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Excerpted from "Giver's Remorse"

By Tyler Green

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The most notorious donor-intent case involves the Barnes Foundation. A consortium of Philadelphia foundations, supported by the Philadelphia business and political establishment, has teamed up to move the Barnes Foundation's superb collection - maybe the best U.S. repository of Matisse and Cézanne--from suburban Merion to a yet-to-be-constructed museum in downtown Philadelphia. The move is several years away, but the decision is final.

"The Barnes situation is essentially a nonprofit equivalent of a corporate takeover," says Knight. He argued strongly against the move because he thinks that Albert Barnes's vision, as well as the art, should be preserved. Barnes was a doctor who made his fortune from a patent eye medicine and spent much of it on art. By the time he died in 1951, he despised Philadelphia society, hated the elites at the University of Pennsylvania, and was contemptuous of everyone affiliated with the Philadelphia Museum of Art. He intentionally kept his art away from them all, building his quirky gallery in Merion - and limiting access to it.

"I think with the Barnes board, the donor's intention was just about the last thing on their minds," says John Anderson, author of *Art Held Hostage: The Battle Over the Barnes Collection*. "I don't even know that they knew what the donor's intentions were." Possibly not: Barnes board chair Bernard Watson's public statements indicate a lack of familiarity with Barnes's wishes. Watson once stated, for example, that the Barnes "belongs" downtown; Barnes himself made it clear that in his view, it did not.

While Barnes was a little eccentric - he occasionally walked through his wife's luncheon parties in the nude - he was no fool. He hired top-notch legal talent, such as Owen Roberts, later a Supreme Court Justice, to ensure that his wishes would be honored after his death. Even so, he failed to protect his intent.

When it comes to money, the living can spend it, but the dead can only recommend. So philanthropists with a point of view are advised to give it all away while they are alive (as Andrew Carnegie tried, and failed, to do) or to put it in the hands of trusted people for a limited period, as Warren Buffett is attempting. Or perhaps they should simply cultivate a philosophical detachment - it will not, after all, be their problem.