

**RCEWA – A Pair of Group Portraits of Mr and Mrs Joseph May and their Children (1780) by Angelica Kauffman**

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

Please note that images and appendices referenced are not reproduced.

### Waverley 1:

**Is it so closely connected with our history and national life that its departure would be a misfortune?**

- Both of the adult sitters were born in Portugal where they lived until Joseph May was 46 and Mary May was 32. Both adults were connected to successful Lisbon-based wine merchant families but neither they nor their children became celebrated in England.
- The house they purchased and for which this pair was apparently painted, Hale Park, in Hampshire, had been remodelled earlier in the century by the architect, Thomas Archer (1668-1743), for himself. The house remained in the May family for only two generations: Joseph May Jr, the eldest son, inherited the house in 1796, but it was then sold on his own death in 1837.
- The paintings were inherited by their daughter Elizabeth May (not shown in the portrait) and were removed to Ireland after her second marriage in 1842 to Robert Maxwell of co. Limerick.
- The pictures left the extended May family in 1886 after their sale at Christie's.

### Waverley 2:

**Is it of outstanding aesthetic importance?**

- The paintings are charming and arresting in scale rather than outstanding.
- The artist's reputation as a portrait painter is moderate in comparison to her formidable contemporaries. It is for her history and genre subjects, which she had developed in Rome and which she popularised in Great Britain, that she is most esteemed.
- The artist is credited for the introduction and proselytizing of women's fashion based on Ottoman archetypes, but this aspect is not evident in the costume of Mrs May or her daughters.

### Waverley 3:

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

- There is no outstanding significance for the study of some particular branch of art, learning or history. The sitters' connections to the Anglo-Portuguese wine trade, either iconographically or literally is remote, given the fact that Joseph May had retired to England.
- The study of Angelica Kauffman herself is already profoundly saturated in this country: according to *British and Irish Paintings in Public Collections*, by Christopher Wright (Yale University Press, 2006) there are 89 paintings in the United Kingdom in public collections (44 being portraits and 45 being history or genre subjects) as well as a further nine which were Conditionally Exempted by HMRC at the time of publication.
- The same argument could be used for the study of female artists in the 18<sup>th</sup> century.

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

**Further Information**

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## Brief description of items

Angelica Kauffman (1741–1807)

*Mary May (1745–1824) with her daughters Maria Emilia, Louisa and Sophia Margaret*

and

*Joseph May (1730–1796) with his sons Joseph (born 1767), Thomas Charles (1772–1837) and John (1775–1856), 1780*

Oil on canvas

Framed: 144.5 x 176.5 cm

## Context

Provenance:

Commissioned by Joseph May (1730-1796), for Hale Park, Hampshire; By descent through his daughter Elizabeth by his second marriage, who married Robert Maxwell of Islandmore, Croom, Co. Limerick in 1842; By descent to their daughter-in-law, Mrs. E. Maxwell, Dublin; G.B. Smith; His sale (probably on behalf of Mrs. Maxwell), Christie's, London, 15 May 1886, lots 87 and 88; Purchased by McLean for £173.5s and £63 respectively; By descent to Mr. and Mrs. Keld Fenwick, Sudbury, Suffolk; Mr. John Lecky, London, 1995; Thence by descent to the present owner.

Exhibitions:

*Angelika Kauffmann 1711-1807. Retrospektive*, Kunstmuseum Düsseldorf, 15 November 1998-24 January 1999; Haus der Kunst München, 5 February-18 April 1999; Bündner Kunstmuseum Chur, 8 May-11. July 1999. Exh. cat. nos. 97 and 98, p. 214-215.

*Angelica Kauffman: Royal Academician*. Tate Britain, 18 June-21 October 2018. No exh. cat.

Literature:

Frances A. Gerard, *Angelica Kauffmann: A Biography* (New York: Macmillan, 1893), 434.

Victoria Manners and George C. Williamson, *Angelica Kauffmann, R. A.: Her Life and Her Works* (London: Richard Clay & Sons, 1924), 232.

Bettina Baumgärtel in *Angelika Kauffmann 1711-1807. Retrospektive* (Ostfildern: Hatje, 1998), 214-215.

*Old Masters and British Painting including Leverhulme*, 4 December 2013, Sotheby's, London, Lot 46 ([#46](#)) *Angelica Kauffmann, R.A. (sothebys.com)*

Bettina Baumgärtel in Bettina Baumgärtel, ed., *Kritische Werkverzeichnis Angelika Kauffmann* catalogue raisonné (forthcoming)

## Waverley criteria

These paired family portraits, of exceptional quality and painted for a British client by one of the most important female artists of the eighteenth century, meet **Waverley criterion 3**, as they represent a unique format in Angelica Kauffman's oeuvre. The paired family portrait format, where the sitters are divided by gender, is otherwise unattested in the work of any of the major painters of the neoclassical period, making this pair of paintings by Kauffman significant to the study of family portraiture during a key moment in the development of modern European art.

## DETAILED CASE

### 1. Detailed description of items if more than in Executive summary, and any comments.

This striking pair of portraits by Angelica Kauffman (1741-1807) depicts the family of the prosperous merchant Joseph May and his wife Mary. Mary is shown with their daughters (from left to right) Louisa, Sophia Margaret, and Maria Emilia; and Joseph is accompanied by their sons (from left to right) Thomas Charles (1772-1837) aged 8, Joseph (b. 1767), aged 12, and John (1775-1856), aged 5. The Mays were a wealthy family and Joseph, like his father before him, lived and worked primarily in Portugal, where he owned the British wine factory in Lisbon. Mary, daughter of the Lisbon-based merchant John Coppendale (d. 1824) and his wife Rose, was born in that city in 1745. She and Joseph were married there on the 18 September 1764. In 1775 Joseph and his family left Portugal and the following year bought Hale Park in Hampshire from the Hon. Andrew Archer, the great nephew of the architect, Thomas Archer (1668-1743), who had designed and built the house in 1715.

Importantly, the family undertook extensive refurbishments, culminating with the complete remodelling of the house under the supervision of the architect Henry Holland (1745-1806), and it seems evident that Kauffman conceived these two impressive pendants, grand in scale and unique in format, for a particular location in the newly refurbished house on their completion in 1780. Further research, however, would be required to determine exactly how these portraits functioned within the decorative scheme.

Mary and her daughters, in the picture that would have hung on the left, are depicted in a frieze-like arrangement, with the figures set before a pastoral landscape. While the poses of all three girls evoke classical sculpture, the reclining figure of Louisa recalls the *Sleeping Ariadne* from the Vatican – a work that Kauffman would have known well from her studies in Rome – and her playful gesture of putting a garland on her head seems to imitate the statue's pose. The femininity is underlined by the artist's use of a limited palette of soft pastel tones; the predominance of smooth, undulating curves; and the associations of Arcadian landscape and the relationship to nature. At the same time the centrality of Mary's position within the family, and her role as the matriarchal figurehead, is emphasised by her position within the composition. As Dr Bettina Baumgärtel, the principal scholar of Kauffman's work, has suggested, the artist imbues the painting with Marian associations, in which the central figure (possibly in reference to her Christian name) takes on the role of the Madonna, and the youngest daughter, Sophia Margaret, is presented as the Christ child.

In the picture of Joseph and his three sons, which would have hung to the right, Kauffman depicts the male domain, with Joseph as patriarch. While the painting's atmosphere is austere, the disposition of the figures, though still frieze-like and grounded in classical models, is more dynamic. Only John, the youngest of the three boys, looks out to engage the viewer. Unlike his mother and sisters, who largely direct their gaze towards the viewer, his father and elder brothers are engaged in a discussion that centres on the globe to which the younger Joseph, the eldest son, gestures. The May family's fortunes were dependent on trade and an understanding of world affairs, subjects their father is clearly concerned that his sons should comprehend. On closer inspection, we see that it is Portugal - the origin of the family's fortune and the centre of their father's business concerns - to which Joseph points, whilst glancing enquiringly back at his father. The eldest boy's gaze is reciprocated by his father's, and their hand gestures also rhyme, subtly suggesting the theme of dynastic inheritance. This evocation of dynastic continuity was common to the traditions of contemporary British portraiture and to the eighteenth-century worldview, in which men and male heirs were considered public actors and their female relatives relegated to secondary, domestic roles.

The portraits are in very good condition. They have remained together, in private collections in the British Isles since they were painted.

## **2. Detailed explanation of the outstanding significance of the items.**

When Angelica Kauffman painted this pair of portraits in 1780, she was at the acme of her professional and artistic renown. Kauffman, who was born in Switzerland but lived and worked across Europe, was one of the most prominent female artists of the eighteenth century. While she is often remembered as a history painter, Kauffman was a skilled portraitist, as well as a painter of landscape and decorative schemes. During her training in Rome, she developed an elegant, restrained style that owed much to the neoclassical art theory of Johann Joachim Winckelmann, whom she portrayed in 1764. Having taken up residence in London in 1766, she worked to ever greater renown at a studio at 16 Golden Square, swiftly becoming one of the city's most sought-after portraitists, a peer to George Romney (1734-1802), Thomas Gainsborough (1727-88) and Sir Joshua Reynolds (1722-92), the latter, her firmest supporter and loyal friend. In 1768, she became one of only two female founding members of the Royal Academy. Just one year before she painted the May family, she received a commission to contribute to the extensive didactic program that formed part of the decoration of the Council Chamber of the Royal Academy, then located at Somerset House. Her set of four 'Elements of Art', which represent Reynolds's theories in his *Discourses on Art*, are now displayed at Burlington House.

In recent decades, the study of female artists - particularly those of the early modern period - has become increasingly central to the discipline of art history. Several notable exhibitions, as well as various publications and acquisitions, have brought renewed focus to, and appreciation for, their work and their careers. Seeking to redress structural imbalances within the discipline, these exhibitions, most recently at the National Gallery's *Artemisia* (2020–21) and the Dusseldorf Kunstpalast's *Angelika Kauffmann: Kunsterlin, Powerfrau, Influencerin* (2020), among others, have presented the work of female artists to a broader public and emphasized the significant hurdles they overcame in both their professional and personal lives. Kauffman famously appears in Johann Zoffany's celebrated conversation piece showing the founding Royal Academicians (1771-72, Royal Collection) as a painted portrait, since her presence, as a woman, at the life drawing class represented in the painting might

have been considered indecorous. The marked growth in scholarly and public interest in female artists of the early modern period, combined with the comparative rarity of their works, particularly in UK public collections, make Kauffman's portraits of the May family especially significant to the future study of eighteenth-century art history.

These paired family portraits, already notable both for having remained together and in private collections in the British Isles throughout their history, are also unprecedented in Kauffman's production. In all of her known oeuvre, which comprises some 800 works (that are autograph, misattributed or in the manner of Kauffman's style) there is no evidence of any other paired family portraits in this format, in which the parents and children are separated by gender. Paired portraits of married couples are attested in Kauffman's work, such as *Henrietta Maria Hill as the Muse Erato* and *Charles Brudenell-Bruce, later 1st Marquess of Ailesbury, in Van Dyck Costume* (1792 and 1795, Private Collection) but they follow the standard three-quarter length portrait format. Indeed, on current evidence, the format of the May portraits appears to be an exceptional phenomenon not only in the artist's extant work but also in European art of the late eighteenth century. Thus, we have been unable to find anything comparable in the artist's oeuvre and certainly not within a public collection in the UK.

In portraiture, the limited group of exceptional works by Kauffman in the UK public domain include the self-portraits at the National Portrait Gallery, London, The Iveagh Bequest at Kenwood House, and the extraordinary *Self-portrait at the Crossroads between the Arts of Music and Painting* (1794) in the National Trust Collections at Nostell Priory. The National Trust also hold Kauffman's portrait of Reynolds in Van Dyck dress, from 1767, now at Saltram House. While numerous single-figure portraits by Kauffman are in public collections (outstanding examples of which are the portraits of the Duke and Duchess of Gordon (1774 and 1772?) and Michael Novosielski (1791, National Galleries of Scotland) the multi-figure marriage portrait most similar to the May portraits, *Anna Maria Jenkins and Thomas Jenkins* (1790, National Portrait Gallery, London) is substantially different in scale and subject, being both smaller and a single canvas. We are not aware of anything comparable in another UK private collection, including those with preeminent Kauffman paintings, such as the Goodwood Collection and the Burghley House Collection, the latter in possession of the exceptional history painting, *Cleopatra adorning the Tomb of Mark Antony* (c.1769-70).

Looking at the work of Kauffman's contemporaries, there are paired group portraits of children (one of the daughters, one of the sons), such as the *Three Daughters of John, 3rd Earl of Bute* and *Three Sons of John, 3rd Earl of Bute* by Johann Zoffany, dated 1763-4, in the Tate collection. And there are, of course, many family 'conversation pieces' of the period. However, we have yet to locate a comparable pair of medium scale (50 x 40 in), full- or three-quarter-length portraits of a mother and daughters, paired with the father and sons. The celebrated portrait, *The Ladies Waldegrave* by Reynolds (1780, National Galleries Scotland) is an exact contemporary to Kauffman's May portraits but represents only the Waldegrave daughters. And the group portrait of the Money brothers (1788-92, Royal Museums

Greenwich) by John Francis Rigaud, as an example, has a similar composition and scale, but again, this painting (as with the Reynolds portrait) does not include the parents.

In preparing this report, we have consulted with Dr Bettina Baumgärtel, Head of the Painting Collection of the Museum Kunstpalast, Dusseldorf, and Director of the Angelika Kauffman Research Project (the May portraits are on the AKRP website). In addition to being Kauffman's chief scholar, Dr Baumgärtel was also the curator of the 1998 and 2020 exhibitions mentioned above. She has generously shared her expertise as well as a draft entry on the May portraits that will be included in her forthcoming catalogue raisonné. In that entry and in correspondence, Dr Baumgärtel makes clear that what she terms the 'family diptych' format is otherwise unknown in Kauffman's work as well as the oeuvres of leading painters of the late eighteenth century, including the painters mentioned above, and other leading contemporary portraitists, such as Pompeo Batoni (1708-87), Benjamin West (1738-1820) and Elisabeth Vigée Le Brun (1755-1842). The May portraits are, in her estimation, a *sui generis* example of this distinctive format. Additionally, Dr Baumgärtel notes that although gender-specific visual clichés and attributes are present in the May portraits – the females are located within a pastoral landscape, associated with nature, and the males, in front of a Classical column, associated with culture – both groups have been rendered compositionally equal. In her view, this is an example of Kauffman's attempts to put men and women on a more equal footing, something the artist pursued in her works as well as in her life, as represented above all in her self-portrait at Nostell Priory.

In summary, Kauffman's paired portraits of the May family are exceptional in format and highly representative of the painter's innovative portrait practice during the time she lived and worked in Britain. No other paired portraits like those of the May family are known, whether in British collections or elsewhere. It is in this context that the individual merits of these two portraits as works of art should be evaluated and appreciated. The portrait of Mrs May and her daughters is particularly attractive and accomplished and both portraits bear comparison with some of the best works by Kauffman currently in UK public collections. Within the discipline of art history, it is important to note that the first published study to explore English family portraiture in the eighteenth-century, *The Art of Domestic Life* (2006, Yale University Press) by Kate Retford, discussed the traditional values of patriarchy and hierarchy in the context of country house collections and how portraits took their place in displays that emphasised ancestry and inherited virtue. Such an approach relates to the compositions and style adopted by Kauffman in the May portraits, probably in response to their original location, Hale Park. While their exceptional format is evident, the significance of the May portraits has yet to be fully explored and understood.

The export of these works from the UK, which provide insight into the art of one of the period's most important female painters as well as late eighteenth-century art more broadly, would thus be a misfortune.



**Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, note of case hearing on 2 March 2022: *A Pair of Group Portraits of Mr and Mrs Joseph May and their Children, 1780* by Angelica Kauffman (1741-1807) (Case 13, 2021-22)**

**Application**

1. The Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest (the Committee) met on 2<sup>nd</sup> March 2022 to consider an application to export *A Pair of Group Portraits of Mr and Mrs Joseph May and their Children, 1780* by Angelica Kauffman (1741-1807). The value shown on the export licence application was £1,500,000 which represented an estimate with supporting market evidence. The expert adviser had objected to the export of the paintings under the third Waverley criterion on the grounds that their departure from the UK would be a misfortune because they are of outstanding significance for the study of family portraiture during a key moment in the development of modern European art.

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

3. The applicant was consulted about the hybrid part-electronic/part-in person process of the hearing and confirmed they were content to proceed. The applicant confirmed that the value did not include VAT and that VAT would be payable in the event of a UK sale but that a sale could be structured so that an eligible UK institution could reclaim the VAT. 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 paintings met the third Waverley criterion as they represented a unique format in Angelica Kauffman's oeuvre. The paired family portrait format, where the sitters were divided by gender, was otherwise unattested in the work of any of the major painters of the neoclassical period. This made the pair of paintings by Kauffman significant to the study of family portraiture during a key moment in the development of modern European art.

5. These paired family portraits were unprecedented in Kauffman's work. From her known oeuvre, which comprised some 800 works, there was no evidence of any other paired family portraits in which the parents and children are separated by gender. While paired portraits of married couples by Kauffman were attested, they followed the standard three-quarter length portrait format. Indeed, on current evidence, the format of the May portraits

appeared to be an exceptional phenomenon not only in the artist's extant work but also in European art of the late 18th century.

6. It was in this context that the individual merits of these two portraits as works of art should be evaluated and appreciated. The portrait of Mrs May and her daughters was particularly attractive and accomplished, and both portraits bore comparison with some of the best works by Kauffman currently in UK public collections. Within the discipline of art history, it was important to note that the first published study to explore English family portraiture in the 18th century, *The Art of Domestic Life* (2006, Yale University Press) by Kate Retford, discussed the traditional values of patriarchy and hierarchy in the context of country house collections and how portraits were used in displays that emphasised ancestry and inherited virtue. Such an approach related to the compositions and style adopted by Kauffman in the May portraits, probably in response to their original location, Hale Park. While their exceptional format was evident, the significance of the May portraits has yet to be fully explored and understood.

### **Applicant's submission**

7. The applicant had stated in a written submission that they did not consider that the paintings met any of the three Waverley criteria. Regarding criterion one, they noted that both of the adult sitters were born in Portugal where they lived until Joseph May was 46 and Mary May was 32. Both adults were connected to successful Lisbon-based wine merchant families but neither they nor their children were celebrated in England.

8. Regarding the second Waverley criterion, the applicant stated that the paintings were charming and arresting in scale rather than outstanding. The artist's reputation as a portrait painter was moderate in comparison to her formidable contemporaries. It was for her history and genre subjects, which she had developed in Rome and which she popularised in Great Britain, that she was most esteemed.

9. In response to the third Waverley criterion, the applicant noted that there was no outstanding significance for the study of some particular branch of art, learning or history. The sitters' connections to the Anglo-Portuguese wine trade, either iconographically or literally was remote, given the fact that Joseph May had retired to England by the time the paintings were commissioned. The study of Angelica Kauffman herself was already profoundly saturated in this country: according to *British and Irish Paintings in Public Collections*, by Christopher Wright (Yale University Press, 2006) there were 89 paintings in the United Kingdom in public collections (44 being portraits and 45 being history or genre subjects) as well as a further nine which were Conditionally Exempted by HMRC at the time of publication. The same argument could be used for the study of female artists in the 18<sup>th</sup> century.

### **Discussion by the Committee**

10. The expert adviser and applicant retired and the Committee discussed the case. The Committee noted the unusual and purposeful composition of the two group portraits, particularly the distinct details within each group and their relationship to gender. The Committee agreed that the female group and its Marian quality was especially beautiful. The Committee noted that the portraits differed from other paintings by Kauffman in this country due to the unique nature of the pairing which therefore opened up avenues for further research into different traditions of portraiture in the eighteenth-century. Additionally, the Committee noted the significance of Lisbon and the Portuguese wine trade and suggested that there would be room to further investigate that connection.

### **Waverley Criteria**

11. The Committee voted on whether the pair of paintings met the Waverley criteria. Of the eleven members, six members voted that it met the third Waverley criterion. The pair was therefore found to meet the third Waverley criterion for its outstanding significance for the study of eighteenth-century portraiture.

### **Matching offer**

12. The Committee recommended the sum of £1,500,000 (plus £300,000 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 four months. At the end of the first deferral period if the Arts Council receives notification of a serious intention to raise funds with a view to making an offer to purchase the portraits the owner will have a consideration period of 15 Business Days to consider any offer(s) and grant an Option Agreement. The Committee recommended that there should be a further deferral period of four months that would commence following the signing of that 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.

**Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, note of outcome: *A Pair of Group Portraits of Mr and Mrs Joseph May and their Children (1780)* by Angelica Kauffman (Case 13, 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.