

N E W E D I T I O N

# Law, Ethics and the Visual Arts

## Fifth Edition

John H. Merryman *and* Stephen K. Urice

No legal scholar has been as passionate and articulate about the visual arts as John Henry Merryman. This new book, the Fifth Edition of his classic **Law, Ethics and the Visual Arts**, revised in collaboration with Stephen K. Urice, incorporates razor-sharp insights into numerous developments that have occurred in recent years, from the widespread bomb damage of the nineties to such specialized agreements as the UNESCO Convention on Protection of the Underwater Cultural Heritage. As readers have come to expect from earlier editions, historical underpinnings and patterns are clearly traced for every issue raised.

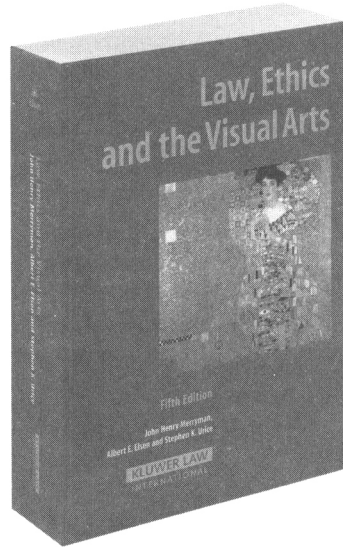
These issues include:

- "military necessity" as justification for destruction
- ugly, obscene, or offensive artworks as "free speech"
- fakes and forgeries
- the inner workings of art auctions
- laws relating to art crimes: who do they protect?
- trade in antiquities

A documentary appendix presents the texts of 23 relevant laws, conventions, treaties, declarations, resolutions, guidelines, codes professional practice, and the terms and conditions of sale of major art auction houses.

Although the last decade has witnessed more than a few episodes of shocking cultural destruction, Merryman and Urice note a great surge in worldwide consciousness of the unique, irreplaceable character of art, and a significant rollback of the cultural prejudices that have been ebbing away since the 1954 Hague Convention declared all art works, whatever their origin, to be "the cultural heritage of mankind."

Whether you need to understand something as provocative as who owns the past, or something as mundane as whether a museum can sell part of its collection in order to fix the roof, this book will set you on the right course. It combines unassailable scholarship with a deeply humanistic approach, recognizing that law and art each (in the words of Paul Freund) "impose a measure of order on the disorder of experience without stifling the underlying diversity, spontaneity, and disarray."



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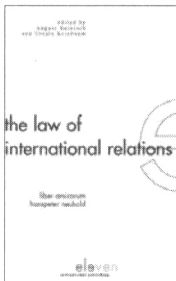
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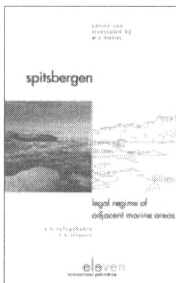
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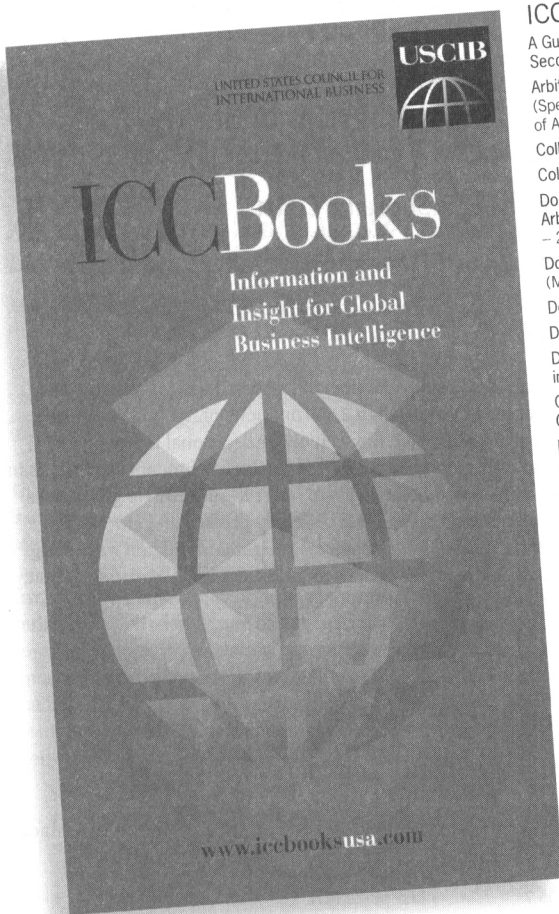
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Ioannis G. Dimitrakopoulos

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This is a treatise on individual rights and liberties under the U.S. Constitution. The book contains reference to more than 2,500 opinions of the U.S. Supreme Court, and covers, in a comprehensive way, ten major decisional areas: - general issues of constitutional rights;- procedural rights (including fundamental rights in criminal procedure);- personal inviolability and liberty;- substantive guarantees against criminal or civil penalties;- personal or family privacy and autonomy;- searches and seizures;- freedoms of conscience, thought and religion (including the Establishment Clause);- freedoms of speech, press, assembly and association;- substantive protection of property rights and economic interests; - equal protection.

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Edited by Niels Blokker, René Lefeber, Liesbeth Lijnzaad, Ineke van Bladel

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Shyami Fernando Puvimanasinghe

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- Paperback (xiv, 138 pp.)
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This collection focusses on topics that are particularly relevant for the present era. It examines issues such as multiculturalism, globalization, international criminal justice (specifically third and fourth generation rights) and, within this thematic framework, the problems that have come about as a result of the expanding reach of the Internet and of new biomedical advances. In addition, it explores the increasingly urgent challenge of how to respond to international terrorism, in view of worldwide events since September 11, 2001, and its resulting aftermath. Originally published in Spanish, this thought-provoking collection will be of interest to human rights scholars and practitioners alike.

## Reflections on the Law of War *Collected Essays*

Frits Kalshoven

- June 2007
- ISBN 978 9004158 25 2
- International Humanitarian Law Series, 17
- Hardback (1100 pp.)
- List price EUR 300.- / US\$ 420.-

The papers collected in this volume span a 35-year period of active involvement in the 'reaffirmation and development of international humanitarian law'. Throughout the period, the author's activities ranged from participation in lawmaking and law interpreting exercises, through attempts at explaining the law of armed conflict in its historical context and making propaganda for its faithful implementation, to critical or even bewildered observance of actual events. The papers brought together here reflect these diverse angles.

## Access to Environmental Justice: A Comparative Study

Andrew Harding

- June 2007
- ISBN 978 9004157 83 5
- London-Leiden Series on Law, Administration and Development, 11
- Hardback (xvi, 380 pp.)
- List price EUR 120.- / US\$ 162.-

The contributors to this book set out to study the extent to which citizens can and do exert influence over their urban environments through the legal (and extra-legal) 'gateways' in eleven countries spanning several continents as well as different climates, levels and type of economic development, and national legal and constitutional systems, as well as exhibiting a different set of environmental problems.

This book presents the first comparative survey of access to environmental justice, and will be of considerable use to lawyers, policy-makers, activists and scholars who are concerned with the environmental issues which so profoundly affect and afflict our habitat and conditions of social justice throughout the world.



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Tullio Scovazzi and Gabriella Citroni

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- Hardback (xviii, 434 pp.)
- List price EUR 135.- / US\$ 189.-

Enforced disappearance is one of the most serious human rights violations. It constitutes an autonomous offence and a crime under international law on account of its multiple and continuing character. It is not a phenomenon of the past, nor is it geographically limited to Latin America: such scourge is widespread today and on the increase in other continents. For more than twenty-five years, relatives of disappeared people worldwide have insisted on the pressing need for an international legally binding instrument against enforced disappearances. 2007 is the year of the adoption of the International Convention on the Protection of All Persons from Enforced Disappearances, which represents the result of several legislative and jurisprudential developments that are duly analyzed in this book

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Patrick Dumberry

- June 2007
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This volume addresses the controversial issue of State succession to international responsibility. It deals with two distinct questions. Firstly, whether or not there is State succession to obligations arising from internationally wrongful acts committed by the predecessor State against a third State before the date of succession. Secondly, whether or not there is State succession to the right to claim reparation as a consequence of internationally wrongful acts committed by a third State against the predecessor State before the date of succession.

## Collective Responsibility and Accountability under International Law

Shane Darcy

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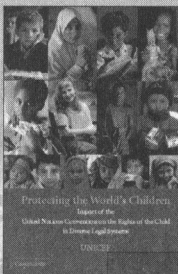
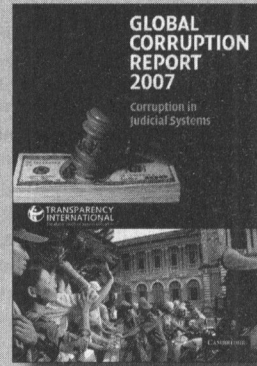
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Compiled by *Transparency International*

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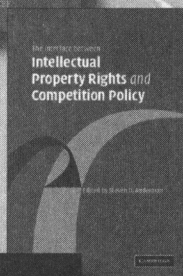
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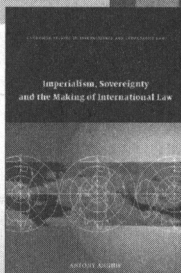
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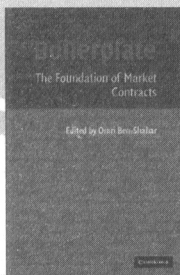
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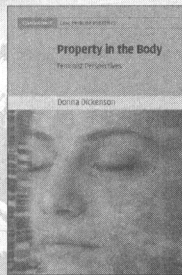
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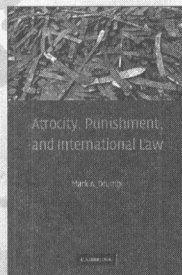
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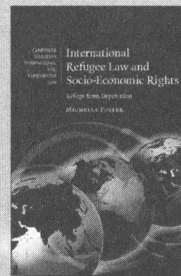
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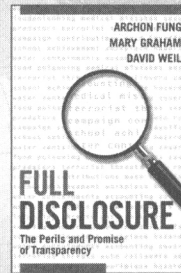
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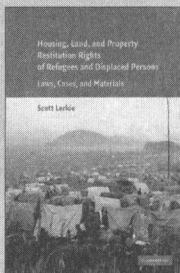
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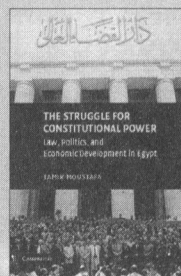
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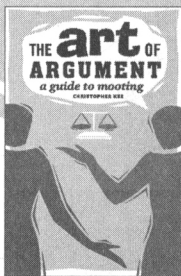
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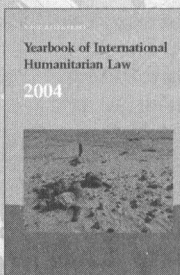
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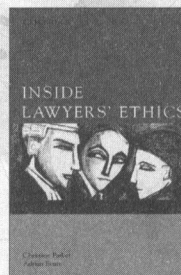
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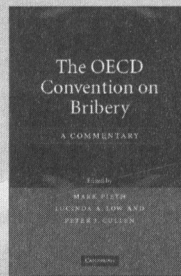


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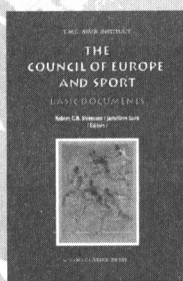
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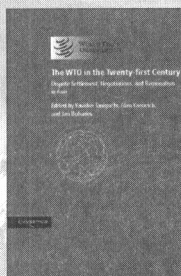
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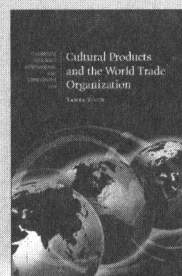
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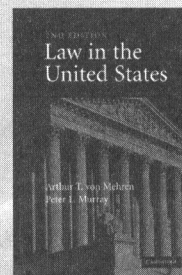
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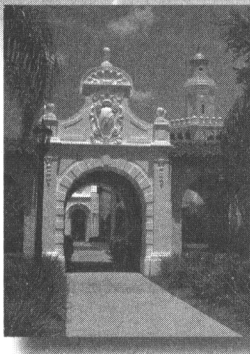


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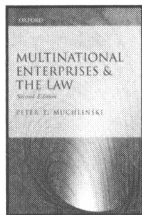
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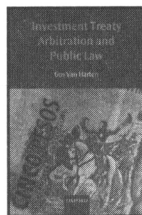
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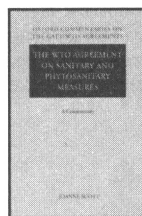
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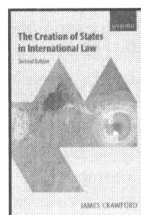
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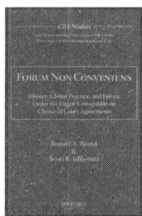
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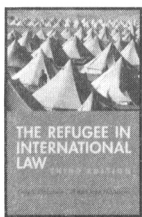
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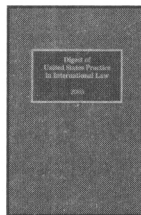
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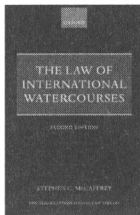
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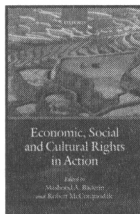
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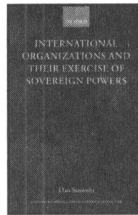
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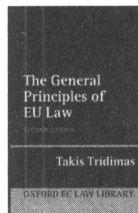
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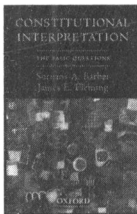
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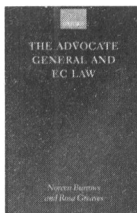
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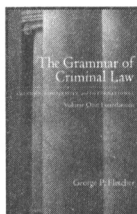
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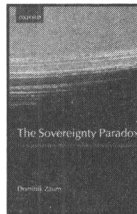
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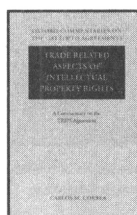
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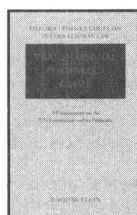
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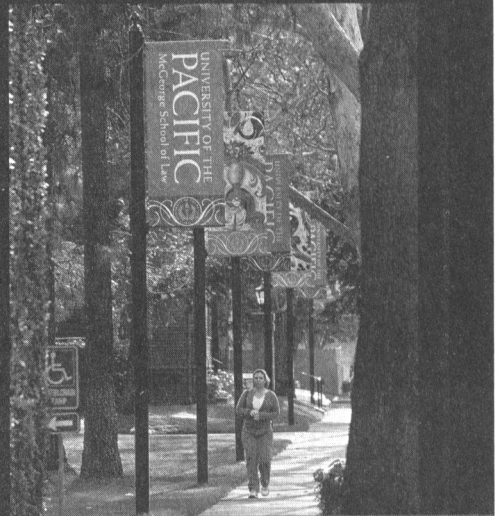
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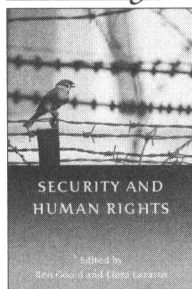
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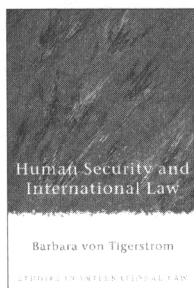


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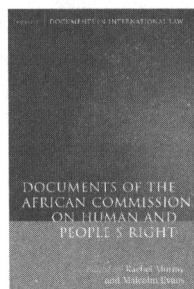
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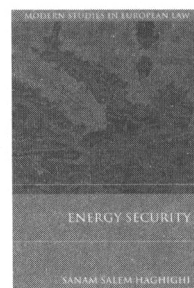
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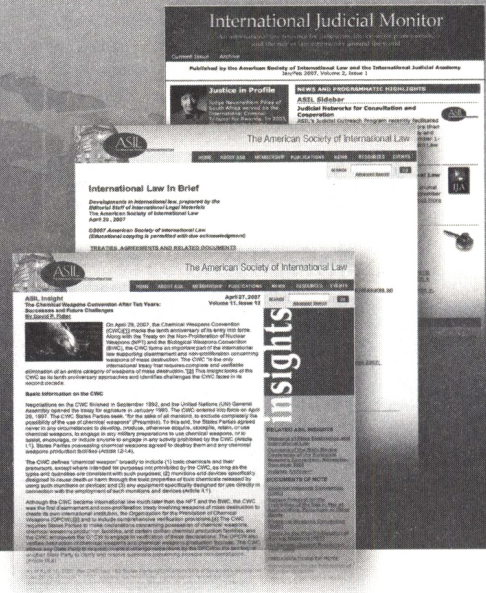
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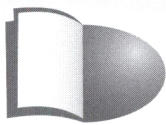
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Judge Rudiger Woffum of Germany in the President of the International Tribunal for the Law of the Sea, which sits in Hamburg, Germany. [Read more >](#)

#### International Tribunal Spotlight

European Court of Human Rights (ECtHR) [Read more >](#)

#### Significant Judicial Developments

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[Is Russia Ready for Jury Trials?](#)  
[India: New System Sought for Judges' Appointments](#)  
[Vietnam's Judicial Reforms Encourage Results](#) [\(More Judicial Developments >\)](#)

#### International Resources

[Supreme Courts in an Internationalized World \(HITL\)](#)  
[Hague Service Convention Handbook \(HSCCH\)](#)  
[Rule of Law and Due Process in Criminal Justice Systems \(RJCSC\)](#)  
[African Judicial Network \(AJN\)](#) [\(More International Resources >\)](#)

#### Rule of Law Survey

Should Common Article 3 of the Geneva Conventions apply as a matter of international law to the US conflict with al Qaeda and other non-state actors?  
 Yes  
 No  
 Uncertain  
 [See Survey Results](#)

#### Calendar of Events

**September 26, 2006**  
[Update on Hague Service Convention >](#)

**September 26, 2006**  
[Examines the Implications of Hamdan v. Rumsfeld >](#)  
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##### ASIL Sidebar

###### Judicial Education and the Emergence of a Global Legal Environment

The growing impact of international law and transnational legal practice on legal systems the world over during the past several decades has led to increased emphasis on ensuring that members of the judiciary obtain training in substantive and procedural aspects of international law and how it is incorporated domestically. [\(Read More >\)](#)

##### TIA Docket

###### Second Sir Richard May Seminar

The second Sir Richard May Seminar on International Law and International Courts is being held in The Hague, Netherlands, September 24-29, 2006. [\(Read More >\)](#)

##### Cases of Note

[European Court of Justice: Commission of the European Communities v. Ireland \(May 30, 2006\) >](#)

[Supreme Court of the United States: Hamdan v. Rumsfeld, Secretary of Defense et al. \(June 29, 2006\) >](#)

[International Court of Justice: Pulp Mills on the River Uruguay \(Argentina v. Uruguay\) \(Rejection of request for provisional measures\) \(July 13, 2006\) >](#)

[Court of Justice of the European Communities: European Parliament v. Council of the European Union and European Parliament v. Commission of the European Communities \(May 30, 2006\) >](#)


[\(More Cases >\)](#)

#### OPINIONS AND COMMENTARY

##### Global Judicial Dialogue

###### The Value of International Programs For Judges


Hon. Linda Ludgate, Pennsylvania Court of Common Pleas Judge, Berks County, Pennsylvania  
Since becoming a state trial judge in the Commonwealth of Pennsylvania in 1990, I have attended numerous courses at the National Judicial College in Reno, Nevada, obtaining valuable information that has assisted me in my duties as a trial judge. [\(Read More >\)](#)



###### General Principles of International Law

###### Treaty Interpretation


Articles 31 and 32 of the Vienna Convention on the Law of Treaties (VCLT) set forth the basic rules of treaty interpretation. [\(Read More >\)](#)



###### Leading Figures in International Law

###### Dr. Leandro O. Despouy, Human Rights Advocate and Scholar


Dr. Leandro Despouy, a human rights advocate and scholar from Argentina, is spearheading the international protection of the independence of judges, lawyers, and prosecutors. [\(Read More >\)](#)



###### Justice Sector Assessment

###### Rule of Law Lessons-Learned in UN Complex Multidimensional Peacekeeping


United Nations complex multidimensional peacekeeping operations initiated under Chapter VII of the UN Charter have become increasingly involved in rule of law (ROL) issues and programming. [\(Read More >\)](#)



###### In Review: New Publications on International and Comparative Law

###### A New World Order

By Anne-Marie Slaughter  
Princeton University Press 2005  
"New world order" is neither a new idea nor a new phrase. That fact is simply demonstrated by doing a quick "Google" search of the term, which yields some eight million, three hundred and ninety thousand references. [\(Read More >\)](#)



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