1. **Title of the module**

LAWS5830 (LW583): Art and Cultural Heritage Law

1. **Division or partner institution which will be responsible for management of the module**

Law, Society and Social Justice: Kent Law School

1. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 6

1. **The number of credits and the ECTS value which the module represents**

30 credits (15 ECTS credits)

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Autumn and Spring

1. **Prerequisite and co-requisite modules**

None

1. **The programmes of study to which the module contributes**

All single and joint honours law programmes

1. **The intended subject specific learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Analyse key aspects of the historical and social regulation of art and cultural heritage within society;
   2. Critically explore the aspects of the legal and illegal trade in art and cultural objects that generate the need for regulation at a national and international level;
   3. Critically explore the need to return, restitute or repatriate cultural objects that were illegally acquired in time of colonisation and/or war
   4. Critically discuss the legal issues relating to the regulation of cultural heritage at a national and international level;
   5. Demonstrate their conceptual understanding of legal concepts and procedures in relation to the regulation of the art market and cultural heritage in order to devise and sustain an independent argument;
   6. Appreciate the scope of EU and International law and policy and their effects on UK law.
2. **The intended generic learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Effectively locate primary and secondary legislation at national and international level and apply it to intricate policy and legal issues;
   2. Critically evaluate an area of law both doctrinally and in terms of its historical and social consequences;
   3. Effectively apply knowledge to analyse complex issues;
   4. Recognise potential alternative solutions to particular issues and make a reasoned choice between them;
   5. Formulate and sustain a complex argument, supporting it with appropriate evidence.
3. **A synopsis of the curriculum**

This area of law considers a developing jurisprudence that involves international treaties, laws, ethics, and policy considerations relating to the art market and cultural heritage. This module aims to define art and cultural heritage/cultural property; to identify the need for national and international regulation of the art trade (theft, illegal export, trafficking) both in time of peace and in time of war as well as the issue of restitution of wrongfully displaced objects. It will also explore areas of the art trade that need regulation such as consumer protection (fakes and forgeries); the role of experts (opinion and liability), artists (his rights, his freedom and his life), dealers (auction houses and private dealers), and museums (role and collection management) in the trade. Finally, the module addresses the essential question of the need to change the law to accommodate the specific needs of protection of cultural heritage and it aims to give coherence to a complex body of rules at the intersection of civil law, property law, criminal law, public law, private international law and public international law.

1. **Reading List (Indicative list, current at time of publication. Reading lists will be published annually)**

Journals

* + - * Art, Antiquity and Law
      * International Journal of Cultural Policy
      * International Journal of Cultural Property

Authored works

* + - * Blake J, International cultural heritage law (Cultural Heritage Law and Policy, Oxford, United Kingdom : Oxford University Press 2015)
      * Forrest C., International Law and the Protection of Cultural Heritage (2010, Routledge)
      * Francioni F. (ed), Enforcing International Cultural Heritage Law (2013, OUP)
      * D. Gillman, The Idea of Cultural Heritage (2010, CUP)
      * J. Merryman (ed), Imperialism, Art and Restitution (2006, CUP)
      * A. Vrdoljak, International Law, Museums and The Return Of Cultural Objects (2006, CUP)

1. **Learning and Teaching methods**

Total study hours: 300

Contact hours: 39

Private study hours: 261

1. **Assessment methods.**

13.1 Main assessment methods

The module will be assessed by coursework (60%) and exam (40%):

Case Study, 1,500 words (15%)

Case note, 1,500 words (15%)

Essay or Problem Question, 2000 words (30%)

Exam, 2 hours (40%)

13.2 Reassessment methods

Like-for-like

1. ***Map of Module Learning Outcomes (sections 8 & 9) to Learning and Teaching Methods (section 12) and methods of Assessment (section 13)***

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 9.1 | 9.2 | 9.3 | 9.4 | 9.5 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |  |
| Lectures | X | X | X | X | X | X | X |  |  |  |  |
| Seminars | X | X | X |  | X |  | X | X | X | X | X |
| Private Study | X | X | X | X |  | X | X | X | X | X | X |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |  |
| Case study (15%) | X | X | X |  | X | X | X | X | X |  | X |
| Case note (15%) | X | X | X | X | X | X | X | X | X | X |  |
| Essay or Problem Question (30%) |  | X | X | X | X | X | X | X | X | X | X |
| Exam (40%) | X | X |  | X | X | X | X | X | X | X | X |

1. The Division recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. In accordance with the KLS school-level statement on Lecture Capture, lectures will be recorded to assist notetaking unless one or more of the lectures contains sensitive material. The module convenor will notify students in advance of any lectures that will not be recorded.

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or centre(s) where module will be delivered:**

Canterbury

1. **Internationalisation**

The aim of this module is to develop students’ abilities to critically discuss the legal issues relating to the regulation of cultural heritage at a national and international level that can be transposed to different countries, hence students will develop skills that will be of a global reach. The reading list has reference to international research.

**DIVISIONAL USE ONLY**

**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

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| --- | --- | --- | --- | --- |
| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6 & 7 cover sheet) |
| 21/09/2018 | Minor | September 2018 | 12-15, 17 | No |
| 10/12/2020 | Major | September 2021 | 8, 10, 12-14 | No |