
Art and Museum Law



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Art and Museum Law

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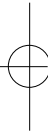
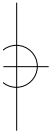
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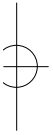
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To Alan and Patricia Ullberg, my museum mentors.
—R.C.L.

To my Dad, who introduced me to the wonders of museums.
—R.M.J.

To Ryan, Katy, Claire, Grace, Michael, Rachel, Reece, and Sydney,
my inspirations.
—M.E.P.





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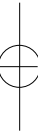
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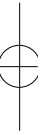
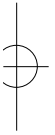


Preface

The art world and its dealings has traditionally been a rarified place where only a select coterie of legal specialists operated. Exposure to that world, however, has increased with a proliferation in litigation, published court decisions, media attention and scholarly analysis. Art no longer is addressed solely from the perspective of the classic auction houses. The general public has become more engaged in the subject by receiving media reports, encountering street sales and spending a greater amount of leisure time engaged in the purchase or creation of art. More law schools are offering courses that prepare students for a legal career that involves the protection of artists, their creations and those who collect those creations.

The art world has long had a symbiotic relationship with museums. These institutions provide important assistance in the development and promotion of artists. Most importantly, museums provide the public with opportunities to become educated in the arts. The great variety of museums, however, provide educational experiences in many subject areas in addition to art. Natural history, cultural and historical museums all work toward increasing and protecting their collections so that they can better serve those who visit their institutions. Museums have become more than mere repositories of artifacts. They have become central meeting places in their communities. The Internet has greatly increased the opportunity of these institutions to reach large numbers of interested people throughout the world.

This casebook is intended to provide students with a basic understanding of the issues that confront the art world. It also presents the various practices and concerns of museums. The materials presented in this book will be of interest to students enrolled in law schools, art institutes and museum studies programs. The authors have sought to reflect both the entertaining and intellectually challenging nature of the issues of concern to artists, dealers, collectors and museums. Readers are encouraged to communicate any questions, comments or feedback they may have to Professor Robert C. Lind, Southwestern University School of Law, 675 South Westmoreland Avenue, Los Angeles, CA 90005, telephone (213) 738-6785, e-mail <rlind@swlaw.edu>.



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I saw the angel in the marble and carved until I set him free.
—Michelangelo

I hate flowers—I paint them because they're cheaper than models and they don't
move.
—Georgia O'Keeffe

I like the surrealists because they give better parties than the abstract painters.
—Mark Rothko

Good business is the best art.
—Andy Warhol

