

RCEWA – Allegorical Painting of Two Ladies, English School, circa 1650

Applicant's statement

III Statement in relation to the Waverley criteria

The Committee's function is to consider whether an item referred to it is of national importance under any of the following criteria.

- a) Is it so closely connected with our history and national life that its departure would be a misfortune?*
- b) Is it of outstanding aesthetic importance?*
- c) Is it of outstanding significance for the study of some particular branch of art, learning or history?*

To assist the Committee, you may submit a written statement in support of your application, with particular reference to the three criteria set out above. You may use the space below (box 21) or attach a separate document for these purposes

Further information

The 'Expert Adviser's statement' and the 'Note of Case History' are available on the Arts Council Website: www.artscouncil.org.uk/reviewing-committee-case-hearings

Please note that images and appendices referenced are not reproduced.

We do not believe that this object qualifies for an export stop under any of the Waverley criteria.

WAVERLEY 1

It certainly cannot be said to be closely connected with our history and national life since neither the artist nor the sitters have been identified.

WAVERLEY 2

It would be very difficult to make a case for this portrait being of outstanding aesthetic importance. It is work by a provincial artist whom it might be said had some awareness of the patterns of portraiture established by Van Dyck in the years immediately prior to its creation.

WAVERLEY 3

In the absence of any information known to the purchaser about the identity of the sitters it is hard to see how it qualifies under Waverley 3.

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Statement of the Expert Adviser to the Secretary of State that the painting meets Waverley criterion three.

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EXECUTIVE SUMMARY

British School

Portrait of Two Ladies wearing Beauty Patches

1650s

Oil on canvas

640 x 750 mm

Inscription:

'I black with white bespott: y^u white wth blacke this Evill:
proceeds from thy proud hart: then take her: Devill.'

Condition:

A note concerning condition is available on the Trevanion auction house website, including detailed photography and UV images (link below). The picture has been lined; there are areas of previous repair and retouching, and some of the latter is now discoloured; there is a horizontal strip along the bottom of the canvas which has a differently treated dark ground, over which the drapery has been painted; and currently there is extensive pigment loss to the darks, particularly affecting the hair, pupils and eyebrows of the figure on the left. Retouching can correct the losses. While conservation is evidently necessary, the condition of the picture does not affect its essential content or importance.

<https://auctions.trevanionanddean.com/catalogue/lot/a0a134e0781aa2f9d9ac2d7412e18f0d/a7180bf4b20d27ed1aac9c041a473/the-june-fine-art-antique-auction-lot-564/>

Provenance:....; by family descent in the family of Tyrell-Kenyon, Barons Kenyon of Gredington; sold Trevanion, Fine Art and Antiques sale, 23 June 2021, lot 564, estimate £2,000 - 4,000, sold for £220,000.

Literature:

Lord Kenyon, correspondence section, *Country Life*, 7 October 1949.

Waverley criteria three:

This is a rare painting in British art that visualises, in a way no other painted image does, early modern debates about gender hierarchy, female agency, beauty and blackness, ethnicity, morality and sin. Unknown to scholarship until its recent emergence at auction, it will hold an important place in the critical thinking on these subjects that are significant and relevant today.

DETAILED CASE

1. Detailed description of object(s) if more than in Executive summary, and any comments.

The work shows two women, one Black, one white, side by side. Their dress, hair and jewellery are similar, the white sitter in pink silk with a pearl necklace, the Black sitter in striped white with a pearl necklace and pearl drop earrings. The depiction of a Black female sitter in a 1650s English painting is extremely rare, especially a woman of adult age rather than a child occupying a position of subservience. It is difficult to think of another example and in this respect the picture is perhaps unique. Here, the two women are presented as companions and equals, the composition inviting comparison between them. The other unusual and remarkable aspect of the work is the depiction of beauty patches, for which there was a fantastic vogue at the time, together with a correspondingly large body of literature condemning them. The white sitter wears multiple black patches of various shapes, the Black sitter white ones, the two women appearing as opposite images of each other. The latter points with her finger at her companion and speaks via the inscription above them - through her voice the viewer is told that the wearing of 'spots' is a sin that comes of pride. Rather than a portrait, it is clear that the picture is allegorical. The manner in which it conveys its message, through image and text supporting each other, has an affinity with popular woodcut prints of the period. It is most likely from this world - of polemical tracts, satirical verse, pamphlets and sermons - that the picture, by an unknown and relatively unsophisticated hand, as well as its moral admonition, has its origin.

The picture was unknown to scholars until its recent appearance at auction in June of this year. The only prior mention of it was a letter sent to *Country Life* by Lord Kenyon in 1949 seeking opinions on 'the curious picture which has hung here [Gredington] for many years, but of which I know of no real explanation'. So far it is not known when the picture entered the Kenyon collection, or who commissioned it. Its agenda, and the role of the Black sitter within it, therefore to some extent remain ambiguous. But the price paid at auction is testament to the intense interest in this picture. It visualises in a way that no other painting of the period does the early modern debates concerning the morality of cosmetics use; discourses on ideal beauty and blackness; issues concerning gender hierarchy and female agency; as well as attitudes to race and ethnicity, especially so in an age that witnessed increasing global contact through trade and colonial expansion. Now the work is in the public domain and available for critical analysis it will occupy an important place in scholarship in these areas.

2. Detailed explanation of the outstanding significance of the object(s).

The context for viewing this picture is the proliferation of printed material - drama, poetry, sermons, pamphlets and polemical tracts - that warned against the use of cosmetics and the wearing of beauty spots. The fashion for 'black patches', of silk or velvet, and which came in different shapes (crescent moons, stars, spots, diamonds and hearts) was courtly and aristocratic but filtered through society. Intended to accentuate the paleness of the wearer's skin, fairness being the ideal standard of beauty, they also came to be associated with women of easy virtue who wore them to hide signs of disease. A search of EEBO (Early English Books Online) reveals a large array of printed material of the 1650s aimed against the practice. Arguments were principally aimed against women, and were both religious and moral. The invective was not just Puritan but came from across the religious and political spectrum. The publications share recurring phrases and tropes and use the same stock

examples from classical literature and the Bible to reinforce the validity of the message. Authors such as Thomas Hall, *Comarum aksomia the loathsomeness of long haire ... with an Appendix against Painting, Spots, Naked Breasts &c*, 1654; Andrew Jones, *Morbus Satanicus: the devil's disease: or, The sin of pride arraigned and condemned*, 1656 onwards; John Gauden (attrib), *A Discourse of Artificial Beauty ... between Two Ladies*, 1656; and R Smith, *A Wonder of Wonders: Or, a Metamorphosis of Fair Faces Voluntarily Transformed into Foul Visages, Or an Invective against Black-spotted faces*, 1662 (with passages taken from *Musarum Deliciae*, 1655) are agreed that the altering of natural appearance is a sin stemming from vanity and pride; that black patches are the mark of the devil; and that 'spotted faces have but spotted souls'. 'Devils are black, who doubts it? Yet some write / that there are Devils likewise that are white / Well, I have found a third sort, which are neither / they be py'd Devils, black and white together', wrote an anonymous contributor to Smith's volume. Most authors warn that the practice of wearing patches will provoke the wrath of God and cite the example of the painted and richly adorned Jezebel, whose fate was death.

The sentiment expressed in the painting's inscription clearly has its origins in this body of literature. The image itself, showing a Black woman and a white woman alongside each other wearing contrasting beauty patches, does not appear to be a direct copy of a print, but has similarities with a woodcut engraving that appeared in the 1653 edition of John Bulwer's *Anthropometamorphosis: Man Transform'd: or, the artificiall changling ...* (first published 1650) (see Appendix). Bulwer's publication catalogues examples of body transformations from cultures across the globe but his agenda is to warn against the moral corruption of subverting and opposing God-given, natural appearance. He describes the faces of English women as 'full of foule black patches', a disfiguring 'Cosmeticall conceit' borrowed from 'Barbarous Nations'.

The extent to which attitudes towards race infiltrated this type of discourse has implications for how one interprets the role of the Black figure in the painting. Bulwer specifically cites the origin of facial decoration as being 'Indian', so it may be that the sitter in the portrait is intended as Indian rather than African. Either way, in moralising anti-cosmetics literature historians have noticed how the long history of metaphysical contrasts between black and white, good and evil, moral purity and sin, is insistent. While white was the colour of virtue, and pale skin defined ideal beauty, and reflected inner goodness, blackness had negative associations. In moralising tracts, constant references are made to the 'Ethiopian' bride of Christ, and her original sinful condition, and to Jeremiah 13:23 (can an Ethiopian change his skin?). A series of poems of the period, which have their origin in George Herbert's *Æthiopissa*, written in the voice of a female Ethiopian maid who pleads with her white lover for acceptance, actually reinforce negative stereotypes concerning blackness and racial difference. It is difficult to divorce the portrayal of the Black sitter in this picture from the negative references of blackness, evil and immorality found in the popular tracts that seem to have influenced its production; nor from Bulwer's association of the origins of facial transformation with 'Barbarous Nations'.

Despite a certain ambiguity that remains concerning the painting's precise meaning, nevertheless it is a highly significant work in its capturing of attitudes to and debates about gender and ethnicity of the time. Its audience then would have been confronted by its moralising tone. The work continues to prompt and provoke debate about issues that are of critical relevance today.

Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, note of case hearing on 10 November 2021: Allegorical Painting of Two Ladies, English School, circa 1650 (Case 5, 2021-22)

Application

1. The Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest (RCEWA) met on 10 November 2021 to consider an application to export a painting, Allegorical Painting of Two Ladies, English School, circa 1650. The value shown on the export licence application was £272,800 which represented the hammer price at auction plus the buyer's premium plus VAT on the buyer's premium. The expert adviser had objected to the export of the painting under the third Waverley criterion on the grounds that its departure from the UK would be a misfortune because (iii) it was of outstanding significance for the study of early modern debates about gender hierarchy, female agency, beauty and blackness, ethnicity, morality and sin as well as to critical thinking on these subjects that are significant and relevant today.

2. Seven of the regular eight RCEWA members were present and were joined by three independent assessors, acting as temporary members of the Reviewing Committee. The Chairman explained that the binding offers mechanism was applicable for this case.

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 include VAT and that VAT on the buyer's premium would be payable in the event of a UK sale. The applicant also confirmed that the owner understood the circumstances under which an export licence might be refused.

Expert's submission

4. The expert adviser had provided a written submission stating that the work shows two women, one Black, one white, side by side. Their dress, hair and jewellery are similar, the white sitter in pink silk with a pearl necklace, the Black sitter in striped white with a pearl necklace and pearl drop earrings. The depiction of a Black female sitter in a 1650s English painting was extremely rare, especially a woman of adult age rather than a child occupying a position of subservience. Here, the two women were presented as companions and equals, the composition inviting comparison between them. The other unusual and remarkable aspect of the work was the depiction of beauty patches, for which there was a fantastic vogue at the time, together with a correspondingly large body of literature condemning them. The white sitter wears multiple black patches of various shapes, the Black sitter white ones, the two women appearing as opposite images of each other. The latter points with her finger at her companion and speaks via the inscription above them - through her voice the viewer is told that the wearing of 'spots' was a sin that came of pride.

Rather than a portrait, it was clear that the picture is allegorical. The manner in which it conveys its message, through image and text supporting each other, had an affinity with popular woodcut prints of the period. It was most likely from this world – of polemical tracts, satirical verse, pamphlets and sermons – that the picture, by an unknown and relatively unsophisticated hand, as well as its moral admonition, had its origin.

5. The picture was unknown to scholars until its recent appearance at auction in June of this year. The only prior mention of it was a letter sent to *Country Life* by Lord Kenyon in 1949 seeking opinions on ‘the curious picture which has hung here [Gredington] for many years, but of which I know of no real explanation’. So far it was not known when the picture entered the Kenyon collection, or who commissioned it. Its agenda, and the role of the Black sitter within it, therefore to some extent remain ambiguous. But the price paid at auction was testament to the intense interest in this picture. It visualised in a way that no other painting of the period does the early modern debates concerning the morality of cosmetics use; discourses on ideal beauty and blackness; issues concerning gender hierarchy and female agency; as well as attitudes to race and ethnicity, especially so in an age that witnessed increasing global contact through trade and colonial expansion.

Applicant’s submission

6. The applicant had stated in a written submission that they did not consider that the painting met any of the three Waverley criteria. Regarding the first and third criteria, they argued that it was not closely connected with our history and national life, nor was it of outstanding significance for study, as neither the artist nor the sitters had been identified. The applicant further disagreed that it met the second Waverley criterion as it was a work by a provincial artist.

7. Further to this, prior to the meeting, the applicant circulated another article from *Country Life*, 1949, which featured an image of a similar picture, but including a skeleton on the left, rather than the Black figure, and possibly by the same artist. They asserted that this was additional evidence that the painting in question was not unique, and did not meet the Waverley criteria,

Discussion by the Committee

8. The expert adviser and applicant retired and the Committee discussed the case. They agreed that it was an extremely rare and fascinating painting, which had tremendous potential for further research in many subjects. The Committee found the early date of this picture particularly significant, given the subject, as all known comparisons were from much later.

9. The Committee also considered the possibility that this could be part of a set, noting the parallels with generic miniature female heads with sets of allegorical overlays in mica, that were common at this time. In addition, the painting had affinities with the woodcut tradition, and its relationship to 17th century British print culture, and potentially to European print culture, was of

great interest and merited further exploration. They agreed that further study could shed light on whether there may have been additional related sets, as well as lost woodcuts of same subject. The spirit of the image appeared to be a critical one, as expressed in the inscription 'spoken' by the left-hand sitter: 'I black with white bespott y white with blacke this evil proceeds from thy proud hart then take her: Devill'.

10. The Committee noted the condition of the painting, as it had suffered much damage, especially to the bottom left corner, and to the hair of the left-hand figure. However, despite this, the majority felt that its representation of a Black woman with equal status to a white woman at such an early date, was of outstanding significance. Further to this, the Committee agreed that this painting could be an important contribution to the development of historical debate about race and gender in the 17th century, and that it had enormous potential for future scholarship.

Waverley Criteria

11. The Committee voted on whether the painting met the Waverley criteria. Of the 10 members, six voted that it met the third Waverley criterion. The painting was therefore found to meet the third Waverley criterion for its outstanding significance to the study of race and gender in the 17th century.

Matching offer

12. The Committee recommended the sum of £272,800 (including VAT) as a fair matching price.

Deferral period

13. 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. At the end of the first deferral period, if the Arts Council received notification of a serious intention to raise funds with a view to making an offer to purchase the painting, the owner will have a consideration period of 15 Business Days to consider any offer(s). The Committee recommended that there should be a further deferral period of three months that would commence following the signing of an Option Agreement.

Communication of findings

14. The expert adviser and the applicant returned. The Chairman notified them of the Committee's decision on its recommendations to the Secretary of State.

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