

ARCL0126: Antiquities and the Law: Kathryn Walker Tubb

View Online



1

Brodie N, Doole J, Watson P, et al. Stealing history: the illicit trade in cultural material. Cambridge: McDonald Institute for Archaeological Research 2000.

2

Renfrew, Colin. Loot, legitimacy and ownership: the ethical crisis in archaeology. London: Duckworth 2000.

3

Robson, Eleanor, Treadwell, Luke, Gosden, Chris, et al. Who owns objects?: the ethics and politics of collecting cultural artefacts : proceedings of the first St. Cross-All Souls Seminar Series and Workshop, Oxford, October-December 2004. Oxford: Oxbow 2006.

4

Tubb KW, Brodie NJ. From museum to mantelpiece: the antiquities trade in the United Kingdom. Destruction and conservation of cultural property. London: Routledge 2001:102-16.

5

Paul M. Bator. An Essay on the International Trade in Art. Stanford Law Review. ;34:275-384.

6

Goldberg, Adam. Reaffirming McClain: The National Stolen Property Act and the Abiding Trade in Looted Cultural Objects. *UCLA Law Review*. 2005;53.

7

UNESCO. 1970 Convention.

<http://www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/1970-convention/text-of-the-convention/>

8

UNIDROIT. 1995 UNIDROIT Convention.

<http://www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/1995-unidroit-convention/>

9

Marina Papa Sokal. *The U.S. Legal Response to the Protection of the World Cultural Heritage. Archaeology, cultural heritage, and the antiquities trade*. Gainesville, FL: University Press of Florida 2006.

10

Records of the General Conference, 16th session, Paris, 12 October to 14 November 1970, v. 1: Resolutions; UNESCO. General Conference; 16th; 1971. 1971.

11

O'Keefe, Patrick J. *Commentary on the UNESCO 1970 convention on illicit traffic*. Leicester: Institute of Art and Law 2000.

12

Prott, Lyndel V., Institute of Art and Law (Great Britain). *Commentary on the Unidroit Convention on stolen and illegally exported cultural objects 1995*. Leicester: Institute of Art and Law 1997.

13

Mackenzie S. The place of prohibition in market governance - two comparative illicit markets: chapter 4. Going, going, gone: regulating the market in illicit antiquities. Leicester: The Institute of Art and Law 2005:121–56.

14

Mackenzie S, Green P. Performative Regulation: A Case Study in How Powerful People Avoid Criminal Labels. British Journal of Criminology. 2007;48:138–53. doi: 10.1093/bjc/azm074

15

Mackenzie S, Green P. Criminalising the Market in Illicit Antiquities: An Evaluation of the Dealing in Cultural Objects (Offences) Act 2003. SSRN Electronic Journal. Published Online First: 2007. doi: 10.2139/ssrn.1004267

16

Watson P, Todeschini C. The Medici conspiracy: the illicit journey of looted antiquities, from Italy's tomb raiders to the world's greatest museums. New York: BBS PublicAffairs 2006.

17

Bland R. A pragmatic approach to the problem of portable antiquities: the experience of England and Wales. Antiquity. ;79:440–7.

18

Bland R. Rescuing our neglected heritage: The evolution of the Government's policy on portable antiquities in England and Wales. Cultural Trends. 2005;14:257–96. doi: 10.1080/09548960600573526

19

Lidington H. The role of the internet in removing the 'shackles of the saleroom': Anytime, anyplace, anything, anywhere: Public archaeology. ;2:67–84.

20

Suenson-Taylor, Kirsten, Heywood, Claire, Dillon, Jo, et al. Whose find is it anyway?: treasure, metal detecting, archaeology and conservation : the life of detected finds after recovery : proceedings of a joint meeting of the United Kingdom Institute for Conservation Archaeology Section and the British Museum, held at the British Museum on 18th December 2003. London: Institute of Conservation 2006.

21

Merryman, John Henry. Cultural Property Internationalism. *International Journal of Cultural Property*. ;12:11–39.

22

Papa-Sokal, Marina. Beyond the Nationalist-Internationalist Polarisation in the Protection of Archaeological Heritage: a Response to Professor Merryman. *Art, Antiquity & Law*. 2009;14:237–74.

23

Prott, Lyndel V. The International Movement of Cultural Objects. *International Journal of Cultural Property*. ;12:225–48.

24

Elia R. Analysis of the looting, selling and collecting of Apulian red-figure vases: a quantitative approach. *Trade in illicit antiquities: the destruction of the world's archaeological heritage*. Cambridge: McDonald Institute for Archaeological Research 2001:145–53.

25

Gerstenblith, Patty. Schultz and Barakat: Universal Recognition of National Ownership of Antiquities.

26

Gilgan E. Looting and the market for Maya objects. A Belizean perspective. Trade in illicit antiquities: the destruction of the world's archaeological heritage. Cambridge: McDonald Institute for Archaeological Research 2001:73–88.

27

Patrick J. Boylan. The concept of cultural protection in times of armed conflict: from the crusades to the new millennium. Illicit Antiquities: The Theft of Culture and the Extinction of Archaeology.

28

Chamberlain K. War and cultural heritage: an analysis of the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols. Leicester: Institute of Art and Law 2004.

29

Guelff R, Roberts A. Documents on the laws of war. 3rd ed. Oxford: Oxford University Press 2000.

30

Nicholas LH. The rape of Europa: the fate of Europe's treasures in the Third Reich and the Second World War. New York: Vintage 1995.

31

O'Keefe R. The protection of cultural property in armed conflict. Cambridge: Cambridge University Press 2006.

32

Simpson E. The spoils of war: World War II and its aftermath : the loss, reappearance, and recovery of cultural property. New York: H.N. Abrams in association with the Bard Graduate Center for Studies in the Decorative Arts 1997.

33

Toman J. The protection of cultural property in the event of armed conflict: commentary on the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its protocol, signed on 14 May, 1954 in the Hague, and on other instruments of international law concerning such protection. Brookfield, Vt: Dartmouth Pub. Co 1996.

34

Vitelli KD, Colwell-Chanthaphonh C. Archaeological ethics. 2nd ed. Lanham, MD: Altamira 2006.

35

Dromgoole S. Law and the underwater cultural heritage: a question of balancing interests. Illicit antiquities: the theft of culture and the extinction of archaeology. London: Routledge 2002:109–36.

36

Dromgoole S. The legal framework for the management of the underwater cultural heritage beyond traditional territorial limits. Managing the marine cultural heritage: defining, accessing and managing the resource. York: Council for British Archeology 2007:33–9.

37

Dromgoole S. Legal protection of the underwater cultural heritage: national and international perspectives. The Hague: Kluwer Law International 1999.

38

O'Keefe PJ, Institute of Art and Law (Great Britain). Shipwrecked heritage: a commentary on the UNESCO Convention on Underwater Cultural Heritage. Leicester: Institute of Art and Law 2002.

39

Muscarella, Oscar White. Introduction and polemic. The lie became great : the forgery of

ancient Near Eastern cultures. 2000:1-29.

40

Burleigh N. Unholy business: a true tale of faith, greed, and forgery in the Holy Land. New York: Smithsonian Books/Collins 2008.

41

Paul Craddock and Sheridan Bowman. Spotting the Fakes from Science and the Past on JSTOR.

42

Jones M, Craddock PT, Barker N, et al. Fake?: the art of deception. London: Published for the Trustees of the British Museum by British Museum Publications 1990.

43

Jones M. Introduction: Do fakes matter? Why fakes matter: essays on problems of authenticity. London: Published for the Trustees of the British Museum by British Museum Press 1992:7-10.

44

Olsburgh C. Authenticity in the art market: a comparative study of Swiss, French and English contract Law. Leicester: Institute of Art and Law 2005.

45

Boardman J. Comment on 'Irreconcilable differences?' Papers from the Institute of Archaeology. 2007;18:10-1.

46

Brodie N. Comment on 'Irreconcilable differences?' Papers from the Institute of Archaeology (PIA). 2007;18:12-5.

47

Cuno JB. Who owns antiquity?: museums and the battle over our ancient heritage. Princeton, N.J.: Princeton University Press 2008.

48

Elia RJ. Comment on 'Irreconcilable differences?': Scholars for Sale. Papers from the Institute of Archaeology (PIA). 2007;18:16-8.

49

Kaye LM. Comment on 'Unprovenanced antiquities - irreconcilable differences?' Papers from the Institute of Archaeology (PIA). 2007;18:19-22.

50

Tubb KW. Irreconcilable Differences? Problems with Unprovenanced Antiquities. Papers from the Institute of Archaeology (PIA). 2007;18:3-9.

51

Tubb KW. Irreconcilable Differences? Problems with Unprovenanced Antiquities. Papers from the Institute of Archaeology (PIA). 2007;18:3-9.

52

Mackenzie S. Going, going, gone: regulating the market in illicit antiquities. Leicester: The Institute of Art and Law 2005.

53

Prott LV, Unesco. Witnesses to history: a compendium of documents and writings on the return of cultural objects. Paris: United Nations Educational, Scientific and Cultural Organization 2009.

54

Waxman S. *Loot: the battle over the stolen treasures of the ancient world*. New York: Times Books 2008.

55

Askerud P, Clément E. *Preventing the illicit traffic in cultural property: a resource handbook for the implementation of the 1970 UNESCO convention*. Paris: UNESCO, Division of Cultural Heritage 1997.

56

Atwood, Roger. *Stealing history: tomb raiders, smugglers, and the looting of the ancient world*. New York: St. Martin's Griffin 2004.

57

Paul M. Bator. An Essay on the International Trade in Art. *Stanford Law Review*. 1982;34:275–384.

58

Patrick J. Boylan. The concept of cultural protection in times of armed conflict: from the crusades to the new millennium. *Illicit Antiquities: The Theft of Culture and the Extinction of Archaeology*.

59

Briat M, Freedberg JA, Institute of International Business Law and Practice. *Legal aspects of international trade in art: Les aspects juridiques du commerce international de l'art*. The Hague: Kluwer Law International 1996.

60

Brodie N, Doole J, Watson P, et al. *Stealing history: the illicit trade in cultural material*. Cambridge: McDonald Institute for Archaeological Research 2000.

61

Brodie N, Tubb KW. Illicit antiquities: the theft of culture and the extinction of archaeology. London: Routledge 2002.

62

Brodie N. Looting and the World's Archaeological Heritage: The Inadequate Response. Annual Review of Anthropology. 2005;34:343-61. doi: 10.2307/25064889

63

Brodie N. Archaeology, cultural heritage, and the antiquities trade. Gainesville: University Press of Florida 2006.

64

Burleigh N. Unholy business: a true tale of faith, greed, and forgery in the Holy Land. New York: Smithsonian Books/Collins 2008.

65

Chamberlain K. War and cultural heritage: an analysis of the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols. Leicester: Institute of Art and Law 2004.

66

Chamberlin ER. Loot!: the heritage of plunder. New York, N.Y.: Facts on File 1983.

67

Charney N. Art and crime: exploring the dark side of the art world. Santa Barbara, Calif: Praeger 2009.

68

Christopher Chippindale and David W. J. Gill. Material Consequences of Contemporary Classical Collecting. *American Journal of Archaeology*. 2000;104:463–511.

69

Corbey R. Tribal art traffic: a chronicle of taste, trade and desire in colonial and post-colonial times. Amsterdam: Royal Tropical Institute 2000.

70

Cuno JB. Who owns antiquity?: museums and the battle over our ancient heritage. Princeton, N.J.: Princeton University Press 2008.

71

Combating Illicit Trade: Due diligence guidelines for museums, libraries and archives on collecting and borrowing cultural material. 2005.

72

Dromgoole S. Legal protection of the underwater cultural heritage: national and international perspectives. The Hague: Kluwer Law International 1999.

73

Elia R. Analysis of the looting, selling and collecting of Apulian red-figure vases: a quantitative approach. Trade in illicit antiquities: the destruction of the world's archaeological heritage. Cambridge: McDonald Institute for Archaeological Research 2001:145–53.

74

Renfrew C, Brodie N, Doole J, et al. Trade in illicit antiquities: the destruction of the world's archaeological heritage. Cambridge: McDonald Institute for Archaeological Research 2001.

75

Gill DWJ, Chippindale C. Material and Intellectual Consequences of Esteem for Cycladic Figures. *American Journal of Archaeology*. ;97:601–60.

76

House of Commons. Seventh Report, Cultural property : return and illicit trade. 2000.
<http://www.publications.parliament.uk/pa/cm199900/cmselect/cmcomeds/371/37102.htm>

77

Greenfield J. The return of cultural treasures. 3rd ed. Cambridge: Cambridge University Press 2007.

78

Guelff R, Roberts A. Documents on the laws of war. 3rd ed. Oxford: Oxford University Press 2000.

79

Hoffman BT. Art and cultural heritage: law, policy, and practice. New York: Cambridge University Press 2006.

80

Jaeschke H. The conservation treatment of looted antiquities and the responsibilities of conservators. Preprints of the contributions to the Copenhagen Congress, 26-30 August 1996: archaeological conservation and its consequences. London: International Institute for Conservation of Historic and Artistic Works 1996:82–5.

81

Jones M. Why fakes matter: essays on problems of authenticity. London: Published for the Trustees of the British Museum by British Museum Press 1992.

82

Kersel MM. Transcending borders: objects on the move. *Archaeologies: journal of the World Archaeological Congress*. 2007;81–98.

83

Leyten HM. *Illicit traffic in cultural property: museums against pillage*. Amsterdam: Royal Tropical Institute 1995.

84

Lidington H. The role of the internet in removing the 'shackles of the saleroom': Anytime, anyplace, anything, anywhere. *Public Archaeology*. 2002;2:67–84. doi: 10.1179/pua.2002.2.2.67

85

Lyons C. *Objects and identities: claiming and reclaiming the past. Claiming the stones, naming the bones: cultural property and the negotiation of national and ethnic identity*. Los Angeles: Getty Research Institute 2002:116–37.

86

Mackenzie SRM, Institute of Art and Law (Great Britain). *Going, going, gone: regulating the market in illicit antiquities*. Leicester: The Institute of Art and Law 2005.

87

Mackenzie S, Green P. Criminalising the Market in Illicit Antiquities: An Evaluation of the Dealing in Cultural Objects (Offences) Act 2003. *SSRN Electronic Journal*. Published Online First: 2007.

88

Mackenzie S, Green P. Performative Regulation: A Case Study in How Powerful People Avoid Criminal Labels. *British Journal of Criminology*. 2008;48:138–53.

89

Merryman JH. Thinking about the Elgin marbles: critical essays on cultural property, art and law. The Hague: Kluwer Law International 2000.

90

Messenger PM, Fagan BM. The ethics of collecting cultural property: whose culture? whose property? 2nd ed. Albuquerque, N.M.: University of New Mexico Press 1999.

91

Meyer KE. The plundered past: the traffic in art treasures. Rev. ed. Harmondsworth: Pelican Books 1977.

92

Muscarella OW. The lie became great: the forgery of ancient Near Eastern cultures. Groningen: Styx 2000.

93

Nicholas LH. The rape of Europa: the fate of Europe's treasures in the Third Reich and the Second World War. New York: Vintage 1995.

94

O'Keefe PJ. Feasibility of an international code of ethics for dealers in cultural property for the purpose of more effective control of illicit traffic in cultural property; a report for UNESCO; 1994. 1994.

95

O'Keefe PJ, Unesco. Trade in antiquities: reducing destruction and theft. Paris: UNESCO 1997.

96

O'Keefe PJ. Commentary on the UNESCO 1970 convention on illicit traffic. Leicester:

Institute of Art and Law 2000.

97

O'Keefe, Patrick J., Institute of Art and Law (Great Britain). Shipwrecked heritage: a commentary on the UNESCO Convention on Underwater Cultural Heritage. Leicester: Institute of Art and Law 2002.

98

O'Keefe R. The protection of cultural property in armed conflict. Cambridge: Cambridge University Press 2006.

99

Olsburgh C, Institute of Art and Law (Great Britain). Authenticity in the art market: a comparative study of Swiss, French and English contract Law. Leicester: Institute of Art and Law 2005.

100

Ortiz G. The collector and the regulation of the art market. Le Libre circulation des collections d'objets d'art: actes d'une rencontre organisée le 14 septembre 1992. Zürich: Schulthess 1993.

101

Sokal MP. The U.S. legal response to the protection of the world cultural heritage. Archaeology, cultural heritage, and the antiquities trade. Gainesville, Fla: University Press of Florida 2006.

102

Papa Sokal M. US and Italy sign agreement to protect Italian archaeological materials. The Accordia research papers: the journal of the Accordia Research Centre. 2003;183-8.

103

Papa-Sokal, Marina. Beyond the Nationalist-Internationalist Polarisation in the Protection of Archaeological Heritage: a Response to Professor Merryman. *Art, Antiquity & Law*. 2009;14:237–74.

104

Prott LV, O'Keefe PJ. National legal control of illicit traffic in cultural property; 1983. Published Online First: 1983.

105

Prott LV, O'Keefe PJ. Handbook of national regulations concerning the export of cultural property; 1988. 1988.
http://www.unesco.org/ulis/cgi-bin/ulis.pl?catno=119126&set=0056C30356_0_360∓gp=1&lin=1&ll=1

106

Prott LV, Institute of Art and Law (Great Britain). Commentary on the Unidroit Convention on stolen and illegally exported cultural objects 1995. Leicester: Institute of Art and Law 1997.

107

Prott LV, Unesco. Witnesses to history: a compendium of documents and writings on the return of cultural objects. Paris: United Nations Educational, Scientific and Cultural Organization 2009.

108

Renfrew C. Loot, legitimacy and ownership: the ethical crisis in archaeology. London: Duckworth 2000.

109

Renfrew C, Brodie N, Doole J, et al. Trade in illicit antiquities: the destruction of the world's archaeological heritage. Cambridge: McDonald Institute for Archaeological Research 2001.

110

Robson E, Treadwell L, Gosden C, et al. Who owns objects?: the ethics and politics of collecting cultural artefacts : proceedings of the first St. Cross-All Souls Seminar Series and Workshop, Oxford, October-December 2004. Oxford: Oxbow 2006.

111

Sax JL. Playing darts with a Rembrandt: public and private rights in cultural treasures. Ann Arbor: University of Michigan Press 2001.

112

Simpson E. The spoils of war: World War II and its aftermath : the loss, reappearance, and recovery of cultural property. New York: H.N. Abrams in association with the Bard Graduate Center for Studies in the Decorative Arts 1997.

113

Stead IM, Renfrew C. The Salisbury hoard. Tempus 1998.

114

Steiner CB. African art in transit. Cambridge: Cambridge University Press 1994.

115

Toman J, Unesco. The protection of cultural property in the event of armed conflict: commentary on the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its protocol, signed on 14 May, 1954 in the Hague, and on other instruments of international law concerning such protection. Paris: Dartmouth Pub. Co 1996.

116

Tubb KW, United Kingdom Institute for Conservation of Historic and Artistic Works. Antiquities: trade or betrayed : legal, ethical and conservation issues. London: Archetype in

conjunction with UKIC Archaeology Section 1995.

117

Tubb KW. Focusing beyond the microscope: ethical considerations in conservation. *Art, Antiquity and Law*. 1997;41-50.

118

Tubb KW, Brodie NJ. From museum to mantelpiece: the antiquities trade in the United Kingdom. *Destruction and conservation of cultural property*. London: Routledge 2001:102-16.

119

Tubb KW. Sacrificing the wood for the trees - should conservation have a role in the antiquities trade? Preprints of the contributions to the Copenhagen Congress, 26-30 August 1996: archaeological conservation and its consequences. London: International Institute for Conservation of Historic and Artistic Works 1996:193-7.

120

Vitelli KD, Colwell-Chanthaphonh C. *Archaeological ethics*. 2nd ed. Oxford: Altamira 2006.

121

Vrdoljak AF. *International law, museums and the return of cultural objects*. Cambridge: Cambridge University Press 2006.

122

Watson P. *Sotheby's: inside story*. London: Bloomsbury 1997.

123

Watson P, Todeschini C. *The Medici conspiracy: the illicit journey of looted antiquities, from*

Italy's tomb raiders to the world's greatest museums. New York: BBS PublicAffairs 2006.

124

Waxman S. Loot: the battle over the stolen treasures of the ancient world. New York: Times Books 2008.

125

International Journal of Cultural Property.

126

Institute of Art and Law. Art, antiquity and the law.

127

The Illicit Antiquities Research Centre.
<http://www2.mcdonald.cam.ac.uk/projects/iarc/home.htm>

128

The Art Newspaper. <http://www.theartnewspaper.com/>

129

Archaeological Institute of America. AIA Code of Ethics. 1991.

130

Museums Association (UK). Code of ethics for museums. 2008.
<http://www.museumsassociation.org/download?id=15717>

131

House of Commons. Code of practice for the control of international trading in works of art. 1985.

<http://www.publications.parliament.uk/pa/cm199900/cmselect/cmcumeds/371/0052308.htm>

132

Basic texts of the 1972 World Heritage Convention; 2005; 2006. 2005.

133

Basic texts of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, 2014 edition; 2014. 2014.

134

Records of the General Conference, 16th session, Paris, 12 October to 14 November 1970, v. 1: Resolutions; UNESCO. General Conference; 16th; 1971. 1971.

135

Basic Texts of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2015 edition; 2015. 2015.

136

European Economic Community. Council Regulation (EEC) on the export of cultural goods. 1992. http://europa.eu/legislation_summaries/other/l11017a_en.htm

137

Her Majesty's Stationery Office (HMSO). Dealing in Cultural Objects (Offences) Act 2003. 2003. <http://www.legislation.gov.uk/ukpga/2003/27/contents>

138

European Confederation of Conservator-restorers Organisations. ECCO professional

guidelines: code of ethics. 2002.

139

Federal Assembly of the Swiss Confederation. Federal act on the international transfer of cultural property (Cultural Property Transfer Act, CPTA). 2003.

140

International Council of Museums. ICOM code of ethics for museums. 2001.
<http://icom.museum/the-vision/code-of-ethics/>

141

United Nations. The Iraq (United Nations Sanctions) Order 2003. 2003.
<http://www.legislation.gov.uk/ukxi/2003/1519/contents/made>

142

UCL, Institute of Archaeology. UCL Institute of Archaeology policy statement regarding the illicit trade in antiquities. 2008.
<https://www.ucl.ac.uk/archaeologyse/about-ase/about-ase-policies>

143

Society for American Archaeology. Principles of Archaeological Ethics. 1996.
<http://www.saa.org/AbouttheSociety/PrinciplesofArchaeologicalEthics/tabid/203/Default.aspx>

144

International Association of Dealers in Ancient Art (IADAA). International Association of Dealers in Ancient Art. 1993. <http://www.iadaa.org/en/about-us>

145

Crown Copyright. The Return of Cultural Objects Regulations 1994. 1994.

<http://www.legislation.gov.uk/ukxi/1994/501/contents/made>

146

Convention on the Protection of the Underwater Cultural Heritage; 2001. 2001.
http://www.unesco.org/ulis/cgi-bin/ulis.pl?catno=126065&set=0056C5E4FD_3_337&gp=1&lin=1&ll=1

147

UNESCO. The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) protocols.

148

UNIDROIT. Convention on stolen or illegally exported cultural objects. 1995.
<http://www.unidroit.org/instruments/cultural-property/1995-convention>

149

United Nations Security Council. United Nations Security Council Resolution 1483.