

# CONSIDERATION OF CLAIMS FOR THE RETURN OF ITEMS IN HARVARD UNIVERSITY COLLECTIONS

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From the very beginnings of the University, collections have played a central role in Harvard's commitment to advance knowledge and pioneer new ways of learning. Harvard's museums and libraries have also provided wide-ranging access to these collections by scholars, students, and the public. However, we cannot – and should not – continue to pursue these activities in ignorance of our history. Undoubtedly, Harvard has directly benefited from collecting practices that we recognize today ignored the wishes and values of communities and, as a result, we care for items with provenances that are contrary to the present-day values of the University.

Today, Harvard's museums and libraries have policies that require new acquisitions to have sufficient documentation of provenance to ensure they can be legally accessioned by the University. We commit to addressing ethical and moral issues inherent in the acquisition and/or provenance of items, many of which came to the University decades or centuries ago. We recognize and support the cultural sovereignty of peoples from across the globe and aim to build reciprocal relationships with those communities that may include consideration of returns.

The purpose of this document is to promote transparency by outlining the factors that collections-holding entities take into consideration when assessing claims for the return of items in Harvard collections. These include the circumstances of acquisition and the relationship of the claimant to the item(s) being claimed. Collections available for potential return are those owned by the President and Fellows of Harvard University.

Each collections-holding entity within Harvard University develops its own collections management policies and claims for the return of items will be considered by individual collections-holding entities on a case-by-case basis.

## CIRCUMSTANCES OF ACQUISITION

Was the item acquired under conditions of significant duress (e.g., forced sale, military violence, looting, or significant coercion), or through willful misrepresentation on the part of the acquirer? Was the item acquired despite the protest or dissent of the provider or stakeholder community? Does the item comprise inalienable individual or communal property acquired from a person or persons not authorized to sell or dispose of said item? Can the University provide appropriate context for an item

separated from other elements of the collection it was intended to be used/stored/displayed with?

We acknowledge that existing documentation and scholarship may not establish object histories authoritatively or definitively. Further research may be required to clarify the nature and context of transactions, or their probable nature and context. Such research should draw fully on relevant expert advice, including advice from heritage stakeholder communities where appropriate, and be undertaken in a consultative manner.

## **RELATIONSHIP TO CLAIMANT**

For the sake of all people who may have a claim, claimants should provide evidence of their standing to make a request, e.g., lineal descent, cultural affiliation (defined as a relationship of shared group identity) or as an official representative of a governing body, nation, or state. Claims should demonstrate the significance of the object to the claimant, a category that could include sacred, cultural, religious, national, communal, or historical importance. How does the absence of the item affect the claimant community? Does the significance or other attribute of the item make it unsuitable for display and/or continued research? Are there other claimants?

## **ADDITIONAL CONSIDERATIONS**

For some claims and when such questions are appropriate for the item under consideration, the University may want to understand other factors including scholarship, education, and community access. Will the claimant's setting provide opportunities to promote scholarship and teaching? How do educational and research opportunities in the potential future setting compare with their present setting? Will the proposed location allow for future accessibility and, if so, offer access to a wide variety of stakeholders, including descendant communities? Considerations that might counterbalance a claim include whether the return may generate conflict between the claimant and other groups or contravene the rights of other communities, including marginalized communities.

## **INFORMATION FOR POTENTIAL CLAIMANTS**

Claims made for the return of items will be considered by the individual collections-holding entities on a case-by-case basis. Potential claimants are encouraged to contact the Director of the individual museum informally in advance of any claim. For contact details, visit the individual museum pages via this [website](#) and for the University libraries please email: [Harvard\\_library@harvard.edu](mailto:Harvard_library@harvard.edu).