



# Private International Law, Art and Cultural Heritage

*Christa Roodt*

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*'This book provides the reader with a fresh perspective on cultural heritage law by focusing upon its relationship with principles of private international law. It discusses complex and important issues, such as the repatriation of Nazi spoliated art, in a manner which is engaging and commendably ambitious in scope.'*

- Janet Ulph, University of Leicester, UK

*'Dr Roodt offers a fresh exploration of the relationship between private international law and cultural heritage law, and provides an insightful account of the role that private international law can play in the protection of art and cultural objects. Private international law is an essential backdrop against which to consider restitution and spoliation claims, not only in terms of the determination of venue for dispute resolution, but also as regards the law to govern problems of ownership and compensation. This book is a welcome reassertion of the role of private international law in handling the morally and legally challenging problems which affect the international art and antiques market.'*

- Janeen M. Carruthers, University of Glasgow>P>This timely book demonstrates how full account can be taken of the structure and method of private international law in its expanding relationship with cultural heritage law, identifying opportunities for keeping pace with the underpinning value judgments. Through a global lens, Roodt explores how value-rationality and mutuality can defeat the dogmatic underpinnings of conflicts and jurisdiction rules that frustrate the achievement of global solidarity in public policy decisions and the treatment of foreign public law.

The satisfactory settlement of claims based on ownership and the restitution of art and cultural objects requires improvements in the approaches and methods of dispute resolution that prevail today. The author reveals hidden dimensions of private international law, which can help re-script these approaches and methods to better tailor them to the illicit trade in cultural objects, title laundering, the suppression of policy considerations and ethical concerns that support the restitution of Nazi spoliated art.

International officials and policymakers will find this a unique and ethically comprehensive resource, addressing matters that impact the artistic, cultural and historical record and the safeguarding of cultural and heritage objects within the contemporary art market. Adjudicators, law enforcement officials and legal scholars will appreciate its fresh and inclusive treatment of issues including restitution, material heritage and provenance.

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