

## London Summer 2014 Course Description

The course is titled Comparative Art, Cultural Heritage and the Law and will be taught by Prof. Barbara Lentz at the Worrell House in London.

This is a paper course requiring reflection papers as well as a shorter research paper. (Wake law students may write a longer research paper to satisfy the ULWR.) Each student will also deliver at least one short presentation to the class while in London. We will read a non-fiction book about recent art fraud that took place in London very near the Worrell House, regulations, contracts, legal decisions from the U.S. and U.K. and articles from popular magazines and newspapers. Reading materials, except for the paperback book, will be provided on a flash drive prior to travel. We will also watch movies including *The Rape of Europa* and, if possible, *Monuments Men*.

The study of law related to the visual arts encompasses many core subjects: evidence, civil procedure, property, contracts, non-profit and business corporations, tax, copyright and trademark, choice of law, First Amendment, and comparative law. The London course introduces legal topics and frames legal rules before applying concepts to visual arts and cultural heritage issues. Therefore, the class is suitable for first year students who may be better prepared to engage in upper level electives after be provided an overview of these topics during their study abroad.

The course begins by defining what art is, why that definition matters in legal disputes over art, how the definition has changed in the United States and other countries as well as the definition and treatment of “cultural property” in the United States and “cultural heritage” in other countries. Next, we turn to artists’ rights in a work of art – moral, copyright, and resale rights as well as artistic freedom and the First Amendment (as compared to artistic freedom in other countries). The course concludes with a review of international trade in art and differing measures to control and limit that trade (by countries, the market or international organizations) and to contend with stolen or illegally exported arts and antiquities, including issues raised by the fate of art works in wartime, including plunder (and recovery of Nazi-looted art) and treating destruction of art and cultural property as war crimes.

While in London, we plan to visit the British Museum to view the Elgin (Parthenon) Marbles and debate where the marbles should be housed (and legal theories and jurisdiction supporting those arguments), the National Gallery, the Tate Modern, and take a walking tour of East London to view and discuss street art. We will compare US and UK support of museums and government patronage for arts or art in public places, including funding mechanisms (and tax policy) for national museums, parks and other arts, which is interwoven into field trips and the major topics of study. While details are still being finalized, we will try to meet with Londoners working with Volunteer Arts

organizations or auction houses to see what lawyers working in this area do on a daily basis in the U.K. including work on restitution of art plundered during war, and will likely visit St. Paul's Cathedral and the Museum of London. As in past years, students will likely visit the Royal Courts of Justice, Supreme Court, Old Bailey, and travel to Oxford and Cambridge, in addition to our art-related travels.