

International Problems in Stolen Art and Artifacts
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International Art Law is a one-credit course which will focus on the problems of art in the international setting. Beginning with a definitional approach to determine what is art, the course will progress toward a consideration of the international movement of art and the treaties and statutes enacted and agreed to in recent times to safe-guard its ownership and movement.

The age-old problem of art being treated as the spoils of war will be considered specifically in the attempts of nations to regain such treasures in the aftermath of World War II and subsequent conquests for invading armies. The current case between Germany and Russia will be highlighted.

The bulk of the course will treat the problems which arise in the buying and selling of art on the international market specifically dealing with questions of title when the artwork has been stolen or has been exported in violation of the law of the harboring country. The transfer of title to a *Bona Fide* purchase or to a prescriptive claimant will also be covered.

Winding up, we will discuss the rights of the artist and the problems faced by art museums.

Course Materials

Art Law in a Nutshell (4th Edition)

Leonard D. Duboff and Christy O. King; Thomson/West Publishing Co., St. Paul, MN
(2006)

A Course Book in International Art Law

A locally reproduced book of materials compiled by the professor. Both books will be available at the St. Mary's University Bookstore in San Antonio, Texas.

Grading

The course will be graded on a one-hour written examination.

Your standing assignment in this course is 35 pages per class day (non-cumulative) from the Course Book (**A Course Book on International Art Law**) together with the applicable reading materials from the Nutshell (**Art Law in a Nutshell**) as specified below in the syllabus.

I expect all students to have studied and to be conversant with the class materials assigned for the class. The format for the class will be a minimum of lecture and an abundance of student discussion and dialogue.

- Chapter 1: *What is Art?*
Study Material:
Course Book: pages 1-22
Reading Material:
Nutshell: pages 1-7
- Chapter 2: *National Requirements of Movement of Art*
Study Material:
Course Book: pages 23-60
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- Chapter 3: *International Movement of Art*
Study Material:
Course Book: pages 61-89
Reading Material:
Nutshell: pages 8-15 and 22-26
- Chapter 4: *International Multilateral Agreements*
Study Material:
Course Book: pages 91-164
Reading Material:
Nutshell: pages 17-21 and 27-36
- Chapter 5: *European Community Law*
Study Material:
Course Book: pages 165-193
- Chapter 6: *Buying and Selling Art*
Study Material:
Course Book: pages 194-288
Reading Material:
Nutshell: pages 37-87
- Chapter 7: *Artist's Rights*
Study Material:
Course Book: pages 289-307
Reading Material:
Nutshell: 212-231
- Chapter 8: *Museums*
Study Material:
Course Book: pages 308-end
Reading Material:
Nutshell: pages 256-284