

# I'M A MASTERPIECE, GET ME OUT OF HERE!

*Should we worry when works by homegrown artists are whisked away by foreign buyers? Relax — it's what their creators would want, says Ivan Lindsay*

The Getty Museum acquired JMW Turner's *Modern Rome — Campo Vaccino* for £29.7 million at Sotheby's in London on 7 July 2010, only to be told by Britain's culture minister Ed Vaizey on 3 November that the export licence was to be deferred. Many feel that the painting should have been allowed to leave for Los Angeles and the ban has reopened the debate as to what is so important that it has to be kept in Britain at all costs and the larger issues of whether art should be restricted at all in its movement from country to country.

The export ban will last until 2 February 2011 to allow a UK institution or private buyer to match the price and keep the painting in Britain. If an institution expresses serious intent by early February then UK legislation allows for the ban to be extended for another three months. Ed Vaizey took advice from the non-statutory Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, who reviewed 10,437 export applications covering 35,688 items in 2009/2010. The committee has nine permanent members chaired by Lord Inglewood, is assisted by three independent assessors on each case, and submits an annual report to the Department of Culture, Media and Sport.

In deciding whether to issue an export licence the committee uses the Waverley criteria: 1. History — is it so closely connected with our history and national life that its departure would be a misfortune? 2. Aesthetics — is it of outstanding importance? 3. Scholarship — is it of outstanding significance for the study of some particular branch of art, learning or history? Waverley refers to First Viscount Waverley, who was tasked by the then Labour Chancellor Sir Stafford Cripps in 1950 'to consider and advise on the policy to be adopted by His Majesty's Government in controlling the export of works of art'. Waverley made his recommendations in 1952 to RA Butler, the Chancellor in the subsequent Conservative government and, although broadened in the Export Control

Act of 2002, they remain the basis of the legislation today.

Turner's *Modern Rome — Campo Vaccino* was sold by descendants of the Fifth Lord Roseberry, later Prime Minister, who bought it in 1878 while on honeymoon with his bride Hannah Rothschild. Turner painted the 1839 canvas ten years after he had returned from his last trip to Rome and the painting is a fantasy based on his sketchbooks and imagination. It mixes the Imperial past of the city with architectural elements from the Renaissance and Baroque periods placed in a modern setting. The viewpoint is from the summit of the Capitoline Hill and includes landmarks such as the Forum, the Arch of Septimus Severus and the Temple of Saturn.

Sotheby's could hardly control their excitement and went into overdrive, issuing the usual flowery statements. David Moore-Gwyn, senior specialist in early British paintings said, 'This is Turner at his absolute best. One of the most evocative pictures of Rome ever painted, this picture has everything: a colourful, relaxed beauty, exquisite detail, flawless condition and superlative provenance and exhibition history. One of the great Turner masterpieces to have remained in private hands, its sale at auction represents a once-in-a-generation opportunity for collectors and one of the landmark moments of my 35-year career at Sotheby's.'

Contemporary critics had not been so sure about the painting: 'We have Ancient and Modern Rome, both alike in washy-flashy splashes of reds, blues and whites, that in their distraction and confusion, represent nothing in heaven or earth, and least of all what they profess to represent' (*Blackwood's Magazine*), 'for the most part incomprehensible to me' (Thackeray), and in the artist's 'maddest manner' (*The Athenaeum*). Their reaction was probably due to the shock of the new as Turner realised that the kingdom of art is not of this world and he focused on light, colour and emotion as opposed to representation.

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Above: Turner's *Modern Rome — Campo Vaccino* (1839).

The Getty Museum duly won the bidding at £29.7 million, drawing on their considerable war chest, believed to be around US\$6 billion, a percentage of which they have to spend annually in order to maintain their charitable status. The painting had been on loan to the National Gallery in Edinburgh for the previous 32 years and the *Scotsman* lamented that 'one of Scotland's most valuable works of art was lost to the nation last night when it sold for £30m'. When the export licence was stopped, the Getty, while disappointed, were diplomatic and David Bomford, the acting director, said, 'We greatly respect the export process in the UK and look forward to the possibility of having this masterpiece in our collection.'

The general mood in Los Angeles was less happy, with the *Los Angeles Times* observing, 'The J. Paul Getty Trust is being told once more that its money — this time US\$44.9 million — may be no good in Great Britain, where authorities have blocked the sale of a prized landscape painting of Rome by JMW Turner that the Getty appeared to have bought in a July auction.' The Getty Museum also had their US\$46.6 million bid for Raphael's *Madonna of the Pinks* halted in 2004 when the National Gallery in London matched their

offer, but this may have been a lucky escape as many now think the painting is a period copy.

So, should the Turner have been stopped? Lord Inglewood, Chairman of the Reviewing Committee appears to have had no doubts: 'If one needed evidence of Turner's greatness as an artist, this is it. *Modern Rome — Campo Vaccino* is an astonishingly beautiful painting that underlines Turner's thoughts and experiences in Rome, and in turn has played a fundamental part in forming our perception of Turner and his work ... In a single painting it sums up Northern Europe's centuries-old attitude towards the Mediterranean and Classical world: The painting certainly meets Waverley 2, but then, any good painting can be said to be aesthetically important. However, Britain is already heavily laden with Turner's work, owning around 80 per cent of his oeuvre, and it is hard to see why having another one is really such a necessity.'

Turner, a solitary and private man, lived by himself in modest circumstances, wrote little down, confided in no one and devoted his life to travel and his art. He sold his paintings for high prices only to clients he liked and left his con-

Image courtesy of Sotheby's

siderable fortune and the bulk of his oeuvre to the nation, including 300 oils, 30,000 drawings and 300 sketchbooks, which are now housed mainly in the Tate Gallery. He gave away his London properties and set aside £16,000 for an asylum for aged and invalid artists at Twickenham, £50 a year for a dinner for his fellow academicians on the occasion of his birthday and £1,000 for his tomb in the crypt of St Paul's, where it remains. Virtually all the other views of Rome from the series to which Modern Rome belongs are in the Tate Gallery already. Turner is also well represented around the British museums with five in Liverpool, three in Cambridge, five in Cardiff, nine in the National Gallery, five in the Victoria and Albert Museum, and another fifty or so scattered around.

In Los Angeles, a city of 18 million, there are currently only four Turners in public collections (one oil in the LA County Museum and two watercolours and one oil already in the Getty). Since there is very little chance of a UK institution matching the £29 million paid by the Getty, it is hard to see why they couldn't just let the Getty have it gracefully rather than causing antagonism and making them sweat and juggle their finances. The identity of the three advisers who helped the Review Committee make their decision will not be made public until their next annual report, but it looks like an emotional rather than a logical decision.

Looking at some of the pictures they have allowed to leave without a murmur, such as Stubbs's small self-portrait (sold at Christie's London for £321,600 in June 2006), which now hangs proudly in the Yale Centre for British Art in New Haven, one wonders who is making the decisions up there and if they really have the cultural knowledge to be in such positions. Christopher Wright, the leading art historian, says: 'If we had ten times the money, it would be nice (to save the Turner) because obviously it's a beautiful painting by a

great British artist. However, we can only afford to save a limited number of artworks and at that price and with our extensive Turner holdings I think the money would be better allocated elsewhere. There seems to be no logic involved in what they try and save and what they don't. We should be protecting what is truly great about our heritage such as 18th-century landscapes by Capability Brown and Repton, which are regularly bulldozed, and our medieval heritage such as cathedrals and parish churches, which are in a terrible state. There are too many diverse organisations trying to safeguard British culture and not enough coordination among them.'

The confusion among all the differing organisations responsible for safeguarding British culture that Wright alludes to is a subject for another time, but that the Waverley system needs an overhaul is clear. Indeed the National Art Collections Fund submitted a memorandum to Parliament in 2006 which stated: 'The Waverley criteria were established more than 50 years ago and are now looking increasingly outdated and unrealistic. Arguably some objects are being export stopped unnecessarily while others of greater significance are not being caught.'

The system is not a bad one compared to, say, that of Italy, which flatly refuses to export anything of significance, but it needs to be updated and the people running it need to be better qualified.

Perhaps then we could celebrate the Californians' interest in one of our greatest artists and graciously allow them to carry off one of his masterpieces, spreading knowledge and understanding about the best of British culture. What a dull place it would be if all the British art had to remain in Britain, Greek art in Greece and Dutch art in Holland. Turner himself was a shrewd businessman who made a fortune by strategically placing his works in important collections and he would, no doubt, be happy to see this painting in the Getty Museum. *J*

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## Treasure Hunt

### Raphael's *Madonna of the Pinks*:

When the director of the National Gallery reattributed the Duke of Northumberland's *Madonna* to Raphael in 1992, it caused a flutter around Alnwick, as previously the work had been valued at £6,000. It immediately went on loan to the National Gallery and remained there while the Duke negotiated a £29 million sale to the Getty Museum. But the Government balked at the idea of losing one of Raphael's last

works and placed a temporary export bar on it. £22 million was subsequently raised from The Heritage Lottery Fund and the public.

**Titian's *Diana and Actaeon*:** In 2009, £50 million was raised in four months to save the centerpiece of the Bridgewater collection — a group of Old Masters on loan to the National Gallery of Scotland from the Duke of Sutherland since 1945. It was the largest public purchase of a single work of art in the UK ever, and a campaign is currently under way to

save its sister work, *Diana and Callisto*, for a further £50 million.

### John and Robert Adam's *Dumfries House*:

When the Dowager Marchioness of Bute died in 1993, the future of her Palladian home in Ayrshire was thrown into doubt. After eleven years, her grandson, Formula 1 driver Johnny Bute, decided to sell up. Savills and Christie's were called, but HRH The Prince of Wales stepped in with a £20 million cheque and a £25 million rescue package from charities and heritage bodies.