

Art and Cultural Property Law

Section 277.7, Spring 2021

Wednesday: 3:35-5:25 p.m.

Units: 1, January 20, 2021 - March 03, 2021

Location: Online

Instructor: Carla Shapreau

Email: shapreau@law.berkeley.edu

Tele: +1.510.849.0777

Week 1, Wednesday, January 20, 2021:

What is Art? Cultural Property and Heritage; Who Owns Culture?

- Gerstenblith, pp. 3-26; 803-817
 - Section A, What is Art?
 - *Mazer v. Stein*, 347 U.S. 201 (1954)
 - *An Odd Bird*, by Stephanie Giry
 - Section B, Art and Cultural Heritage
 - *Cultural Heritage or Cultural Property*, by Lyndel V. Prott and Patrick J. O'Keefe
 - The Cultural Heritage Debate:
 - *The Free International Movement of Cultural Property*, by John Henry Merryman,
 - *The Properties of Culture and the Politics of Possessing Identity: Native Claims in the Cultural Appropriation Controversy*, by Rosemary J. Coombe
 - The Parthenon Marbles Debate:
 - The British Museum Website, "The Parthenon Sculptures," <https://www.britishmuseum.org/about-us/british-museum-story/objects-news/parthenon-sculptures>
 - The Hellenic Ministry of Culture, "The Restitution of the Parthenon Marbles," <http://odysseus.culture.gr/a/1/12/ea121.html>
- *Optional reading:*
 - "Dutch Government Committee Recommends Return of Colonial-Era Artefacts," *The Art Newspaper*, Oct. 9, 2020, <https://www.theartnewspaper.com/news/dutch-committee-recommends-return-of-colonial-era-artefacts>
 - "Germany Sets Guidelines for Repatriating Colonial-Era Artifacts," *New York Times*, March 15, 2019, <https://www.nytimes.com/2019/03/15/arts/design/germany-museums-restitution.html>