

Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest: Note of case hearing on 5 December 2012: a painting by Pietro Lorenzetti, *Christ between Saints Paul and Peter* (Case 12, 2012-13)

Application

1. The Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest (RCEWA) met on 5 December to consider an application to export a painting by Pietro Lorenzetti, *Christ between Saints Paul and Peter*. The value shown on the export licence application was £5,081,250 which represented a hammer price of £4,500,000 plus buyers' premium of £581,250. The expert adviser had objected to the permanent export of the painting under the second and third Waverley criteria, i.e. on the grounds that it was of outstanding aesthetic importance and outstanding significance for the study of early fourteenth century Sienese painting.
2. The eight regular RCEWA members present were joined by three independent assessors, acting as temporary members of the Reviewing Committee.
3. The applicant confirmed that the value did not include VAT and that VAT 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 and that, if the decision on the licence was deferred, the owner would allow the painting to be displayed for fundraising.

Expert's submission

4. The expert had provided a written submission stating that this small panel painting represented a quintessential work by one of the most important artists of late medieval Siena – Pietro Lorenzetti (died probably 1348). *Christ between Saints Paul and Peter* combined the qualities of naturalism and sculptural monumentalism which were his salient artistic characteristics. This painting was painted in the years around 1320, during the early period of Lorenzetti's maturity whilst he was concerned with constructing relationships between figures in his paintings. Christ inclines his head slightly towards Saint Paul. This connection is explained by Paul's identity as the convert, rather than Peter, who merely continued to follow his master. The saints acted as intercessors between the original devotional users of the painting and Christ.
5. The painting is a recent discovery. Earlier this year it was suggested that it was a major constituent of the predella section of what must have been one of Lorenzetti's most important altarpiece commissions before or around 1320. X-radiography revealed that the panel possesses a distinctive vertical wood grain, which is also found in Lorenzetti's *Virgin and Child with a Donor* in the Philadelphia Museum of Art. It has therefore been suggested that both paintings belonged originally to the same structure, a (now) dismembered polyptych.

6. Aside from Simone Martini, Pietro and his brother Ambrogio Lorenzetti were the most important Sienese painters of the fourteenth century after Duccio. This was an outstanding period for Sienese painting, and artists from the city produced works which have long been celebrated for their subtle decorative effects. *Christ between Saints Paul and Peter* was the only picture in a British collection with an unquestioned attribution to Pietro. The six other paintings in Britain associated with his name have all been attributed in part to members of his workshop. This painting therefore provided a rare example of Pietro's innovative work, notably in naturalism and illusionism, which was not equalled in panel painting until the fifteenth century.

Applicant's submission

7. The applicant had stated in a written submission that they did not believe that the painting met the first Waverley criterion because it was not closely associated with our history and national life. The applicant did not contest that the painting met the second and third Waverley criteria.

Discussion by the Committee

8. The expert adviser and applicant retired and the Committee discussed the case. There was debate as to the possible construction techniques used to create the altar piece/polyptych of which this panel was a constituent part and, in particular, the Committee noted that the vertical wood grain of this panel was unusual. It was observed that the position of Saint Paul on Christ's right hand side did not conform to the normal iconography and could relate to the particular circumstances of the commission. The Committee discussed the painting's condition and it was agreed that unlike a number of paintings dating from the fourteenth century, this panel appeared to have escaped the interventions commonly undertaken in the nineteenth century. The Committee discussed the date of the painting and although conclusions could not yet be drawn it was felt that further study might indicate that the painting was of an earlier date than had been previously suggested. The Committee noted that the figure of Saint Peter was less well preserved than the other two figures and appeared to show considerable abrasion under the discoloured varnish. Other passages seemed to be well preserved for work of this considerable age. It was universally agreed that the painting was by one of the most important Sienese Trecento artists, who had until relatively recently been overshadowed by his brother and which was likely to be a fruitful area of further study.

Waverley Criteria

9. The Committee voted on whether the painting met the Waverley criteria. Of the eleven members, no members voted that it met the first Waverley criterion. All eleven members voted that it met the second and third Waverley criteria. The painting was therefore found to meet the second and third Waverley criteria, i.e. that it was of outstanding significance for the study of early fourteenth century Sienese painting and in particular for the work of

Pietro Lorenzetti one of the leading artists of the period.

Matching offer

10. The Committee recommended the sum of £5,197,500 (£4,500,000 representing the hammer price at the auction, plus £581,250 representing the buyer's premium at the auction, plus £116,250 representing the VAT on the buyer's premium) as a fair matching price.

Deferral period

11. 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 painting, the Committee recommended that there should be a further deferral period of four months.

Communication of findings

12. 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.