

CSTC 370b
ART CRIME
Yale College Seminar for the Spring Semester, 2009
Syllabus with Readings

Course Title

CSTC 370b “Art Crime”

Lecturer

Noah Charney

Primary Topics Developed Throughout

- The evolution of art crime from the Modern Period to the present day, during which time it developed from a relatively innocuous crime of passion, perpetrated by individuals, often for ideological as much as financial reasons, into the third highest-grossing criminal industry worldwide, the realm of Organized Crime, funding the drug and arms trades, as well as terrorism.
- Why is it important to protect art? From a criminological standpoint, why is art crime particularly problematic? From the humanistic perspective, why is art important to preserve?
- How theoretical/historical knowledge can be practically applied to protect and recover art today
- Why art crime has gone under-studied, and what must be done to improve the situation in the future
- The history and psychology of collecting, and the unusual mechanics of the art trade, make the art world an ideal victim (and sometime partner) of criminals.

Format

Classes will begin with an introductory lecture (with students encouraged to ask questions, and the flow of the lecture material open to the dynamic of the class). This will be followed by discussion of the readings due that day and their relation to the lecture. This portion of the class will also include projects and in-class assignments that give the students a chance to apply the theory to real-life art crime situations.

Several expert guest speakers will visit the class, to discuss professional applications of the course material. The classroom work will be complemented by field trips to Yale institutions (Yale Art Gallery, Peabody Museum) in order to see hands-on how to apply the lessons from class.

Evaluative Material

CLASS PARTICIPATION: Active participation will be expected of all students in class, with particular note taken to the way in which students link the reading material to the class discussion, and to the major themes developed throughout the course. *20% of grade.*

RESPONSE PAPERS: Students will be required to write four short response papers (500-1000 words in length) over the course of the term, the goal of which is to link themes in the reading with the class discussion and the lectures. They may choose to write responses to any four class discussions, provided two come before mid-term and two after. Students must develop ideas from the assigned readings linking them to the class material. Students may write in a more conversational, less formal manner in these responses. Papers should be submitted the week following the discussion. *Four response papers: 20% of grade.*

MID-TERM EXAM: One written exam on material from the course at mid-term. In addition to fact-based questions, students will be asked to provide creative responses to real-life problems, incorporating theory from the course. *Mid-term exam: 20% of grade.*

PROJECT: In small groups, design and present a budgeted security plan for a museum. To be judged by the lecturer and a guest museum security director. *20% of final grade.*

PAPER: In consultation with the instructor, students will select a paper topic in which they will analyze and suggest solutions to an unsolved art theft from history, based on theory from readings and class discussions. *Due at the end of the semester, 20% of grade.*

Readings

Primary Texts

To Be Purchased at Yale Bookstore

Conklin, John *Art Crime* Praeger, 1995 (presented as a course pack)

Nicholas, Lynn *The Rape of Europa: the Fate of Europe's Treasures in the Third Reich and Second World War* Vintage, 1995.

Charney, Noah *The Art Thief* Atria, 2007

To Be Ordered and Purchased at TYCO

Charney, Noah ed. *Art & Crime* Praeger, 2009 (selections in course pack)

Plus several handouts in class

Please note that reading assignments are listed with the class *in which they will be discussed*. Therefore look at the syllabus for the following class to see your reading assignments due to be discussed in it.

Class Syllabus with Reading Assignments

Week 1-Jan 15.

The Origins of Art Crime & Art Crime Categories

What is Art? What is Crime?

This course will address basic questions about art, crime, and where the two meet. It will include an introduction to key terms, and will also provide a base in both Criminology and Art History, particularly valuable for students with no background in either field.

Topics:

- a. Art Crime in the Ancient World
 - Egyptian Tomb Raiders
 - Roman Republican Sack of Syracuse, 212 BC
 - Trade in Fake Relics
 - Iconoclasm
- b. Criminology for Art Historians
 - What You Need to Know about Criminology
- c. Art History for Criminologists
 - What You Need to Know About Art and Archaeology
- d. Discuss Format of Response Papers and Graded Material
- e. Your Ideas Before and After
 - As the course begins, take any three of the major themes of the course, and write what you think you know. How and why did art crime evolve from individual criminals into Organized Crime? How does the psychology of collecting and the art trade aide criminals? Why is it important to protect art, from a criminological and from a humanistic standpoint? Why has art crime gone under-studied? How can theoretical/historical knowledge be practically applied today to recovery and protect art? We will compare these initial responses to your views on these questions at the end of the course. *To be submitted at the start of the next class.*

Week 2-Jan 22.

A Criminal's Ideal Victim

Introduction to the Art World

The largest victim of art crime is the art trade. This multi-billion dollar legitimate industry is victimized to the tune of a conservatively estimated \$6 billion per year, most of which goes into the pockets of organized crime. This class will analyze how the four main categories of art crime influence the art market. These encompass a myriad of sub-categories, but are unified in being premediated criminal activities, undertaken for financial and/or ideological reasons, which profit from, or reduce the value of, art, and therefore affect the art market.

Readings To Be Discussed in This Class:

- 1) Charney, Noah "Introduction" and "Art Crime in Context" from Charney ed. *Art & Crime*, Praeger, 2009.
- 2) Stubbs, John "Why Masterpieces Matter: Some Dogmatic Reflections" from Charney ed. *Art & Crime*, Praeger, 2009.

Topics:

- a. History of Museums
 - Origins of Museums
 - Art History for Art Crime Students

- b. History of Collecting
 - Psychology of Collecting
 - Art and People
- c. Art Trade
 - Concept of Value
 - How does the psychology of collecting and the art trade aid criminals?
- d. Why is it important to protect art, from a humanistic standpoint?
- e. Criminality aside, why is art important? How would you argue for its importance with someone who professes no interest in art, history, or museums?
- f. Submit "Your Ideas Before and After" Paper

Week 3-Jan 29.

How To Profit from Art Crime

Means, Methods, and Tricks of the Trade

Everyone benefits if an artwork that comes on the market is legitimate: The owner makes money, the dealer receives a high commission, the buyer gets a new trophy, and academics get a new object to study. Because of this, there is a subconscious desire on the part of the art trade for potentially questionable objects to be legitimate. This is where clever criminals can take advantage.

Readings To Be Discussed in This Class:

- 1) Charney, Noah *The Art Thief* (read up to page 100, reading should be finished by mid-term)
- 2) Charney, Noah *Stealing Caravaggio: The Odessa File* (Handout in class)

Topics:

- a. Black and Gray Market Sale
 - “Legitimate” vs Illegitimate Art Deals
 - Recovery of the Stockholm Rembrandt
- b. Barter and Collateral
 - Martin Cahill Case Study
 - Peter Watson Undercover
- c. Ransom
 - Bührle Collection
 - Bill Reid Gold Sculptures
 - 2004 Munch Theft
- d. How does the art trade facilitate (inadvertently or intentionally) criminal activity within it?

Week 4-Feb 5.

Chasing Doctor No

Fact vs Fiction in Art Crime

The general public, and most governmental and police officials, do not know the truth about art crime, its nature, its severity, and how it functions. This is due both to the poor data and statistics kept by police, and the misconceptions projected by fiction and the media. This class will focus on the Public’s perceptions of art crime, where the misconceptions came from, whether there is truth in them, and how best to correct the misconceptions and inform.

Readings To Be Discussed in This Class:

- 1) Tjihuis, A. J. G. “Who Is Stealing All Those Paintings?” from Charney ed. *Art & Crime*, Praeger, 2009.

- 2) Loreti, Silvia “The Affair of the Statuettes Re-Examined: Picasso & Apollinaire's Role in the Famed Louvre Theft” from Charney ed. *Art & Crime*, Praeger, 2009.
- 3) Watch an art crime film (DVDs will be on reserve)

Topics:

- a. Literature
 - The Gentleman Thief: Raffles, Arsene Lupin, Gabriel Coffin
- b. Popular Perceptions and Media
 - The Media’s Love Affair with Art Prices and Thefts
- c. Film
 - The Thomas Crown Affair, To Catch a Thief, Ocean’s Twelve, et al
- d. Deconstruct a popular work of art crime fiction (novel, film, etc), analyzing what is portrayed accurately, what is not, and why.

Week 5-Feb 12.

Destroying History

Vandalism & Iconoclasm

Whether the willful damage to art and architecture is ideological, or simply spiteful, damaged art loses its value, while destroying an artwork turns a potential fortune into a pile of dust. However, for certain famous works, the cachet of having endured vandalism (or theft) actually increases value. It certainly adds to popular interest, as witnessed by the tour guides in Florence and London who love to recount the survival tales of Michelangelo’s *David* and *Pieta*, or Velazquez’s *Rokeby Venus*. The destruction of art can also raise the values of related works that survive — imagine a fire that consumes every Vermeer but one.

Readings To Be Discussed in This Class:

- 1) Nicholas, Chapters 1-4
- 2) UNESCO. *States Parties to the Convention for the Protection of Cultural Property in the Event of Armed Conflict 1954* The Hague: initial publication, 1954. (Handout in class)
- 3) Fincham, Derek “The Fundamental Importance of Archaeological Context” from Charney ed. *Art & Crime*, Praeger, 2009.
- 4) Gill, David “Homecomings: Learning from the Return of Antiquities to Italy” from Charney ed. *Art & Crime*, Praeger, 2009.

Topics:

- a. Conquest Vandalism
 - Sack of Rome
 - Fall of Baghdad
- b. Ideological Iconoclasm
 - Reformation
 - Velazquez’ *Rokeby Venus*
 - The IRA and Rubens’ *Adoration of the Magi*
 - Taliban
- c. Attention Vandalism
 - Michelangelo’s *David* and *Pieta*
 - Plain Old Idiocy: Ammanati’s *Neptune*
- d. Discuss the psychology and symbolism of the destruction of art.

Week 6-Feb 19.

From Tomb Raiders to Terrorists

Trade in Illicit Antiquities

Perhaps comprising as much as 75 percent of all art crime, antiquities looting is the most difficult crime to solve. Objects taken directly out of the earth or the sea will not appear on stolen art registries because the objects never existed, at least not to the knowledge of contemporary society, before their illicit excavation. Looted antiquities can often be sold on an open market, for full value, even without a false provenance that suggests their legitimate excavation and exportation. Since the legitimate antiquities trade is laced with questionable characters and objects with incomplete provenance, the nature of this market provides shadows in which criminals can hide. Although buying a looted antiquity might seem relatively harmless, trade in illicit antiquities has been identified as a major funding source for terrorist groups.

Readings To Be Discussed in This Class:

- 1) Nicholas, Chapters 4-6
- 2) Toby Bull “Lack of Due Diligence & Unregulated Markets: Trade in Illicit Antiquities & Fakes in Hong Kong, China” from Charney ed. *Art & Crime*, Praeger, 2009.
- 4) Reading should be completed on *The Art Thief*.

Topics:

- a. Illegal Terrestrial Excavations
 - Tomb Raiders from Peru to Pakistan
- b. Illegal Submarine Excavations
 - Odyssey and the Black Swan Shipwreck
- c. Smuggling and Trade
 - The Ease of Profit in Illicit Antiquities
- d. Suggest ways to regulate the trade in illicit antiquities.

MID-TERM EXAM

Week 7-**Feb 26.**

Napoleon, Hitler, & Göring’s Guide to Stealing Art During War

War Looting Through the Ages

This class looks back to the earliest forms of art theft, committed against parties defeated in war. The cases trace the historical connection between looting and collecting, two practices that attest to the growing monetary and aesthetic value of art. It examines Napoleon’s establishment of art acquisition as requisite to the terms of a peace treaty, and ends with the Nazi art censorship and hunting policies of the Second World War.

Readings To Be Discussed in This Class:

- 1) Nicholas, Chapters 7-end
- 2) Nemeth, Erik “The Artifacts of Wartime Art Crime: Evidence for a Model of the Evolving Clout of Cultural Property in Foreign Affairs” from Charney ed. *Art & Crime*, Praeger, 2009.

Topics:

- a. Trophies of War
 - Republican Rome
 - Sack of Rome
 - The Fourth Crusade
- b. Napoleon and Pro-Active Collecting
 - Duke of Modena

- Looting the Vatican
 - First World War Thefts and the Treaty of Versailles
 - c. Art Theft in World War Two
 - Hitler's Supermuseum
 - Göring's Personal Collection
 - Nazi Art Policy
 - Monuments Men
 - The Race to the Althausee Salt Mine
 - d. How and why did World War II provide the pivot point for art crime's evolution from individual criminals into Organized Crime?
 - e. The symbolism of art theft in war.
- PAPER ASSIGNED: Analyze and suggest solutions to an unsolved art theft (due at the end of the semester).

Week 8-Mar 5.

How To Forge a Painting & Con a Collector

Forgery Deception 101

To trick the art world has been the primary motivation of nearly all of history's forgers. The financial gains aside, forgers often seek revenge on the art community for having dismissed their own original creations. And the art trade, its scholars, collectors, curators, and salesmen, have proven themselves a forger's best ally, eagerly leaping into the simple traps laid by clever criminals.

This class will detail the rich history of fakes and forgeries, dating back to Michelangelo as one of the earliest such tricksters. What makes the perfect forgery, and how does the art market play into the hands of con men? Answers to these questions will include a discussion of why art commands such astronomical prices, and how the nature of the art market unconsciously leads itself into snares laid by forgers. Of interest are four general types of art forgeries: 1) wholesale creation of artworks 2) alteration of existing real artworks 3) misattribution of real artwork to increase value 4) confidence tricks by use of the "Provenance Trap."

Guest: Dr Patricia Garland, Senior Conservator, Yale Art Gallery

Readings To Be Discussed in This Class:

- 1) Conklin, Chapters 1-3
- 2) Polk, Kenneth and Duncan Chappell "Fakes and Deception: Examining Fraud in the Art Market" from Charney ed. *Art & Crime*, Praeger, 2009.
- 3) Hebborn, Eric *The Art Forger's Handbook* London: Cassell, 1997. Introduction. (Handout in class)
- 4) Baker, Paul "Policing Fakes" a paper delivered at the conference sponsored by the Australian Institute of Criminology, Sydney, 2-7 December, 1999. (Handout in class)
- 5) Charney, Noah *To Trick the Art World* (Handout in class)

Topics:

- a. Wholesale vs Alteration Forgery
 - Hans van Meegeren
 - John Myatt

- Elmyr de Hory
 - Michelangelo
 - Icilio Joni
 - b. Provenance Forgery and the “Provenance Trap”
 - Shaun Greenhalgh
 - c. Willful Misattribution
 - Bernard Berenson and Connoisseurship
 - d. Based on your new knowledge of successful forgers and forgery cons, invent a new forger (based on psychological profiling), his forgery and his con method.
- PROJECT ASSIGNED: In small groups, design and present a budgeted security plan for a museum. To be judged by the lecturer and a guest museum security director (due in Class 10).

---SPRING BREAK, MARCH 6-23---

Week 9-Mar 26.

Art Policing & International Policy

What is Being Done vs What Should Be Done

Most governments do not take art crime seriously, because only incomplete data has been available to them. Even Interpol, which ranks art crime as the third highest-grossing criminal industry over the past forty years, acknowledges that insufficient data exists to be certain of the full extent of art crime. Few countries have any dedicated art police. This class will examine what has been done, what is being done, and what should be done to police art crime, from both a law and law-enforcement perspective.

Possible Guest: Anthony Amore, Security Director, Isabella Stewart Gardner Museum

Readings To Be Discussed in This Class:

- 1) Conklin, Chapters 1-4
- 2) Ahern, Dennis & Anthony Amore “Q&A with Two Revolutionary Security Directors” from Charney ed. *Art & Crime*, Praeger, 2009
- 3) Tompkins, Judge Arthur “Heralds of Change in the International Legal Landscape” from Charney ed. *Art & Crime*, Praeger, 2009.

Topics:

- a. Art Police
 - FBI
 - Scotland Yard
 - Carabinieri
 - Interpol
- b. Art Law
 - Statute of Limitations for Theft Charges
 - Due Diligence
 - Insurance Issues
 - Good Faith Purchases
- c. Combating Apathy & Poor Information
 - Gathering Information
 - Establishing a New Field of Study
 - Getting Governments to Listen

- Why has art crime gone under-studied?
- d. How can theoretical/historical knowledge be practically applied today to recovery and protect art?
- e. What is needed in order to get governments and police to take art crime as seriously as it warrants?

Week 10-Apr 2.

How To Steal from the Louvre

Museums, Libraries & Security

This class considers the best and worst museum defenses, the range of possibility from highly sophisticated to surprisingly low-tech. Which museums are best protected, and which are asking for trouble? How can art be protected, if it must be available for the public to enjoy? Churches, museums, and archives must make their art accessible to the public, which makes security much more difficult. Yet some venues have been effectively secured. We will look at cost-effective measures that may be taken by under-funded institutions, such as churches, is another feature of this class.

Possible Guest: Richard Boardman, Security Director, Yale Peabody Museum

Readings To Be Discussed in This Class:

- 1) Conklin, Chapters 5-7
- 2) Drent, Dick 'Exhibition Security: Regular, Customized or Tailor Fit' from Charney ed. *Art & Crime*, Praeger, 2009
- 3) Layne, Stevan P. *The Cultural Property Protection Manual* IFCPP: 2007. Selected readings.

Topics:

- a. Technology and High-Budget Security
 - Hi-Tech Alarms
 - Major Museums
 - Major Library Collections
- b. Cost-Effective Security Measures
 - Smaller Museums
 - Private Security
 - Churches and Public Spaces
 - Outdoor Art
- c. Security Management and Techniques
 - Guard Efficacy
 - Guest Profiling
 - Containment Security
 - Tracking Security
- d. What measures would you recommend to an under-funded museum, to improve their security at minimal cost?

PROJECT PRESENTATIONS

Week 11-Apr 9.

Gentleman Thieves in the Night

Art Theft Before World War Two

Although most art theft is committed by criminal syndicates, some thefts do involve private collectors, as the movies suggest, and there have been some art thieves who live up to the white-gloved gentlemen of the realm of fiction. This class will examine the “Dr. No Syndrome,” the popular fantasy of maniacal collectors in remote castles gloating over their private treasure trove, and its real-life counterpart.

Readings To Be Discussed in This Class:

- 1) Conklin, Chapters 8-end
- 2) Straus, Dorit “Implication of Art Theft in the Fine Art Insurance Industry” from Charney ed. *Art & Crime*, Praeger, 2009
- 3) McDade, Travis “The Quiet Crime: An Introduction to the World of Rare Book, Map and Document Theft” from Charney ed. *Art & Crime*, Praeger, 2009

Topics:

- a. Thieves of the Victorian Age
 - Adam Worth and Gainsborough’s *Duchess*
 - Picasso, Apollinaire, and the Iberian Statue Affair
 - Vincenzo Peruggia and Leonardo’s *Mona Lisa*
- b. Gentleman Thieves of Other Eras
 - Arsene Goedertier and Van Eych’s *Ghent Altarpiece*
 - Kempton Bunto and Goya’s *Duke of Wellington*
 - Robert Mang and Cellini’s *Saliera*
- c. Pathological Thieves
 - Joseph Honore Gery Pieret
 - Jonathan Waxman
 - Stephane Breitweiser
- d. Discuss the myth/history of the elegant thief and criminal collector. What about it is true, and why does the general public assume it is all true?

Week 12-Apr 16.

Art and Organized Crime

The Barbarization of Art Theft

Most art crime today is perpetrated by, or on behalf of, international criminal syndicates. Art crime now represents one branch in an enormous criminal industry that spans the globe. Art is stolen, swapped for drugs and arms and political favors, and thus funds more “serious” crimes, such as terrorism. But organized criminal syndicates did not become interested in art until 1961. This class examines the origins of the unofficial partnership between Organized Crime and art theft, tracing the story from the Corsican Mafia’s thefts of Cézannes and Picassos along the French Riviera, to Cosa Nostra’s theft of Caravaggio’s *Nativity*, to the theft of Munch paintings in Oslo.

Readings To Be Discussed in This Class:

- 1) Bogdanos, Matthew. 'The Terrorist in the Art Gallery', New York, *The New York Times*, 10 December 2005, p. 15. (Handout in class)
- 2) Tjihuis, Edgar, *Transnational crime and the interface between legal and illegal actors – The case of the illicit art and antiquities trade* Nijmegen: Wolf Legal Publishers, 2006. Selected readings (handout in class)
- 3) Dobovšek, Bojan “Art and Organized Crime” from Charney ed. *Art & Crime*, Praeger, 2009.
- 4) Selected readings on Organized Crime (handout in class)

Topics:

- a. Mafias in the Arts
 - Corsican Mafia, Picassos and Cezannes
 - Sicilian Mafia and Caravaggio's *Nativity*
 - Russian Mafia and Munch's *Scream*
- b. Art Crime, Drugs, and Arms
 - How Art Theft Funds Other Crimes
 - Martin Cahill and Stolen Vermeer
 - Rose Dugdale and the Irish Country Home Heists
- c. Art Crime and Terrorism
 - IRA
 - Fundamentalist Middle Eastern Group
- d. You are a Public Relations agent working to get art crime to be taken more seriously by governments, police, and the general public. Prepare a proposal on how best to do so, integrating the primary themes developed throughout the course.

Week 13-Apr 23.**The Future of Art Theft****Art Crime Today and Tomorrow**

The final class will summarize the content of course, and establish the current international situation. Based on their cumulative knowledge and understanding, students will discuss what measures they would recommend to curb art crime in the future.

Readings To Be Discussed in This Class:

- 1) Pastore, Col. Giovanni "Defending Art" from Charney ed. *Art & Crime*, Praeger, 2009.

Topics:

- a. Violent, Sudden "Blitz" Thefts
 - The New Trend and How To Combat It
- b. Future of Policy
 - What Should Police and Governments Do?
- c. The New Field of Art Crime Studies
 - Teamwork Between Academia and Police/Security
- d. Student Publicity Programs
 - What Should be Done?
- e. Your Ideas Before and After
 - Return to the response paper from the first class, to see how your views have altered