

Yeshiva University, Cardozo School of Law

LARC @ Cardozo Law

Flyers 2021-2022

Flyers

4-28-2022

The Parthenon Marbles Case and the Universal Museum Myth: Policies and Politics

David Rudenstine

Benjamin N. Cardozo School of Law, david.rudenstine@yu.edu

Cardozo Arts & Entertainment Law Journal

Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic

Cardozo FAME Center

Follow this and additional works at: <https://larc.cardozo.yu.edu/flyers-2021-2022>



Part of the [Entertainment, Arts, and Sports Law Commons](#)

Recommended Citation

Rudenstine, David; Cardozo Arts & Entertainment Law Journal; Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic; and Cardozo FAME Center, "The Parthenon Marbles Case and the Universal Museum Myth: Policies and Politics" (2022). *Flyers 2021-2022*. 46.

<https://larc.cardozo.yu.edu/flyers-2021-2022/46>

This Book is brought to you for free and open access by the Flyers at LARC @ Cardozo Law. It has been accepted for inclusion in Flyers 2021-2022 by an authorized administrator of LARC @ Cardozo Law. For more information, please contact larc@yu.edu.



PROFESSOR DAVID RUDENSTINE, THE CARDOZO ARTS
& ENTERTAINMENT LAW JOURNAL, THE BENJAMIN B.
FERENCZ HUMAN RIGHTS AND ATROCITY
PREVENTION CLINIC AND THE FAME CENTER PRESENT:

The Parthenon Marbles Case and the Universal Museum Myth: Policies and Politics

APRIL 28, 2022 | 9:30 AM - 4:45 PM, FOLLOWED BY A RECEPTION

The event will be held at the Cardozo School of Law for students and faculty and will also be streamed live online for the public.

SCAN TO REGISTER!



FREE CLE CREDIT AVAILABLE

Professor David Rudenstine, the *Cardozo Arts & Entertainment Law Journal*, the Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic and the FAME Center Present:

The Parthenon Marbles Case and the Universal Museum Myth: Policies and Politics

9:30 AM - Welcoming Remarks by Dean Melanie Leslie, Cardozo School of Law

9:40 AM - History Surrounding the Removal of the Sculptures and the U.K. Purchase of Elgin's Collection

Moderated by Samantha Anderson, Director of Legal Services, Art Intelligence Global

Elena Korka	Honorary Director General, Antiquities and Cultural Heritage of the Hellenic Ministry of Culture and Sports
David Rudenstine	Professor of Law, Cardozo School of Law
Giovanna Bellesia	Department Chair of Italian and German Studies, Smith College

11:00 AM - Should the British Museum Return the Collection to Athens?

Moderated by Michael McCullough, Partner, Pearlstein McCullough LLP

Irini Stamatoudi	Professor of Law, University of Nicosia
Elizabeth Marlowe	Associate Professor and Program Director of Museum Studies, Colgate University
Kris Tytgat	President, International Association for the Reunification of the Parthenon Sculptures

12:30 PM - Luncheon Address

1:30 PM
Lina Mendoni
Minister of Culture and Sports, Cabinet of Kyriakos Mitsotakis

1:30 PM- The Universal Museum Myth

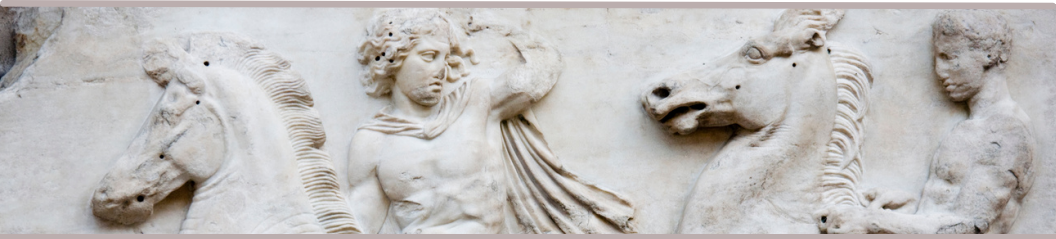
Moderated by Irini Stamatoudi, University of Nicosia

Patty Gerstenblith	Distinguished Research Professor of Law, DePaul University
Elena Korka	Honorary Director General, Antiquities and Cultural Heritage of the Hellenic Ministry of Culture and Sports
Joe Baker	Co-Founder and Executive Director, Lenape Center

3:15 PM- Cultural Property & International Human Rights Trends

Moderated by Sandy Cobden, Pactiv Evergreen, Inc.

Lawrence Kaye	Managing Member, Kaye Spiegler PLLC
Leila Amineddoleh	Founder, Amineddoleh & Associates LLC
Kristen Carpenter	Professor of Law, University of Colorado



David Rudenstine

David Rudenstine is an American legal scholar and the Sheldon H. Solow Professor of Law at Cardozo School of Law, where he served as the Dean from 2001-2009 and has taught constitutional law since 1979. He is a prominent legal voice on issues of free speech, freedom of the press, national security and terrorism.

In addition to his scholarly articles in law journals, his published books include *The Day the Presses Stopped: A History of the Pentagon Papers Case* (University of California 1996), which was nominated for a Pulitzer Prize and is considered the seminal legal history on the subject.

Rudenstine's most recent book, *The Age of Deference: The Supreme Court, National security, and the Constitutional Order* (Oxford University Press, 2016), argues that the Court has allowed national security interests to trump individual rights in case after case since World War II. More recently, he returned to a subject matter he put aside while serving as Dean, the dispute between Greece and the United Kingdom over the Parthenon Sculptures now in the British Museum. *Trophies of the Empire*, which will be published by the Cardozo Arts & Entertainment Law Journal, critiques the British Museum's legal claims underpinning its continued possession of the Parthenon statues Lord Elgin removed during the first decade of the nineteenth century.

In recent years Rudenstine has organized and participated in legal panels on subjects such as the disclosures made by Edward Snowden and Wikileaks, the NSA Surveillance Programs, and the ACLU in American Life. He was an inaugural fellow in Princeton University's Program in Law and Public Affairs in 2000-2001.



Giovanna Bellesia

Giovanna Bellesia is a professor of Italian Studies at Smith College. Her research focuses on Italian women writers and migration studies. She also works as a translator from Italian into English. She is committed to bringing to the English-speaking world the voices of migrant and second-generation writers.

Along with her colleague and co-translator Victoria Poletto she has translated many short stories from Italian into English as well as five books: Cameroonian-Italian author Geneviève Makaping's *Redirecting the Gaze: What If the Other Were You?* (Rutgers Univ. Press, 2023), Argentinian-Italian author Adrián Bravi's *My Language is a Jealous Lover* (Rutgers Univ. Press, 2023) Ethiopian-Italian author Gabriella Ghermandi's *Queen of Flowers and Pearls* (Indiana Univ. Press, 2015), Somali-Italian author Cristina Ali Farah's *Little Mother* (Indiana Univ. Press, 2007), and Italian author Dacia Maraini's *Stowaway on Board* (Bordighera Press, 2000).



Michael McCullough

Michael McCullough is a Founding Partner of Pearlstein & McCullough LLP, a law firm providing high-level services to the international art market.

Michael McCullough's art law practice covers a broad area of the art market. He advises galleries, auctioneers, collectors, and museums on a variety of matters regarding consignment agreements, private sale agreement, authenticity issues, ownership issues, and government regulatory issues affecting the art market.

During his ten years as compliance counsel at Sotheby's, he gained extensive experience in the full range of art market transactions. Mr. McCullough has conducted provenance due diligence on over fifty thousand unique works of art and has worked on the sale of great artworks and collections, such as Picasso's *Garçon à la Pipe*, The Forbes Collection of Faberge, The Martin Luther King Jr. Collection, MGM Resorts' Picasso Collection, and many more.

Mr. McCullough has extensive experience in disputes over the sale and ownership of cultural property. He represented Hobby Lobby Stores in the largest cultural property settlement in United States history when the company forfeited four hundred and fifty cuneiform tablets, three thousand clay bullae, and a payment of three million dollars. He has worked on dozens of other government seizure and forfeiture cases.

Mr. McCullough is an Adjunct Professor at Cardozo School of Law where he teaches "Art Law." He is a Member of the Personal Property Resource Panel of the Appraisal Foundation. He is also a Senior Advisor and Past-Chair of the Art and Cultural Heritage Law Committee of the American Bar Association.



Dr. Christiane (Kris) Tytgat

Dr. Christiane Tytgat studied Ancient History and Archaeology at the University KU-Leuven (Belgium). She received her doctor's degree with a dissertation on Cypriote Pottery from the Geometric until the Classical Period (1981). She was scientific collaborator at the KU-Leuven (1978-1981), Foreign Member of the *École française d'Athènes* (1982-1887) and curator at the Royal Museums of Art and History in Brussels (1992-2007), responsible for the Greek and Cypriote collections. In 2002, she became the director of the Belgian School at Athens. From March 2007 until her retirement in July 2014, she was attached to the executive staff of the University of Amsterdam and appointed director of the Netherlands Institute at Athens.

Her scientific research concentrates on the cemeteries of ancient Amathus in Cyprus, Cypriote and Greek pottery and on the archaeological site of Titani Korinthias in Greece. She participated in the excavations carried out by the *École française d'Athènes* in Argos (Greece) and in Amathus (Cyprus). She was also involved in archaeological projects in Syria: in Apamea by the Belgian Archaeological Mission and in Ras-el Bassit by the French Mission. Since 2004, she is directing the archaeological survey in Titani (Greece).

She was teaching at the University of Bordeaux (France; 1988-1989) and for several years in high schools in Belgium.

For more than 20 years she is an active campaigner for the reunification of the surviving sculptures of the Parthenon in the Acropolis Museum in Athens. Since 2014 she is acting in the Belgian Committee for the Reunification of the Parthenon Sculptures (BCRPS), first as co-president – together with Honorary Senator François Roelants du Vivier, founder of the Committee – and since 2019 as president of the Committee. In April 2019 she was elected President of the International Association for the Reunification of the Parthenon Sculptures (IARPS).



Patty Gerstenblith

Patty Gerstenblith is Distinguished Research Professor of Law at DePaul University and director of its Center for Art, Museum and Cultural Heritage Law. She was appointed by President Obama to serve as Chair of the President's Cultural Property Advisory Committee in the US Department of State on which had previously served as a Public Representative under President Clinton.

Since 2020, she has served as President of the Board of Directors of the US Committee of the Blue Shield and Chair of the Blue Shield International Working Group on Illegal Trafficking of Cultural Objects. She was founding president of the Lawyers' Committee for Cultural Heritage Preservation and editor of the International Journal of Cultural Property and is currently a Research Associate of the Cultural Heritage Center at the University of Pennsylvania Museum of Archaeology and Anthropology. The fourth edition of her casebook, *Art, Cultural Heritage and the Law*, was published in 2019. Gerstenblith lectures and publishes widely on the subjects of protection of cultural heritage during armed conflict and the international market in cultural objects. Gerstenblith received her AB from Bryn Mawr College, PhD in art history and anthropology from Harvard University, and JD from Northwestern University.



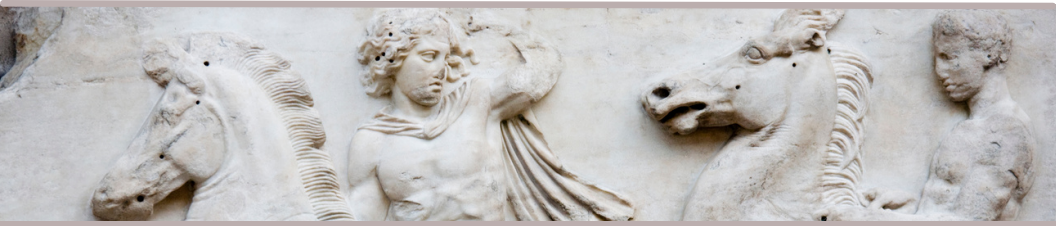
Lawrence M. Kaye

Lawrence M. Kaye is the Managing Member of the law firm of Kaye Spiegler, PLLC. He represents a wide range of domestic and international clients in complex litigations and commercial transactions involving art and cultural property.

He is noted for his representation of foreign governments, victims of the Holocaust, families of renowned artists and other claimants in connection with the recovery of art and antiquities. Larry was a lead attorney in the landmark case of Federal Republic of Germany v. Elicofon, in which two early masterpieces by Albrecht Durer, stolen at the end of the Second World War, were recovered and returned to the Weimar Art Museum. He has represented foreign governments in their efforts to recover their looted cultural patrimony, including the Republic of Turkey in its successful efforts to recover the fabled Lydian Hoard antiquities, long held by the Metropolitan Museum of Art, some 1,800 ancient Greek and Lycian coins which Connoisseur Magazine called “The Hoard of the Century”, and other looted treasures. Larry successfully represented the heirs of the Russian artist, Kazimir Severinovich Malevich, in connection with their claims against New York’s Museum of Modern Art, Harvard University’s Busch-Reisinger Museum and the City of Amsterdam’s Stedelijk Museum.

Larry served as the Legal Advisor to the Republic of Turkey’s delegation to the Diplomatic Conference held in Rome in June 1995, at which the UNIDROIT Convention on the International Return of Stolen or Illegally Exported Cultural Objects was adopted. He writes and lectures extensively on international art litigation and the repatriation of cultural property. He has presented papers at numerous academic and business symposiums, including, among others, forums sponsored by the Tel Aviv Museum of Art, the All-Russia State Library for Foreign Literature in Moscow, the United Kingdom Institute for Conservation, the American-Turkish Council, the Institute of International Business Law and Practice, Lloyd’s of London Press, the American Bar Association, the Association of the Bar of the City of New York, Columbia University, Brown University, University of Pennsylvania, Bard College, New York University, Princeton University, the American Institute of Archaeology, and many law schools, including Harvard, Villanova, Fordham, Texas Tech, Rutgers, Cardozo, Willamette and the University of Texas.

While pursuing his law degree, Larry was Editor-In-Chief of the St. John’s Law Review. He has served two terms as a member of the Association of the Bar of the City of New York’s Art Law Committee and was the Program Chairman for their Cultural Property Roundtable in November 1996.

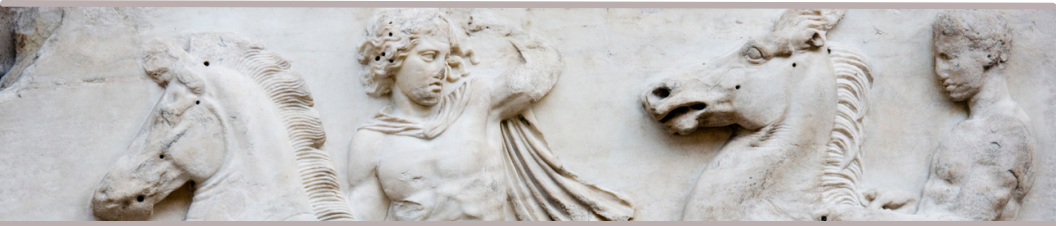


Samantha Anderson

Samantha Anderson joined Art Intelligence Global in 2022. Art Intelligence Global is an international art advisory that delivers bespoke services to a range of clients on a global level. Samantha came to Art Intelligence Global from Sotheby's where she was Vice President, Fiduciary Client Group.

Prior to Sotheby's, Samantha worked in-house at a national multifamily office. Samantha is a graduate of the Benjamin N. Cardozo School of Law where she concentrated on Intellectual Property and Art Law.

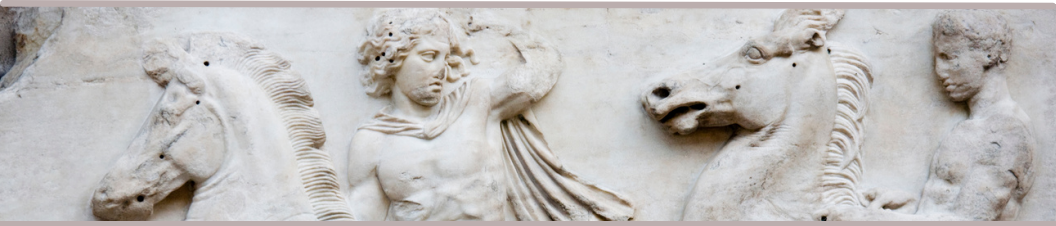
Throughout law school she was a legal intern at Christie's Restitution and Legal departments. She was also a legal intern for Herrick Feinstein, where she worked with their Art Law Group. Prior to attending law school she received a double MA in History of Art and Social Anthropology at the University of St Andrews, Scotland. Throughout her MA she worked with a law firm specializing in Cultural Property and Customs law. She was also a volunteer at the Metropolitan Museum of Art for over 4 years.



Irini Stamatoudi, LL.M., Ph.D.

Irini Stamatoudi is a Law Professor at the University of Nicosia (Cyprus) and a lawyer at the Supreme Court of Athens (Greece). She is specialised in Copyright and in Cultural Heritage Law. She has taught on many academic courses in Greece, Italy, Turkey, France, and Switzerland. She was the General Director of the Hellenic Copyright Organisation, which is the competent authority in Greece for copyright matters and belongs to the Ministry of Culture and Sports.

She has also acted for many years as a legal counselor to the Ministry of Culture on issues of illegal trafficking of antiquities where she handled the famous return cases of masterpieces from the J. P. Getty Museum (in Los Angeles) and from the Leon Levy & Shelby White collection (NY). Since 1999 she has participated in several negotiation committees on the issue of Parthenon Marbles and is currently a member of the Ministry of Culture Advisory Committee on the Parthenon Marbles. She has published thirteen books in copyright and in cultural heritage law in Greece and abroad and several articles in academic journals worldwide.



Elizabeth Marlowe

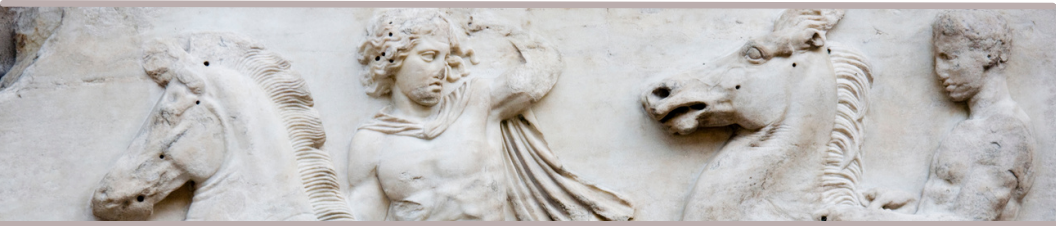
Elizabeth Marlowe, is Christian A. Johnson Endeavor Chair in Liberal Arts Studies, Associate Professor of Ancient and Medieval Art, and Program Director of Museum Studies at Colgate University. She has a PhD in ancient art history from Columbia University and Bachelors degrees from Cambridge University in Classics and Smith College in Art History. She has written on the historiography of ancient Roman art, on provenance, and on the display of ancient art in modern museums.



Dr. Elena Korka

Mrs. Elena Korka is an archaeologist, Honorary Director General of Antiquities and Cultural Heritage of the Ministry of Culture and a PhD of the National and Kapodistrian University of Athens (on the subject of her doctoral dissertation: “The Reunification of the Parthenon Sculptures within the Framework of the New International Practice of Returning Cultural Goods”). Fluent in four languages (English, French, German, Italian). She has taken part in many excavations and is the systematic excavator of ancient Tenea in Chiliomodi, Corinthia and has completed an excavation with the American School of Classical Studies at Kenchreai. She has served in various positions of high responsibility at the Ministry of Culture, and has represented the Ministry of Culture in many international meetings abroad, mainly UNESCO, the Council of Europe, ICOMOS, ICCROM, EAC and others.

She is a member of many NGOs and committees in Greece and abroad and has been elected member of the Council of ICCROM (International Center for the Study of the Protection and Preservation of Cultural Heritage) and Vice President for the SE Mediterranean region of the International Scientific Committee for the Management of Archaeological Heritage (ICAHM) International Committee on Archaeological Heritage Management) of the International Council on Monuments and Sites (ICOMOS - International Council on Monuments and Sites). She has been the National Coordinator for UNESCO World Heritage Sites (2007-2010) and member of the present Committee. Now she is consultant to the Minister of Culture and Sports and in 2021 finished her term as President of the Museum P. & A. Kanellou. She has attended many seminars on archeological issues and archeometry, given lectures on all topics of tangible and intangible heritage, movable and immovable and written many articles and books.. She has also organized many archeological exhibitions and scientific conferences and is still teaching at various Universities. She has been honored by International Committees for the Return of the Parthenon Marbles for her activities and work for the Reunification of the Parthenon Sculptures.

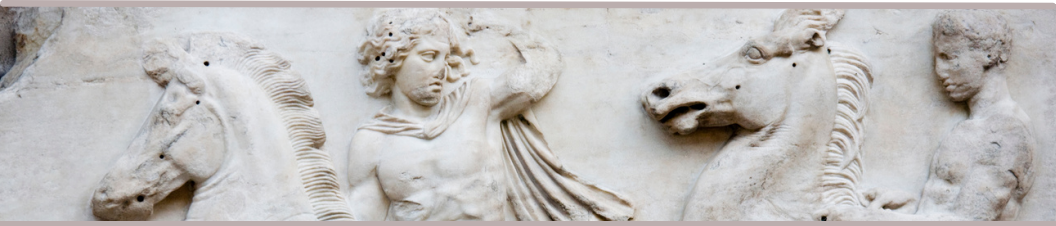


Kristen Carpenter

Kristen Carpenter is Council Tree Professor of Law and Director of the American Indian Law Program at the University of Colorado Law School.

Professor Carpenter served as a member of the United Nations Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) from 2017-2021 and as its chair from 2019-2020. While serving at the United Nations, Professor Carpenter worked on human rights issues regarding Indigenous Peoples in all regions of the world. With colleagues at the Native American Rights Fund, Carpenter is now co-lead on “The Implementation Project,” an effort to realize the aims of the UN Declaration on the Rights of Indigenous Peoples in the United States.

Professor Carpenter teaches and writes in the fields of human rights and Indigenous Peoples law, with emphasis on rights to land, culture, and religion. She is the author of dozens of academic articles and several books on these topics. Professor Carpenter works frequently with Indigenous Peoples, as well as museums and universities, cultural and religious organizations, national and local governments, and private industry to help to advance understanding of Indigenous Peoples’ rights. She is a graduate of Dartmouth College and Harvard Law School.



Joe Baker

Joe Baker is an artist, educator, curator and activist who has been working in the field of Native Arts for the past thirty years. He is an enrolled member of the Delaware Tribe of Indians of Oklahoma and co-founder executive director of Lenape Center in Manhattan. Baker is an adjunct professor at Columbia University's School of Social Work in New York and was recently Visiting Professor of Museum Studies at Colorado College, Colorado Springs, Colorado. He serves as a board member for The Endangered Language Fund, Yale University and on the Advisory Committee for the National Public Art Consortium, New York and cultural advisor for the new CBS Series, "Ghosts."

Baker has guided in his capacity as executive director for Lenape Center partnerships with the Metropolitan Museum of Art (his work is currently on exhibit there), Brooklyn Museum of Art, American Ballet Theater, Moulin Rouge on Broadway, The Whitney Museum of Art, and others. He served as a consultant for BSKS Architects for the renovation of the international award winning Tammany Hall in New York and is cultural consultant for Inwood Sacred Sites for the development and conceptual design of a project in the Inwood community, Manhattan. In partnership with Farm Hub in the Hudson River Valley, Baker and Lenape Center are championing the return of ancestral seeds in the homeland through a seed repatriation project.

This seed saving project, now in its second year, has done much to contribute to the cultural foodways of the Lenape diaspora. In partnership with the Brooklyn Public Library, Baker is the curator of the first ever Lenape exhibition of cultural arts in the City of New York, opening January 2021. Baker graduated from the University of Tulsa with a BFA degree in Design and an MFA in painting and drawing, and completed postgraduate study, Harvard University, Graduate School of Education, MDP Program.



Linda Mendoni

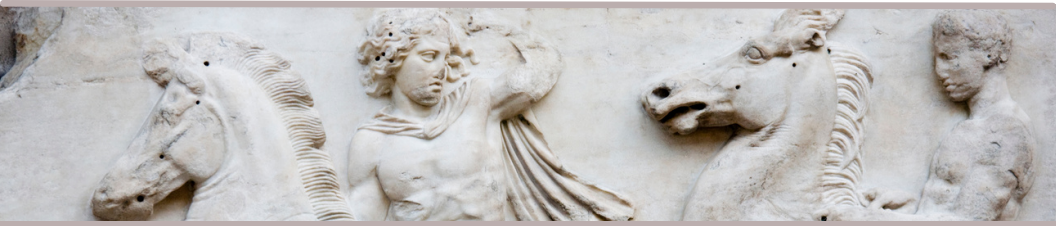
Lina G. Mendoni was born in Athens. She graduated from the Arsakeion School in Psychiko, and acquired Bachelor's degrees in Classical Philology and History and Archaeology at the University of Athens. In 1987, she attended a pre-doctoral course at Maison de l'Orient in Lyon as a C.N.R.S. scholar, and in 1988 she was awarded her PhD in Archaeology cum laude by the University of Athens. In the same year, she also received a scholarship from the British Archaeological School at Athens for a post-doctoral study on ancient Greek onomastics in Oxford. In 1989, she became a member of the research staff at the Institute of Greek and Roman Antiquity (now Institute of Historical Research) of the National Hellenic Research Foundation, where she still serves as a Principal Researcher.

Lina Mendoni is a member of several domestic and foreign academic organizations, societies and unions. She is also a leader or member of scientific committees in the context of European and international research programs. Her academic interests include ancient Greek epigraphy, history and topography, the study of landscape as a cultural good, the protection, promotion and management of cultural heritage, the theory and politics of Culture. She is the author of monographs and numerous articles published in international scientific journals, conference proceedings and collective volumes. She has also co-edited five collective volumes.

She served as a Special Scientific Advisor to the Hellenic Ministry of Environment, Planning and Public Works from 1994 to 1997, and to the Hellenic Ministry for the Aegean from 1997 to 1999. From March 1999 to March 2004 Lina Mendoni was Secretary General of the Hellenic Ministry of Culture, and from November 2009 to January 2015 of the Ministries of Culture and Tourism, Culture and Sports, and Education and Religious Affairs, Culture and Sports successively.

Lina Mendoni has received several honors, among which:

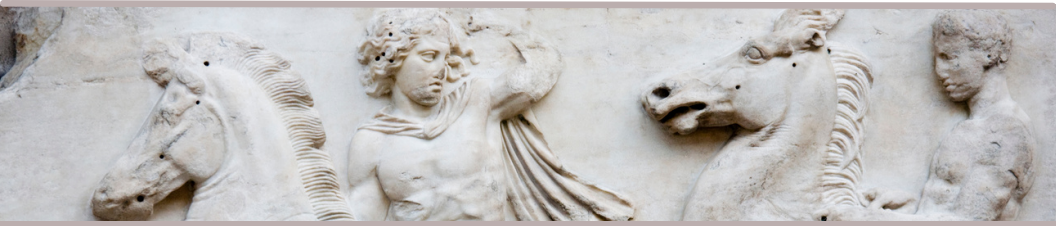
1. The Medal Commendatore (II Classe), Ordine della Stella della Solidarietà Italiana by the President of the Italian Republic for her contribution to the cultural relations between Greece and Italy (2003),
2. The Office of Archon Treasurer by the Patriarch of Alexandria for her constant support and assistance to the throne of Saint Marc (2014),
3. The Medal of the Order of St. Catherine by the Archbishop of Sinai for her contribution to the protection of the cultural assets of the Monastery of Sinai (2010), The Grand Cross of the Holy Metropolis of Messinia by the Metropolitan of Messinia for her contribution to the protection of the cultural heritage of the region (2016).



Leila Alexandra Amineddoleh

With a decade and a half of experience in both litigation and transactional law, Leila A. Amineddoleh is an expert in the field of art and cultural heritage law. She represents major art collectors, museums, galleries, dealers, non-profits, artists, estates, foundations and foreign governments. She has been involved in matters related to multi-million dollar contractual disputes, international cultural heritage law violations, the recovery of stolen art and antiquities, complex fraud schemes, authentication disputes, art-backed loans, and the purchase and sale of hundreds of millions of dollars of art and collectibles. She also advises clients on the acquisition and sale of fine arts and cultural heritage works, and she has been involved in the return of valuable stolen fine art and looted antiquities. As a leading art law expert, Leila has lectured at dozens of institutions and she has been published extensively.

Leila also teaches International Art & Cultural Heritage Law at Fordham University School of Law, in addition to Art Crime and the Law at New York University.



Sandra L. Cobden

Sandra Cobden is currently the Deputy General Counsel, Litigation & Compliance, at Pactiv Evergreen. Prior to her present position, she was General Counsel for Dispute Resolution & Legal Public Affairs at Christie's for 12 years. She also was an adjunct professor at Cardozo, teaching Art Law for many years. While at Christie's, she worked extensively on issues related to cultural property, negotiating and meeting with officials at multiple countries of origin, various international organizations involved in cultural property issues, numerous government organizations and legislative committees as well as law enforcement. She also handled a number of Christie's disputes involving antiquities, including *Turkey v. Christie's and Steinhardt*. Finally, she was personally honored by Cambodia and awarded the title of Commander of the Royal Order of Sahamertrei for her work on cultural property issues while at Christie's.