

RCEWA – Banquet Still Life by Jan Davidsz. de Heem

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.

With reference to the three Waverly Criteria, our thoughts are as follows:

Is it closely connected with our history and national life?

a) The work was painted in Antwerp by a Dutch artist with no obvious link to British cultural history. During its time in the UK, it has never been on public display and is unknown to the British public. Furthermore, the work boasts no illustrious British provenance and has never been integral to any famous British collection, public or private.

Is it of outstanding aesthetic importance?

b) Whilst this painting is on a large scale and belongs to De Heem's *pronkstilleven* series, we don't consider it of outstanding aesthetic importance. When compared to other works from this series, in particular the *Still life in a palatial setting with velvet draped columns*, 1642 (Private Collection, UK), we do not believe this work to be of outstanding significance.

Is it of outstanding significance for the study of some particular branch of art, learning or history?

c) Whilst this is a good example of a Dutch 17th Century Still Life by a well-known artist of the Golden Age, we don't consider it to be of outstanding educational significance. The artist is already well represented in British public collections and arguably, this work is inferior to most of those.

RCEWA – Banquet Still Life by Jan Davidsz. de Heem

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

Further Information

The 'Applicant'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.

EXECUTIVE SUMMARY

1. Brief Description of item(s)

Jan Davidsz de Heem (Utrecht 1606–1684 Antwerp)

A Banquet Still Life

Inscribed and signed 'V. E otmoedigen/ J-D heem.' (lower right, on the paper)

Oil on canvas, 155 x 211 cm.

2. Context

Provenance:

(Probably) Anonymous sale (F.J. Bosboom), The Hague, 9 October 1805, lot 24 (30 guilders to Ph. Meij); (Probably) Anonymous sale (C.S. Roos), Amsterdam, 29 April 1817, lot 32 (41 guilders to Smaadt); Private collection, England, by the early 19th Century.

Exhibitions:

Not exhibited.

Literature:

F.G. Meijer, *Jan Davidsz. de Heem 1606–1684*, PhD dissertation, University of Amsterdam, 2016, 2 vols., vol. I, pp. 93–94, 96–97, 100–101, 106, 113, 115, 118, 121, 124, 153–54, 158, 216, 342, 411, no. A071, illustrated; vol. II, pp. 84–85, no. A071, illustrated.

3. Waverley criteria

This painting meets Waverley criterion 2 because it is an exceptionally beautiful and impressive example of a *pronkstilleven* (an exceedingly sumptuous still life) by Jan Davidsz de Heem, who is widely acknowledged to have been one of the most important still-life painters active in the Netherlands during the 17th century.

DETAILED CASE

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

The painting depicts a heavily laden banquet table. In the background, between a pair of columns, a curtain has been drawn back to reveal a pastoral landscape. In front, two tablecloths have been covered with pewter platters of shrimp, a crayfish, a crab and a half-eaten pie. Also prominent are a large silver-gilt columbine cup and cover, a lute and several flutes with their leather cases. To the right, a wicker basket holds a Chinese Ming dynasty bowl filled with grapes, plums, peaches, cherries, apples and pears. To the left are a silver tazza, a sugar shaker and a splendid shell ewer set with a ruby. The wealth on display is there to be enjoyed by the beholder but may equally serve as a *vanitas*, a reminder that all earthly wealth is ultimately ephemeral.

Until very recently the work was unpublished and unknown to scholars of 17th-century Netherlandish still-life painting. The painting has been in a British private collection since the early 19th century and was brought to the attention of a wider audience only when it was discovered by Christie's in 2016, who alerted the art historian Fred Meijer, a specialist in 17th-century Dutch still-life painting who was then preparing a catalogue raisonné of De Heem's paintings (published in 2016; see above under Literature).

The painting is in overall good condition and was probably not restored since the 19th century. Scattered retouches throughout appear to be excessive, covering more than is necessary. Dirt has

accumulated on the surface of the picture and the varnish is heavily discoloured, giving the picture an overall yellowed appearance that makes it difficult to appreciate the composition and the details of the drawing and colours. Some cleaning tests have been carried out and suggest that beneath the yellowed varnish lies a relatively well preserved painting and that removal of the varnish will transform the picture's overall appearance. It should be noted that there is a horizontal tear in the canvas of about 27 cm long, passing through the body of the lute and into the dark background; a tear of about 7cm long can be seen below the figs on the table. There is a circular paint loss in the dark green drapery that may also involve a tear in the canvas and a small tear emanating from the middle of the top edge. These blemishes appear to have occurred before the present lining, which was most probably applied in the early 19th century.

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

This large and ambitious picture is one of four monumental still lifes painted by Jan Davidsz de Heem in Antwerp between 1640 and 1643. One is in the Louvre; another in the Municipal Museum in Brussels; a third was sold at Christie's, New York, in 1988 (see illustrations below). They are considered to be the works that established De Heem as the pre-eminent still-life painter of his day in the Netherlands. De Heem was born in Utrecht from Flemish parents and initially worked in Leiden in a style that conforms to the prevalent taste in the northern Netherlands for fairly restrained compositions. But after he moved to his father's native city of Antwerp around 1635, his works became more abundant in content and colourful, probably inspired by the large-scale kitchen still lifes by the Flemish painter Frans Snyders. The present work is a major example of this and is considered to be the last in the series of four monumental 'calling cards' that made De Heem's name in the Netherlands as the foremost painter of elaborate still lifes. Works of this size were almost certainly made on commission rather than for the open market, as is indeed suggested by the inscription at lower right on the present painting: '*V. E otmoedigen/ J-D heem*' ('Your Honour's humble JD de Heem'), which indicates that the work was likely commissioned by a wealthy or noble patron. The artist never again worked on a scale quite so monumental as seen here and in the other works from the group of four related paintings, in which the artist – to put it colloquially – pulled out all the stops. De Heem excelled in the depiction of a vast array of forms and textures, from the shiny surfaces of metal objects to the soft velvet table cloth, the delicate woodwork of musical instruments, the nubby skin of a lemon and the crumpled texture of a piece of paper, leaving no stone unturned to impress the viewer with his painterly skills. The result is a work of the utmost importance not just within De Heem's oeuvre but within the entire tradition of 17th-century Netherlandish still-life painting: with these large compositions from the 1640s De Heem effectively invented the genre of the *pronkstilleven*. Moreover, the picture straddles the Dutch and Flemish schools in the way it marries a Dutch precision in the depiction of details with the rich colours and elaborate setting seen in still lifes in the Flemish baroque style. Large still lifes of this type and of this quality by De Heem are exceedingly rare and a similar work from this pivotal moment in his career is unlikely to come onto the market again.

There are thirteen securely attributed works by De Heem in British public collections. Most are relatively small works such as those found in the National Gallery, London, the Ashmolean Museum, Oxford, the Fitzwilliam Museum, Cambridge, the Barber Institute of Fine Arts, Birmingham and the National Galleries of Scotland in Edinburgh. A painting in the Wallace Collection in London is of a slightly more ambitious size and shows a similar subject, but it is not anywhere near the monumental scale of the present work, and it does not have the same pivotal importance within De Heem's oeuvre and the history of 17th-century still-life painting in general. There can thus be little doubt that the departure from the UK of De Heem's recently discovered monumental *Banquet Still Life* would be a misfortune.

Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, note of case hearing on 8 December 2021: *Banquet Still Life* by Jan Davidsz. de Heem (Case 8, 2021-22)

Application

1. The Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest (RCEWA) met on 8 December 2021 to consider an application to export *Banquet Still Life* by Jan Davidsz. de Heem. The value shown on the export licence application was £6,125,000 which represented the hammer price at auction plus the buyer's premium, plus commission, plus tax. The expert adviser had objected to the export of the painting under the second Waverley criterion on the grounds that its departure from the UK would be a misfortune because (ii) it was of outstanding aesthetic importance.

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. The Chairman explained that the binding offers mechanism was applicable for this case.

3. The applicant was consulted about the hybrid process and confirmed they were content to proceed in this manner. The applicant confirmed that the value did not include VAT and that VAT on the buyer's premium and commission 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 painting met the second Waverley criterion because it was an exceptionally beautiful and impressive example of a *pronkstilleven* (an exceedingly sumptuous still life) by Jan Davidsz de Heem, who was widely acknowledged to have been one of the most important still-life painters active in the Netherlands during the 17th century. The painting depicted a heavily laden banquet table and was inscribed and signed '*V. E otmoedigen/ J-D heem.*' (lower right, on the paper).

5. This large and ambitious picture was one of four monumental still lifes painted by Jan Davidsz de Heem in Antwerp between 1640 and 1643. One was in the Louvre; another in the Municipal Museum in Brussels; a third was sold at Christie's, New York, in 1988. They were considered to be the works that established De Heem as the pre-eminent still-life painter of his day in the Netherlands. The present work was regarded as the last in the series of four monumental 'calling cards' that made De Heem's name in the Netherlands as the foremost painter of elaborate still lifes. Works of this size were almost certainly made on commission rather than for the open market, as is indeed

suggested by the inscription at lower right, which indicated that the work was likely commissioned by a wealthy or noble patron. The artist never again worked on a scale quite so monumental as seen here and in the other works from the group of four related paintings, in which the artist – to put it colloquially – pulled out all the stops. De Heem excelled in the depiction of a vast array of forms and textures, from the shiny surfaces of metal objects to the soft velvet tablecloth, the delicate woodwork of musical instruments, the nubby skin of a lemon and the crumpled texture of a piece of paper, leaving no stone unturned to impress the viewer with his painterly skills. The picture straddles the Dutch and Flemish schools in the way it married a Dutch precision in the depiction of details with the rich colours and elaborate setting seen in still lifes in the Flemish baroque style.

6. There were thirteen securely attributed works by De Heem in British public collections. Most were relatively small works with the exception of the painting in the Wallace Collection in London which was of a slightly more ambitious size and shows a similar subject, but it was not anywhere near the monumental scale of the present work, and it did not have the same pivotal importance within De Heem's oeuvre and the history of 17th-century still-life painting in general.

Applicant's submission

7. 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 criterion, the applicant stated that the work was painted in Antwerp by a Dutch artist. Further to this, whilst in the UK, it has never been on public display and the work boasted no illustrious British provenance and had never been integral to any famous British collection, public or private.

8. Regarding the second criterion, the applicant stated that they did not consider it of outstanding aesthetic importance, when compared to other works from De Heem's *pronkstilleven* series.

9. Regarding the third criterion, the applicant stated that the artist was already well represented in British public collections and argued that this work was inferior to most of those.

Discussion by the Committee

10. The expert adviser and applicant retired and the Committee discussed the case. They found that this was a strikingly beautiful painting on an impressive scale. They noted that de Heem, one of the most important Dutch still life painters, typically produced smaller paintings, making this incredibly rare within his oeuvre. In addition, they agreed that the sumptuous detail of each of the elements, in the variety of textures, made this an outstanding example of the *pronkstilleven* style which the artist exemplified. The possibility that this was produced as a commission, potentially location-specific, added to its interest. In addition, the Committee found the painting's long provenance in a single

collection remarkable.

11. The Committee noted the condition of the painting, as it had undergone restoration in the 19th century. Also, the varnish had darkened overall which somewhat obscured its clarity. Although there was some concern over the repairs, they did not feel that this affected the overall beauty and importance of this painting within the genre of 17th century still life painting. The Committee agreed that given the massive size, and the exquisite detail, the painting was outstanding within de Heem's oeuvre, and of extraordinary aesthetic significance.

Waverley Criteria

12. The Committee voted on whether the painting met the Waverley criteria. Of the 11 members, 10 voted that it met the second Waverley criterion. The painting was therefore found to meet the second Waverley criterion.

Matching offer

13. The Committee recommended the sum of £6,109,200 (including VAT) as a fair matching price.

Deferral period

14. 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 six months that would commence following the signing of an Option Agreement.

Communication of findings

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

16. 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: *Banquet Still Life* by Jan Davidsz. de Heem (Case 8, 2021-22)

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