DR. DEREK FINCHAM

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ACADEMIC APPOINTMENTS

South Texas College of Law Houston

Professor of Law 2016 - present
Associate Professor of Law 2013 - 2016
Assistant Professor of Law 2010- 2013

Associate Dean of Online Education and Innovation 2022 – July 2025
Director of Online Education 2021 - 2022

Courses Taught:
Legal Research & Writing I, Legal Research & Writing II, Admiralty Law, Copyright Law, Art Law, International Cultural Heritage Law

Loyola University New Orleans College of Law

Westerfield Fellowship 2008-2010

Courses Taught:
Legal Research & Writing I
Legal Research & Writing II
Property, Heritage, and the Arts Seminar

EDUCATION

University of Aberdeen King's College School of Law, Ph.D., Scotland, 2008
Dissertation: *Preventing and Repairing These Losses: The Response of the United States and the United Kingdom to the Illicit Trade in Cultural Property.*

Wake Forest University School of Law, J.D., 2005
Assistant Articles Editor, *Wake Forest Intellectual Property Law Journal*

University of Kansas, B.A., American and European History, 2000

JOURNALS AND LAW REVIEWS:

Assessing Ethical Museum Collections if No One Owns What They Do Not Have
KAN. J. L. PUB. POL'Y (2024) (Symposium) (link).

Bridging Copyright and Cultural Heritage with the Public Domain,
92 U.M.K.C. L. Rev. 263 (2023) (link).

The Personal Rights of Artists,
59 HOUSTON L. REV. 1013 (2022) (link).

Art, Antiquities, and Money Laundering,
111 Kent. L. J. 309 (2022) (link).

Assessing the Viability of Blockchain to Impact the Antiquities Trade,
37 CARDOZO ARTS & ENT. L. J. 101 (2019) (link).

The Blood Antiquities Convention as a Paradigm for Cultural Property Crime Reduction,
37 CARDOZO ARTS & ENT. L. J. 299 (2019) (link).

Intentional Destruction and Spoliation of Cultural Heritage under International Criminal Law,
23 U.C. DAVIS J. INT'L L. & POL'Y 149 (2017) (link).

Authenticating Art by Valuing Art Experts,
86 MISS. L. J. 567 (2017) (link).

The Rescue, Stewardship, and Return of the Lysi Frescoes by the Menil Foundation,
22 INT'L J. CULTURAL PROP. 301 (2015) (peer reviewed) (link).

Transnational Forfeiture of the "Getty" Bronze,
32 CARDOZO ARTS & ENT. L. J. 471 (2014) (link).

The Parthenon Sculptures and Cultural Justice,
23 FORDHAM INTELL. PROP., MEDIA & ENT. L.J. 943 (2013) (link).

Justice and the Cultural Heritage Movement,
20 VA. J. L. & SOC. POL'Y 43 (2012) (link).

The Distinctiveness of Property and Heritage,
115 PENN ST. L. REV. 641 (2011) (link).

Deaccession of Art from the Public Trust,
16 J. OF ART, ANTIQUITY & L. 1 (July 2011) (Peer Reviewed) (link).

How Adopting the Lex Originis Rule Can Impede the Flow of Illicit Cultural Property,
32 COLUM. J. L. & ARTS 111 (2008) (link).

A Coordinated Legal and Policy Approach to Undiscovered Antiquities: Adapting the Cultural Heritage Policy of England and Wales to other Nations of Origin,
15 INT'L J. CULTURAL PROP. 347 (2008) (Peer Reviewed) (link).

Why Federal Criminal Penalties for Dealing in Illicit Cultural Property are Ineffective, and a Pragmatic Alternative,
25 CARDOZO ARTS & ENT. L. J. 597 (2007) (link).

BOOK CHAPTERS

Book Chapter: Cultural Heritage Law in the United States, *in* RESEARCH HANDBOOK FOR CULTURAL HERITAGE LAW (Janet Ulph and Sophie Vigneron eds. Elgar, Forthcoming, 2025).

Book Chapter: Who Speaks for Heritage? Standing to Pursue Action on Behalf of Heritage, *in* ROUTLEDGE HANDBOOK OF HERITAGE AND THE LAW (Lucas Lixinski and Lucie Morisset eds. Routledge, 2024).

Book Chapter, co-written with Alicja Jagielska-Burduk: Article 3 of the 1995 UNIDROIT Convention, *in* OXFORD COMMENTARY ON THE 1970 UNESCO CONVENTION AND 1995 UNIDROIT CONVENTION (Alessandro Chechi, Andrzej Jakubowski, and Ana Filipa Vrdoljak, eds. Oxford, 2024).

Book Chapter: North American Cultural Heritage Law: Some Comparative Observations, *in* OXFORD HANDBOOK OF INTERNATIONAL CULTURAL HERITAGE LAW (Ana Filipa Vrdoljak, Francesco Francioni eds. Oxford University Press 2020).

Book Chapter: Case Study 2: The Knoedler Art Forgery Network, *in* THE PALGRAVE HANDBOOK ON ART CRIME 343 (Saskia Hufnagel, Duncan Chappell eds. 2019).

Book Chapter: Social Norms and Illicit Cultural Heritage, *in* ENFORCING INTERNATIONAL CULTURAL HERITAGE LAW 206-227 (Francesco Francioni & James Gordley eds. 2013, Oxford Univ. Press).

Book Chapter: Two Ways of Policing Cultural Heritage, in PROTECTING CULTURAL HERITAGE AS A COMMON GOOD OF HUMANITY: A CHALLENGE FOR CRIMINAL JUSTICE 79 (Stefano Manacorda, Arianna Visconti eds. 2014) (Selected papers and contributions from the international Conference organized by the International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Programme, Courmayeur Mont Blanc, Italy, 13-15 Dec. 2013).

OTHER WRITING

Can Blockchain Technology Disrupt the Trade in Illicit Antiquities?, 14 THE SCITECH LAWYER, 5 (Winter 2018).

Council of Europe Considers a Blood Antiquities Convention, GEORGETOWN J. INT'L L. ONLINE (May 19, 2017), http://www.gjil.org/2017/05/council-of-europe-considers-blood.html [https://perma.cc/T9PQ-F2ZK].

Illicit Trafficking of Cultural Objects, *in* CULTURE AND HUMAN RIGHTS: THE WROCLAW COMMENTARIES (Andreas J. Wiesand et al. eds., 2016).

Is 'Go Set a Watchman' Authentic?, 47 CUMBERLAND L. REV. 46 (2016).

Book Review: *Christa Roodt, Private International Law, Art and Cultural Heritage*, 23 INT'L J. CULTURAL PROP. 115 (2016).

The Syrian Conflict and the Proposed "Protect and Preserve International Cultural Property Act", 2 SANTANDER ART & CULTURE L. REV. 63 (2015) (peer reviewed), http://www.ejournals.eu/sj/index.php/SACLR/article/view/6201/6117.

Op-Ed, *Syria Will Need The Culture That Isis Hopes To Destroy*, HOUS. CHRON., Aug. 28, 2015, http://www.houstonchronicle.com/opinion/outlook/article/Fincham-Syria-will-need-the-culture-that-ISIS-6472801.php .

Book Review: *Christa Roodt, Private International Law, Art and Cultural Heritage*, 23 INT'L J. CULTURAL PROP. 115 (2016).

Op-Ed, *Display of Islamic Art Exposes Terrorists' Lie*, HOUS. CHRON., Apr. 3, 2015, http://www.chron.com/opinion/outlook/article/Fincham-Display-of-Islamic-art-exposes-6178172.php .

Fraud on Our Heritage: Towards a Rigorous Standard for the Good Faith Acquisition of Antiquities, 37 SYRACUSE J. INT'L L. & COM. 145 (2010).

Book Review: METAL DETECTING AND ARCHAEOLOGY, (Suzie Thomas & Peter G. Stone eds. 2008), *in* 115 AM. J. ARCHAEOLOGY (2011), *available at* http://www.ajaonline.org/pdfs/book_reviews/115.1/01_Fincham.pdf.

*Rejecting Renvoi for Movable Cultural Property: The Islamic Republic of Iran v. Denyse Berend,*14 INT'L J. CULTURAL PROP. 111 (2007) (Peer Reviewed).

Editorial: *Response to David Grann's "The mark of a Masterpiece," published in the New Yorker: From a Legal Perspective,* 4 J. OF ART & CRIME 91 (2010).

Essay: *Iran Wins Barakat Appeal, in* WITNESSES TO HISTORY: DOCUMENTS AND WRITINGS ON THE RETURN OF CULTURAL OBJECTS, 388-390 (Paris, UNESCO, Lyndel V. Prott *ed.*, 2009).

The Fundamental Importance of Archaeological Context, *in* ART & CRIME: EXPLORING THE DARK SIDE OF THE ART WORLD (Noah Charney ed., 2009).

Book Review: *The Acquisition and Exhibition of Classical Antiquities* (Robin Rhodes ed. 2008), BRYN MAWR CLASSICAL REVIEW, 2008.

Conference Report: *The Lex Situs Principle in Modern Claims for the Return of Cultural Objects*, JOURNAL OF ART, ANTIQUITY AND LAW (2008).

PRESENTATIONS AND SYMPOSIA CONTRIBUTIONS

"The Getty Bronze on Trial: Art, Ownership, and Human Rights, University of Northern Arizona College of Arts and Letters, Flagstaff Arizona (February 2025).

SEALS 2024 Annual Conference: Discussant: Distance Education Workshop Online and Hybrid Learning Pedagogy Best Practices and Standards Development & Discussant: Assessing Learning to Achieve Student Competency (July 2024).

"Crimes Against Armenian Cultural Heritage in Nagorno-Karabakh" with Prof. Lori Khatchadourian, Institute of International and European Affairs, Dublin Ireland (July 2024, Virtual).

"Assessing Ethical Museum Collections if No One Owns What They Do Not Have", A Museum's Purpose: Discussions of Art and Law in 2024, Kansas Journal of Law and Public Policy Symposium, Lawrence Kansas (March 2024).

"Regional Perspective on the International Trade in Art and Antiquities", University of Geneva, University of Leicester, University of Kent (Virtual, September 2023).

"Ain't Talkin' bout commas: Using Van Halen's 1980 Invasion Tour Rider to Teach Citation." Rocky Mountain Legal Writing Conference, James E Rogers College of Law, University of Arizona (Mar. 13-14, 2020) (Cancelled/Postponed due to Covid-19 Pandemic).

"Beauty Provoketh Thieves Sooner than Gold: Trends in Art Crime", Federal Bar Association Art Law & Litigation Conference, National Arts Club New York (Feb. 7, 2020).

Symposium Contribution: *Assessing the Viability of Blockchain to Impact the Antiquities Trade*, 37 CARDOZO ARTS & ENT. L. J. 101 (2019).

"The Council of Europe Blood Antiquity Convention", Cultural Heritage Law Works-in-progress series, Southeastern Association of Law Schools (Aug. 10, 2018).

"Thoughts on the Council of Europe Draft Convention on Criminal penalties for dealing in illicit cultural property", Scuola IMT Alti Studi Lucca, Italy (Feb. 3-4, 2017).

"Individual Criminal Responsibility for the intentional Destruction of Cultural Heritage in Mali", Georgetown University Law Center (Mar. 29-30, 2016).

Symposium Contribution*: How Law Defines Art*, 14 J. MARSHALL REV. INTELL. PROP. L. 314 (2015).

"The Ka-Nefer-Nefer and Federal Intervention in the Antiquities Trade", Society of American Archaeology Annual Meeting (April 18, 2015).

"Crediting the Menil Foundation for Rescuing and Preserving the Lysi Frescoes", All Art and Cultural Heritage Law Conference, Art-Law Centre, University of Geneva (Jun 13-14, 2014).

"Two Ways of policing Cultural Heritage" at United Nations Office on Drugs and Crime ISPAC International Conference on protecting cultural heritage as a common good of humanity, Courmayeur Mont Blanc, Italy, (Dec. 13-15 2013).

Panel Moderator: "Thinking about Cultural Property: The Legal and Public Policy Legacies of John Henry Merryman", Stanford Law School (Nov. 8-9 2013).

Conference Organizer and moderator, the Fifth Annual ARCA Conference on the Study of Art Crime, Amelia, Italy (June 2013).

"Italian Efforts to Seize the Getty Bronze in Italy" at the Vulnerability and Cultural Heritage Conference at the University of Leicester (May 9-10 2013).

Conference Organizer and moderator, the Fourth Annual ARCA Conference on the Study of Art Crime, Amelia, Italy (June 2012).

Keynote Speech: "An Introduction To Art Crime", Arthattack Conference, University of Guelph (Mar. 9, 2012).

"Using Cultural Justice to Promote Respect and Access as Museums Enter the Digital Age" at the Stanford University Cantor Arts Center, Ruth K. Franklin Symposium on the Arts of Africa, Oceania, and the Americas (Jan. 21, 2012).

Conference Organizer and moderator, Annual ARCA Conference on the Study of Art Crime, Amelia, Italy (July 2011).

"Social Norms and Cultural Heritage" a presentation at a symposium titled Defending Aphrodite: Enforcing International Cultural Property Law sponsored by Tulane Law School and the European University Institute, Siena, Italy (June 3-4, 2011).

Moderator and Panellist: "The Difficulty in Using Criminal Offences to Police the Antiquities Trade" American Society of Criminology 2010 Annual Conference, San Francisco, CA (Nov. 2010).

"Forged Antiquities: Preventing their Sale and Display," The ARCA Conference on the Study of Art Crime, Amelia, Italy (July 2009).

"Fraud on Our Heritage: A Rigorous Standard for the Good Faith Acquisition of Antiquities," University of Chicago Cultural Property Center Invited Symposium Presentation (May 2009).

"Can Increased Criminal Penalties Ever Substantially Impact the Illicit Trade in Antiquities**:** What the US can learn from UK Cultural Policy," British Society of Criminology, Huddersfield England (July 2008).

"Financial Innovations Law, Developing Archaeological Discovery and Conservation," organized by the Milken Institute and the University of Chicago Cultural Policy Center, Los Angeles, California (Jan. 2008).

"The Lex Situs Rule: A Poor Tool for Combating the Illicit Art and Antiquities Trade", The Institute of Art and Law, London, U.K. (Dec. 2007).

"New Strategies for Source and Market Regulation of the International Trade in Cultural Property," International Law and Trade Conference: Bridging the East-West Divide. Istanbul, Turkey, Bilgi University School of Law (May 2007).

"A Legal and Ethical Evaluation of the Dispute between Italy and the Getty regarding the *Bronze Statue of a Victorious Youth*", Aberdeen Legal Research Society (March 2007).

"Freedom of Expression or Religious Tolerance: The Danish Cartoon Controversy," Aberdeen Legal Research Society (Nov. 2006).

OTHER ACTIVITIES

Editorial Board member and Case notes co-Editor at the **International Journal of Cultural Property**

The journal seeks to develop new ways of resolving cultural property debates. It is a peer-reviewed quarterly which has regular input from a variety of fields including law, anthropology, archaeology, art history, and economics. I regularly offer content and serve as an anonymous reviewer for submissions. The Journal is published for the International Cultural Property Society by Cambridge Journals.

Editorial Board, **Santander Arts and Culture Law Review**

Author of the **Illicit Cultural Property Blog**, www.illicitculturalproperty.com

Since 2006, it has featured regular discussion of cultural property news and policy with international recognition. I offer thoughts on current developments in the cultural heritage field, and I provide conference and scholarship announcements. As a result of the blog I receive regular press requests from sources such as the New Yorker, Associated Press, the L.A. Times, the New York Times, Time Magazine, the Dallas Morning News, the Houston Chronicle, NPR affiliates, the Chronicle of Higher Education, BBC, and Slate.

Memberships:

- State Bar of Georgia.