



The Significance of Studying and Investigation Art Crime: Old Reasons, New World

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Purpose:

The purpose of this paper is to demonstrate the basic importance of studying and investigating art crime.

Design/Methods/Approach:

This paper presents a literature review with new commentary.

Findings:

Art crime has a long history and there has been some good research done on the topic. However it is still unrecognised in broader circles, even among professionals, and only a portion of the importance of art crime has been studied, often without a strong analysis of the complexities of the field. This paper will seek to fill in some of the gaps in scholarship, while summarizing much of the available literature.

Research limitations/implications:

A lack of proper and comprehensive academic literature limits the extent of this study, but this is the very reason why this paper is important.

Practical implications:

This paper represents a summary of the significance of art crime studies and investigation.

Originality/Value:

The main value is to those who are not yet familiar with art crime. This paper will further bring in some new views to complement the existing scholarship, and will be of interest to those who are keen on knowing about art crime.

UDC: 343.3/.7

Keywords: art crime, insurance premiums, looting, war art crime, organised crime, money laundering, corruption

Zakaj je pomembno kriminalistično preiskovanje in akademsko raziskovanje kaznivih dejanj povezanih z umetninami: stari razlogi v sodobnem svetu

Namen prispevka:

Namen prispevka je pravzaprav prikazati osnovne, a pomembne razloge za preučevanje in preiskovanje z umetninami povezanih kaznivih dejanj.





Metode:

Pregled literature z dodatnim komentarjem.

Ugotovitve:

Kazniva dejanja v povezavi z umetninami imajo dolgo zgodovino in zatorej je bilo dosedaj narejenih nekaj dobrih raziskav. A kljub temu pomembnost preiskovanja in raziskovanja tovrstne kriminalitete ostaja neprepoznana pri širši populaciji pa tudi med strokovnjaki. Le del celotnega spektra tovrstne kriminalitete je bil vzet pod drobnogled, pa še to pogosto brez močne (empirične) analize kompleksnosti področja. Ta prispevek bo skušal zapolniti te nekatere vrzeli različnih spektrov pomembnosti preko pregleda dosegljive literature.

Omejitve/uporabnost raziskave:

Pomanjkanje ustrezne in celovite akademske literature omejuje argumentacijo, vendar pa je ta isti razlog pravzaprav vzrok temu prispevku.

Praktična uporabnost:

Prispevek prinaša povzetek razlogov za kriminalistično preiskovanje in akademsko raziskovanje z umetninami povezanih kaznivih dejanj.

Izvirnost/pomembnost prispevka:

Prispevek bo najbolj uporaben za tiste, ki še niso seznanjeni s tovrstno kriminaliteto. Prinaša pa tudi nekaj novih pogledov k že obstoječim zbirkam znanja in bo zatorej v korist tudi tistim, ki že imajo določeno znanje s področja obravnavane tematike.

UDK: 343.3/.7

Ključne besede: z umetninami povezana kazniva dejanja, zavarovalne premije, plenjenje, vojni zločini, organizirana kriminaliteta, pranje denarja, korupcija

1 DEFINING ART CRIME

Assessing the significance of art crime investigation must by all means start with a definition of art crime. Here of course, we have a problem in that some experts would argue that this typology of crime is too broad to properly define. The term "art crime" shares an integrated notation of its subject of definition. Similar to art, where every piece of art *can* and *is* interpreted by any individual differently and yet similarly (i.e. agreeing that a picture is abstract, yet disagreeing as to what it represents), art crime is similarly ambiguous. The artefact in question may not have a practical value, like a television, but it may be difficult to define whether the object constitutes art, décor, or cultural heritage. In avoidance of those typological problems, the term "art crime" hierarchically prevails upon all crimes and unites the crime wherein the artefact in question is a one that may be termed "cultural heritage", one of modern art, medieval art, or other such periods. Art crime is similarly described by Durney and Proulx (2011) or Passas and Proulx (2011: 52), when they state that "*subsumed under the rubric of art crime are such activities as diverse as art thefts and confiscations, vandalism, faked and forged art, illicit excavation and export of antiquities and other archaeological materials.*" Art crime therefore includes all "*criminally punishable acts that involve works of art*" (Conklin, 1994: 3). In general,





we might state that this combines all artefacts that hold more characteristics of sentimental and social value than of practical value. We must, however, keep in mind that practical value changes through time. Antiques swords and paintings may have had practical value when they were first created (swords for combat and painting for sacral or documentary purposes). Of course we cannot judge and characterise an item as being artefact of art by the sole purpose of practicality. Art must have some consensual approval and has to be seen as art by some broader scope of the population. Art is therefore irreproducible and has in its practicality artistic characteristics (Mole in Dobovšek & Škrbec, 2007).

Even then, after an artefact has been consensually designated as an artefact of art, there can be terrible inconsistencies in the opinion of the expert witnesses, who are sometimes called upon to testify on a work's originality, damage, worth etc. As seen in the cases of art thefts, gathered and described by Esterow (1967), these inconsistencies prolong and complicate trials, especially in Anglo-American judicial systems, where jury and judges have limited knowledge of art.

2 DIFFERENT ASPECTS OF SIGNIFICANCE: WHY ART CRIME SHOULD BE INVESTIGATED AND STUDIED

The investigation of art-related crime should not be of prevailing interest to one region or country, rather it should be more than just thought of interest to almost every county in world. There is no nation that is without cultural heritage or culture-specific art.

2.1 The Matter of Value

No matter how developed the country or where on the world map it is located, a nation's art is of enormous value. Values of art are often ascribed to two points: monetary or social-sentimental.

In the first case, the value of art is measured by the amount of money for which it is purchased. Here we come across two worlds, one of the legal trade, and one of the illegal one. Prices of artefacts in illegal interactions can be higher or lower (in case of money laundering) than on one of the legal markets. Even though it seems that there is an agreement that illegal cultural trafficking (note that this includes all forms of art, not just paintings but all cultural artefacts) is about second largest criminal trade, first being drug trafficking (Conklin, 1994; Gilgan in Lane, Bromley, Hicks, & Mahoney, 2008). Here we do encounter some problems with confirming this, for the monetary value of art is never fixed (Passas & Proulx, 2011: 60). As Durney and Proulx (2011) discuss this statement of art crime being the second largest market, by quoting Interpol's FAQ (2011) response, that there is no data that could corroborate that sort of statement. Being true or not, the value is still extremely high.

In addition to the (i)llegal market value there is what Durney and Proulx (2011: 126) describe as a motivational multi-faceted value *because the value of art is*





multi-faceted and differs for a buyer, a seller, an archaeologist, an insurer, an auctioneer, an art historian, a gallery owner, and even a thief all have different assessments of the worth of an artwork (Massy in Durney & Proulx, 2011: 216).

In the second case we mentioned, social-sentimental value is measured by the originality and rarity or uniqueness of the artefact in question. This sentimental attribute of artefacts can be on a micro level, where artefacts have sentimental value only to the owner (most often these are works in private collections) or on a macro level, in which case the artefacts represent the cultural heritage and society itself, wherein the society collectively feels some sentimentality towards the artefacts. In a pilot research project, conducted by Dobovšek and Škrbec (2007), respondents were asked to express their opinions on a 5-point scale on the severity of crime types – damaging cultural heritage is seen as the most serious, compared to stealing artefacts from a river or seabed, spraying public sculpture with paint, possessing a stolen picture (with the knowledge that it was stolen), stealing a painting from a national gallery, damaging public sculpture or art, and taking that piece for “personal memory”, vandalism, and art trafficking. More serious than damaging cultural heritage was the international trade in weapons or drugs trafficking, terrorism and human trafficking.

These two aforementioned reasons are not miles apart, because as Smith (in Conklin, 1994: 7) says, *the value of art isn't intrinsic, it's socially constructed*. Also these two main points are important enough that art-related crime should be taken seriously. However they also stand for a foundation of several more unnoticed sociological, criminological and criminalistic rationales for devoting more attention towards art related crime, to which we now turn.

2.2 When Art Means More

From a sociological point of view art, especially artefacts related to cultural heritage, represents a form of informational bond between the past and the present, enabling a form of cultural identification (Samardžić, 2010; Passas & Proulx, 2011). Suro (in Conklin, 1994) and Wilkerson (in Conklin, 1994) give the example of the lost cultural identity and personal grief of people residing in an area from which a cultural artefact was stolen. For example we might consider the disappearance of a painting used in community rituals, or sculptures of religious importance.

Individual pieces of art that gain extreme publicity and recognition can transform from works of art into cultural icons (Brisman, 2011: 20). And such high recognition can lead to tourist attractions – making museums and cultural heritage sites into overnight tourist destinations, thereby helping the economy of the country in question (Durney & Proulx, 2011). Art is sometimes used by corporations or individuals to improve their public image (Naylor, 2008). This pedestal on which art sits causes a world-wide perception that art can be beneficial to mankind – all leading to the special treatment of art creators, sellers, buyers, and possessors. Tax write-offs are one example (Naylor, 2008). Interesting are Brisman's (2011) thoughts on art crime, stating that when an artwork is stolen, vandalised or in some other form “victimised”, the meaning of the work changes. Other attributes are ascribed





to it – now it is more famous because of the theft or because of the vandalism, now it has more meaning, because it was changed through the act of vandalism.

Greater intake of the sociological view of art is often (ab)used by (counter) intelligence agencies, most often in war-time, when art is used as an indirect means of warfare. The cultural space and intellectualism is seemingly a sort of war front, where specific art styles try to dominate one another. This “trend” began in ancient times, when conquerors destroyed the cultural heritage of the conquered nation as a means of emphasising their strength (Gerstenblith, 2009: 19). Art is therefore another battleground, where winning is as important as it is in armed conflicts. Also art is being used as anti-propaganda (Saunders, 1999; Wilford, 2008; Naylor, 2008) and sometimes art was (and still is) used as a diversionary tactic. Most notably this was seen during Cold War era (Saunders, 1999; Wilford, 2008). It seems that intelligence agencies gave or intended to give substantial funds to cultural and art events (for art its self, or to art as a front, a diversion for other activities). Some anecdotal rumours about such diversions appear even in 1914, when the Germans and the French were close to entering into a conflict over Morocco. But just then, the Mona Lisa was stolen from Louvre (Esterow, 1967) - without a doubt, the attention of the French was refocused (McLeave, 1981). As it was later discovered the theft of Mona Lisa was not intended as a diversion, it was more an act of patriotism (Esterow, 1967; McLeave, 1981).

2.3 Art and Crime

We can use deferent categories by which to divide art crime into several different groups or types of crimes against art. The following scheme shows these categories.

All of the listed crimes (Figure 1), except for the last one, have one thing in common - art is the primary target of the act. Only when regarding those acts in greater detail do we discover the complexity of art crime, and the even greater partition of art crimes. The best example of this is theft from archaeological site, which could be done by an archaeologist, residents of nearby settlements (Lane et al., 2008), organised criminal groups (Bowman, 2008), tourists, and so on. Vandalism also is a good example as Brisman, (2011: 6) notes that vandalism can take the form of performance art—when one artist attacks the work of another artist with vandalism as a medium of expression, rather than as a mere example of hooliganism. Here the question of graffiti arises. Can graffiti be considered a work of art, or is it an act of vandalism? What does graffiti hide in its sub-context and who is indirectly responsible for graffiti (D’Amico & Block, 2007)?¹ Art crime is therefore extremely complex. Further attention should be devoted to all subtypes of art crime, because as of now, most of the researchers either research art crime in

1 D’Amico & Block, (2007) do give all the answers to those questions, representing the graffitiists in a totally different light, showing a graffiti artist as an artist who sometimes engages in a just war. Graffiti that is predominantly painted on governmental and public property are not always acts of vandalism, as public areas are in the ownership of all, and so artistic expression should be allowed (as the place was also built with public money).



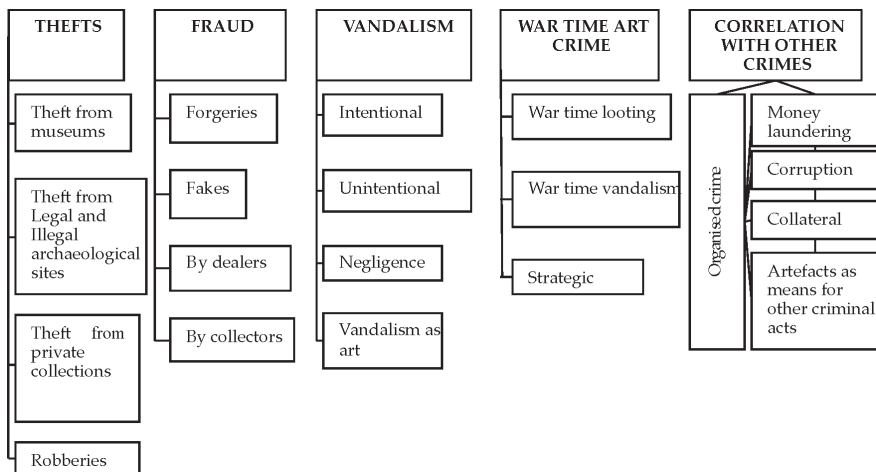


Figure 1: Categorisation of art crime types, including Conklin's (1994) categorisation types of vandalism and thefts.

general (as we do in this article) or they focus primarily on interesting cases. Art theft and forgery are of more interest than other types. War-time crimes differ from other crimes because in war there is less formal control, and previously punishable acts are now “morally acceptable”. The same might be said for instances of public disorder, when looters receive strong localized social support (Quarantelli & Dynes, 1968). A soldier perhaps in his civil life would not show such behaviour, and would even condemn it. War looting has existed as long mankind has existed, with most the notable example during World War Two, when Nazis were able to obtain thousands of looted treasures (McLeave, 1981). War-time art crime can have low or high magnitude (“low” describing acts of greed by a soldier, while “high magnitude” may be seen through orders of high command, like Napoleon’s or Hitler’s idea of cultural capital in their homelands). There can also be strategic destruction of cultural heritage as a tactic for lowering the morale of the enemy, or as part of the final war agenda, such as ethnic cleansing in the Balkan region where churches and mosques, as well as symbols of ethnic diversity and cultural history, such as the ancient Roman city of Dubrovnik, the Sarajevo Library, and the Neretva Bridge in Mostar were targeted (Gerstenblith, 2009: 25).² War-time looting continues in present times, where the primary victims are the cultural treasures of Iraq, Iran and Afghanistan. Here a sort of hypocrisy and mixture of all war art crime types occurs. Terrorist cells sell their own cultural art (and other art in their possession), those acts being permissible as the money goes to support Jihad or other terrorist activities.³ Occupying soldiers unfortunately also loot, however their

² Gerstenblith, (2009: 29) also notes that when there was a trial for war crimes in this region, notation of crime against cultural heritage were included and “the first defendant, Pavle Strugar, was convicted in 2005 for the intentional attack on the Old Town of Dubrovnik, a World Heritage Site, as well as for other war crimes”.

³ Terrorists and art have one more thing in common. Besides selling cultural artefacts to finance their acts, those very acts can damage the art and the cultural heritage of the nation under attack. Such danger is expressed by Hill (2008), referring to the threat of terrorists attacking the 2012 London Olympics.



acts are not officially permissible. Local residents can seldom know who robbed them of their heritage (terrorists or occupying soldiers). Recruiting future terrorists becomes easier when there is “proof” that the occupying forces are trying to rob locals of their history, even though the thief did not always come from beyond the borders. Similar consequences in lower morale and unethical behaviour that may result in looting and thefts may be found when locals take advantage of the chaos that follows natural disasters or riots – a more and more frequent occurrence these days.

Looting by itself is also a complex phenomenon, gaining strength in silent approval and from the cooperation of many notable collectors and museums, who accept artefacts without proper provenance, sometime even openly knowing their illegal origin (Conklin, 1994; Bowman, 2008; Lane et al., 2008; Samardžić, 2010; Urice, 2010; Manacorda & Chappell, 2011). Going a step further, there are now instances when museums have hidden artefacts until the end of the statute of limitations for their recovery has past (ibid.). All this influences the whole experience of visiting cultural places and raises a number of legal questions (Urice, 2010), investigative questions, and of course broader social ones (Lane et al., 2008), such as how one can claim to support culture while admiring stolen artefacts at a museum?

The looting of archaeological sites is often done by those who are struggling to survive, or just want to earn some extra money (Bowman, 2008). Here again it may be seen that the only victim of the looting of archaeological sites is our history.

Looting crimes have an interesting criminological nature, specifically in that looting archaeological sites is a form of a “victimless crime”.⁴ Sometimes when artefacts are stolen from museums or private collections, the general public or investigators don’t show interest in the matter, due to the classist assumption that the art world is the realm of the elitist “high class”, and that it is therefore not of significant import to the wider public (Charney, 2009; Durney & Proulx, 2011). The general population assumes that “normal hard-working people would not spend their hard-earned money for such overvalued objects.”⁵ This results in the lack of informational flow that would help investigations, and is now helping traffickers to more easily persuade Customs personnel to become complicit in the crime, because “after all, the person whose artefact was stolen can afford another one.” Art crime in general isn’t popular or interesting for the wider masses. This is most reflected in low media coverage of art crime, only reporting about high profile cases (when a famous person or artefact is involved), and by doing so the media continues to shape an improper perception of art crime (Dobovšek, Charney, & Vučko, 2009). Hollywood with its portrayal of glamorous art thieves in the form of Thomas Crown and the like further influences that improper perception (Durney & Proulx, 2011). Lack of proper press releases of course does not help in the investigation of art crime, where investigators need public assistance.

4 Not to mention that these looted artefacts are not catalogued, described, or in any other way documented – all of which makes the investigation and prosecution of such crimes extremely difficult (Conklin, 1994; Bowman, 2008; Durney & Proulx, 2011).

5 This was empirically confirmed in Dobovšek and Škrbec (2007) wherein respondents admitted that they would be least affected if a rich collector’s painting is stolen.





From a criminological point of view there are several more aspects to be considered. Among them is the global safety and well-being of a specific population. One example is how art crimes financially affect not just the owners of the artefacts in question, but also all of us. Aside from the social-sentimental value, this factor can be viewed in insurance premiums. When an extremely valuable artefact is stolen, insurance companies must pay off the insurance. Sometimes the insurance company may be contacted to pay off a ransom demand for safe return of the artwork, for the ransom demand may be smaller than the insured value of the object (Naylor, 2008). We probably will never know how many acts of this kind are committed each year, as the insurance companies, police, and victims of art theft do not always “go public” in fear of inspiring similar criminal acts (McLeave, 1981), or in fear of scaring off investors.⁶ The capitalistic world in which we live demands that those insurance or ransom amounts must be regained. Higher insurance premiums are one of the ways for insurance companies to regain this lost amount (Kerr, 2010). More financial losses that can affect wider populations are the effect of thieves resorting to violence against security guards, causing hospital expenses and time devoted by emergency response units (Conklin, 1994; Bowman, 2008). Furthermore due to the complexity of art crime, investigations are often demanding, drawn out over long and costly periods, transcending borders, and thereby accumulating cost and time spent on an extended investigation. Other damages include loss of income from tourism (Durney & Proulx, 2011) and impairing the whole experience of museum-going, as every time that an artwork is stolen or damaged due to lack of security, the owners might feel obliged to engage in an upgrade of security measures. This sometimes affects the whole experience of museum visits (Brisman, 2011) – prolonging queues, displaying the artefact in a manner that thwarts proper admiration, and so on. Conklin (1994) also noticed that improved security does lead to fewer thefts, instead forcing perpetrators to resolve to daytime robberies using violence, and so increasing the danger for injuries and loss of life in the committing of the crime.

The criminological impact may be seen when noting how art crime correlates with other types of crime. This correlation can be either direct, with art as a motive/link to a murder or other violent crime, which might be committed in order to gain possession of an artefact. Secondly there can be a correlation because of the characteristics of the works in question. This is also one of the prevailing reasons why art crime should be studied more, as it enables a *hidden in plain sight* method of conducting illegal business in various more general delinquency fields.

2.3.1 Correlation with Other Types of Crime

Art crime most is most often seen connected with organised crime, and where art or cultural heritage play different roles. Those are:

- When the artefact itself is the interest of the organised crime group, who steals and then sells the stolen object (Conklin, 1994). Another option is when the

⁶ Where antiquities collectors refuse to report their stolen artefact because that could alert the countries from which the antiquity was initially smuggled. Tax evasion is also often listed as a reason not to report a theft (Conklin, 1994).





criminal group makes a copy of the stolen object, and then sells the forgeries, holding the original for future replication. Artefacts of cultural heritage are of interest as well. Cross border trafficking of cultural objects demands organization and often involves the illegal removal and exportation of cultural material from source countries, satisfying the demand generated from developed, rich, market economies (Alder & Polk in Bowman, 2008).

- Art crime as a means of money laundering, wherein the origin of criminal money may be blurred (Finckenauer & Voronin in Bowman, 2008; Watson in Bowman, 2008) when art is purchased. Auctions may also be undertaken anonymously, with paintings bought with cash, making it an easy situation by which to launder money. Turkey, for instance, has created a "List of Liable Persons" that can engage in money laundering, a list that includes banks, insurance companies, notaries, collectors of historical arts and antiques, as well as dealers and auctioneers (Türkşen, Mısırlıoğlu, & Yükseltürk, 2011: 291). Similarly, the United Kingdom acknowledges that the art world is a potential source of money laundering, and tries to regulate it, to that end, yet in practice this has been mostly fruitless (Hill, 2008).
- Art as means of corruption: One can sell low-priced paintings at a high price and thus disguise the true meaning of the transaction. Alternatively, high-valued pictures may be sold for a small amount, or may be given as a gift and then bought back for the real value (Naylor, 2008; Ou, 2011). "Elegant bribery" is the Chinese term for using works of art as a medium of corruption. Three predominant reasons explain why people sometimes use art instead of stocks or other goods. First, the attribute of good taste is a factor in addition to gaining some illegal benefit. The criminal may think that, in involving themselves in art, he appears to be a man of taste. Second, the constant increase in the value of art makes it a good investment. Third, it is extremely difficult to trace and investigate bribery acts that involve works of art (Ou, 2011).
- Illicit art as form of payment is another category to consider, wherein art is used instead of money for buying drugs (Durney & Proulx, 2011; Naylor, 2008; Charney, 2009) or weapons.
- Fraud: the motivation for fraud in the art world can be money, but it may also be revenge (making art dealers and art critics look foolish) (Conklin, 1994), etc.
- Organised crime groups using art for drug and other illegal merchandise trafficking (art as a container for drug or arms, for example).

Not all of above listed criminal acts are done solely by organised crime. They can also be committed by individuals, usually on a smaller scale. A form of business crime or basic, general delinquent behaviour, like a drug addict stealing an artwork as crime of opportunity⁷ being the best example, and then selling those items, considerably undervalue, so they can buy drugs. Some art crime researchers

⁷ *Opportunistic art thefts seem to be extremely problematic for several reasons. First as Pečar (2002) noted, opportunity is the main basis for committing the crime. This regards all crime, not just art crime. Low level art thefts occur mainly in unsecured, unmonitored facilities (like churches, storage facilities, and private residences) and often include poorly documented or undocumented artefacts (sacral statues or privately-owned paintings that are neither photographed nor inventoried). This all influences the investigation. Also there is a lack of interest on the part of churches and the ma-*





see this as the only correlation with other crimes, heavily disputing art crime's connection with organised crime. They argue that aforementioned correlation is a product of sensationalistic journalism (Naylor, 2008). Tjihuis (2009) further disclaims these presumptions with his study of 50 solved cases of art thefts, in which organised crime does appear to be involved, however not as extensively as generally believed. One must take into account that his study focused solely on solved cases of art theft (of which the sample was very small, a fact that he acknowledges), dismissing antiques looting. We do highly commend his research and list it as an example for further studies that should follow to further (dis)prove the relationship between organised crime and art crime. By its very nature, art crime shares some similarities with organised crime. We might take for instance Gill's (2006: 280) definition⁸ of organised crime, where organised crime *may be defined as the ongoing activities of those collectively engaged in production, supply and financing for illegal markets in goods and services*. Taking into account Gill's fairly simplistic yet in all views true definition and combining it with notes from the footnote, we then discover that rather than speaking of definition, one must speak of characteristics and of a way of doing things that is shared by art crime and organised crime. This is best explained in Conklin's (1994: 3) statement about looting, that: *"requires an elaborate, multi-layered network of grave-robbers, middlemen, and dealers"*. Forgery also demands a similar network, as do other types of art crime. As Mackenzie (2011: 69) puts it: *"We might therefore suggest that this illicit part of the trade is an example of 'organised' crime"*.

Hill (2008) sees the risk of future organised crime involvement escalating, such art crime committed by immigration groups that come to the UK. Currently lacking proper organisation and contacts, as they develop their network, they could be more interested in art crime. Organised crime therefore does not undertake all of the aforementioned types of art crime, but it is clear that art crime is sometimes committed by organised crime group.

Varios roles of art noted above in connection with organised crime have one thing in common: art is bought, sold, shipped, or stolen in order to mask the true meaning of some other delinquent act, making the real reason (and motive) for the commission of an "art" crime very hard to find and even harder to prove. We have seen that this misuse of art was not only discovered and done by organised crime but also by intelligence agencies. This burden of detection and uncovering evidence when art masks other delinquent behaviour falls on the shoulders of criminal investigators.

majority of private owners to properly document and secure the artwork in their possession – further maintaining low security status quo.

8 Here again we collide with problem of non-unified definition of organised crime as a debate what actually defines organised crime and to what extent the "organised crime" term expands and what form of crimes it comprises is a continuing one (Kregar & Petričušić, 2010).





2.4 For Those Who Investigate Art Crime and Proper Legislation

Throughout this article there have been several notations regarding the problems of the criminal investigation of art-related crime (such as the problem of non-reporting of crimes, the influence of organised crime, involvement of elite dealers, etc). And as mentioned before, art crime strongly correlates with other types of crime. Knowing how to investigate art-related crime can highly increase the rate of effectively closing a case, even if the case itself is not of artistic nature and art is only “collateral damage” rather than the primary victim. This often happens when investigation leads to drug addicts who stole art, or in cases of money laundering. In the first case art is the goal, while in second case, art is the means. Both cases demand different approaches, and they also demand knowledge about art crime.

The overall problem when dealing with art crime is that, even though experts agree that this is an important type of crime, globally there isn’t much attention paid to this criminal activity. Correspondingly investigators assigned to art crimes are often untrained, unqualified and do not have the full support of their colleagues and managers. Departments that investigate homicide are seen as the most important and are the desired working place for most investigators, followed by sex/vice crimes, then thefts and burglaries.

Here of course there is a need for proper legislation and art crime prosecution, to deter those who are connected with organised crime, war-time art crime (Gerstenblith, 2009), looting (Urice, 2010), etc.

More support and knowledge are in the hands of insurance investigators. They also have access to private and sometimes paid databases (like IADAA, PERCELL or Looted Art). The mere fact that this data is private and more difficult to access limits the accessibility and benefits of such databases.

And after all, from a penology standpoint, how we shall punish the perpetrator? How long of a prison sentence should we give him? Taking into account the worth of the artefact, the manner in which the criminal act was committed. And in the end, if the artefact was not a piece of art to which the broader community heavily relates (like “Mona Lisa”), and if it was stolen from a wealthy collector, then the public will not harshly judge the thief, and the act will be seen by the public as relatively harmless (like tax evasion).⁹

Even though barring the heaviest burden, criminal investigators or other repressive organs on the whole are seen as those who prevent art crime with the least efficacy, as art crime is so extensive that other institutions and means must be used as well (Passas & Proulx, 2011). Yet this is true for all types of crime.

3 CONCLUSION

Listing all of the reasons for studying art crime in manner above, does not enable us to give enough space and form for representing the subject in detail. Yet this

⁹ To read about the severity and punishment levels of specific types of art crime in the public eye, see Dobovšek and Škrbec (2007).





could not be done, even if we chose another approach and style of presentation. As we have discovered, in presenting art crime, we collide with what Durney and Proulx (2011) have described as a multi-faceted crime type. Even though one makes a choice of standpoint in how to approach this subject (a criminological angle, a cultural one, etc) if one wishes to research art crime, one still encounters difficulties. Having only anecdotal evidence, having an intrapersonal dilemma of what to publish, as we do not wish to spread know-how to criminals, and therefore make the jobs of the future perpetrators even easier. Although INTERPOL, ALR, EUROPOL or crime units of Carabinieri, FBI etc. do have extensive lists and data on crimes committed, there is a problem of cross-border linkage, enabling proper art crime analysis from those data bases only for a country-by-country basis (Durney & Proulx, 2011). This is also the reason why so few criminologists have studied art crime, as they rely on statistical data, which is in short supply (Dobovšek et al., 2009). An international free of charge database, from which scholars could research, would be beneficial (ibid.). As our title mentioned, the reasons for studying art crime are old, and yet they reflect differently in modern world, where globalisation has had a worldwide effect, and stolen art in one corner of the globe can have a "butterfly" effect on other part of the world. Reasons of pure monetary value, in the current age, are set aside as art crime is under scrutiny because of its role in terrorism and financial delinquency. And yet though the seriousness of art crime's involvement with other types of crime is increasing, investigators are still untrained in art-related investigations, and are not financed (with exception of FBI, Scotland Yard, Spain, Belgium, Carabinieri and several other which have their art crime departments, yet still too few) and most of all those who investigate often have a bad reputation, because they are seen as having devoted their time to a crime type that is not "sexy" in the eyes of police, who consider burglary and murder to be "actual" crimes, those worth investigating.

It seems that as art often masks the true motive of some criminal act, so it unfortunately also "masks" some importance of studying art crime.

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