

The Art of Crime

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To control the growing, multi-billion-dollar economy of stolen cultural treasures, courts have to be tougher on art thieves and black market patrons alike.

Two high-profile art thefts in France over the Christmas holidays brought the illegal trafficking of cultural treasures to the world's attention.

In the first, the Impressionist painter Edgar Degas's *The Choir Singers* was stolen from The Cantini Museum in Marseilles. The delicate pastel, with an estimated value of €800,000, had simply been unscrewed from the gallery wall on New Year's Eve.

In the second, occurring just days later, some 30 paintings were stolen from a private collector's home on the French Riviera, including pieces by Henri Rousseau and Pablo Picasso. The entire haul was worth somewhere in the neighbourhood of €1 million.

These crimes are hardly isolated incidents. An auctioneer and eight agents from the well-respected Paris auction house, Drouot, were recently charged with "organized theft" after a stolen painting by Gustave Courbet was discovered in the Drouot warehouse, and hundreds of French churches and historic châteaux have been targeted by thieves for their highly prized cultural treasures.

Art theft is a multi-billion-dollar, worldwide illegal economy. It is beginning to rival the money generated by drugs and arms smuggling. In some ways, art theft is more attractive for criminals as it is rarely punished – a sad situation, given that many art thefts are accompanied by violence and, like any other illegal economy, is well suited to funding terrorism.

Yet, it is still perceived by many as being "soft" or "victimless." This perception must change.

Cultural property crimes, as enunciated in the United States Federal Sentencing Guidelines, are more serious than monetary crimes and sentencing should reflect that. There exists an intangible value in cultural heritage. One of the most important roles of museums is to educate the public. When one museum is robbed, the entire community pays the price: namely the loss of irreplaceable knowledge. Stolen money is replaceable; knowledge from lost cultural heritage is not.

Canada is certainly no stranger to art theft. This past September, a Yorkville art gallery was robbed of three paintings in a smash and grab attack. A brief investigation yielded nothing.

The reality is that art crime offenders are seldom apprehended. In the rare case where there is a trial and conviction, sentencing is often light, sometimes even conditional. There is even a practice of "paybacks," where thieves are paid to return the stolen property, an outcome that rewards criminal behaviour and encourages its expansion.

Furthermore, little attention is paid to the supply side of the problem. Art theft, like any other illegal economy, is based on the simple principle of supply and demand. As long as thieves are being rewarded for their efforts, they will go to the trouble of stealing. There must be more negative consequences for the middlemen and buyers who are purchasing stolen art.

Fortunately, we already have a useful tool to fight the illicit trafficking of cultural property: many countries have conspiracy and organized crime laws that allow police to seize assets. The best way to end these criminal

networks is to follow the money. As with more traditional organized crime, if we put those receiving the funds in jail and confiscate their cargo containers and aircraft, we can break the networks.

It is in the interest of our communities, society, and future generations that we properly punish these criminals.

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<https://web.archive.org/web/20100130194833/http://www.themarknews.com/articles/876-the-art-of-crime>