



Art, Cultural Heritage, and the Law: Cases and Materials

Patty Gerstenblith

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Art, Cultural Heritage, and the Law is one of the first legal casebooks to address the rapidly emerging fields of art and cultural heritage law, utilizing an interdisciplinary approach. This book addresses artists' rights (freedom of expression, copyright, moral rights and rights in architectural works and historic preservation); the functioning of the art market (dealers and auction houses, warranties of quality and authenticity, transfer of title and recovery of stolen art works, and the role of museums), and finally cultural heritage (the fate of art works and cultural objects in time of war, the international trade in art works and cultural objects, the archaeological and underwater heritage of the United States, and indigenous cultures, focusing on restitution of Native American cultural objects and human remains, and appropriation of indigenous culture). This book is intended for the law school classroom but will also be useful to any lawyer or scholar interested in these timely issues and emerging fields of legal practice. The book provides an appendix of international conventions and national statutes the addresses the art market and disposition of cultural objects. Combining both legal and non-legal source materials and several very recent legal decisions, the book presents an interdisciplinary approach and addresses some of the most contentious ethical aspects of these issues. In addition, images of many of the art works that were at issue in the legal cases are presented so that the reader can gain an appreciation of the artistic and cultural values at stake.

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