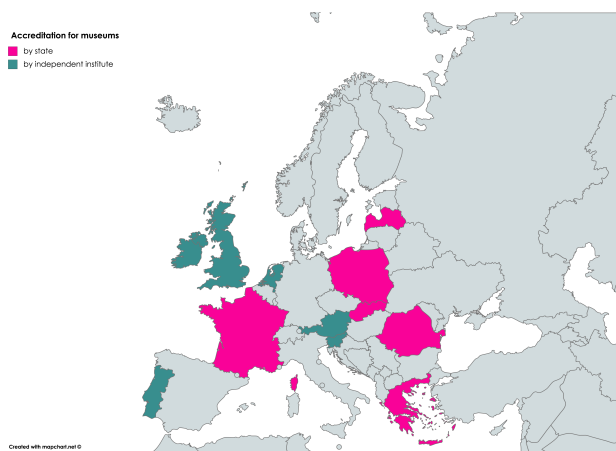


Chart 10: Countries with formal form of accreditation anno 2017

Tools

Deaccessioning and disposal is becoming a more standardized procedure which is why we can see a growth in guidelines and other tools. However, these formal changes are more predominant in the Anglo-Saxon countries.

Guidelines

In the European Union, there are six countries

with official deaccessioning guidelines: The United Kingdom (Disposal Toolkit - latest version 2014), The Netherlands (Leidraad voor het afstoten van Museale Objecten/LAMO - latest version 2016), Austria (Ein Leitfaden zur Sammlungsqualifizierung durch Entsammeln - 2016), Denmark (Vejledning til udskillelse - latest version 2010), Germany (Nachhaltiges Sammeln. Ein Leitfaden zum Sammeln und Abgeben von Museumsgut - 2011) and Sweden (God samlingsförvaltning – stöd för museer i gallringsprocessen)

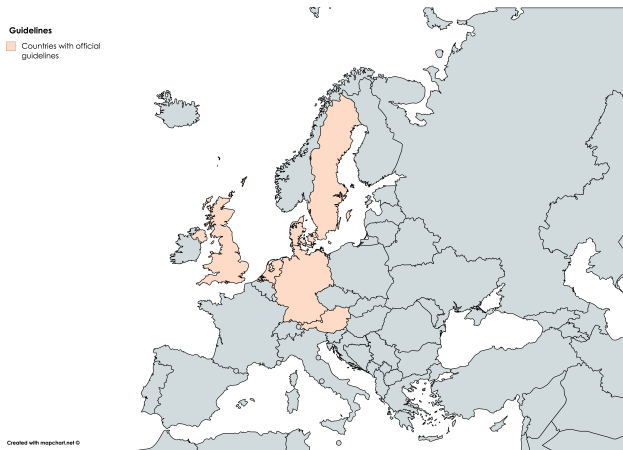


Chart 11: Countries with guidelines on deaccessioning anno 2017

Finland has published a best practices document (Deaccessioning. Sharing experiences from Finland - 2016) in which a model of deaccessioning is presented that could be used as a guideline.

When comparing these European guidelines, it is clear they all follow the ICOM Code of Ethics with regards to: the owner of the object has the final decision making power; decisions should be based on a written collections policy, and objects must at first always be offered to other public museums before disposal in the private domain can be considered. However, Austria excludes the possibility of financially motivated disposals and clarifies that if an object were to be sold on the private market, the preservation of the object must be guaranteed by the new owner.¹¹⁶ Likewise, if a profit were to be made from the sale, it should be spent on the collection and cannot be put towards the general budget of the museum. This is a standard that applies for all guidelines with the exception of the financially motivated disposal Toolkit from the UK.

Development of guidelines in the UK

This Financially Motivated Disposal Toolkit (an appendix of the Disposal Toolkit 2014) was developed by the British Museums Association in 2014, due to the growth of unethical disposals (as was mentioned in the previous chapter) carried out for the most part by city councils in order to raise money for purposes other than the collection. The Museums Association believed additional scrutiny on the matter of financially motivated disposal was needed to "help [museums] make decisions in undertaking such actions"¹¹⁷. The aim of the 2014 appendix on financial motivated disposal was to provide museums with guidance through this difficult process, since financially motivated disposal should only be executed in extreme and exceptional cases. Proposals must meet all requirements of the MA Code of Ethics: the museum must demonstrate that it will significantly improve the long-term public benefit and the remaining collection, it is not to generate short-term revenue (e.g. to meet a budget deficit), and it is a last resort after other sources of funding have been thoroughly explored. Additionally, extensive prior consultation with sector bodies must be undertaken and items under consideration must lay outside the museum's established core collection, as defined in the collections development policy¹¹⁸. The process for financially motivated disposal is very extensive, as it consists out of 5 stages with 24 steps.¹¹⁹

The formal development of adding financially motivated disposal to the guideline was decided upon during the Annual General Meeting of the Museums Association in 2007. It was decided that financially motivated disposal should be possible in extreme cases because "there are some very exceptional cases in which the public interest may be best served by limited financially motivated disposal (sale) of a very small number of high-value items" and "it is clear that museums do in fact regularly dispose of low value items with the aim of reducing the costs of storage as part of a balanced collections management policy and so there is a need to reflect current practice and remove the existing requirement that museums must not undertake financially motivated disposal in order to reduce

expenditure"¹²⁰.

The first version of the Disposal Toolkit (2008) touches on the subject of disposing for profit briefly. It should only be considered when "it will improve the long-term public benefit derived from the remaining collection, it is not to generate short term revenue (for example to meet a budget deficit), it is a last resort after other sources of funding have been thoroughly explored, extensive prior consultation with sector bodies has been undertaken and the item under consideration lies outside the museum's established core collection as defined in the collections policy."¹²¹

In the MA annual meeting of 2007, another change on deaccessioning and disposal matters was formalized. "In general, the proposed revisions (of the MA Code of Ethics) are intended to reflect the view that museums are more actively considering and undertaking transfer and disposal as an integral part of collections management. However, the current wording [...] has been found to rather discourage museums from undertaking responsible disposal and did not adequately acknowledge that benefits, such as improved use and engagement, care and access to collections can result from the process. The proposed revisions also recognize the need for transparency and accountability around any decisions to dispose, a point that came across strongly in the MA's public-attitude research."¹²² The strong presumption against disposal developed into a strong presumption in favor of the retention of items within the public domain. "Sometimes transfer within the public domain, or another form of disposal, can improve access to, or the use, care or context of, items or collections. Responsible, curatorially motivated disposal takes place as part of a museum's long-term collections policy, in order to increase public benefit derived from museum collections."¹²³

This shift towards a more positive attitude on deaccessioning and disposal in the Code of Ethics was based on the outcomes of two research projects executed in the same year, 2007. Firstly the MA initiated a research project on the *Public Consultation on Museum Disposal* which proved that the public tended

to have fewer negative views towards deaccessioning and disposal if the context was sufficiently explained.¹²⁴ Secondly, the MA started the Effective Collections program in 2006 to support museums in making better use of their stored collections via lending or disposal.¹²⁵ During this program (which ended in 2012) the MA consulted with the museum field on the existing paragraphs of the Code of Ethics on disposal. "By a small majority there was support among respondents for revising the guiding principle to make it less restrictive, and an acknowledgement that a more open approach to disposal was called for."¹²⁶ In the Benchmark Study which focused on long-term loans and disposal, seven key points were extracted:

- The vast majority of museums, 96%, have a collection management policy that includes disposal. However, only 62% have ever disposed of items from their collections.
- Over the last 3 years, many museums have not made any disposals.
- The main reason cited by museums for disposing of items from the collection is lack of relevance to collection policy.
- About 46% of museums that have disposed of items always have external consultation or peer review prior to disposals.
- The complexity and time required to undertake the disposal process was often cited as a reason for the low numbers of items actually removed from collections.
- Three quarters of museums wanted to dispose of more items from their collections, and all the national museums surveyed indicated that they wanted to do this.
- Museums are willing to dispose of items if that would improve access to them. However, there are concerns about transferring items to private ownership before the profession and public have had time to consider the long-term implications of this type of disposal.¹²⁷

As a result, these developments contributed to the revision of the Disposal Toolkit, published in 2014, which included an extensive appendix on Financially Motivated Disposal. This guideline places emphasis on the process of disposal. The first chapter talks about reasons to use disposal for the betterment of the collection as a whole, but more so focuses on dealing with an

object once it has been selected for disposal. It offers an overview on possible methods for disposal, possibilities in recording the process, dealing with problems, and the communication process to a broader audience.¹²⁸

Development of guidelines in the Netherlands

The Dutch deaccessioning guideline of 2006, (known as the LAMO, short for Leidraad voor het Afstoten van Museale Objecten) roughly followed the same principles. It provided extensive flowcharts for all parts of the process (Preparation, selection, relocation – both within and outside of the public domain - and conclusion) and offers a wide range of practical advice for the process. However, similar to the situation in the UK, the Netherlands suffered cases of unethical disposal for financial gain. The Dutch Museums Association decided it was necessary to sharpen the LAMO to prevent such situations from happening again. Whereas the UK guideline decided to add financially motivated disposals to its toolkit to enable it in exceptional cases, the Netherlands added an extra step in its process in which peers and other specialists are asked to research the (possible) national heritage value of an object. In the latest version of the guideline, the LAMO 2016, all public bodies that intend to deaccession part of their collection are obligated to publish their proposal intention on a publicly accessible website called *Afstotingsdatabase.nl*. For eight weeks stakeholders and experts, alike, can designate an object as being worthy of protection. If this decision is made, an independent commission will research the case. If it is proven that the object should, in fact, be protected heritage, it must stay within the public domain. If the object is not considered to hold national heritage value, the museum is able to relocate the object in the private sector, if no public body is willing to accept ownership. In short, this transparent manner of disposal incorporates peer involvement as well as third party supervision.

Classifying an object as having national heritage value is described as being irreplaceable and indispensable and as having at least one of the following functions:

Symbolic function: The object is a clear remembrance to persons and/or events that

are of convincing importance for the appreciation and understanding of the Dutch culture.

Connecting function: The object represents an essential element in a development that is of importance for the scientific practice, including the practice of cultural history, with convincing importance for the Netherlands.

Gauging function: The object offers an essential contribution to the research or knowledge of other important objects of art, history or science.¹²⁹

The Dutch guideline is more generous in allowing disposals outside of the public domain, as compared to the UK Toolkit, but it is stricter in the inability of disposing of objects with unknown or unclear provenance. In the Netherlands, lack of information would prevent a deaccessioning project from being carried out. The LAMO 2016 states that a museum is only allowed to dispose of items if it is the legal owner, or has permission from the legal owner. If the status of the owner of the object is unclear, a museum cannot deaccession the object.¹³⁰ According to the policy of the UK Toolkit, if a museum has taken measures to identify the owner of an object but is unable to locate the person or entity, the museum is able to dispose the item as long as it declares the unknown provenance to the new owner. "A lack of comprehensive documentation should not automatically prompt an item's disposal, but neither should it discount an item from being considered. In such cases, museums should make reasonable attempts to research an item's history and then weigh up the risk of removing the item from the collection with any potential benefit that may result from this course of action"¹³¹. Germany and Austria follow the Disposal Toolkit while Denmark states that a reason for deaccessioning or disposal may be "the information about the subject is insufficient"¹³². No further clarification is given.

Another general difference between the Toolkit 2014 and the LAMO 2016 is that the Dutch guideline no longer offers guidance on the selection process while the Disposal Toolkit offers museums some criteria. In 2013 the Dutch Agency for Cultural Heritage published a special tool for the selecting process entitled,

Assessing Museum Collections, which will be discussed later on. This tool is mentioned in the LAMO 2016 as being optional to use during the preparation phase. Next to this, the ideas of the form of disposal differ. The UK Toolkit has a strong presumption against transfer to the public domain and destruction should only be done if an object poses a risk to the health and safety of individuals or the collection, while in the Netherlands all forms of disposal are welcomed.

Guidelines in other countries

The German, Austrian and Swedish guidelines are based on the Disposal Toolkit, but include adjustments. In Denmark the main reason to deaccession an object is based on the lack of artistic or cultural value. This can be ratified after a critical review of the collection.¹³³ If a museum were to transfer an object to another public collection it would not be regarded as a form of disposal and, therefore, no permission from the higher body (Slots- og Kulturstyrelsen) is needed. While this guideline is the least elaborate of them all, it does offer a clear process on deaccessioning and disposal. Objects should be offered to another state owned or recognized museum; if no qualifying institution is willing or able to retain ownership of the object, it should be offered back to the donor. If the object is to be disposed of outside the state owned or recognized domain, the museum must ask the Slots- og Kulturstyrelsen for permission and provide this agency with a document containing: the museum number, a description of the item, information about the provenance, an image of the object, motivation for the disposal, and preferred method of disposal. Every step must be executed in accordance to the Museum Act. The agency will not take the form of disposal into consideration, but the information will be used in statistics. In fact, no form of disposal is excluded, although selling (former) museum objects is not mentioned anywhere. Museum consultant, Karen Olsen, employed by the Slots- og Kulturstyrelsen, explained that while in theory all forms of disposal are possible, sale and destruction are rarely seen.¹³⁴

The German publication *Guidelines on collecting and discharging Museum Objects* (Leitfaden zu Sammeln und Abgeben von

Museumsgut) is the only guideline that provides in-depth information on the various categories of museums. The guideline is meant to be applicable for all museum collections, but it acknowledges that different collection types have different needs.¹³⁵ This guideline covers the deaccessioning process next to the disposal process and distinguishes between disposals in the public sector from those in the private sector. It offers museums guidance on developing a collection policy which includes the topic of deaccessioning.¹³⁶ According to this guideline, the museum should divide its collections in four groups: indispensable for the profile of the museum; important for the profile of the museum; important but does not sharpen the museum's profile; and the objects that lack meaning for the museum and disconnects with the rest of the collection. These categories can be traced back to the Dutch Delta Plan of the 1990's and to other policies found in EU countries (such as Latvia and Estonia) which divide their collections into core collections (auxiliary collections and exchange collections) as a part of national law. As the Germans are known for their thoroughness, they provide in depth criteria for accessioning museum objects into the collection (Kriterien for die Annahme von Sammlungsgegenständen for das Museum) which leads to a decreased need for deaccessioning.

Although the Finnish document *Deaccessioning. Sharing experiences from Finland* is not a guideline per se, it provides insight into the theoretical and practical aspects of deaccessioning and disposal possibilities in Finland. "Deaccessioning is considered as part of collections management and the work of developing the quality of collections. We proceed not only from the point that deaccessioning is the end of the museum lifespan of an object, but also from the position that considerations of deaccessioning should already be present when acquisition decisions are made."¹³⁷ The publication contains the results of a survey conducted by the same working group which published the aforementioned publication. It reveals that the most common form of disposal in Finland is destruction, since "it is natural not to seek a new location for an object that has reached the

end of its lifespan."¹³⁸ The ICOM Code of Ethics states that the preferred manner of disposal should be a transfer in the public domain, but, according to the Finns, it "does not take into account the fact that, in practice, the poor condition of an object is one of the most common justifications for deaccessioning. There is no reason to offer an object in poor condition to another museum."¹³⁹ Therefore, if an object is of no value to the museum due to its condition, destruction should be preferred over transfer in ownership.

Sale as manner of disposal, on the other hand, gives way to hesitation in the Finnish sector. If and when Finnish museums execute a deaccessioning project, they would also need to ensure that the basis of the removal comes from the collection policy plan. They are obligated to research previous agreements regarding the object and existing legislation in general. While other guidelines state that the owner should make the final decision, in Finland the "decision of the collections staff and approval by the museum director are usually sufficient for the deaccessioning decision"¹⁴⁰.

Some deaccessioning guidelines have added criteria that focuses on determining which objects may be available for decollecting. The Disposal Toolkit offers a base criteria which includes: items that fall outside the museum's collections policy, duplicate items, underused items, items for which the museum is unable to provide adequate care (or curation), items that are damaged or deteriorated beyond the museum's ability to repair, items lacking context or provenance, items that pose a threat to health and safety, items that could be sold to purchase better examples, and items that are selected for their potential income (financially motivated disposal). The Danish guideline only provides criteria on the selection process when an object lacks artistic or cultural value. In Austria the main criteria is based upon whether or not the object fits within the collection, is damaged beyond repair, contains hazardous materials, is a duplicate, or better of as a hands-on object. If the object(s) in question are human remains, they should be repatriated. If the museum is unable to take care of the object or has a special reason to

dispose of the remains, they should be transferred to another institute.¹⁴¹

Other tools

Collections review

Deaccessioning and disposal projects are not goals to be striven for as a part of good collections management, but rather are a means to attain a healthy collection.

The process of determining whether or not an object fits into the museum collection is a topic not included in these guidelines. What should be disposed of depends on many different factors within the museum itself, such as a collections profile. In the last ten years there have been developments in numerous countries regarding collections assessment tools that help museums make the right decisions. It is [...] "a process of attributing (or not attributing) a particular value to cultural heritage on the basis of several criteria."¹⁴²

In the UK this process is generally called a collection review, while the Dutch use the word assessment. All collection reviews and assessments include a set of criteria against which objects or (parts of) collections can be weighed during the selection process. In the UK, there is no national standard on collection reviews, so museums, such as the East Grinstead Museum¹⁴³, the University College London and the Imperial War Museum London have been experimenting on an institutional level. The UCL published its review for other museums to use as example. "The primary objective of the review was to survey all aspects of collections care, use, and significance in one continuous project."¹⁴⁴ The process consisted of four steps: establishing the objectives of the review (what do you want to review - what do you want to know), developing a framework (that will allow you to gather the information you need), collecting and analyzing the data, and providing a recommendation.

This is very similar to Assessing Museum Collections, a national policy published by the Dutch Cultural Heritage Agency. This document aims to help museum professionals to prioritize the value of heritage collections through six steps. First, one needs to identify the reason(s) as to why a collection review is being carried out. Examples include:

determining the order in which certain objects should be restored, preparing the collection to be moved, or to create an entirely new collection profile. After the why is clear, a frame of reference is needed. This supplies the point of view from which the collection will be reviewed. This could be at an institutional level, using only the collection profile, or extend into a local or (inter)national viewpoint. Additionally, the stakeholders need to be identified. Who could have an interest in the process and deserves a say?

The third step is to define and prioritize the values or criteria that will be used. The publication provides different values, divided into: characteristic values (condition of the object, provenance, rarity), cultural-historical values (historical, artistic, informative), social values (such as spiritual, political, symbolic values) and use values (presentation values or economical values), which need to be prioritized. An art museum, for instance, will place a greater value on the art historical value than the use value. After the administrative work is finished, the objects can be scored and prioritized based upon its value. It is important to remember to document every step and decision, so that in the future one can defend themselves if needed. After this trajectory is completed, it should be processed so further action can be taken.

The Flemish Interface Centre for Cultural Heritage (FARO) published *The Basic Principles of Valuing Collections* (Kwaliteitsvol Waarderingstraject) in 2017 which provides museums with a set of principles they can use to assess their collections. This publication focuses on identifying and outlining certain steps such as: 1) assessment projects should be based on a question (why?, For what reason?), 2) there should be sufficient knowledge about the objects being assessed, 3) a clear demarcation should be set, 4) the assessment should be executed by a group under the leadership of a supervisor. The assessment criteria should be formulated at the beginning of the project the onset. and all results must be documented. What the FARO document stresses, is the realisation that giving value is

not a one-time experience, but changes over time and per person: "In 2017, we do not consider heritage values as objective truths carved in stone, but as social constructions, attributed by people"¹⁴⁵.

Deaccessioning websites and other online possibilities

Digital communication and dissemination of information is being used more and more frequently in the museum field. Regarding deaccessioning and disposal, the Netherlands uses digital forms for announcing a proposed disposal project which has become obligatory under the new Heritage Law of 2016. An intended proposal should be published in the *Staatscourant*, which serves as a digital publication of the Dutch government in which all official governmental announcements are presented.¹⁴⁶ Next to this, all museums are obligated to publish the content of the intended disposal on the specially designed, publicly visible *Afstotingsdatabase* which is managed by the NGO Dutch Museums Association.

The British Museums Association uses a similar website called *Find an Object* (<https://www.museumsassociation.org/collections/find-an-object>). Placing an announcement on this website, however, is non-committal.

Spectrum

Another practical tool for deaccessioning is SPECTRUM¹⁴⁷. This British publication which recently published a 5th revision in September 2017 is used internationally as a resource for deaccessioning and disposal matters for accredited museums. It states that every museum should have a deaccessioning policy and procedure which thoroughly explains the steps involved in a decollecting project. The minimum requirements are:

- 1) You make the case for any proposed disposal of an object in writing; in the written case you cite the documentation that proves you own the relevant object (or gives grounds to assume you do) and notes any specific risks, costs or other relevant constraints
- 2) get specific approval from your governing body before disposing of any accessioned

- object, and from more than one authorised person disposing of any non-accessioned material,
- 3) dispose of objects in line with the ethical codes that apply to your museum,
 - 4) formally enter approved deaccessions in your accessions register and update other relevant records, you keep all documentation relating to disposals.¹⁴⁸

In conclusion, practical tools and (publicized) experiences have visibly influenced the northern part of Europe. Due to the 2008 crisis, the development of guidelines has increased since disposing for profit has become a bigger issue. Most of the current guidelines are divided on how they deal with financially motivated disposal. While some believe the solution is to make financially motivated disposal possible under strict circumstances, others have implemented stricter policy, such as included third party consultation in the process to prevent unethical financially motivated disposals.

Notes

- ⁶⁰ Vecco, M and Piazzai M., 'Deaccessioning of museum collections: What do we know and where do we stand in Europe?' *Journal of Cultural Heritage* (Elsevier) 2015 16 (2): p. 226
- ⁶¹ ICOM *Code of Ethics for Museums* (2006), §2.16
- ⁶² Parliament of Romania. 2000. *Law no. 182 of 25th of October 2000 regarding the protection of the movable national heritage*
- ⁶³ Legifrance. 2017. *"Code du patrimoine - Musées - Collections des Musées de France.*
- ⁶⁴ Greece, Law 3028/2002 *On the protection of Antiquities and Cultural Heritage in General*, §3
- ⁶⁵ *ibidem* 64, Ch. 1 §2
- ⁶⁶ *ibidem* 62
- ⁶⁷ *ibidem* 62
- ⁶⁸ *ibidem* 62
- ⁶⁹ *ibidem* 63
- ⁷⁰ Prott, L.V., 'Inalienability and other modes of Protection in current legal systems', in *L'inalienabilité des collections, performances et limites?*, 2012, p84
- ⁷¹ Lettre d'appel 20017 OBJET : *Appel aux musées reconnus ou conventionnés concernant l'acquisition d'œuvres d'art et d'objets de collection* (édition 2017)
- ⁷² *ibidem* 71
- ⁷³ Assembly of the Republic Portugal. 2001. *Fundamental Act on the Portuguese Cultural Heritage* §18
- ⁷⁴ *ibidem* 73
- ⁷⁵ Cultural Heritage Act of Malta, part 3 §7.5
- ⁷⁶ Republic of Lithuania. 1996. *Law amending the law on protection of movable cultural property* §12
- ⁷⁷ Garjans, J., 'Latvian Museums - Myths and Reality', in *Uncommon Culture*, 2010 Vol. 1
- ⁷⁸ Franulic, M, 'The Register of Museums, Galleries and Collections in Croatia – Facing Various User Needs', 2005, p 2
- ⁷⁹ Told Sofia Tsilidou of the Greek Ministry of Culture, per email.
- ⁸⁰ *Estonian Museum Act*, 2013, § 15
- ⁸¹ <http://data.collectienederland.nl/vc/wbc-2/>
- ⁸² Vlaamse Gemeenschap, *Decreet houdende bescherming van het roerend cultureel erfgoed van uitzonderlijk belang*, §2bis
- ⁸³ Die Beauftragte der Bundesregierung für Kultur und Medien. n.d. "Alles zum Kulturgutschutz
- ⁸⁴ Bundesgesetz betreffend den Schutz von Denkmalen wegen ihrer geschichtlichen, künstlerischen oder sonstigen kulturellen Bedeutung (Denkmalschutzgesetz - DMSG)
- ⁸⁵ *Bulgarian Cultural Heritage Act*, §34
- ⁸⁶ *ibidem* 80, §2.5
- ⁸⁷ *ibidem* 77
- ⁸⁸ These are the best translations I could find of: *Nacionālo krājumu, palīgkrājumā and apmaiņas krājumā*
- ⁸⁹ Republic of Latvia, *Regulations on the National Museum Stock*, 2006, §21-25
- ⁹⁰ Drela, M, 'Cultural Heritage Law in Poland', in *Santander Art and Cultural Law Review*, 2/2015, p 291
- ⁹¹ *Polish Museum Law* 1996, Chapter 4, §21.1
- ⁹² name will remain anonym, for it was mentioned in trust during workshop
- ⁹³ Commission Scientifique nationale des collections, *Rapport au parlement prévu par l'article 4 de la loi no 2010-501 dus mai 2010*, p 15

- 94 Slovenian Cultural Heritage Protection Act (ZVKD-1), §23
- 95 Greece, Law 3028/2002 *On the protection of Antiquities and Cultural Heritage in General*, §1.4
- 96 ibidem 95, §1.7
- 97 ibidem 73, §17
- 98 Museilag (2017:563) Svensk författningssamling 2017:563, section 10
- 99 ibidem 85, §34.4
- 100 Croatian Law on the Protection of Cultural Assets, 1999 §15
- 101 ibidem 89, §13.7
- 102 ibidem 91, §23
- 103 Cyprus Antiquities Act §29
- 104 Dutch Heritage Law, §4.17 and §4.18
- 105 Cultureel Erfgoeddecreet van februari 2017, §3, 8A.
- 106 <https://codex.vlaanderen.be/Zoeken/Document.aspx?DID=1028103¶m=inhoud&AID=1223570>
- 107 Museilag (2017:563) Svensk författningssamling 2017:563, section 10
- 108 Museum law Denmark, part 5 §11.2
- 109 Legifrance. 2017. "Code du patrimoine - Musées - Collections des Musées de France, §451-8
- 110 Estonian Museum Act Chapter 2, §7
- 111 Dutch Heritage Law, §3.4
- 112 <https://english.slks.dk/english/about-the-agency/>
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- 115 <http://www.artscouncil.org.uk/supporting-museums/accreditation-scheme-0>
- 116 ICOM Österreich, Ein Leitfaden zur Sammlungsqualifizierung durch Entsammeln, 2016, p 12
- 117 Museums Association, *Disposal Toolkit 2014, Additional Guidance on financially motivated disposal*, p 3
- 118 ibidem 117
- 119 ibidem 117
- 120 Museums Association "Extract from Notice of Museums Association Annual General Meeting." Museums Association. Accessed October 2017. <https://www.museumsassociation.org/download?id=14900>.
- 121 Museums Association, *Disposal Toolkit 2008*, p. 10
- 122 ibidem 120
- 123 ibidem 120
- 124 Museums Association, *A Public Consultation on Disposal*, 2007, p 3
- 125 <http://www.museumsassociation.org/collections/downloads-and-case-studies>
- 126 Museums Association, *Making collections effective*, 2007, p 15
- 127 Museums Association, *Benchmark Study of UK Museum Long Loan and Disposal Activity July 2007*, p 3
- 128 Museums Association, *Disposal Toolkit 2014*, p 2
- 129 Museumvereniging, *Leidraad Afstoting Museale Objecten 2016*, p 12
- 130 ibidem 129, p. 26
- 131 ibidem 128, p 24
- 132 Slot-og Kulturstyrelsen, *Guideline for deaccessioning*, <https://slks.dk/museer/museernes-arbejdsgaver/indsamling/udskillelse-og-kassation/vejledning-til-udskillelse/>
- 133 Slot-og Kulturstyrelsen, *Seperation and Disposal*, <https://slks.dk/museer/museernes-arbejdsgaver/indsamling/udskillelse-og-kassation/>
- 134 We had a brief conversation via mail in september
- 135 Deutsches Museums Bund, *Nachhaltiges Sammeln. Ein Leitfaden zum Sammeln und Abgeben von Museumsgut*, 2011, p 50
- 136 ibidem 135
- 137 Finnish Museums Association, *Deaccessioning. Sharing Experiences from Finland*, 2016, p 11
- 138 ibidem, p 16
- 139 ibidem, p 24
- 140 ibidem, p 25
- 141 ICOM Austria, *Ein Leitfaden zur Sammlungsqualifizierung durch Entsammeln*, p 8/9
- 142 Werdt, van der E, 'Deaccessioning in Perspective', in *Museums and the Disposal Debate. A collection of Essays*, 2011, p 450
- 143 Hadfield, J., 'Deaccession and disposal: Practice and Potential at Grinstead Museum', in *Museums and the Disposal Debate. A collection of Essays*, 2011, pp 254-285
- 144 UCL Collection Review Toolkit, p 5
- 145 FARO. Vlaams Steunpunt voor Cultureel Erfgoed, *Kwaliteitsvol Waarderingstraject. Basisnormen*, p 3
- 146 <http://www.officielebekendmakingen.nl>
- 147 SPECTRUM can be found at: <http://collectionstrust.org.uk/spectrum/>
- 148 <http://collectionstrust.org.uk/resource/deaccessioning-and-disposal-the-spectrum-standard/>

Chapter 4:

Attitudes on deaccessioning and disposal

As we have seen over the last ten years, several trends and practices dealing with deaccessioning and disposal have emerged. Most noticeably are the formal changes, such as the influx in legislation within European Union member states, especially in northern countries. However, informal changes, such as the in professional attitudes, have also emerged. This does not mean, however, that professionals agree on matters related to deaccessioning and disposal.

This chapter focuses on presenting contemporary professional attitudes towards deaccessioning based upon the results of the survey, in-depth workshops and (informal) conversations. All data presented has been kept anonymous at the request of the participants.

I structured this research by identifying three key factors which influence professional attitudes towards deaccessioning. They are:

- Internal factors: factors from within the museum upon which employees have direct influence.
- Relational factors: factors that depend on the relation between a museum and other stakeholders.
- External factors: factors upon which the museum has no direct influence.

During the workshops, the participants were asked to assess seven drivers within the three factors, that influence the deaccessioning and disposal process. These drivers were used as conversation pieces in the workshops to structure and deepen the discussion.

Internal factors

Internal factors are the influences from within an organization. These factors are influenced by professionals themselves, and have a direct impact on their actions. It is divided in three drivers:

- The organizational culture (Is the organization willing and able to help executing a deaccessioning or disposal process?)
- Knowledge (is there sufficient knowledge within the organization on the process and the content of the collection to be able to execute a deaccessioning/disposal process?)
- Fears (Are there any fears regarding the process that would prohibit the execution of a

deaccessioning or disposal project?)

Organizational Culture and knowledge

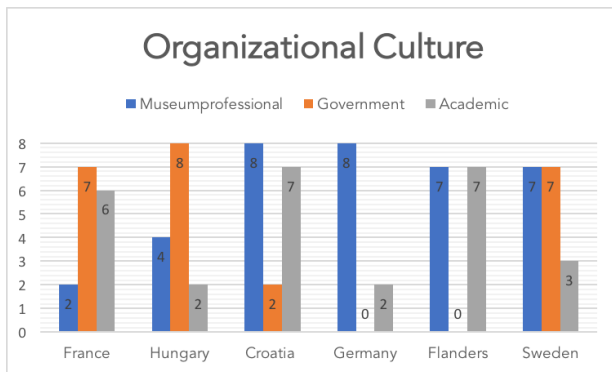


Chart 11: Is the organization willing and able to help executing a deaccessioning or disposal process?

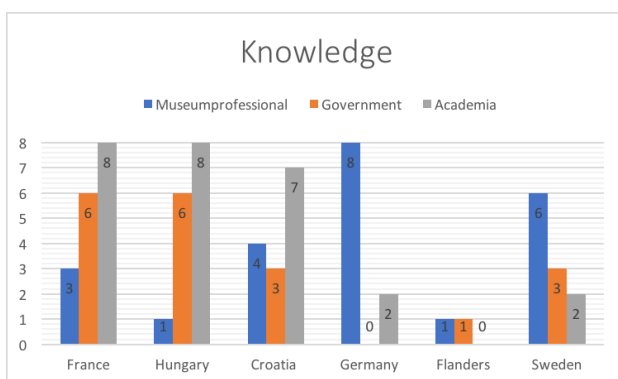


Chart 11: Is there sufficient knowledge in your organization to execute a deaccessioning process?

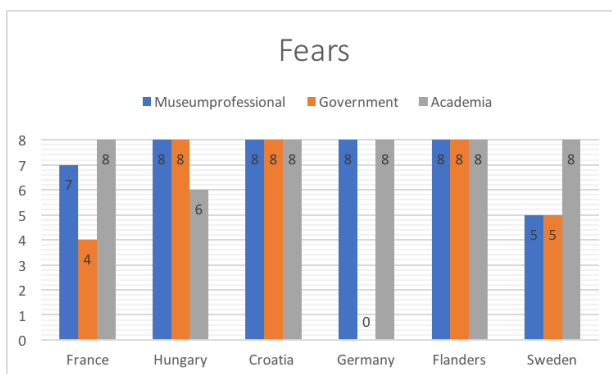


Chart 12: Are there any fears regarding the process that would prohibit the execution of a deaccessioning or disposal process?

As is visible from chart numbers 10/11, museum employees generally feel that the organizational culture provides a sufficient base to execute deaccessioning in their museum. This is especially the case in Sweden, Germany, Flanders and Croatia.

Knowledge of the content of the collection

However, when discussing the need for disposal from within the organization more in-depth, it turns out most of the museums do not have formal collections policies. This is something that returns in every country where a workshop was held. A participant in Sweden preferred not having a written down collections policy, since "if you write your policy down, you must adhere to it. When you don't stick to it, it would only be used as an instrument of superintendents (governments) to prove the museum does not keep to its policies." The lack of a collection policy, identifies with the fear of making mistakes, as is shown later on. Next to this, lacking formal bases to work from ensures insecurity from museum professionals.

Although a lot of museums lack formal collection policies, the survey shows that about half of the respondents have an official deaccessioning policy and that some even have an unofficial deaccessioning policy.

Changing attitudes on the process

The same survey shows that the topic is more widely discussed by all target groups. It is on the agenda within and between the institutions and its stakeholders. The increasing discourse has changed towards a more open exchange on deaccessioning and disposal. Nevertheless, there is a *say-do-gap*. The topic is clearly on the agenda, but not yet in operation.

This is partly explained by the friction between what collection managers want and what their superiors do. For instance, in Hungary, museum professionals that work with collections feel the need to deaccession and dispose of parts of it. A curator of printed arts believes that having three duplicates of 1 etching is sufficient enough; fifteen copies are unnecessary. It is in this country however, that 'the superiors within the museum prefer building new storage spaces instead of thinking about including deaccessioning as an instrument'.

A slightly different situation is present in France. Here the government has installed a committee for declassification, but collection manager or curator feel less need to use this. Since France has had an acquisition committee for over 200 years, deciding what enters the collection, most curators feel that

disposal is not needed. The participants of the workshop agreed with a statement about how curators in France have the power and that 99% of them is against deaccessioning and disposal. However, in France the need for practical disposal is growing as well. One participant remarked that he is afraid that 'if no action is taken on deaccessioning, the bad condition of some objects might ensure other objects lose their value as well'. In addition 'we must not underestimate the costs of conservation'. As has been said, the Commission Scientifique nationale des collections (the Scientific Commission that handles all disposal proposals) has had no request as of now, but they admit this might be due to the fact that the proposal phase can be long and extensive.

In Croatia, a civil servant of the city of Zagreb told about their lack of 24,000 square meters of storage space and how disposal is regarded as one solution to this issues. In Flanders they are taking it a step further. Practical disposal has been acknowledged a couple of years ago. Now they focus on curatorial disposal, as an instrument to 'enhance your collections'.

Although the need for disposal is growing, not everybody feels the same enthusiasm. A Croatian participant explained: 'We are dealing with cultural heritage that is not mine or yours. We are keeping it for the future.'

Attitudes on the knowledge of the process

The degree of knowledge differs a lot, between countries, but within countries countries as well. For instance, in Flanders, some participants were convinced sale as form of disposal was not possible, while others proved, via past experiences, that it is indeed possible.

The lack of knowledge of the deaccessioning or disposal process is an important factor in the (non-)execution of such processes. A Hungarian case showed that even the transfer of a collection from one state museum to another state museum can take up to a few years. When a group of Russian icons was confiscated, they were given to the Fine Arts Museum in Budapest. Based upon the content of their collection, it was decided that the Applied Arts Museum would better safeguard

the works. Because no one (including governmental institutes) knew exactly which procedure to follow, it took 'a lot of years and a lot of signatures from different institutions' to transfer ownership of the objects.

There are some genuine differences in opinion regarding which forms of disposal should be possible. Transfers between public museums are never regarded as impossible (or, at times, even as a form of disposal). Sale and destruction however, tend to provoke debates.

Attitudes on sale in the public domain

The general thought is that sale between public institutions as a form of disposal, should be prevented as much as possible. While in the Netherlands sale to the private domain is regarded as a good solution, sale between museums is unreasonable, since the public has already paid for the object in question. In general, the main reason for disposal should be of a curatorial nature and not of a financial one. The UK Disposal Toolkit stresses the "strong preference and tradition of free gift or transfer between museums. It is recommended that offering items to other museums by sale is not considered in the first instance."¹⁴⁹ Having said that, a handling fee is generally accepted in both the Netherlands and the UK. The Dutch viewpoint prefers uncompensated transfers, but since this is not always realistic the presumption is to keep the fee as low as possible.¹⁵⁰

The German guideline for deaccessioning and disposal, however, prescribes sale between public institutions as a possibility: "The sale to another museum can in principle be considered if the legal, in particular the budgetary or statutory provisions of the selling museum permit this and unless a free levy is considered in this case. In this case, the seller may set certain conditions in the contract, such as the reservation that the sold work may not be sold to third parties, if it in principle remain in the museum area and should not become a speculative object"¹⁵¹. The participants in the Berlin workshop explained that the possibilities to sale are restricted by the various layers of governmental ownership. Some Länder representatives do not agree that objects should be sold as a form of transfer, even

though national museums are able to. Due to the lack of clarity of these rules and regulation within the museum field in Germany, most participants were not sure if selling is an option for their institution.

In France and the other countries with the inalienability principle, sale between public entities is not possible, since the owner of the object stays the same: namely the state. A Romanian survey respondent wrote, 'Public property is inalienable by law, it cannot be sold, exchanged or donated; only the state, as owner, can decide on a transfer to another public institution.'

Attitudes on sale to the private domain

Although the French are already quite cautious about deaccessioning or the declassification of their cultural heritage, once an object is declassified it is eligible for any form of disposal, including sale to the private domain. This aggravated even those who are more favorable of disposal during the French workshop. One participant questioned how an object, which has been safeguarded for such a long time with public money, could be removed from the inventory and then sold. The belief is that disposal should only be possible without a financial action taking place. The French governmental representatives explained that whenever an object is declassified, it no longer falls under the jurisdiction of the national government, thus, a museum is free to operate in whichever manner it chooses.

In Sweden and Croatia, sale to the private domain is not preferred, since it might create a precedent for ignorant governmental collection owners to start selling cultural heritage in order to fill budget deficits. Although it is possible for Swedish national museums to sell their museum objects, the Royal Armory explicitly decided to exclude this possibility in its deaccessioning policy, 'for it is too controversial' and might 'create unwilling precedents for others'. Similarly, many are fearful that museum professionals themselves could become corrupted. Some participants brought up such shady cases in which objects were sold to private collectors. Many found this method to be quite unscrupulous, and for that reason, believe that having an official guideline

might offer some sort of protection. However, in Eastern-European countries participants do not believe that including financially motivated disposal as a recognized form of decollecting will stop this form of corruption.

The more northern countries use a more pragmatic point of view regarding sale in the private domain. The British Museum Association even developed special guidelines for financially motivated disposal and the Dutch entertain the idea when an object is not wanted by any other heritage institution. The thought here is, 'when no public entity is interested, money can be made in the private domain'.

Attitudes on destruction

One other controversial point is the possibility of destruction as form of disposal. Where Finnish museum professionals find destruction to be the most common form of disposal¹⁵², some participants, mainly from Croatia and Germany, refuse to destroy museum objects. When surveyed, 75% perceived destruction as a possibility. The respondents in the other 25% come from Romania, Croatia, the Czech Republic and Hungary. They all have fellow countryman that think the opposite, that destruction should be possible as form of disposal. In the Netherlands, destruction is an accepted form. However, the destruction of works of art tends to evoke discussions. Not only do some opponents call upon copyrights, the emotions that emerge come from the fact that an artwork is 'equal to a child for some artists'.

Fears

Fears related to deaccessioning and disposal is one factor shared by participants from each country. As the chart number shows, these fears are a major issue regarding the practice.

Nearly every participant in the workshops believes various fears play a key role in deaccessioning and disposal efforts. The most mentioned fears were:

1. Fear of making mistakes in the selection process – losing significant cultural heritage without realizing it
2. Fear of lack of knowledge regarding the deaccessioning process or the content of

the collection

3. Fear of loss of public trust
4. Fear of unethical disposal

1. *Fear of making mistakes*

Many participants asked themselves, 'What if I select something for disposal which turns out to be of real significance in 50 years?' This 'what if' questions seem to paralyze some of the professionals. For example, a Hungarian participant stated that 'because one can never know the future, objects should preferably not be disposed of'.

2. *Fear of lack of knowledge*

Most museums cope with a loss of connoisseurship of collections, due to the financial cuts over the last decade and the tendency of museums to focus more on the public than on research. This connoisseurship is the deep knowledge curators gain when working with the same collection for decades. Without connoisseurship, museum professionals feel that making deaccessioning decisions might be based on too little information. In Flanders, a participant of the workshop stated that the Flemish 'museum is no longer a research based institute; only large institutions can afford to have a research division.' This lack proves to be quite a large problem in selecting objects for disposal. In combination with the missing collection plan and having inadequate registration records, disposal is inevitably viewed as an impossible task and adds to the fears of making mistakes.

This fear of lack of knowledge leads to circular arguing. Most professionals want to gain expertise in the decollecting process, but believe that as long as they do not have sufficient experience with it they will not have sufficient knowledge to execute the process confidently, ensuring no deaccessioning process is started.

3. *The fear of losing public trust*

The fear of losing public trust when disposing of an object is also a key dismay in every country, especially regarding the fear of losing potential donors. A German participant explained her fear as such: "when the public knows a museum is deaccessioning, the public would encourage the museum to do it even more", a

trend which may force museum to dispose of objects for financial profit. However, the results of the survey show only 25% of the respondents believe that a museum would lose all credibility in the eye of the public if they were to carry out a deaccessioning project.

4. *Fear of unethical disposal*

In addition, many museum employees believe collection owners, especially governmental entities, will make disposal decisions that are economically motivated and use the possible profit of a disposal process for non-collection matters. This discussion is almost equal to the attitudes on sale in the private domain, but it is the greatest fear, shared by everybody.

Professionals disagree about whether legislation or guidelines will prevent unethical disposals. On the one hand, some believe that as long as all museum objects are inalienable by law or have strict guidelines on how to implement the process, unethical financially motivated disposal are preventable. Having clear guidelines help museum professionals defend illicit disposal actions, since they can show the owners that they need to follow strict parameters in order to dispose of an object. With this they can show and prove that they are the owners of the process. On the other hand, some professionals fear that by making deaccessioning and disposal possible (by law or guidelines), it will enable ignorant owners to start selling museum objects for profit.

Looking back at the fears in general, the governmental representatives from France and Sweden seem to be the most confident in the process. This is due to the fact that the French representatives believe the legislation on declassification is clear enough and sufficiently elaborates on the matter for one to be able to execute the declassifying process if needed. The Swedish representatives are convinced that the new guidelines on deaccessioning and collections assessment will provide enough information for museum professionals to start the deaccessioning process.

Where academia and governmental professionals in all workshops want to see the fears minimized in the future, most museum

professionals prefer to keep some fear present during the deaccessioning and disposal process. They argue that the present fear of making mistakes keeps professionals sharp minded during the decollecting process.

Relational factors

Relational factors are influences that come from inter-institutional actions, such as cooperation and communication. This can be between museums themselves, between museums and governments or between museums and other stakeholders.

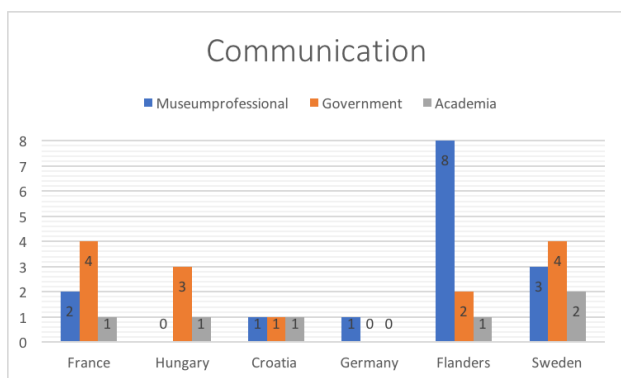


Chart 13: To what extent is communication used in the deaccessioning process?

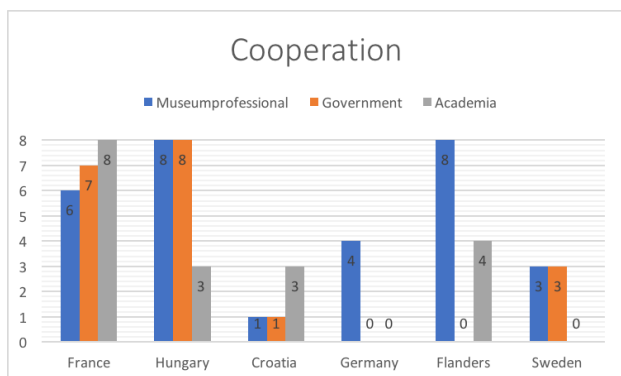


Chart 14: To what extent is cooperation used in the deaccessioning process?

Interinstitutional communication

As chart no clearly shows, explicit communication in the deaccessioning process is fairly non-existent, according to the participants. In Flanders, the communication of the process and the cooperation between museums and other institutes is perceived as positive by the museum professionals, in contrast to most other countries. The Flemish participants believe that museums do

cooperate sufficiently with one another in matters of relocating museum object. However, they do acknowledge that the lack of collection policies does interfere with their ability to clearly communicate with stakeholders, such as potential donors, but believe their efforts are sufficient. All other countries would like to see the interinstitutional communication being brought to a higher standard.

Public accountability

In the Netherlands the mantra on deaccessioning and disposal is: "Accurate, Responsible and Transparent". It is known that museums in the Netherlands actively dispose of objects with little to no cultural value. The Dutch believe, as do the British, that clear communication with stakeholders is of the utmost importance. As long as the stakeholders have no reason to feel suspicious, they will accept the decisions of the museum and the owners. However, Dutch museums do not actively communicate their disposal decisions and processes to the public.

In Germany and Sweden it is thought that transparent communication about deaccessioning should be reactive; it should be mentioned in the annual reports of the museums, but the media should not be actively sought. In Germany this is due to the fact that they are afraid of loss of public trust, while, in Sweden this is due to a more practical reason. 'Setting up a proper communication campaign for such actions costs too much energy, time and money to be worth it'. These resources are thought to be scarce and should, therefore, be used for more positive campaigns. In addition, 'however hard you try to positively approach deaccessioning and disposal, the media will prefer to cover it on a negative manner'. They would rather let sleeping dogs lie than to serve the public.

The fact that deaccessioning and disposal are still relatively new and/or non-existent in most countries explains why the marks for communication are rather low. There is little communication between governments and museum professionals on the possibilities for this area. Some of the French participants were

surprised to learn that the Scientific Commission is already in place and has published a report.

External factors

Of course, deaccessioning and disposal processes are influenced by factors outside of the museum. Since most museums are public bodies, they experience influence from governmental bodies and existing legislation, regulation, public opinions and political colours.

decollecting procedures and crave clear structure. However, the French governmental representatives believe that the legislation and the existence of the Scientific Commission (which evaluates every declassification request) offers a sufficient framework for museum professionals to work with. In Flanders, at the time of the workshop, there was no legislation at all. However, in the meantime the new Heritage Decree of february 2017 provides some information. One of the formal tasks of a museum is relocating objects¹⁵³, when necessary.

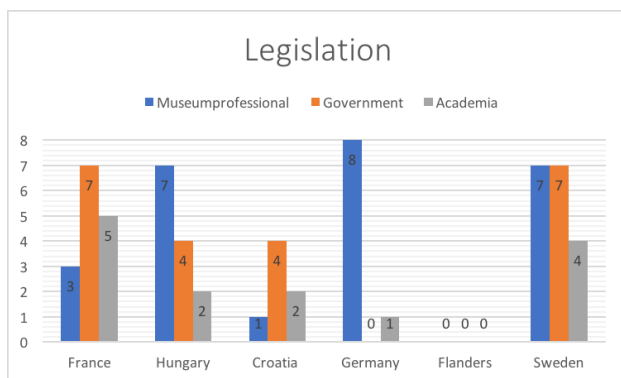


Chart 15: To what extent does existing legislation enable deaccessioning

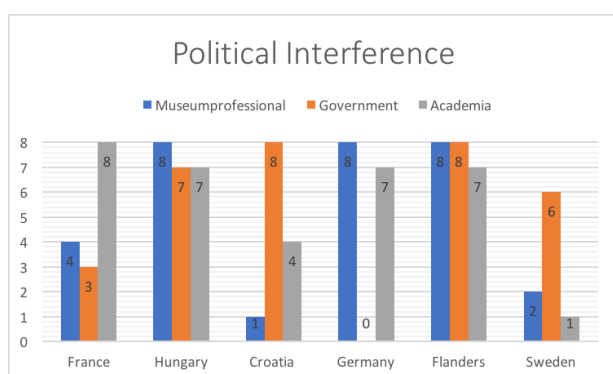


Chart 16: To what extent do politics interfere in the deaccessioning process?

Legislation on deaccessioning and disposal is perceived in different manners. In Germany, museum professionals believe that the lack of national legislation (on the protection of museum objects) makes deaccessioning and disposal possible, while academics feel that more legislation is needed to be able to execute decollecting in a proper manner.

In France, Flanders, Hungary and Croatia most museum professionals feel the need for more practical guidance from the national government. They want help in implementing

Political interference is not always perceived as negative. In Flanders the museum professionals prefer to have positive interference, meaning help and interest in the process. In France, Germany and Hungary, the interference is perceived as high, but they believe this could not be different, anyhow, since 'museums are a political issue'.

In summary it can be said that there are still a lot of differences in attitudes on deaccessioning and disposal. Between countries, between professionals of different institutions within one country and even between professionals from the same institute, the discourse is packed with paradoxes. Does explicit legislation provide protection or not? How are guidelines placed in this manner? Do they prevent or facilitate financially motivated disposal? The existing fears seem to evolve around responsibility and accountability of the process. The fear of lacking knowledge does make professionals insecure on this manner and for this they crave for guidance from governments.

Notes:

¹⁴⁹ Museums Association, *Disposal Toolkit*, 2014, p 18

¹⁵⁰ Museumvereniging, *LAMO*, 2016, p 19

¹⁵¹ Deutsches Museumbund, *Nachhaltiges Sammeln Ein Leitfaden zum Sammeln und Abgeben von Museumsgut*, 2011, p 34

¹⁵² Sarantola-Weiss, Minna & Vallsti, Emilia. *Deaccessioning. Shared Experiences from Finland*, 2016, p. 16

¹⁵³ Vlaamse Gemeenschap, *Erfgoeddecreet*, §3.8a

Chapter 5:

Conclusions

This chapter presents the results of this research based upon the traditions I found in the 2008 thesis, the development of deaccessioning and disposal in European Union member states based on the Anglo-Saxon and the Latin tradition. I will argue how these traditions differ, how these traditions influence the development of deaccessioning and disposal as collections management tools, and how individual EU countries can be defined in these traditions which as a whole will answer to the main question: to what extent have the possibilities and opinions changed regarding deaccessioning and disposal in the European member states since 2008?

Since 2008, seven countries have adapted legislation regarding disposal and deaccessioning. Next to this, the number of countries that have official deaccessioning or disposal guidelines has doubled. As well, the way deaccessioning and disposal is looked upon is changing. Some countries are developing faster than others, but in general the tendency towards deaccessioning and disposal is moving towards a more positive approach.

Development of the deaccessioning and disposal standardization

When we compare the developments of countries which have guidelines and tools regarding deaccessioning and disposal, we notice that they all went through the same stages, more or less (chart 17). Each country can be placed along this timeline. If we take the results of this research in mind, we would place the Latin tradition around the $T=0$, while the Anglo Saxon tradition is staged at $T + 30$ (years).

The northern European countries - more Anglo-Saxon oriented - started the discussion on practical deaccessioning and disposal over thirty years ago, due to physical storage space shortage (as was evident in the conference *Limits to Growth* during the nineties in the Netherlands). After accepting the fact that deaccessioning and disposal projects were necessary to keep collections manageable, countries began developing guidelines (NL 1999, Denmark 2003, UK 2004) detailing how one might execute a project based on curatorial needs. The focus was not placed on how to dispose, but rather what should be disposed of. Practical reasons, such as lack

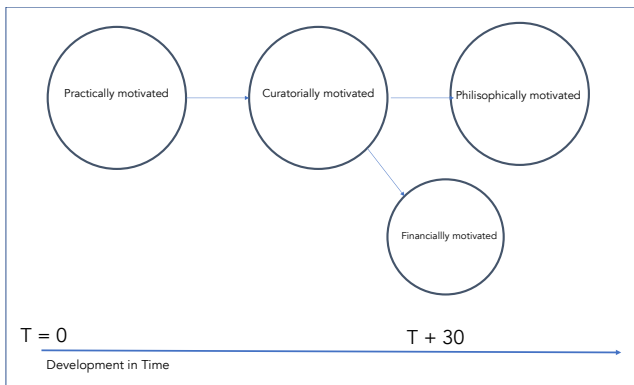


Chart 17: Development of thinking on deaccessioning/disposal

of storage space or an object being damaged beyond repair were still valid, but the first line of thought focused on the significance of the object within the collection - be it uniqueness, provenance or its use before it was musealized. A new generation of deaccessioning and disposal guidelines arose with more focus on assessing objects based on collections criteria. The thoughts on collections changed from object-based management to value-based management.

The trend of thinking of collections and safeguarding them arose in Nordic countries, in Finland particularly, where the philosophical thinking of accessioning and deaccessioning objects played a key role. If we were to place Finland in this scheme, they would surpass the t+30, since their philosophical thinking on the subject goes far beyond curatorial thought and dares to say that objects have a limited museum life or musealized life is rather new and I can imagine that not everyone will agree on this. However, it is an interesting school of thought to 'predict' the lifespan of an object in its musealized state. Since museums have storage space problems (as has been proven from the ICCROM survey results) and the rate of collection growth is still immense (MERRIMAN results), it is defensible to ask questions during the accessioning process, such as: Why should museums keep objects for eternity? Isn't there a maximum lifespan for every object in a museum and should we or should we not respect this? By adding a date of when the object will have lost its value for the museum, the collection will not get congested, but rather continue on flowing with life, changing its content on the significance of the objects, losing what has lost this significance and

adding new values to its body. The development of these schools of thought is a welcome addition to the discussions on deaccessioning and disposal, since they provide a temperate view on collections.

Similarities between member states.

If we look at all European member states, there are some general similarities when thinking about deaccessioning and disposal. The first similarity is, regardless of national legislation, guidelines or other tools, almost every museum professional feels the same fear: unreliable (lower) governments will sell cultural heritage for profit and use the money for purposes which will not directly benefit the collection. This fear comes from a lack of trust between museum professionals and government entities. Museum professionals do not trust the cultural/museological knowledge of governmental bodies (i.e. collection owners) and believe that they will choose profit over heritage value. Different case studies have shown that this fear is somewhat justified. The UK (Northampton), the Netherlands (Rotterdam and Gouda), France (Cote d'Or) and Italy (Venice) have all had cases of unethical disposal (attempts).

One could say that facilitating deaccessioning would invite governments to start unethical disposal. However, if the deaccessioning guidelines are clear, accepted, and enforced by the museum field of a particular country, such processes can be prevented. Unfortunately, the cases in the UK prove otherwise. Having guidelines on financially motivated disposal, has not stopped governments from executing disposal for profit. Legislation which has a strong presumption against disposal in theory prohibits such decisions. Then again, this implies that the national government is aware of such decisions and will take action when an (unethical) proposal is submitted. This gives national governments a great responsibility.

Another similarity is that in most countries having a written collections policy is not common. My assumption before starting this research was that every museum has at least a collection strategy plan in place, since this is elaborated upon in the ICOM Code of Ethics (§ 2,1: Collections Policy: "The governing body for

each museum should adopt and publish a written collections policy that addresses the acquisition, care and use of collections"). However, my assumption proved to be inaccurate. While conducting this research, I found a number of national museums which lacked collection policies. This explains why museum professionals have a fear or hesitation towards deaccessioning and disposal. If you do not know what is in the collection, how the collections are intertwined, or do not have a base upon which you can decide what to keep and, thus, what you can dispose of, there is no way that deaccessioning and disposal should be implemented in the museum, let alone be executed. Museums should only start with such procedures if they have an up-to-date, written and accepted collections policy. Not only should deaccessioning and disposal proposals derive from this plan, but all decisions and actions that affect the collection should be based upon this policy. In my opinion, the graph below represents the best process to follow for deaccessioning and disposal projects.

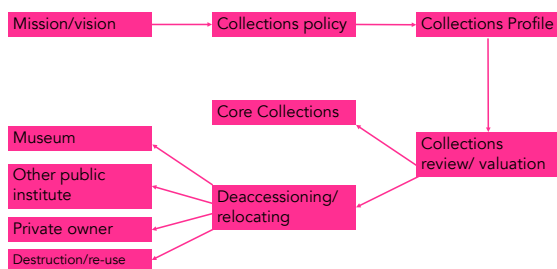


Chart 18: Flowchart for collections management

Anglo-Saxon and Latin traditions

As I have said in the first chapter, the two main traditions in Europe regarding deaccessioning are the Anglo-Saxon and the Latin traditions. The Anglo-Saxon tradition differs from the Latin tradition in that it takes a more practical approach in dealing with deaccessioning and disposal and uses decollecting as a tool to better the collection and improve the visibility of the objects to be deaccessioned. It has legislation and guidelines that have a positive presumption towards the topic and its governments offer assistance to museums throughout the process. The Latin tradition has a strong presumption against deaccessioning

and disposal and adheres to the principle of the inalienability of museum objects. Cultural heritage policies are looked upon from a more national point of view, while Anglo Saxon policies are focus moreso on individual institutions. Table 1 provides an overview in the differences.

Having said so, the declassification of the Latin traditions and deaccessioning of the Anglo-Saxon tradition, can be regarded as the same process when the deaccessioning definition used in this research is taken into account: the documented removal on an object from the accessions register. In all classification legislation this is where the process stops. Once an object is declassified, it no longer falls under the national legislation. The government is no longer responsible for taking care of the object and, thus, the museum can dispose the object in any form or manner it believes to be ethical. This implies that museum objects can be sold if no longer deemed as nationally significant.

The main difference between countries that declassify and countries that deaccession is that, generally, the latter feel responsible for relocating the object in the best way possible, even if it has no place in the cultural heritage sector of the country. If an object were to be declassified, the responsibility as owner of the object ceases, since its value has been thoroughly stripped. In other words, in countries that hold the inalienable principle it is more difficult to deaccession a museum object, but once it is declassified it loses all heritage value and falls completely outside of the law. Whereas objects that are eligible for disposal the process is studious since the heritage value is not per se lost.

(Over)development in Anglo-Saxon countries?

If we look at the changes over the past ten years, it is clear that most of the formal developments in thoughts and tools happened in the northern countries (following the Anglo-Saxon tradition).

However, in the last ten years the formal possibilities on deaccessioning and disposal in

Anglo-Saxon tradition	Latin tradition
Presumption towards deaccessioning and disposal as a collection management tool	Presumption against deaccessioning and disposal as collections management tool
Legislation makes deaccessioning and disposal possible	Legislation focuses on the inalienability of museum objects
Government offers assistance by developing other tools such as guidelines	Government follows legislation strictly
Learning by doing	Learning by thinking
Worm's eye view– from individual institutions	Bird's eye view – from the national cultural heritage
Countries: the United Kingdom, the Netherlands and Ireland	Countries: France, Italy, Greece, Romania and Spain

Table 1: General differences between Anglo-Saxon and Latin museological traditions

Anglo-Saxon countries are starting to become overdeveloped or overregulated. They are becoming defensive tools for museums and collections owners to ward off any allegations of wrong doing. Due to the increase of high profile disposal cases which are almost entirely viewed as failures, such as the proposed sale of the Africa collection of the World museum in Rotterdam and the sale of the "Sekhemka" statue from the Northampton Museum and Gallery, the Anglo-Saxon tradition has turned from progressive towards conservative in its execution of deaccessioning and disposal projects.

These cases are considered high profile, since they are centered on unique artifacts or artworks. Contemporary legislation and guidelines place focus on these kinds of cases while most of the deaccessioning and disposal

situations evolve around objects of lesser financial and/or cultural, sociological, or historical value. In the Netherlands this shift is visible in the new legislation (Erfgoedwet – 2016) and guideline (LAMO – 2016) in which every step the museum takes must be documented, and all intended deaccessioning and disposal cases must be publicly presented for other professionals (peers and other specialists) to assess the national value of the objects. This peer responsibility makes the deaccessioning and disposal process a collective decision and, thus, a sector wide liability.

On the one hand, this shift alleviates fears that the decisions could turn out to be a mistake in the future. However, the process is time consuming and, therefore, more expensive than it previously was. Additionally, the

decollecting process is presented as a defensive move to stakeholders instead of progressive - thinking about what is best for the museum at the start of the process.

The Disposal Toolkit of the UK provides an extensive flowchart that helps museums think about every step of the process by asking questions that could prevent museum professionals from making mistakes. Questions focused on are: Is the museum legally able to dispose of an item? Have ethical considerations been met? The toolkit advises museum to formulate a communications strategy, "to increase the public's understanding and awareness of this area of museum practice" and provides guidance in financially motivated disposal. However, this guidance is even more elaborate than the regular disposal toolkit, showing that the MA wants to have every aspect of liability covered. This too has become an extensive, time consuming process that will make museums or collections owners think twice before starting a decollecting project. This also shows that the process of deaccessioning and disposal in Anglo-Saxon countries is turning away from its progressive nature of simply enabling deaccessioning and disposal possibilities, towards a more conservative mentality focused on a defensive line of thought regarding the removal of museum objects. However, one could say as well that developing a guideline for financially motivated disposal is the logical result of the pragmatism of the Anglo-Saxon tradition. Another option would have been forbidding sale of museum objects by law, instead the Museums Association decided to regulate it.

Countries that are influenced by the Anglo-Saxon tradition, such as Flanders (Belgium) and Sweden, are beginning to flourish in developing their own decollecting strategies. Both Ministries of Cultures in these countries recognize deaccessioning as a collection management tool and have added it to legislation in 2017. This gives Flemish professionals the chance to develop their own thoughts and policies on this subject, even though they are heavily influenced by examples from the Netherlands. The Swedish, however, are more influenced by the UK

Disposal Toolkit.

(Under)development in Latin countries?

In the formal sense, the Latin tradition has not changed much. Legislation has not changed, and there have been no developments in guidelines or other tools. Museums are seen as keepers of the national cultural heritage. In theory, the fact that these objects are stored for eternity is of more importance than where they are stored. In these countries, the government usually has explicit ownership over the objects and owns or manages the museums. This explicit ownership of museum objects makes the transfers of objects between museums not a form of deaccessioning or disposal, unlike the case in Anglo-Saxon countries.

Where the inalienability of museum objects applies, the state is more heavily involved in managing list of national heritage objects and classification systems. This ensures that cultural heritage is not lost even if a museum were to close its doors. These objects would simply be transferred to another museum. The perverse mechanism, however, is that because collections are ever growing without equally growing funds, fewer resources are available for conservation and restoration needs which could possibly lead to neglect and damage of the objects.

The notion of the ever growing collection has, slowly but surely, incited thinking about practically motivated disposal as a possibility in the Latin tradition. This is made evident in news articles where experts, such as Paolo Mazzarello, director of a university collection (2011), state that collecting everything for eternity is becoming a storage space problem. French museum professionals are gradually becoming aware of the implications if no deaccessioning or disposal actions are taken. "Chances are collections will become unmanageable and due to lack of careful conservation will be lost for future generations."

(Just) development in the other countries?

We must not forget, however, that most European Union countries do not comply with either the Anglo-Saxon or Latin tradition. All

countries are influenced in one way or another by both traditions. The countries that fall between Anglo-Saxon and Latin traditions have their own polemics regarding deaccessioning and disposal. In Hungary, for instance, where legislation is extensive, yet facilitates disposal and deaccessioning; museum professionals who work with the collection see the necessity for a clear deaccessioning policy. However, their superiors have not yet reached this conclusion. The fact that so much legislation is available, but is unknown to the professionals shows there is an issue with communication between governments and museum professionals. This also applies for Croatia where discussions during the workshop showed the lack of knowledge and communication between different entities, such as governments and museums.

Because of this research, it is clear to me that these countries which fall "in between" yet outside of the two traditions are expected to have the most (formal) changes in the coming years. In Hungary and Croatia there is a need for rules and regulations on deaccessioning and disposal. Legislation provides basic elements, but a national accredited standard is still wished for. Austria embodies this theory in that a decade ago, governmental officials preferred not to mingle in the discussion and many professionals believed that deaccessioning was "the Fall of Man". Yet, they now have national legislation and standardized guidelines on the subject.

However, I still wonder why have museum professionals and, governmental entities in countries, such as Hungary and Croatia, have not collaborated and developed their own guidelines? There are numerous examples on the internet which can be used as a blue print. Is it because the Latin influence of "culture is a national, centralized issue and therefore museums are seen as instruments" is stronger than the Anglo-Saxon way of thinking about museums as independent thinking institutes" and is somehow paralyzing this development? I do not have the answer to these questions, but am interested in follow the developments of these countries.

Deaccessioning and disposal in the European Union

In chart 19, all European member states are be categorized based upon how and to what extent they follow the Latin and/or Anglo traditions. Unfortunately, however, I have not been able to address all attitudes in all member states. Therefore, Austria, Poland, Spain, Italy, Slovenia, Slovakia, Bulgaria, Latvia and Lithuania have been categorized based upon the legal possibilities found within the countries.

Unfortunately the countries marked in yellow did not participate in the workshops, survey or conversations, so they are only categorized on legislation.

According to the descriptions used for the Latin and Anglo-Saxon traditions, the countries can be classified as such presented in chart 20. The slant axis, highlighted by the blue arrow, shows the axis of the traditions and highlights which tradition the countries identify with.

While the two traditions vary widely in how they deal with deaccessioning and disposal, they gradually shift towards one another. In other words, after thirty years of practicing and developing guidelines and other tools, the Anglo-Saxon tradition is starting to take a more cautious approach towards deaccessioning. While at first there were no rules, legislation or regulation for the deaccessioning process, these formalities were incorporated in order to make the process implementable for museums and evolved into a positive approach towards decollecting. However, this trend has shifted and the process now has more restrictions than ever. The Latin tradition, on the other hand, has not adopted deaccessioning and disposal as a tool, but is slowly growing into the idea that these tools will be necessary one day.

Having an Anglo-Saxon view of things myself, I started this research with the assumption that all countries would, slowly but surely, move towards the Anglo-Saxon tradition. However, I did not consider the possibility that the Anglo-Saxon tradition would be influenced by the Latin tradition. Even though we are living in an

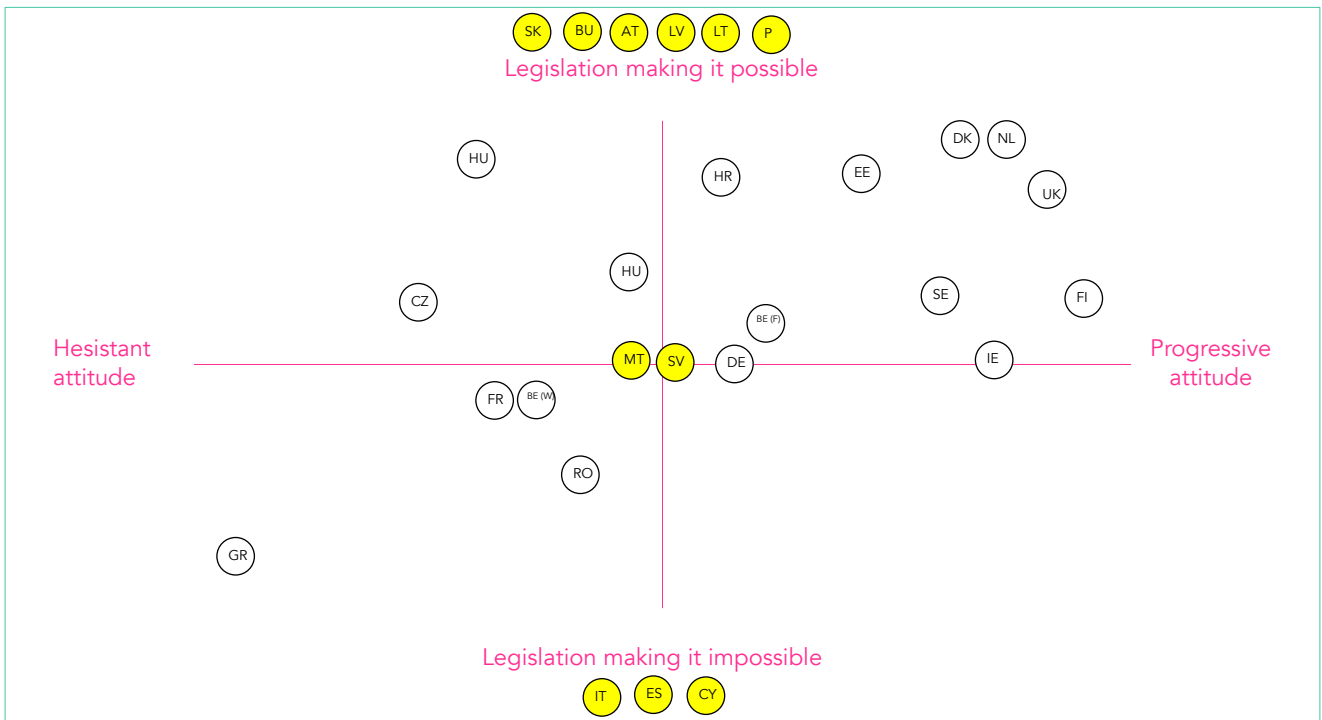


Chart 19: Classification of all EU member states based on attitude and legislation

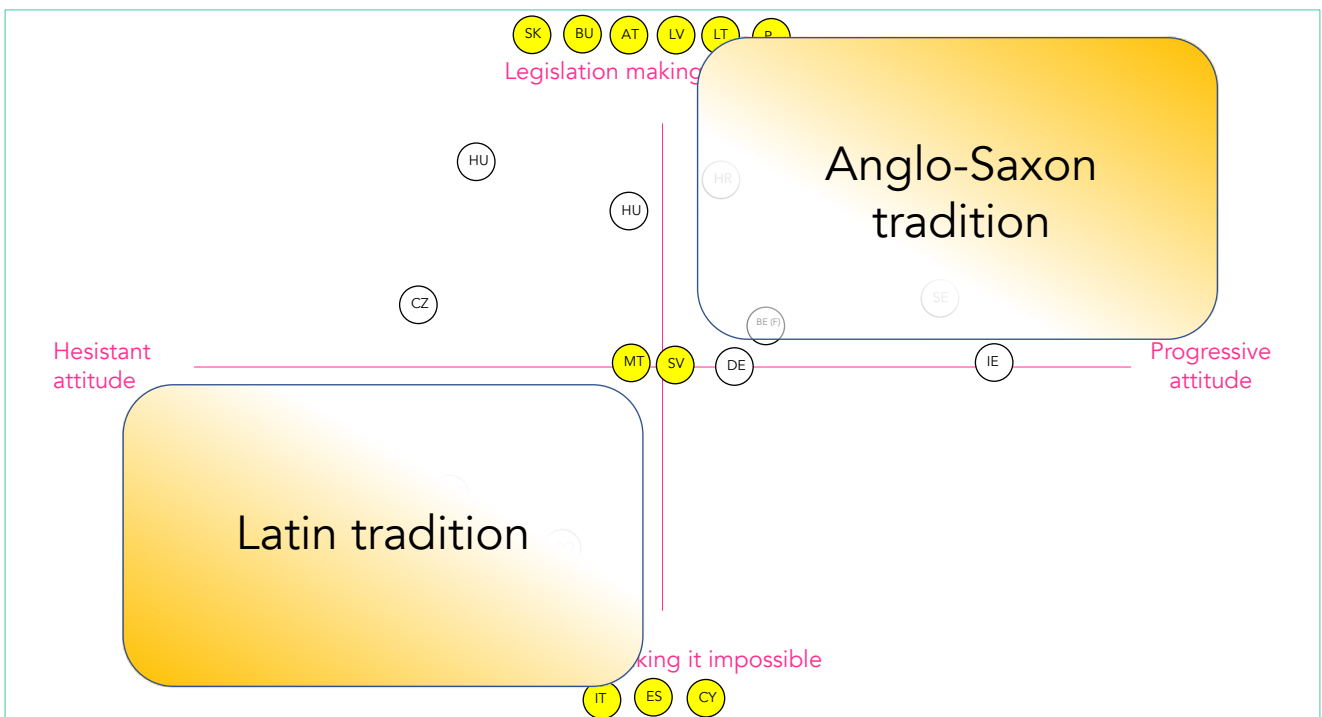


Chart 20: Anglo-Saxon and Latin traditions in classification scheme

ever globalizing world, I neglected to realize that there are multiple factors which play an influential role in defining both traditions, next to the development of collection management tools, such as the role of the collective history of a nation, cultural heritage policies, and the goals of individual institutions. For Latin and other countries to formalize the decollecting process they need to go through the same steps countries in the Anglo-Saxon tradition went through - from practical to philosophical thinking, from object to value management - before they might find a mode in which the government and institutions can optimally thrive. Having said this, I hope these countries will use the experiences and available information from the Anglo-Saxon tradition to leapfrog towards their desired goals. Perhaps they will be able to reach an optimum level between possibilities and regulatory pressure and successfully create deaccessioning and disposal tools that are easy to implement and not viewed as a burden.

Looking back at two researches with 10 years difference, the museum sector in the European Union has changed and is still changing. The views on collecting are shifting from a 20th century view of *More is More*, to a 21st century paradigm of *Less is More*. Deaccessioning and disposal are still relatively new tools for most non-Anglo-Saxon countries. This newness makes disposal unknown and unloved, and that is unjust in my eyes. Deaccessioning and disposal are the perfect tools in bettering collections, it helps solve practical problems and can help sharpen collection profiles, which helps in defending the right of existence, which unfortunately, museums are more and more forced to do. However, deaccessioning and disposal is still not in the mindset of the museum professional. Museum professionals need to gain experience and governments need to facilitate this. Not only is interinstitutional cooperation and communication needed, international sharing of experiences and possibilities will help learn from each other. The time and urge is there, to start taking deaccessioning and disposal as collections management tool serious, for we must prevent from drowning in our own tsunami of objects. Because if you think about it, eventually we will only be remembered by what we really refuse to throw away.

Recommendations

It would be interesting to conduct further research on the development of deaccessioning and disposal in Nordic countries. Although they are very modest they may very well be leading the field since they have such a unique way of thinking about these matters. It would be interesting to see how their thoughts and developments align with Anglo-Saxon countries since I believe they may provide the field with foresight into future global trends.

Next to this, I noticed that the Eastern European countries tend to have very elaborate legislation on cultural heritage, might it be that this forms a tradition on its own?

Additionally, I urge museum professionals to openly communicate with governmental entities that could assist in providing (more) guidance on decollecting matters. As I conducted this research, it became clear to me that the communication between the entity which provides legislation, regulation and other tools (mostly governmental bodies) and the entity which implements them (museums) deserves some attention. Within some countries there is a lack of consensus on the boundaries of what is ethical and not. There is a disparity between what the museum professionals think is communicated to them and what governmental parties think they communicate. Likewise there is a miscommunication between what museum professionals think they need regarding guidance on this subject and what governmental parties feel they should provide.

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Appendix 1:

Survey questions and results

Appendix 1: Survey Questions as send out via social media for professionals working with collections management issues such as deaccessioning and disposal

Part 1: Deaccessioning in general

- 1) What is your definition of deaccessioning?
- 2) My definition of deaccessioning is: The process of shipping objects, including responsibilities from the museum managing it, to another managing institute or public body, via exchange, sale, donation or repatriation. If no public body wants to take the object, private new owners or managers. can be found. As a last resort, total destruction of the object is a possibility.

Does this definition change your idea of deaccessioning?

- a. Yes (37,5%)
 - b. No (62,5%)
- 3) Why does it change your idea, or why doesn't it?

Part 2: Deaccessioning in your country

- 4) Is there any legislation on deaccessioning? (32 reactions)
 - a. Yes (62,5%)
 - b. No (25%)
 - c. I can't find any (15,6)
 - 5) Is there any regulation on deaccessioning? (31 reactions)
 - a. Yes (54,8%)
 - b. No (22,6%)
 - c. I can't find any (22,6%)
-

- 7) If deaccessioning used, please describe the process.
- 8) If deaccessioning is a possibility, which forms are possible? (28 reactions)
 - a. exchange between public institutions (85,7%)
 - b. exchange otherwise (35,7%)
 - c. Sale to other public institution (35,7%)
 - d. Sale otherwise (39,3%)
 - e. Donation to other public institution (89,3%)
 - f. Donation otherwise (46,4%)
 - g. Repatriation (50%)
 - h. Destruction (75%)
 - i. Other (3,6%)

Part 3: Deaccessioning in your profession

- 9) Which of the following options suits your profession best? (33 reactions)
 - a. I work in the museum field (93,9%)
 - b. I work in the governmental field on the subject of museums and collections (3,0%)
 - c. I work in the academic field on museological issues (3,0%)

If a. I work in the museum field

- 10) Is deaccessioning talked about in your museum? (31 reactions)
 - a. Yes (80,6%)
 - b. No (16,1%)
 - c. I don't know (3,2%)
- 11) Do you have official policy regarding deaccessioning? (31 reactions)
 - a. Yes (45,2%)
 - b. No (51,6%)
 - c. I don't know (3,2%)
- 12) Do you have an unofficial policy regarding deaccessioning? (30 reactions)
 - a. Yes (20%)
 - b. No (63,3)
 - c. Not that I know of (16,7%)
- 13) How much % of your collections is in use? (In use means being used for exhibitions/ research/education etc. Estimates on a yearly basis) (31 reactions)
 - a. 0 - 10 % (22,6%)
 - b. 11-20 % (25,8%)
 - c. 21-30% (6,5%)
 - d. 31-40% (9,7%)
 - e. 41-50% (6,5%)
 - f. 51-60% (3,2%)
 - g. 61-70% (3,2%)
 - h. 71-80% (0,0%)
 - i. 81-90% (3,2%)
 - j. 91-100% (3,2%)
 - k. I really don't know (19,4%)

If b. I work in the governmental field on the subject of museums and collections (1 person)

- 14) Does the government have an official statement on deaccessioning?
 a. Yes (100%)
 b. No (0,0%)
- 15) If yes, what is it?
- 16) Are there plans on making policy on deaccessioning?
 a. Yes (0,0%)
 b. No (100%)

If c. I work in the academic field on museological issues (1person)

- 17) Is deaccessioning regarded as an issue in Museology?
 a. Yes (0,0%)
 b. No (100%)
- 18) Does the museum field or the governmental sector ask you to give your opinion on this subject?
 a. Yes (0,0%)
 b. No (100%)
- 19) How is deaccessioning regarded in the academic discours?

Part 4: Personal Opinion

- 20) Do you think that deaccessioning is talked about more than 10 years ago (1-10)?
 1 = less than ten years ag 10 = more than 10 years ago (32 reactions)

1= 3,1%	2=0,0%	3=12,5%	4=0,0%	5=15,6%	6=3,1%
7=9,4%	8=6,3%	9=15,6%	10=34,4%		

- 21) Do you think that deaccessioning is performed more than it was 10 years ago?
 1 = less than ten years ag 10 = more than 10 years ago (32 reactions)

1= 0,0%	2=3,1%	3=0,0%	4=0,0%	5=43,8%	6=3,1%
7=18,8%	8=9,4%	9=9,4%	10=12,5%		

- 22) Has the discours on deaccessioning changed the last 10 years?
 1 = more positive than ten years ag 10 = more negative than 10 years ago (32 reactions)

1= 21,9%	2=12,5%	3=21,9%	4=6,3%	5=15,6%	6=6,3%
7=6,3%	8=3,1%	9=3,1%	10=3,1%		

- 23) I prefer building a new depot above have to make a selection for deaccessioning in a collection. (32 reactions)

a. Yes (53,1%)
 b. No (46,9%)

- 24) When an object enters a collection, it must stay there for eternity. (33 reactions)

a. Yes (21,2%)
 b. No (78,8)

- 25) We should reappraise our museum collections and look critically if every object deserves to be kept and managed. (33 reactions)

a. True (93,9%)

- b. False (6,1%)
- 26) Collections must serve the mission statement of the museum that manages it. (33 reactions)
 - a. True (93,9%)
 - b. False (6,1%)
- 27) Museum depots are too full. (32 reactions)
 - a. True (71,9%)
 - b. False (28,1%)
- 28) Should a museum deaccession, it will lose all credibility of the public. (31 reactions)
 - a. True (25,8%)
 - b. False (74,4%)
- 29) If it was possible, I would love to give part of my collection to another museum (31 reactions)
 - a. True (83,9%)
 - b. False (16,1%)
- 30) Collecting is an image of the time (32 reactions)
 - a. True (90,6%)
 - b. False (9,4%)
- 31) Deaccessioning is an image of the time (32 reactions)
 - a. True (65,5%)
 - b. False (37,5%)
- 32) Deaccessioning is a tool of good collections management (32 reactions)
 - a. True (87,5%)
 - b. False (12,5%)
- 33) Deaccessioning should never be made possible (32 reactions)
 - a. True (0,0%)
 - b. False (100%)
- 34) Deaccessioning should possible outside the public domain
 - a. True (53,3%)
 - b. False (46,7%)

Appendix 2:

Workshop data

Belgium (Flanders)

November 2016
FARO Brussels

Participants:

- 1) Frank Herman - Depotconsulent Antwerpen
- 2) Jürgen Vanhoutte - FARO
- 3) Elke Verhoeven - Musea en Erfgoed Mechelen
- 4) Liesbeth de Ridder - Musea en Erfgoed Mechelen
- 5) Pieter Neirinkcx - MIAT Gent
- 6) Siegfried Aneca - Wielermuseum
- 7) Guy Bovyn - Universiteit Antwerpen

Hungary

21th January 2017
Museum of Fine Arts Budapest

Participants:

- 1) dr. Roland Srágli - Hungarian National Assets Management Company
- 2) Anna Bálványos - Ludwigmuseum, Budapest
- 3) Henrietta Galambos - Museum of Fine Arts, Budapest
- 4) Anna Varadi - Hungarian National Museum, Budapest
- 5) Eszter Földi - Hungarian National Gallery, Budapest
- 6) Katalin Borbély - Museum of Fine Arts, Budapest
- 7) dr. Viktor Lorencz - Hungarian Academy of Sciences
- 8) Vanda Vadász - Hungarian Academy of Sciences

Germany

10th of April
Stadtmuseum Berlin

Participants:

- 1) Monika Hagendorn-Saupe - Director (Institute for Museum Research, Berlin)
- 2) Martina Weinland - Head of Collections (Stiftung Stadtmuseum Berlin)
- 3) Sebastian Ruff - Head of childhood and Youth Collections (Stiftung Stadtmuseum Berlin)
- 4) Iris Blochel-Dittrich - Museum Documentation (Jewish Museum Berlin)
- 5) Shelley Harten - Intern (Jewish Museum Berlin)

Sweden

5th of May 2017
Riksantikvarieämbetet Stockholm

Participants:

- 1) Annika Carlsson - Riksantikvarieämbetet
- 2) Susanna Nickel - Riksantikvarieämbetet & curator Eskilstuna Stadsmuseum
- 3) Maria Oloffson - Sveriges Museer
- 4) Lars Holstein - Västerbottens Museum
- 5) Gösta Sandell - Royal Armory and Skokloster Castle with the Hallwyl House Foundation
- 6) Solfrid Söderlind - Lund University

France

12th of May 2017
Université de Sorbonne, Paris

Participants:

- 1) François Mairesse - Professor Museology and Cultural Economics, University of Sorbonne, Paris)
- 2) Marie Cornu - Director or research (Institute of political social sciences, Paris)
- 3) Vincent Negrin - Doctor in public law, CNRS)
- 4) Claire Chastanier - Subdirector of collections (Service des Musées de France, Paris)
- 5) Blandine Chavanne - Subdirector of politics (Service des Musées de France, Paris)
- 6) Violet Loget - Graduate student (University of Montreal)
- 7) Didier Rykner - journalist and founder of La Tribune d'Art
- 8) Jean-Michel Tobelem - Director of Option Culture

Croatia

25th of May 2017

Museum of Archeology Zagreb

Participants:

- 1) Ms. Goranka Horjan; director, Ethnographic Museum Zagreb
- 2) Mr. Branimir Prgomet; curator; Technical Museum Nikola Tesla Zagreb
- 3) Ms. Svjetlana Sumpor; curator; Croatia Museum of Naïve Art Zagreb

- 4) Ms. Nataša Ivančević; vice-director/curator; Museum of Contemporary Art Zagreb
- 5) Ms. Maja Karić; curator; Print collection of National & University Library Zagreb
- 6) Dr. Iris Biškupić Bašić; curator; Ethnographic Museum Zagreb
- 7) Ms. Jagoda Vondraček Mesar; curator; Prigorje Museum (regional museum)
- 8) Ms. Petra Braun; curator; Croatian History Museum Zagreb
- 9) Dr. Jacqueline Balen, ex-director/curator; Archaeological Museum Zagreb
- 10) Mr. Mislav Barić; curator; Croatian History Museum Zagreb
- 11) Mr. Ozren Domiter; curator; Archaeological Museum Zagreb
- 12) Dr. Darko Babić / Dr. Helena Stublić; Master of Museology and Heritage Management; University of Zagreb
- 13) representative of the Ministry of Culture
- 14) Ms. Natasa Raus; representative of the City of Zagreb/Sector for Museums

Croatia

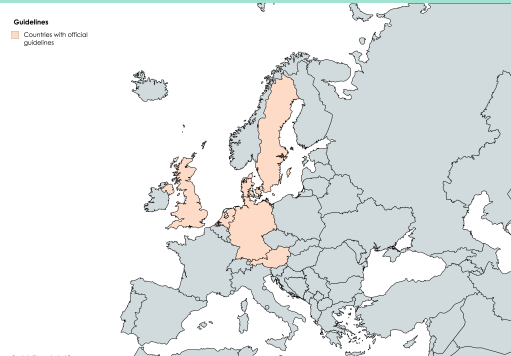
26th of May 2017

Museum of Natural History Rijeka

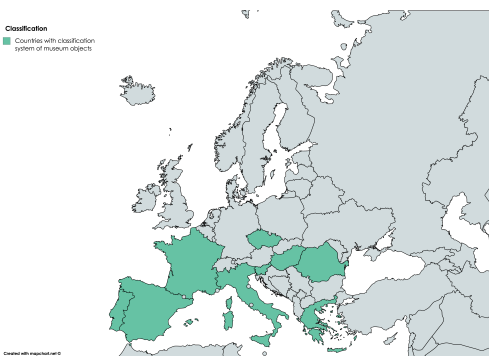
Appendix 3: All map charts



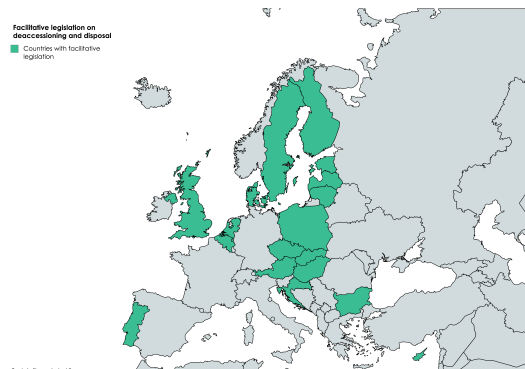
Countries with the principle of inalienation anno 2017



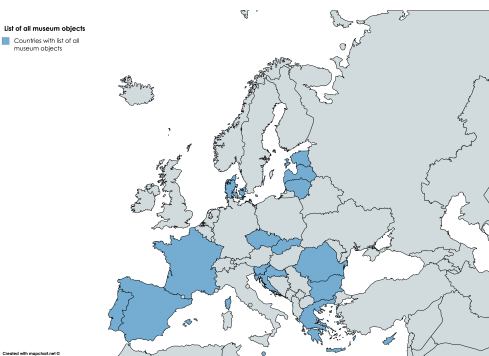
Countries with guidelines on deaccessioning anno 2017



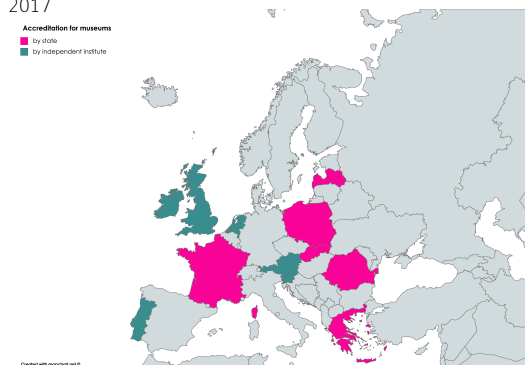
Countries with classification systems anno 2017



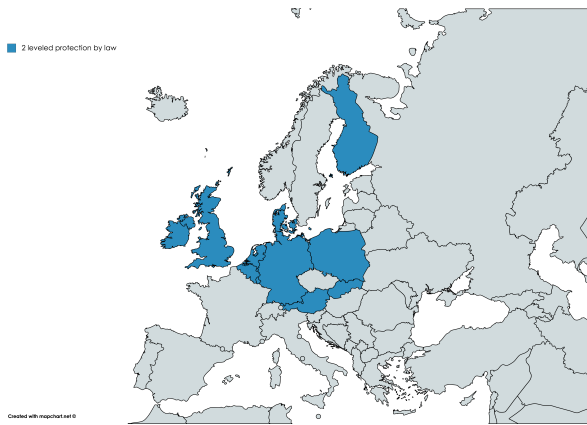
Countries with facilitative legislation towards deaccessioning 2017



Countries with list of museum objects anno 2017



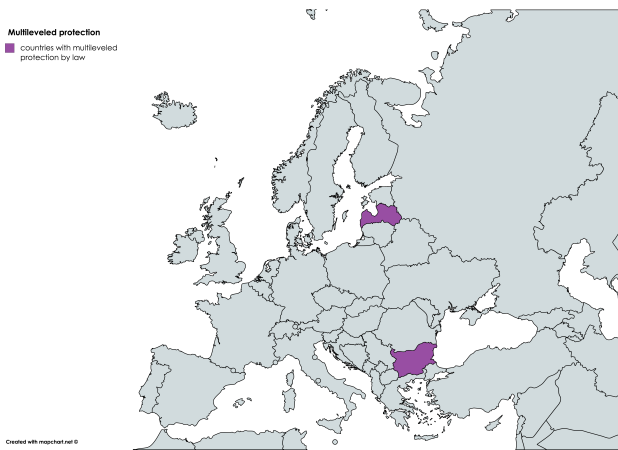
Countries with formal form of accreditation anno 2017



Countries with 2-level protection anno 2017



Countries with no legislative protection of museum objects 2017



Countries with multi-levelled protection anno 2017

All (legal) possibilities regarding deaccessioning and disposal are published on

www.museumsanddeaccessioning.com

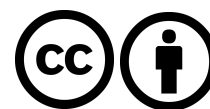
and are available for further research

Colofon

*Deaccessioning and Disposal in Europe
2008-2017. A research on possibilities and
attitudes across the European member
states.*

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www.ccc.co.nl

Dieuwertje Wijsmuller (Baarn, 1981) is a Dutch museologist, specialized in deaccessioning and disposal practices. With her company CreativeCultureConsultancy she supports museums, city councils and private (corporate) collections in collection management issues. She believes that processes such as deaccessioning and disposal should be executed on a transparent and responsible way and supports institutions in implementing such processes.

She is one of the founding mother of the Foundation of Disinherited Goods (Stichting Onterd Goed), the worldwide first private foundation to help museums and other institutions dispose of their deaccessioned objects. She is advisor of the Dutch Council for Culture, where she works on the future of the museum field.

Her 2008 master thesis *Deaccessioning on a European level. Opportunity or impossibility?* formed the point of departure for this benchmarking research. In this research the changing (legal) possibilities and professional attitudes on deaccessioning and disposal in the European member states are described. There is a clear distinction between the countries that incline to Anglo-Saxon museological traditions and the ones that think more the Latin museological way. Both have developed in different ways the last 10 years regarding deaccessioning and disposal. However in Anglo-Saxon countries this development is far more visible than in the other countries.

