

Faculty of Arts and Social Sciences / Faculty of Law / Faculty of Science and Engineering (University College Maastricht)

## Interfaculty Minor Art, Law and Policy Making

Name coordinator: Guido Goossens – [guido.goossens@maastrichtuniversity.nl](mailto:guido.goossens@maastrichtuniversity.nl)

Full period of this minor: 1-3

ECTS credits in total of this minor: 24/30

Language of instruction: English

Teaching methods: see course descriptions

Assessment methods: see course descriptions

The interfaculty minor ‘Art, Law and Policy Making’ approaches arts and culture from the perspectives of art history and theory, sociology of art, cultural economics, anthropology of art, museum studies, art law and private international law. This minor gives students an insight into the interdisciplinary nature of the cultural field. From discussing the role of policy and politics in arts and culture, to the position of museums and their collections, to the legal aspects of the art trade and heritage protection, as well as restitution of cultural objects – students will gain an insight into the many forces that influence the cultural sector, cultural policy, cultural participation, museums, the art market and the protection of cultural heritage, which shape an important aspect of our everyday life.

Course period 1	<a href="#"><u>ACU3005 Arts and Culture: Policy and Politics (12 ECTS)</u></a>	Faculty of Arts and Social Sciences Course coordinator: Guido Goossens
Course period 2	<a href="#"><u>IER3004 Law and Art</u></a>	Faculty of Law Course coordinators: Lars van Vliet and Anna de Jong
	<a href="#"><u>MIN0002 The Presence of Art: Reinterpreting Modern and Contemporary Art (6 ECTS)</u></a>	Faculty of Science and Engineering (University College Maastricht) Course coordinator: Inge Römgens
Course period 3	<a href="#"><u>ACU3910 Wicked problems: current issues in Policy, Art and Law (6 ECTS)</u></a>	Faculty of Arts and Social Sciences Course coordinator: Denise Petzold (tentative)

## Course period 1

### Arts and Culture: Policy and Politics

Course code: ACU3005

Course period: 1

ECTS credits of this course: 12

Coordinator: Guido Goossens, email: [guido.goossens@maastrichtuniversity.nl](mailto:guido.goossens@maastrichtuniversity.nl)

This is a joint course with the interfaculty minor *Art, Law and Policy Making*.

#### **Full course description**

What is art? What makes good art? Who decides what is good art? Is taste in art strictly subjective? Why and how should the government support or not support art and culture: which art, whose culture? How about cultural participation? Is art for the elite or for everyone? What are values of art and culture? Can art be used as an instrument, for instance to enhance social inclusion? What are possible economic benefits for governments of supporting arts and culture?

These are some of the questions tackled in this introductory course in Cultural Politics, that is the public policy field covering the arts and heritage. Highly distinctive is the mix between need-to-know cultural theory, such as Pierre Bourdieu's sociological theory on taste or Richard Florida's theory of the creative city, and practice-based encounters with professionals from the cultural sector during workshop-like lectures and fieldtrips. The course includes both in-class and in-situ tutorials, and together with a team of fellow students you will work on a practice-based research project.

#### **Course objectives**

At the end of this course you will be able to:

- demonstrate knowledge of basic theories and concepts in cultural politics;
- apply these theories and concepts to practical cases from the cultural sector;
- write an academic paper in which you critically reflect on these theories and concepts and their application in professional cultural practice;
- work together in a team on a practice-based research project.

**Teaching methods:** lectures, tutorials, fieldtrips

**Assessment:** individual paper, group paper, presentation, participation

**Keywords:** art, culture, cultural policy, cultural theory, art theory, art economy, museums, heritage, cultural sector

**Prerequisites:** n/a

A maximum number of 60 students will be admitted.

## Course period 2

### Law and Art

Course code: IER3004

Course period: 2

ECTS credits of this course: 6

Coordinator: Lars van Vliet, Faculty of Law, email: [l.vanvliet@maastrichtuniversity.nl](mailto:l.vanvliet@maastrichtuniversity.nl) and Anna de Jong, Faculty of Law, email: [annadejong@maastrichtuniversity.nl](mailto:annadejong@maastrichtuniversity.nl)

### **Full course description**

In Law and Art - The Free Movement of Cultural Property we take a closer look at the legal dimension of the art trade, the protection of cultural heritage from various threats, and the different points at which law and cultural heritage intersect. Artworks speak to our imagination and either fascinate or irritate (or bore) us. In the public discourse works of art are described and valued for different reasons: their uniqueness, their representation of the artistic genius, expressions of the human condition... These values we ascribe to art can also lead to it being endangered during conflicts, stolen, looted, forged, or even purposefully destroyed.

Beside their artistic and historic value, art works are also goods: material objects that can be valued in money and are traded across the globe. This international element of the trade renders regulation and enforcement across legal borders difficult, and actors in the illicit trade of cultural objects take full advantage of this. Since artworks are relatively easy to take across borders, stolen or looted art objects can show up all over the globe. To add to the difficulties, laws affecting the art trade differ from country to country. This is especially true for export regulations, the rules on the bona fide purchase and limitation periods. For example, the position of the bona fide purchaser is a delicate issue. Who should be protected and for how long? Must a bona fide purchaser return a stolen or looted painting to the original owner? Which law applies if more than one jurisdiction is involved?

Which international obligations exist? Are there just and fair solutions for these types of disputes? These examples show that this course deals with many different areas of law:

International and European law, Private and Private International Law and Public Law.

However, you can easily widen the legal fields having a relation to the art market, such as for example Intellectual Property Law or Tax Law, which will not be addressed directly during the course.

### **Course objectives**

- identify the special role and treatment of works of art in a variety of related legal issues.
- outline the evolution of international cultural heritage law and summarize its main instruments.

- discuss the legal difficulties of regulating the (i)licit trade in art and the protection of art and cultural heritage from forgeries and destruction.
- analyse the private (international) law issues relevant to artworks.
- rate the compatibility of laws on cultural heritage with European and international standards.

**Teaching methods:** Lectures, PBL

**Assessment:** moot court and written exam

**Keywords:** Art law, cultural heritage protection, looted art, restitution and return, fakes, misrepresentation, Colonialism, warranty of title, provenance

**Prerequisites:** Basic knowledge of law is important even if this course is open for students of the faculties of LAW, Arts and Culture and UCM and Erasmus students. Students who have no background in law should in any case read the following book: Hage, Jaap, Waltermann, Antonia M., Akkermans, Bram (Eds.), Introduction to Law, Springer 2017, available as ebook in the UM Library.

## **The Presence of Art: Reinterpreting Modern and Contemporary Art**

Course code: MIN0002

Course Period: 2

ECTS credits of this course: 6

Coordinator: Inge Römgens, Faculty of Science and Engineering (UCM), email:  
[inge.romgens@maastrichtuniversity.nl](mailto:inge.romgens@maastrichtuniversity.nl)

### **Full course description**

Since the late 19th century and certainly up until the mid-20th century artists have issued avant-garde manifestoes of change, claiming their art to be ahead of the times. Critical of conventions and traditions, they regarded art as a revolutionary means to social, political, cultural, and intellectual emancipation and progress. Through what has been called the “shock of the new,” by making tabula rasa with the existing, art was to create a better world. Were it not for the fact that art effectively served the ideologies of both the socialist and fascist totalitarianisms of the last century, such radical ambitions might even sound a bit naïve, nowadays. Indeed, as yesterday’s future has become today’s past, the utopias of a bygone era seem to have been disappointed, at last - or have they not? Do we need to rescue avant-garde virtues and ideals for the sake of the relevance of contemporary art? What precisely is the legacy of the modern avant-garde besides its success on the global art market? In the early 21st century and under the spell

of a “new spirit of capitalism”, is there any hope left for effective artistic critique? Or do current “economies of enrichment” simply reduce the value of art to financial speculation?

This course considers histories and theories of modern and contemporary art. It provides an overview of the heterogeneous and experimental development of modern and contemporary art. Artistic responses to society, politics, science, and technology are discussed. The module also addresses the practices of governing institutions of the contemporary art world, such as art markets and museums. Furthermore, the course features visits to (local) art institutions, including the Jan van Eyck Academie.

### **Course objectives**

- To understand and apply historical and theoretical approaches to modern and contemporary art.
- To critically reflect and debate on the meaning of modern and contemporary artistic practices.
- To learn how to write an art review.

**Teaching methods:** Tutorial group meetings (PBL), guest lectures and field trips.

**Assessment:** Two in-class presentations and students will work on compiling a portfolio of four writing assignments throughout the course

**Keywords:** Modern art, contemporary art, art markets, critique, museums

## **Course period 3**

### **Wicked problems: current issues in Policy, Art and Law**

Course code: ACU3910

Course period: 3

ECTS credits of this course: 6

Coordinator: Denise Petzold (tentative), email: [d.petzold@maastrichtuniversity.nl](mailto:d.petzold@maastrichtuniversity.nl)

This is a joint course with the FASoS minor Arts and Heritage

### **Full course description**

Cultural institutions today are at the heart of social, political, ethical and legal issues. How to deal with objects that were taken from communities or individual owners under circumstances that we currently find unacceptable? This question includes objects from former colonies, dependencies and territories under foreign occupation. When and to whom should objects be returned that came from former colonies and territories under foreign occupation (post-colonial challenges)? What to do with museum objects that have been taken from their owners in suspect or even unacceptable circumstances (looting by the Soviets and Nazis)? What to do with human

remains (including objects made from human remains) that have entered museum collections?  
What is reparation, restitution and repatriation, and whose responsibility is it to implement it?  
How to respond to the call for cultural institutions to take a leading role in social justice matters?  
What is the role of ICOM in this case, and what is the role of governments in the case of government controlled museums?

This course focuses on three core wicked problems in the policy, art and law field. We question exhibitions in situations of coloniality, provenance research and restitution. These topics will be explored in relation to a particular case study. The course takes an interdisciplinary approach and builds on perspectives coming from academic fields such as (art) history, sociology, pedagogy, philosophy, law and critical museology as well as professional practices such as conservation, curatorship, policy, and education.

### **Course objectives**

At the end of the course students will be able to:

- Demonstrate advanced knowledge of and insight into important issues in the fields of policy, politics of arts and heritage, museum studies, cultural education or curatorship related to the themes of the course
- Identify relevant stakeholders, actors and factors in diverse practices related to arts and heritage research
- Apply the knowledge gained on a practical case study

**Teaching methods:** Lectures, workshops

**Assessment:** participation, the students will choose their own case study and create a podcast reflecting on the case from the three perspectives (art, law, policy)

**Keywords:** museums and coloniality, dissonant heritage, reparation, restitution, repatriation, decolonizing the museum

**Prerequisites:** Registration for ACU3910 is only allowed together with registration for modules ACU3005 (minor Arts & Heritage/Interfaculty minor Art, Law and Policy Making) in period 1 and ACU3004 (minor Arts & Heritage) or IER3004+MIN0002 (Interfaculty minor Art, Law and Policy Making) in period 2 or for MA AC Premaster students. The course is also open for students of the minor program 'Erfgoed en Publiek' of the Radboud University Nijmegen. A maximum number of 60 students will be admitted.