



The Armand Hammer Foundation

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AIDE MEMOIRE

31.1.81.

From: Sir John Foster
To : Dr. Armand Hammer

Subject: The Codex Leicester

As you know I represented you at the hearing of the Review Committee on the Export of Works of Art and you might like to consider these points:

The news that Lord Leicester was desirous of selling the Leonardo da Vinci notebook was known for several months before the auction sale at Christie's.

The Treasury had negotiations with Lord Leicester but no agreement as to price was reached.

During this time there was ample opportunity for a public appeal to be launched to provide a fund to purchase the Codex. There was also every opportunity for any private United Kingdom individual or institution to make a competitive bid at the auction.

This great Italian masterpiece has been in this country since it was acquired by the Coke family in the early 18th Century and I believe that it has only been seen once in public in the last 270 years - and that was in 1952.

After the purchase by Dr. Hammer it was then necessary to make arrangements for transporting the Codex to the U.S.A. on a temporary permit basis for exhibition at President Reagan's inauguration.

Dr. Hammer wrote on December 17th a letter to Mrs. Thatcher setting out his plans for the Codex, to show it at the inauguration, and to get Professor Pedretti to mount the folios separately to be visible from both sides. Dr. Hammer proposed that the Codex should be shown in the U.K. for three months in every year during his lifetime.

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Dr. Hammer met Mr. St. John Stevas at Claridges on Saturday December 12th. Dr. Hammer proposed that he should show the Codex for three months in each year during his lifetime in the U.K. Mr. St. John Stevas wanted some assurance for the period following the death of Dr. Hammer. Dr. Hammer asked that this be worked out between Sir John Foster and Mr. St. John Stevas. The meeting between Dr. Hammer and Mr. St. John Stevas was a very friendly one, and was on the underlying assumption that Dr. Hammer would receive the Codex in the U.S.A. after the Codex has been before the reviewing committee.

Sir John Foster and Mr. St. John Stevas worked out the details of how and when the Codex was to be available for display in the U.K. After some considerable bargaining a formula acceptable to Mr. St. John Stevas was agreed, namely that the Codex should be shown for three months in every year not only during Dr. Hammer's lifetime, but also that it should be shown for 10 years after his death in the U.K. on the same basis.

Dr. Hammer would also notify the Foundation that after this period of ten years that he wished the Codex to be shown in the U.K. at convenient intervals.

Dr. Hammer then received an invitation from the inaugural arts committee of President elect Reagan to show the Codex at the inauguration. It was ascertained after this invitation was received that there were no facilities at this time in the U.K. to restore the Codex by separating the folios and protecting them by use of special perspex, in time to be shown in Washington on January 17th.

A copy of Dr. Hammer's letter to Mrs. Thatcher was sent to Mr. St. John Stevas with a letter asking for a temporary export licence, the need for which had been notified by telephone to Mr. St. John Stevas by Sir John Foster.

Mr. St. John Stevas when interviewed in London for American television stated that he had "made a deal" with Dr. Hammer for the Codex to be shown part of each year in the U.K. This was widely broadcast to the American people throughout the United States.

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The Codex was exported on a temporary permit which Mr. St. John Stevas granted. The manuscript was shown at the inauguration in separate folio form. It was returned to the U.K. in time for the Reviewing Committee on the Export of Art on January 28th. At the hearing only one objection was raised to the export of the Codex, from Dr. Waley of the British Museum acting on behalf of the Board of Trade. He agreed that neither of first two criteria, national heritage and aesthetic value, applied. However, Dr. Waley thought that the third criteria, namely that it was of outstanding significance for the study and history of art and science did apply. His objection was muted. He said he saw no alternative to objection to the award of the licence thought solely on the grounds of outstanding significance for study.

He added, "I should like to emphasise that this view quite clearly carried no implication that the public study ought to be undertaken in this country rather than elsewhere". By those remarks Dr. Waley is removing the basis of the recommendation of the committee, since if it is exported the study of art will be in no way impeded. Dr. Waley also referred to the scrap-books of Leonardo da Vinci contained in collections in Italy, France, Spain and Britain.

It was pointed out for Dr. Hammer that the Codex could be studied equally as well, if not better, outside the U.K.; that the superior Codex in the British Museum was sufficient to enable studies to be made of the drawings and work of Leonardo in the U.K.; and that the study of the Leicester Codex did not depend on being near the Codex of the British Museum.

Whilst there are several manuscripts already in the British Museum and at Windsor Castle there is none in the U.S. nor in the many other countries of the world, where your collection can be seen. Some questions were raised as to the safety of the manuscript. I am sure the British Government will not fail to notice that you were advised, on this matter, by Professor Carlo Pedretti and the British Museum's expert Mr. D.P. Waley described Professor Carlo Pedretti as; "the greatest living authority on Leonardo" in his evidence to the committee.

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It was also maintained for Dr. Hammer that the third criteria should not be taken literally, as in that case no manuscript could be exported, since it would be a feature of every highly priced manuscript that it would provide material for scholarship, only to be carried out in the U.K.

The interpretation of this third criteria should depend on whether it was necessary for the manuscript to stay in the U.K. for studies which could not be undertaken elsewhere.

The recommendation of the committee is contrary to the understanding existing between Dr. Hammer and Mr. St. John Stevas that Dr. Hammer would receive the support of the Minister for the award of an unconditional export licence having regard to the terms set out in the correspondence as to the future showing of the Codex in the U.K.

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