

AN ICONOLOGICAL ANALYSIS OF JOSEPH GEIRNAERT'S PAINTING *AUCTION OF SEIZED GOODS* (1835, GHENT MUSEUM OF FINE ARTS)

*Maria Vercaemer*¹

Abstract

This article describes, analyses and comments an oil painting by Belgian artist Joseph Geirnaert (1790-1859), belonging to the collection of the Ghent Museum of Fine Arts. Typical for the artist and his period, the genre painting represents a realistic, or even critical or dramatic, depiction of a scene of everyday life: a family being expelled from its home for debts, and its movables being seized and auctioned. Particularly some legal elements in the composition are described and analysed, such as the cloths and signs of the court usher and the local policeman. The function of the artwork is not merely artistic or aesthetic, but it also formulates social critique. Comparing the painting to *Distraint for Rent* by Scottish painter David Wilkie (1785-1841), some analogies and differences can be observed.

Keywords

Legal Iconography. Genre Painting. Social Critique.

Summary

1. Introduction. 2. The painter. 3. The painting. 3.1. The employed style. 3.2. What is depicted? 3.3. What does it mean? 3.4. The context. 4. A comparison with *Distraint for Rent* by David Wilkie. 5. Conclusion. 6. References

¹ Maria Vercaemer is master of laws (Ghent University).



Figure 1: Joseph Geirnaert, *Openbare verkoping na gerechtelijke inbeslagneming* (*Auction of Seized Goods*), 1835, oil on canvas, 104,5 x 132,4 cm, Ghent (Belgium), MSK (Museum of Fine Arts). Photo: Wikimedia.

1. INTRODUCTION

Historical legal iconology often studies the ‘great’ works of art, by famous artists. Many of these were commissioned by the wealthy and powerful, and more particularly by Kings, lawyers, magistrates and lawgivers.

However, ever since the Late Middle Ages and the reception of Roman and Canon law, artists also have critiqued the administration of justice and the legal professions. They did so in poems, theatre pieces and songs, but also in drawings and paintings. In this article a social critique to the world of law and justice is given by a local nineteenth century artist.

This paper discusses the painting *Auction of Seized Goods* by Joseph Geirnaert. In the first part of this paper the painter's life is described in broad terms. In the second part, I go into the analysis of the painting itself. The employed style, the depicted events and the intended meaning are discussed. The third part compares the subject of this paper to Sir David Wilkie's *Distraining for Rent* and remarks upon some interesting commonalities and differences. The fourth and last part contains a short conclusion.

2. THE PAINTER

Joseph-Louis, also Jozef, Geirnaert, was a Belgian painter, born in Eeklo (Flanders) in 1790. He died in Ghent in 1859.² He was a student at the Royal Academy for Drawing, Painting and Architecture (*Koninklijke Academie voor Tekenen- en Schilderkunst en Architectuur*),³ founded in 1748⁴ as the Royal Academy of Fine Arts of Ghent.⁵ It is now part of University College Ghent (*Hogeschool Gent*).⁶ Afterwards he went to Antwerp to study

² SIRET 1883.

³ IMMERZEEL 1842, 272-273.

⁴ 1751 is sometimes named as the date of founding, but this is actually the date on which the city recognised the school and granted its protection, TAYMANS 2016, 185.

⁵ *Ibidem*.

⁶ "Introduction", <https://www.academiccourses.com/universities/Belgium/KASK/> (accessed 12 July 2022).

under Willem Jacobs Herreyns (1743-1827),⁷ one of the last Flemish Baroque painters.

After finishing his studies, he went to work in the workshop of Joseph Paelinck (1781-1839),⁸ where he dedicated himself to the style of neoclassicism. Paelinck had worked in the atelier of the great Jacques-Louis David (1748-1825) in Paris, and was one of the most influential neoclassicist painters in the United Kingdom of the Netherlands (1815-1830), having executed many official commissions for the Dutch Crown. In young Belgium, from its independence in 1830 onwards, however, he was less successful and his style turned to Romanticism.

Joseph Geirnaert mainly continued in the classicist and realistic styles for his historical, religious and mythological artworks.⁹ He was very successful, winning prizes for his portraits and genre paintings at the Salons of Paris and Brussels.¹⁰ In Ghent, he received a medal for placing first in the category of genre paintings at the Salon of 1820 with his romantic scene *The Harp Lesson* (*De harples*, 1820, now at the Museum of Fine Arts in Ghent).¹¹

Geirnaert normally displayed or represented events without commentary or criticism. (Apart from a few paintings where he let his Orangism come through. After the Belgian Revolution of 1830, essentially an act of independence from the Dutch Crown, Ghent was the main centre of Orangism, this being the political tendency to prefer the dynasty of Orange to the one of Saxen Coburg Gotha, and longing back to a (re)union of the Southern Netherlands with the Northern ones.¹²)

⁷ SIRET 1883.

⁸ IMMERZEEL 1842.

⁹ SIRET 1883 and IMMERZEEL 1842.

¹⁰ SIRET 1883.

¹¹ DE BAST 1823, 45; CLAEYS 1892, 50-51.

¹² At the moment of the revolt, in the summer of 1830, Geirnaert, being a favorite painter of the court, had fled the Southern Provinces to seek refuge in The Hague, near the

Geirnaert's artworks were very much in fashion in his lifetime, up until the moment his painting style got surpassed in popularity by the school of Antwerp.¹³ However, he didn't take advantage of his fame, it seems. According to Belgian historian Adolphe Siret (1818-1888), he was a man who lived for his art. He wasn't ambitious and had a peaceful disposition. Later in his professional live he focused on his teaching at the School of Arts in Ghent, where he himself had been a student. In 1856 he was knighted into the Order of Leopold.¹⁴

3. THE PAINTING

3.1. The employed style

Auction of Seized Goods is a genre painting. This style depicts everyday scenes,¹⁵ while the people in the paintings aren't meant to be specific persons. It is the latter that distinguishes it from historical paintings and portraits.¹⁶ Genre paintings from the seventeenth century and later often contain moral lessons. A well-known painter of this style is Johannes Vermeer (1632-1675).¹⁷ The moral undertone of genre pieces, however, disappears in the nineteenth century, when genre painting was heavily influenced by the *Zeitgeist* of the time, Romanticism.

Dutch Royal court. Six years later, however, he returned to his Flemish home region, meanwhile in independent Belgium.

¹³ SIRET 1883.

¹⁴ *Ibidem*.

¹⁵ "Het genrestuk in de schilderkunst", <https://www.artsalonholland.nl/kunst-encyclopedie/genrestuk-in-de-schilderkunst> (accessed 16 June 2022).

¹⁶ "Genre Painting", <https://www.hisour.com/genre-painting-21209/> (accessed 16 June 2022).

¹⁷ *Ibidem*.

3.2. What is depicted?

The scene is portrayed in a simple manner. There are no bright colours or any embellishments. The representation is meant to be realistic. There is little background. Only in the upper left-hand corner is some blue sky with dark and light clouds and underneath a house and trees. This background clearly situates the scene in the countryside, not in a city centre (perhaps in a town's more rural outskirts or suburbs). Behind the house we can make out what seems to be a mountain or a hill. This raises some questions about the precise location of the scene: the architectural style of the house and the trees look very Flemish, but the hill in the background does not; Flanders is *le plat pays* in the words of singer Jacques Brel (1929-19778).

The rest of the painting is taken up with the foreground. The entire upper half of the painting is filled with (the façade of) a brick house, whose walls seems to have been whitewashed quite some time ago. A person with a tall hat leans out of the dormer, handing over a cloth, that most probably is a bed sheet or cover. To the left, two men carry a cabinet outside, one of them is wearing a uniform and has a sabre. He is a member of the local policing force, who assists the 'bailiff'.¹⁸ Identifying him is made complicated because we only see his back, but he is recognisable as a *garde champêtre* (French) (*veldwachter* in Dutch) by the colour of his coat, *gris de fer*, and especially by his green collar.¹⁹ His sabre with varnished black leather belt is also a point of identification. He is wearing his cap for regular service, not his ceremonial hat.²⁰

¹⁸ We use the English word 'bailiff' or 'court usher', although the function in common law systems does not really correspond with what is the French (or, is in this case, Belgian) '*huissier de justice*' or '*(gerechts)deurwaarder*'. It is a public functionary, competent for executing civil sentences, if needed by force.

¹⁹ BASTIAEN 1984, 479.

²⁰ *Ibidem*, 479.

Centrally and to the right there is a group of people. Two of them are especially noticeable. One is on the left of the group. He is the bailiff, recognisable as such by his hat and staff. He is at the centre of the composition but not necessarily at the centre of attention. His badge of office is hanging from his waistcoat. This is proof of his authority as bailiff and serves as his primary method of identification. The badge looks similar to the one from 1796 in possession of the Ghent city history museum STAM. On the front there is a *fascis* bundle symbolising the unity of the French Republic. Above it can be read '*action à la loi*' ('action of the law'). On the back is written '*Huissier de juge de paix du canton de Gand*': bailiff to the 'judge of the peace', the lower civil court, of the 'canton' jurisdiction of Ghent. The bailiff is talking to the father of the household he has to drive out of their (rented?)²¹ house. Close to them we can see an old woman, a teenage girl and a child.

²¹ The title of the painting is '*Auction of seized goods*', but we do not see the actual auction. The depiction actually shows the seizing of the goods, not their sale. We do not know WHY the goods are seized; we can only guess what the debts of the family were about. Maybe the house itself and all movables were the property of the family, and they now have to 'sell everything'. It would be more presumable, however, - taking into account the social reality in Flanders around that time - that the family rented the house. If a tenant cannot pay the rent, the lessor has a right of privilege on all movable goods within the rented house. These are probably the belongings being taken out of the house. Flanders in the first half of the nineteenth century was a rural and poor region. As a result many families emigrated to other regions and countries.



Figure 2: Pierre-Joseph-Jacques Tiberghien, Badge of office, 1796, Ghent, STAM (City History Museum). Photo: website STAM.

The second person who draws attention, is the mother. She is to the right of the composition. She looks dejected, sad. She takes up the most space of the people depicted. Her blouse and cap are whiter than even the cloud, drawing our gaze. She has a small child on her lap. There is another child to her right. Surrounding these figures and in front of them are an assortment of possessions. In front is a wooden bench (on which Geirnaert placed his signature and the date). A painting leans against it. Behind them is a cabinet with jugs on top. Next to the mother is a baby cradle with blankets and sheets, a wicker cage, cutlery, a shoe, mussel shells, and what seems to be a broken drum. Also a dog on a leash and (in total four) cats are present. Lastly, to the left there is a collection of kitchenware. There are pots, pans, jugs, a wooden basket filled up with vegetables, a barrel, etc. We do not see any meat or fish, only simple local vegetables, from the own garden probably. The pots and jars are empty, some are broken... this is a poor family.

3.3. What does it mean?

Auction of Seized Goods depicts a family, made up of a mother and father with four children and someone who is in all likelihood a live-in grandmother. A pair of scissors is attached to the dress of the eldest child. She is probably working in the cottage industries. The Ghent region, from the early nineteenth century onwards, was famous for its textile industry. Most of it was located in factories in or near the town, but men and women also worked at home, up to several kilometres out of town.

There are no clear indications as to the job of the father.²² There are no tools typical to a certain profession in sight. However, he seems to be working in the rural sector. What we can say with certainty, is that this indebted family has to undergo a public auction of their possessions. This is confirmed by the title of the painting.

The study of history gives us a possible explanation for the grave debt this family is in. There was a lot of poverty in Flanders in the early years of Belgium. Multiple meagre harvests followed each other over the course of the years. 1830 was such a year of bad harvests. What little grain farmers managed to cultivate, was mostly exported to France where the price was higher.²³ There was little reprieve and the crisis was at its worst when the potato harvest failed in 1845, and the grain harvest failed a year later.²⁴ Bad harvests of course mean little income for farmers, merchants, artisans... Add to this the decline of the cottage industry (weaving, flax processing)

²² But he surely does not look like a traditional local farmer or fisherman, for instance. His cloths are neither dirty nor worn. He even wears a 'white collar'. Is he an entrepreneur?

²³ VANDOMMELE 2016, 177.

²⁴ *Ibidem*, 190.

in favour of industrialisation and it becomes clear how very hard it was for rural families to make enough money to make ends meet.²⁵

One can discuss whether the tone of this artwork is, taking into account the evocative subject, realistic, dramatic, or overdramatising. The father with his questioning posture and the grandmother with her entreating gaze are standing opposite the bailiff. He, however, articulates clearly with his body language and facial expression that there is nothing he can do. He shrugs. The eldest daughter leans against the chest of her father with her eyes closed. The mother hides part of her face. One lonely tear makes a track down her face. There are certainly emotions in this painting, but they are, to my opinion, not exaggerated. It is sincere sentiment, on the one hand, and the anecdotal on the other that dominate this painting.²⁶ The painter wants to render a scene from everyday life.

Would it have been the intention of Geirnaert to express criticism? Does the artist give a judgement on the judicial practices, or a denouncement of the social situation? Or is this only an unassuming rendition of an observed event? At least, exactly by making the choice to paint this kind of sad situation, the artist seems to have wanted to draw public attention to this painful situation. He did not really exaggerate; his critique is nor sarcastic, nor overdramatising. However, the artist did give a social critique, and clearly wanted to ask attention, empathy, even sympathy for the weak in a society in crisis.

3.4. The context

²⁵ *Ibidem*, 168-173.

²⁶ As also described on the website of the museum, <https://www.mskgent.be/nl/collectiestuk/openbare-verkoop-na-gerechtelijke-inbeslagneming> (accessed 12 June 2022).

Unfortunately, we do not know much about the origins of the artwork. It remains unknown whether the work was commissioned by someone and, if so, what was explicitly asked for and what was decided by the painter. We do know however that the city of Ghent bought the painting (for 4,000 Belgian Francs) in 1838, three years after it was finished.²⁷ It only lets us conclude that choosing the theme of the scene was most probably the artist's own choice. Geirnaert was born in a bourgeois family, had the possibility to go to the academy, became an successful artist, and was appointed teacher: the scene represented is surely not a scene of the artist's own social circle. One might even guess that some of his clients, magistrates, lawyers or court functionaries, might have been offended by his work.

4. A COMPARISON WITH *DISTRAINING FOR RENT* BY DAVID WILKIE

There are multiple reasons why this painting was chosen for comparison. Firstly, *Distraint for Rent* by the Scottish painter Sir David Wilkie was painted in the year 1815 and so it stems from the same time period as *Auction of Seized Goods*. Secondly, it is also a genre painting with the legal theme of a forced sale to pay off debts. Thirdly, both painters were popular when painting their respective artworks. Fourthly and lastly, in comparing these two works it becomes increasingly clear that Geirnaert, as opposed to David Wilkie, was less fierce in giving social comments.

²⁷ LESAGE 1993, 328.



Figure 3: Sir David Wilkie, *Distraint for Rent*, 1815, oil on panel, 81,30 x 123,00 cm, Edinburgh, Scottish National Gallery. Photo: Wikimedia.

The first difference one notices, is that the events unfold themselves inside a house. The title of the artwork explains why. This family isn't the owner of their home. Their landlord is selling their goods that stock the house in order to be compensated for the rent they owe him, but haven't paid. This common law practice is called 'distraint for rent', hence the title.²⁸ Another difference is that this is one of David Wilkie's most popular artworks, while *Auction of Seized Goods* is barely mentioned anywhere in reference to Geirnaert. This might be explained by the difference in

²⁸ "Distraint for rent - what you need to know", <https://thesheriffsoffice.com/articles/distraint-for-rent-what-you-need-to-know>.

emotion. As explained, Geirnaert is rather reticent in his work. He doesn't express harsh criticism, but rather asks for empathy. This is not the case in Wilkie's work.²⁹ Immediately noticeable is the drab brown colour that permeates the entire painting. This sets a sombre tone. The man whose goods are being seized is filled with despair. Behind him, his neighbours argue fervently on his behalf.³⁰

This is where the bailiff comes in. The difference in criticism is most notable when looking at this public functionary. In *Auction of Seized Goods* the bailiff looks at least somewhat emotionally involved as discussed above. There is no trace of this in Wilkie's work. The bailiff, here identifiable as well by his hat and staff or rod, looks on with a hard and merciless gaze. The indifference of his assistants, consumed with their tasks, is made extra noticeable because of the intimate setting of the scene. All their attention is on studying and recording the seized goods, none of it is on the family. Lastly, the empty cradle waiting to be seized, is placed in a central position. The viewer can't look over it. It is meant to portray the heartlessness of the bailiff.³¹ Geirnaert also painted an empty cradle, but in his case it's almost hidden. It's to the side and half buried under sheets and blankets. It's not nearly as accusing as the one in *Distraint for Rent*. Wilkie's sympathies clearly do not lie with the bailiff even though the bailiff has the law on his side as illustrated by the documents he holds.

Wilkie's scene shows more drama than Geirnaert's, more interactions between more persons. The man with the high hat tries to engage between the two parties, left and right. The bailiff's rod, much more than in Geirnaert's case, is used as some kind of threatening weapon, more than as a pure symbol of power. There are several weeping women; this family

²⁹ CUNNINGHAM & CUNNINGHAM 1843, 435.

³⁰ MORRISON 2017.

³¹ *Ibidem*.

is bigger, and looks more ‘wealthy’: their house is larger, the cupboards and windows are bigger (this is not a cottage), food hangs from the ceiling.

5. CONCLUSION

Auction of Seized Goods by Joseph Geirnaert is a genre painting that strives to display a part of reality, probably without passing judgement on it, but at least asking attention, or even empathy, for miserable circumstances. It is painted in a simple style. The title of the artwork tells us what it is about. Possessions of an indebted family are carted off as they are evicted from their home. We can identify two (judicial) officers. The bailiff has a hat, a staff, and, if you look closely, a badge of office. The *garde champêtre* has a green collar and sable. Notwithstanding the miserable subject, the painting is serene in tone.

These conclusions become clear after comparing Geirnaert’s artwork to a similar theme painting by Wilkie, who is using much more drama.

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