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Distinguished Research Professor
Director, Center for Art, Museum and Cultural Heritage Law
DePaul University College of Law
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PROFESSIONAL EMPLOYMENT

Professor	DePaul University College of Law
Director	Center for Art, Museum and Cultural Heritage Law
Co-Director	Tulane-Siena Institute for International Law, Cultural Heritage & the Arts:
Judicial Clerkship	Clerk to Judge Richard D. Cudahy, United States Court of Appeals for the Seventh Circuit

EDUCATION

J.D. Northwestern University School of Law; Order of the Coif; *cum laude*
Articles Editor, *Law Review*
Ph.D. Harvard University in Art History and Anthropology
A.B. Bryn Mawr College, *cum laude* in Classical and Near Eastern Archaeology,
with honors; minor in Greek
D.H.L., *h.c.* Hebrew Union College-Jewish Institute of Religion (2017)

SELECTED LEADERSHIP POSITIONS

President of the Board of Directors, U.S. Committee of the Blue Shield (2020-present)
Chair, Blue Shield International Working Group on Illegal Trade in Cultural Objects (2020-present)
Chair (2011-17), President's Cultural Property Advisory Committee, U.S. Department of State
Bureau of Educational and Cultural Affairs, appointed by President Obama; Public
Member (2000-2003), appointed by President Clinton
Steering Group, International Art and Cultural Heritage Committee, Section on International
Law, American Bar Association
Research Associate, University of Pennsylvania Museum of Archaeology and Anthropology
(2017-present)
President (Founding), Lawyers' Committee for Cultural Heritage Preservation (2005-2011)
Editor-in-Chief, International Journal of Cultural Property (1995-2002)
Trustee, Archaeological Institute of America (1995-2000)
Trustee, American Schools of Oriental Research (1995-2000)

SELECTED POLICY INITIATIVES

Expert, Fulbright Specialist Program, Department of Antiquities, Amman, Jordan
Senior Advisor, Countering Looting of Antiquities in Syria and Iraq Project, Terrorism,
Transnational Crime and Corruption Center (TraCCC) George Mason University
Participant, Working Group on drafting a policy on Prosecution of Cultural Heritage Crimes,
International Criminal Court, The Hague, The Netherlands
Participant, United Nations Human Rights Council, Inter-session on Cultural Rights

Project Advisor, The University of Chicago Neubauer Collegium for Culture and Society
 Project on The Past for Sale: New Approaches to the Study of Archaeological Looting
 Member, American Alliance of Museums, Task Force on Direct Care of Collections

SELECTED HONORS and AWARDS

Charles Eliot Norton Memorial Lecturer, Archaeological Institute of America (2023-24)
 Wicklander Fellowship in Business and Professional Ethics, DePaul University (2021-2022)
 Montgomery Fellow, Dartmouth College (2021)
 Outstanding Public Service Award, Archaeological Institute of America (2020)
 DePaul University College of Law Faculty Achievement (2019)
 Championing Cultural Heritage Award, Archaeological Institute of America and The
 Antiquities Coalition (2018)
 DePaul University Public Service Award (2017)
 DePaul University Humanities Center Fellowship (2016-18)
 DePaul University College of Law Faculty Achievement (2013)
 DePaul Media Recognition Award: Editorial Expert (2008)
 Artemis and Martha Joukowsky Distinguished Service Award, Archaeological Institute of
 America (2007)
 DePaul University College of Law Excellence in Scholarship Award (2006)
 Department of State Office of Citizen Exchange, “A Toolkit for Preservation of the
 Archaeological Heritage: Legal, Documentation, and Security Methods” (2005-08)
 DePaul University Excellence in Teaching Award (2003)
 W.F. Albright Service Award, American Schools of Oriental Research (2000)
 John Courtney Murray Award for Distinguished Service to the Center for Church/State Studies,
 DePaul University College of Law (1998)
 American Council of Learned Societies Grant-in-Aid for Recent Recipients of the
 Ph.D. Degree (1979)
 Metropolitan Museum of Art Graduate Assistantship (1977)
 Whiting Fellowship in the Humanities (Harvard University) (1976-77)
 Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship (1974-75)

SELECTED PUBLICATIONS

Books:

CULTURAL OBJECTS AND REPARATIVE JUSTICE: A LEGAL AND HISTORICAL ANALYSIS (Oxford
 Univ. Press 2023)
 ART, CULTURAL HERITAGE AND THE LAW (Carolina Academic Press) (4th ed. 2019)
 IRAQ BEYOND THE HEADLINES: HISTORY, ARCHAEOLOGY, AND WAR (World Scientific Publ.
 Co.) (2005) (co-authored with Benjamin R. Foster and Karen Polinger Foster)
 THE LEVANT AT THE BEGINNING OF THE MIDDLE BRONZE AGE. American Schools of
 Oriental Research Dissertation Series 5 (1983)

Articles:

Accepted for Publication:

Returning Illegally Trafficked Cultural Objects: Civil Forfeiture at the Intersection of Private and
 Criminal Law, Transatlantic Cultural Property Crime Symposium (Saskia Hufnagel et al
 eds.)

Article 9 of the 1970 UNESCO Convention, co-authored with Wang Yunxia, in 1970 UNESCO Convention and 1995 Unidroit Conventions: A Commentary (Ana Filipa Vrdoljak et al eds. OUP 2024)

Setting the Standard: The 1970 Standard and Ethical Codes of Archaeological Organisations, LEVANT (forthcoming)

An Introduction to Cultural Heritage Law, GREY ROOM (in production)

Published:

Toward a Human-Rights Based Approach as an Element in Post-conflict Cultural Heritage Reconstruction, in HERITAGE DESTRUCTION, HUMAN RIGHTS AND INTERNATIONAL LAW 165-194 (Amy Strecker and Joseph Powderly, eds. Brill 2023)

Development of the Law of Armed Conflict as Applied to Cultural Heritage, in THE ROUTLEDGE HANDBOOK OF HERITAGE DESTRUCTION 76-88 (José Antonio González Zarandona, Emma Cunliffe and Melathi Saldin, eds. Routledge 2023)

Ethical Guidelines for Publishing Ancient Texts, in VARIANT SCHOLARSHIP: ANCIENT TEXTS IN MODERN CONTEXTS 135-51 (Neil Brodie, Morag Kersel and Josephine Munch Rasmussen, eds. Sidestone Press 2023)

Protecting Cultural Heritage: The Ties between People and Places, in Cultural Heritage and Mass Atrocities: Legal, Political, and Humanitarian Perspectives (James Cuno and Thomas Weiss eds. Getty Publ.) <<https://www.getty.edu/publications/cultural-heritage-mass-atrocities/part-4/21-gerstenblith/>>

Hobby Lobby, the Museum of the Bible and the Law: A Case Study of the Looting of Archaeological Artifacts from Iraq, in ANTIQUITIES SMUGGLING: IN THE REAL AND VIRTUAL WORLD 59-95 (Layla Hashemi and Louise Shelley eds. Routledge 2022).

Theft and Illicit Excavation: Legal Principles and Responses, in OXFORD HANDBOOK ON INTERNATIONAL CULTURAL HERITAGE LAW 200-26 (Francesco Francioni and Ana Vrdoljak eds. Oxford Univ. Press 2020)

The Disposition of Movable Cultural Heritage, in INTERSECTIONS IN INTERNATIONAL CULTURAL HERITAGE LAW 17-55 (Anne-Marie Carstens and Elizabeth Varner eds. Oxford Univ. Press: 2020)

Provenience and Provenance Intersecting with International Law in the Market for Antiquities, 45 NORTH CAROLINA J. INTER'L L. 457-95 (2020)

Provenances Real, Fake and Questionable, 26 INT'L J. CULTURAL PROPERTY 285-304 (2019)

Statutes of Limitation and Other Legal Challenges to the Recovery of Stolen Art, in THE PALGRAVE HANDBOOK ON ART CRIME 271-85 (Saskia Maria Hufnagel & Duncan Chappell eds) (2019)

Introduction to UN Security Council Resolution 2347, 57:1 INTERNATIONAL LEGAL MATERIALS (invited contribution) (2018), <http://dx.doi.org/10.1017/ilm.2018.1>

Implementation of the 1970 UNESCO Convention by the United States and Other Market Nations, in THE ROUTLEDGE COMPANION TO CULTURAL PROPERTY 70-88 (Jane Anderson and Haidy Geismar eds. 2017)

The Destruction of Cultural Heritage: A Crime against Property or a Crime against People? 15 JOHN MARSHALL REV. INTELL. PROP. L. 336-93 (2016)

The Legal Framework for the Prosecution of Crimes Involving Archaeological Objects, 64:2 U.S. ATTORNEYS BULLETIN 5-17 (March 2016)

For Better and For Worse: The Evolution of Cultural Property Policy and Law in the United

- States, 22 INT'L JOURNAL OF CULTURAL PROPERTY 357-78 (2015)
- Do Restrictions on Publication of Undocumented Texts Promote Legitimacy? *in* ARCHAEOLOGIES OF TEXT: ARCHAEOLOGY, TECHNOLOGY, AND ETHICS 214-26 (Matthew T. Rutz and Morag M. Kersel eds. 2014)
- Beyond the 1954 Hague Convention, *in* CULTURAL AWARENESS IN THE MILITARY: DEVELOPMENTS AND IMPLICATIONS FOR FUTURE HUMANITARIAN COOPERATION 83-99 (Robert Albrow and Bill Ivey eds. 2014)
- The Meaning of 1970 for the Acquisition of Archaeological Objects, 38 J. FIELD ARCHAEOLOGY 364-73 (2013)
- Enforcement by Domestic Courts: Criminal Law and Forfeiture in the Recovery of Cultural Objects, *in* DEFENDING APHRODITE: ENFORCING INTERNATIONAL CULTURAL PROPERTY LAW 150-74 (F. Francioni & J. Gordley eds. Oxford Univ. Press 2013)
- The Law as Mediator between Archaeology and Collecting, 33 INTERNET ARCHAEOLOGY: ARCHAEOLOGY, COLLECTING, METAL DETECTING (Suzie Thomas ed. 2013), available at: <http://dx.doi.org/10.11141/ia.33.10>
- Models of Implementation of the 1970 UNESCO Convention: Can their Effectiveness Be Determined? *in* REALISING CULTURAL HERITAGE LAW: FESTSCHRIFT IN HONOUR OF PATRICK O'KEEFE 9-25 (Lyndel V. Prott, Ruth Redmond-Cooper & Stephen Urice eds, Institute of Art and Law 2012)
- Getting Real: Cultural, Aesthetic and Legal Perspectives on the Meaning of Authenticity of Art Works, 35 COLUMBIA J. ART & LAW 321-56 (2012)
- The Media and Archaeological Preservation in Iraq: A Tale of Politics, Media and the Law, *in* Symposium: ARCHAEOLOGY, BIBLE, POLITICS AND THE MEDIA 15-35 (Eric M. Meyers & Carol Meyers eds. 2012)
- The Obligations Contained in International Treaties of Armed Forces to Protect Cultural Heritage in Times of Armed Conflict, *in* ARCHAEOLOGY, CULTURAL PROPERTY, AND THE MILITARY 4-14 (Laurie Rush, ed. Boydell Press Heritage Matters Series 2010)
- Protecting Cultural Heritage in Armed Conflict: Looking Back, Looking Forward 7 CARDOZO PUBLIC LAW, POLICY & ETHICS JOURNAL 677-708 (2009)
- Schultz and Barakat*: Universal Recognition of National Ownership of Antiquities, 14:1 ART ANTIQUITY AND LAW 29-57 (2009)
- Archaeology in the Context of War: Legal Frameworks for Protecting Cultural Heritage during Armed Conflict, 5:1 ARCHAEOLOGIES 18-31 (2009)
- Legal Aspects of Protecting Archaeological Heritage in Time of War: The Paradigm of Iraq, *in* CATASTROPHE! THE LOOTING AND DESTRUCTION OF IRAQ'S PAST 81-87 (Geoff Emberling & Katharyn Hanson eds. 2008)
- Controlling the International Market in Antiquities: Reducing the Harm, Preserving the Past, 8 CHICAGO J. INTERNATIONAL LAW 169-95 (2007)
- From Bamiyan to Baghdad: Warfare and the Preservation of Cultural Heritage at the Beginning of the 21st Century, 37 GEO. J. INT'L. L. 245-351 (2006)
- Museum Practice: Legal Issues, *in* Blackwell's A COMPANION TO MUSEUM STUDIES 442-56 (Sharon McDonald ed. 2006)
- The Licit and Illicit Trade in Antiquities, *in* IT'S LEGAL BUT IT AIN'T RIGHT: HARMFUL SOCIAL CONSEQUENCES OF LEGAL INDUSTRIES 138-77 (Nikos Passas & Neva Goodwin eds. 2004)
- Acquisition and Deacquisition of Museum Collections and the Fiduciary Obligations of

- Museums to the Public, 11 CARDOZO JOURNAL OF INTERNATIONAL & COMPARATIVE LAW 409-65 (2003)
- The Kennewick Skeleton and Cultural Identity: Some Thoughts on the Resolution of Cultural Heritage Disputes, *in* CLAIMING THE STONES, NAMING THE BONES: CULTURAL PROPERTY AND THE NEGOTIATION OF NATIONAL AND ETHNIC IDENTITY 162-97 (Elazar Barkan and Ronald Bush eds. 2002)
- The Public Interest in Restitution of Cultural Objects, 16 CONNECTICUT JOURNAL OF INTERNATIONAL LAW 197-246 (2001)
- Protection of Cultural Heritage Found on Private Land: The Paradigm of the Miami Circle and Regulatory Takings Doctrine after *Lucas*, 13 ST. THOMAS UNIVERSITY LAW REVIEW 65-111 (2001)
- Identity and Cultural Property: The Status of Cultural Property in the United States. 75 BOSTON UNIVERSITY LAW REVIEW 559-688 (1995)
- The Kanakaria Mosaics and United States Law on Recovery and Restitution of Stolen and Illegally Exported Cultural Property, *in* ANTIQUITIES: TRADE OR BETRAYED--LEGAL, ETHICAL AND CONSERVATION ISSUES 105-21 (1995)
- Architect as Artist: Artists' Rights and Historic Preservation. 12 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 431-65 (1994), reprinted in the Marketplace of Ideas: 20 Years of the CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL
- The Adverse Possession of Personal Property, 37 BUFFALO LAW REVIEW 119-63 (1989)
- Picture Imperfect: Attempted Regulation of the Art Market. 29 WILLIAM & MARY LAW REVIEW 501-66 (1988)
- The Fiduciary Duties of Museum Trustees, 8 COLUMBIA J. ART AND THE LAW 175-206 (1983)
- A Reassessment of the Beginning of the Middle Bronze Age in Syria-Palestine BULLETIN OF THE AMERICAN SCHOOLS OF ORIENTAL RESEARCH 237 (1980) 65-84

SELECTED MEDIA

- Freakonomics Podcast: "Stealing Art is Easy. Giving It Back Is Hard. The Case of the \$4 Million Gold Coffin" <https://freakonomics.com/podcast-tag/stealing-art-is-easy-giving-it-back-is-hard/>
- Quoted in Graham Bowley and Tom Mashberg, "At the Met, She Holds Court. At Home, She Held 71 Looted Antiquities" *New York Times*, July 17, 2023
<<https://www.nytimes.com/2023/07/17/arts/design/shelby-white-the-met-antiquities-investigation.html>>.
- Quoted in Graham Bowley, "For U.S. Museums With Looted Art, the Indiana Jones Era Is Over" *New York Times*, December 13, 2022
<<https://www.nytimes.com/2022/12/13/arts/museums-looted-art-repatriation.html>>