

**RCEWA – Aristotle and Homer Marble Busts attributed to Giuliano Finelli**

**Statement of the Expert Adviser to the Secretary of State that the busts meet Waverley criteria one, two and three.**

**Further Information**

The 'Note of Case History' is available on the Arts Council Website:

[www.artscouncil.org.uk/reviewing-committee-case-hearings](http://www.artscouncil.org.uk/reviewing-committee-case-hearings)

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## EXECUTIVE SUMMARY

### Brief Description of item(s)

A pair of marble busts attributed to Giuliano Finelli (Carrara, 1601 - Rome 1653), depicting *Aristotle (?) and Homer*, circa 1630-35  
16 and 16 ¾ in. (40.8 and 42.5 cm.) high; 22 ¼ and 23 ½ in. (56.5 and 59.7 cm.) high, overall

### Condition

Both busts are in good condition. In 2014, the build-up of household dust was removed; the top section of Aristotle's proper right ear and bruised hair locks or losses were repaired.

The busts were cleaned again after their sale in 2020, when their original marble socles were replaced with modern ones. The original socles are understood to be an original, historic part of the objects, and should therefore be replaced.

### Provenance

Identified as purchased in 1726 by James, 10th Earl of Derby (1664-1736); and then by descent until 2020; Christie's London, *Classic Art Evening Sale: Antiquity to 20th Century*, 29 July 2020, lot. 21

### Sources and literature

Receipt of Hamlet Winstanley, 19 March 1726, Derby mss, Knowsley Hall; published in R. Stephens, (ed.), *The art world in Britain 1660 to 1735* (2011-14), <https://artworld.york.ac.uk/sources/5.2887>; accessed 17 May 2021.

F. Russell, 'The Derby Collection (1721-1735)', in *The Walpole Society*, LIII, 1989, p.154

Christie's London, *Classic Art Evening Sale: Antiquity to 20th Century*, 29 July 2020, lot.21

### Comparative literature

D. Dombrowski, *Giuliano Finelli – Bildhauer zwischen Neapel und Rom*, Frankfurt am Main, 1997.

M. Boudon-Machuel, *François Du Quesnoy, 1597-1643*, Paris, 2005, p. 360, nos. R143 and R144.

F. Scholten, 'Sandrart's Philosophers on the Amsterdam Parnassus', in *Rijksmuseum Bulletin*, LVII, no.4, 2009, pp.326-41.

M. Jonker, 'Boselli's Philosophers Identified as Plato and Aristotle', in *Rijksmuseum Bulletin*, LIX, no.2, 2011, pp.174-82.

F. Scholten, 'Bald or Headband', in *Rijksmuseum Bulletin*, LIX, no.2, 2011, pp.183-5.

G. Montanari, 'Un inedito per Giuliano Finelli: la Testa dello Pseudo-Seneca del Museo del Prado', in *Boletín del Museo del Prado*, XXXIII, no.51, 2015, pp.52-9.

S. Lloyd (ed.), *Art, Animals and Politics: Knowsley and the Earls of Derby*, London, 2016.

R. Stephens, ‘“Yor Ldships collection will surprise the work very much”: The 10th Earl of Derby and the London art market’, in Lloyd 2016, pp.82-103.

J. Yarker, ‘Hamlet Winstanley and the 10th Earl of Derby’, in Lloyd 2016, pp.104-21

F. Scholten and G. Swoboda (eds.), *Caravaggio - Bernini: Early Baroque in Rome*, (exhibition catalogue, Rijksmuseum, Amsterdam) Amsterdam and Vienna 2019, pp.246-7, cat.68.

M. Hagge and L. Passeggia (eds.), *Giuliano Finelli, Carrara 1601 - Roma 1653*, Fosdinovo, 2019.

### **Waverley criteria**

This pair of marble busts is deemed to meet Waverley Criteria One, Two and Three. The busts have belonged to the renowned Derby Collection since the early eighteenth century and as such are so closely connected to British history that their departure would be a loss. Their finely carved detailing and characterisation are of outstanding aesthetic importance. Moreover, they have recently been attributed to the Roman Baroque Sculptor Giuliano Finelli (1601-1653), close collaborator to Gian Lorenzo Bernini (1598-1680), offering an important addition to the artist’s corpus.

### **DETAILED CASE**

Unpublished before their sale at Christie’s London in July 2020, these two busts were known by only a handful of specialists and scholars. Skilfully carved, they depict two Greek Philosophers. Homer, easily identifiable with his blind eyes and hairband, reproduces a widespread antique prototype. The pendant is less recognizable, but may represent Aristotle, although the iconography of philosophers varies and cannot always be confirmed.<sup>1</sup>

### **Waverley criterion One**

The busts come from the celebrated art collection of the Earls of Derby, largely amassed by James Stanley, 10th Earl of Derby (1664-1736). Discreet and always making his purchases through agents, the Earl built a collection that was less widely known than others of his time. It was nonetheless one of the most important of early eighteenth-century Britain.

In the 1720s and 1730s, the 10th Earl rebuilt and extended Knowsley Hall, the family seat in Lincolnshire, to include a picture gallery, four ‘Painting Rooms’ and a ‘Statue Room’ which housed the substantial collection of old master painting and casts of classical sculptures that he had acquired, in addition to the already existing collection of family portraits.<sup>2</sup>

The painter Hamlet Winstanley (1698-1756) was one of the agents who spent time in Italy (1723-1725) buying paintings and casts for the Earl.<sup>3</sup> A receipt

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<sup>1</sup> On the issues in identifying philosophers see for example Jonker 2011 and Scholten 2011.

<sup>2</sup> Lloyd 2016, p.15

<sup>3</sup> Russell 1987, p. 150-6 ; Yarker 2016

from Winstanley, dated 19 March 1726, testifies to the exact date of the busts' purchase: 'Received...the sum of twenty-one pounds for Drawing his Lordships Picture in halfe length and the sum of ten pounds for two Busts modelled by Bernini...', which was a reasonable price.<sup>4</sup> This document can only relate to this pair of busts as nothing comparable existed in the collection. The acquisition of works 'by Bernini' reflects Winstanley's activity in Rome, when he advised the Earl that the best modern copies were those after the antique<sup>5</sup>. However, it is unknown exactly when the busts left Italy and from whom Winstanley purchased them.

The busts remained in the family at Knowsley Hall for nearly three hundred years, until their sale in 2020. They seem to have always been displayed in one of the nine-roomed Library Wing at Knowsley where they were 'rediscovered' by the current curator, Stephen Lloyd.

Once a major art collection, the Derby holdings have suffered from several sales and losses. At the time of the 12<sup>th</sup> Earl of Derby (1752-1834), the cast collection was moved from the Stucco Gallery to the new dairy in the park, designed by Robert Adam (1728-92), where it soon decayed. Over the course of the 20<sup>th</sup> century the collection works were dispersed at several auctions in London and Liverpool.<sup>6</sup> In the 1960s, sculptures were sold through local dealers and few sculptures now remain in Knowsley Hall.

While the painting collection of the Earls of Derby is well documented, thanks to early inventories and publications,<sup>7</sup> the smaller sculpture collection is a field yet to be explored. These busts are therefore a rare – and documented – testimony of the collection that has been considerably reduced in the past century.

### **Waverley Criteria Two and Three**

Purchased as 'Bernini' in the early eighteenth century, the busts were attributed to Giuliano Finelli in the 2020 Christie's catalogue and sold as such. This attribution was independently confirmed by Sir Nicholas Penny and by Frits Scholten at the Rijksmuseum.<sup>8</sup> Finelli is renowned for his virtuoso carving and his collaboration on some of Gian Lorenzo Bernini's most celebrated sculptures, notably the exquisitely carved *Apollo and Daphne* (1622-4; Rome, Villa Borghese).

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<sup>4</sup> Receipt of Hamlet Winstanley, 19 March 1726, Knowsley Hall Mss; in 'The art world in Britain 1660 to 1735,' at <https://artworld.york.ac.uk/sources/5.2887>; accessed 17 May 2021.

<sup>5</sup> Russell 1987, p.151.

<sup>6</sup> For instance, Christie's, London, 26 July 1940, *Pictures by Old Masters, Decorative Furniture, and Works of Art, The Property of the Rt. Hon. The Earl of Derby, K.G.*; Christie's, London, 2 July 1954, *Catalogue of Engravings and Drawings the property of the Rt Hon the Earl of Derby.*

<sup>7</sup> See H. Winstanley, *The Knowsley Gallery*, privately printed, Knowsley, 1729; G. Sharf, *A Descriptive and Historical Catalogue of the Collection of Pictures at Knowsley Hall*, privately printed for the 15<sup>th</sup> Earl of Derby, London, 1875; Russell 1987.

<sup>8</sup> Christie's London, cited above.

Born in Carrara, Finelli moved to Naples, entering the workshop of the sculptor Michelangelo Naccherino (1550-1622). From the age of 21, he worked in Rome for Bernini during the 1620s until establishing his own workshop there in 1629. Finelli received several important church commissions, and also distinguished himself as a portrait sculptor. He returned to Naples in 1634 to carve the marble statues of St Peter and St Paul for the cathedral, and later produced a series of 13 bronze statues. Giuliano Finelli is now considered one of the most talented sculptors of the Italian seventeenth century as highlighted in the 2019 monograph on his work.<sup>9</sup>

Finelli's extraordinary understanding of his material, first demonstrated in the *Apollo and Daphne*, can be seen in the exquisite treatment of the beard, lace and fur of his portrait busts. These two busts of Greek philosophers show a similarly careful, while vigorous treatment of the curled hair and long beard, as well the wrinkles on the forehead and on the corner of the eyes. Here the drill is used with outstanding dexterity and toolmarks are left visible in some places, similarly as in Finelli's *Bust of Michelangelo Buonarroti the Younger* (1630; Casa Buonarroti, Florence). Close comparisons, especially in the treatment of the curls, can also be drawn with a newly attributed bust representing *Seneca* (Prado, Madrid).<sup>10</sup>

Stylistically, the two busts appear to date from early-1630s Rome, when Finelli established himself as a portraitist, before setting in Naples. Significantly, another pair of philosopher busts on loan at the Rijksmuseum Amsterdam share several features, having similar dimensions, the same rounded truncation and identical circular socles each made of a different marble. The Amsterdam busts, attributed to Orfeo Boselli (1597-1667), after a design by François Duquesnoy (1594-1643), were by 1638 in the collection of Joachim von Sandrart (1606-1688), who probably purchased them while in Rome between 1629 and 1635.<sup>11</sup> This aligns with the likely date of the Derby busts. The question remains open as to whether the four busts were commissioned for the same collection.

Examples of Finelli's work outside Italy and Spain are rare and only the superbly carved *Bust of Francesco Bracciolini*, 1630-31, (V&A: 8883-1863) is securely attributed to him. Apart from the Prado's *Seneca*, these are the only busts of philosophers attributed to Finelli, and we are not aware of any comparable pair of Greek philosopher busts in British collections.

Regardless of whether the attribution to Finelli is unanimously accepted, these are exceptionally high quality and rare examples of busts of this type and from this date, with an important provenance and attribution history. They shed light on the sculpture collection of the 10th Earl of Derby and are of major significance for the study of Italian Baroque sculpture, possibly adding to the

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<sup>9</sup> Hagge and Passeggia 2019.

<sup>10</sup> Montanari 2015.

<sup>11</sup> Scholten 2009; Jonker 2011; Scholten 2011; F. Scholten in Amsterdam 2019, pp.246-7, cat.68.

limited and still growing corpus of Giuliano Finelli. As such their loss to the nation would be a great misfortune.

## **Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, note of case hearing on Wednesday 7<sup>th</sup> July: Aristotle and Homer Marble Busts attributed to Giuliano Finelli (Case 1, 2021-22)**

### **Application**

1. The Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest (RCEWA) met on Wednesday 7<sup>th</sup> July to consider an application to export two Marble Busts of Aristotle and Homer attributed to Giuliano Finelli. The value shown on the export licence application was £851,250 which represented the hammer price at auction plus the buyer's premium. The expert adviser had objected to the export of the busts under the first, second and third Waverley criteria on the grounds that their departure from the UK would be a misfortune because (i) they were so closely connected with our history and national life (ii) they were of outstanding aesthetic importance and (iii) they were of outstanding significance for the study of British collections and the study of Italian Baroque sculpture.

2. All of the regular eight RCEWA members were present and were joined by three independent assessors, acting as temporary members of the Reviewing Committee.

3. The applicant was consulted about the digital process and confirmed they were content to proceed in this manner. The applicant confirmed that the value did not include VAT. In the event of a UK sale VAT of £30,250 would be payable on the buyer's premium. The applicant also confirmed that the owner understood the circumstances under which an export licence might be refused and that, if the decision on the licence was deferred, the owner would allow the busts to be displayed for fundraising.

### **Expert's submission**

4. The expert adviser had provided a written submission stating that these busts were unpublished before their sale at Christie's London in July 2020 and were known by only a handful of specialists and scholars. The busts came from the celebrated art collection of the Earls of Derby, largely amassed by James Stanley, 10th Earl of Derby (1664-1736). Discreet and always making his purchases through agents, the Earl built a collection that was less widely known than others of his time. It was nonetheless one of the most important of early eighteenth-century Britain. While the painting collection of the Earls of Derby was well documented, thanks to early inventories and publications, the smaller sculpture collection was a field yet to be explored. These busts were therefore a rare – and documented – testimony of the collection that had been considerably reduced in the past century.

5. Purchased as 'Bernini' in the early eighteenth century, the busts were attributed to Giuliano Finelli in the 2020 Christie's catalogue and sold as such.

Giuliano Finelli was now considered one of the most talented sculptors of the Italian seventeenth century as highlighted in the 2019 monograph on his work. Finelli's extraordinary understanding of his material, first demonstrated in his acknowledged contribution to Bernini's *Apollo and Daphne*, could be seen in the exquisite treatment of the beard, lace and fur of his portrait busts. The two busts of Greek philosophers showed a similarly careful, while vigorous, treatment of the curled hair and long beard, as well of the wrinkles on the forehead and on the corner of the eyes. Examples of Finelli's work outside Italy and Spain were rare and only the superbly carved *Bust of Francesco Bracciolini*, 1630-3, was securely attributed to him.

6. Regardless of whether the attribution to Finelli was unanimously accepted, these were exceptionally high quality and rare examples of busts of this type and from this date, with an important provenance and attribution history. They shed light on the sculpture collection of the 10th Earl of Derby and were of major significance for the study of Italian Baroque sculpture, possibly adding to the limited and still growing corpus of Giuliano Finelli. As such their loss to the nation would be a great misfortune.

7. At the meeting, the Expert Adviser informed the Committee they would like to withdraw their objection under the first Waverley criterion. They reiterated that the busts were significant but would prefer to object under the second and third Waverley criteria only.

### **Applicant's submission**

8. The applicant had stated in a written submission that they did not consider that the busts met any of the three Waverley criteria.

9. Regarding the first Waverley criterion, the applicant stated that the busts were not identified as being works of interest at Knowsley Hall until sometime in the last decade and until their sale 2020. Hence, their presence at Knowsley Hall did not tell us anything about British history or national life other than being attractive objects set within a decorative scheme. Furthermore, the busts had never been freely available to be seen by the public and, as such, had never contributed toward a better understanding of our culture or history.

10. Regarding the second Waverley criterion, the applicant stated that these busts were not prime examples of Finelli's style, which is revered for its precision. These examples did not have the same attention to detail and extensive use of the drill that one could see in his more famous works.

11. Regarding the third Waverley criterion, the applicant stated, beyond the question of attribution, that the busts, while attractive, told us little about Finelli's *modus operandi*, and nowhere near as much as, for example, the bust of Francesco Bracciolini in the V&A, which has an unbroken provenance from the time it was carved.



## **Discussion by the Committee**

12. The expert adviser and applicant retired and the Committee discussed the case. The attribution of the sculptures was first considered, noting that the truncation at the back of the busts was different from the two examples on long term loan at the Rijksmuseum attributed to Orfeo Boselli, after a model by Francois Duquesnoy. However, similarities in the modelling of the eyes suggested they could be by the same sculptor. Finelli was a spectacular technician, and the busts under consideration were technically remarkable pieces. The Committee noted the exceptional detail and vigour displayed in the busts and agreed that they were impressive. It was noted that the attribution was plausible; however, it was still to be more widely agreed upon which would potentially require further investigation.

13. The Committee considered representations of philosophers in art and sculpture. It was agreed that the busts were a dynamic and creative interpretation of the 'beggar philosopher' archetype, reflecting the changing tastes of collectors in the 17<sup>th</sup> and 18<sup>th</sup> century. The importance of the genre at the time highlighted potential avenues for research looking into the impact that this type of baroque sculpture had on British artists and also on the possible links that might be drawn between painting and sculpture depicting the same scene. It was agreed that the busts were significant for the study of baroque sculpture, as there were few extant examples of comparable subject and quality. It was also agreed that it was likely that documentary evidence of the busts' commission and provenance could be revealed, underlining the opportunity for further research to be undertaken.

## **Waverley Criteria**

14. The Committee voted on whether the busts met the Waverley criteria. Of the eleven members, none voted that it met the first Waverley criterion. All members voted that it met the second Waverley criterion. All members voted that it met the third Waverley criterion. The busts were therefore found to meet the second and third Waverley criteria for the study of British collections and the study of Italian Baroque sculpture.

## **Matching offer**

15. The Committee recommended the sum of £881,500 (including VAT) as a fair matching price.

## **Deferral period**

16. The Committee agreed to recommend to the Secretary of State that the decision on the export licence should be deferred for an initial period of three months. If, within that period, Arts Council England received notification of a serious intention to raise funds with a view to making an offer to purchase the busts, the Committee recommended that there should be a further deferral

period of three months.

### **Communication of findings**

17. The expert adviser and the applicant returned. The Chairman notified them of the Committee's decision on its recommendations to the Secretary of State. The applicant confirmed that the owner would accept a matching offer at the price recommended by the Committee if the decision on the licence was deferred by the Secretary of State.

18. The applicant agreed that the historic socles would be made available for viewing with the sculptures so the objects could be exhibited for fundraising purposes.

19. The expert adviser agreed to act as champion if a decision on the licence was deferred by the Secretary of State.

**Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest: Note of outcome: Aristotle and Homer Marble Busts attributed to Giuliano Finelli (Case 1, 2021-22)**

At the end of the initial deferral period, no offer to purchase the Busts had been made and we were not aware of any serious intention to raise funds. An export licence was therefore issued.