

Barnes Debate Opening Statement

By Robert Zaller

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The Barnes Foundation was chartered in 1922 as an art education institute whose curriculum, designed with the help of America's foremost philosopher of education, John Dewey, was built around the most important private art collection in America, and the world's largest collective repository of works by Cezanne, Renoir, Picasso, and Matisse, as well as many other artists of the first rank. Matisse himself executed work specifically for the gallery building designed to house the Foundation's permanent collection. A garden was added to the mature arboretum that preceded the Barnes' residence there and all were integrated with one another to create a complete and unified aesthetic experience. The Barnes Foundation is a unique creation, as well as being the site of one of America's most important experiments in educational democracy. Matisse himself called it "the only sane place to see art in America." He credited the installation of his great work *La Danse* in the Barnes for rejuvenating his career, a fact that in and of itself would mandate its historic preservation. Peter Schjeldahl of *The New Yorker*, visiting the Barnes decades later, declared that "Altering so much as a molecule of one of the greatest art installations I have ever seen would be an aesthetic crime." Visitors from around the world have confirmed the unique ambience, the special magic of the Barnes. To quote Mr. Schjeldahl again:

The Barnes is a work of art itself, more than the sum of its fabulous parts. . . . If there were other places like the Barnes, dispensing with it would not be tragic. But one minus one is zero.

In no other civilized nation would there even be a question of preserving the Barnes. My good friend Gresham Riley has said that in a “perfect world,” he too would prefer to see the Barnes remain in its historic home. But we don’t need a perfect world to save the Barnes. We only need one willing to make even the minimum effort.

A little background is in order. The Barnes Foundation functioned as an art and horticulture institute for more than six decades without experiencing financial difficulty, even though it charged no tuition for its courses. Even in the late 1980s, admission on public visiting days was a nominal \$1, the charge I paid when I first visited myself.

The Barnes had another very special feature. Albert Barnes had a profound sense of mission on behalf of the African-American population of our community, something unheard of in a wealthy white entrepreneur a century ago. He collected African art, and at his death he bequeathed ultimate control of the Foundation to the nominees of Lincoln University, a black institution.

One of those trustees, Richard Glanton, a politically-connected Center City lawyer, ultimately betrayed Barnes, and Lincoln as well. It was Glanton who spread the fiction that the Barnes was in desperate financial straits and unable to maintain its collection without the sale of some of its masterpieces. This was rejected, but Glanton was permitted to violate the Foundation’s Indenture of Trust by organizing a world tour that closed it down for two years.

Glanton did not act in a vacuum. For decades, powerful Philadelphia interests, led by the late Walter Annenberg and using the Annenberg-owned *Philadelphia Inquirer* as a platform, had been trying to gain control of the Barnes and its priceless assets. The court record of these efforts goes back nearly six decades. The current attempt to move the Barnes is only the latest chapter in an ongoing saga. The difference, now, is that these interests, led by a consortium consisting of the Annenberg Foundation, the Lenfest Foundation, and the Pew Charitable Trusts, and backed by Philadelphia's present and former mayors, have now gained a controlling interest in the Barnes' Board of Trustees, thanks to an extraordinary decision by Orphans Court Judge Stanley R. Ott that has given not Lincoln but the Pew Charitable Trusts itself effective control of the Board. In return for accepting this arrangement--in effect, permitting the Barnes to be bought by an outside party that was shoring up its financial mismanagement--Lincoln was offered an \$80 million bribe by Governor Rendell in the form of "development" assistance, and, when its trustees balked, Attorney General Mike Fisher was sent as an enforcer to seal the deal: the same Attorney General whose legal responsibility was to protect the integrity of the Barnes trust.

I'm not even making this up. And there's better yet.

Even while the then-Director of the Barnes, Kimberly Camp, was publicly insisting that the Foundation had no intention of requesting permission to move and was thoroughly committed to maintaining its historic site, still-unnamed legislators were placing \$107 million in the state's capital budget to accomplish such a move. In effect, the State of Pennsylvania's officers engaged in a conspiracy to violate a trust its agencies were legally bound to enforce. Most of the General Assembly's legislators were unaware

of what they were voting for, since the capital budget is a wish list of pork barrel projects with no appropriation or expiration date. That included Montgomery County representative Jim Gerlach, who now, as the County's U.S. Congressman, has come out in strong opposition to the move--as have the Montgomery County Commission, the County's three state representatives, and the Lower Merion Township Commission in whose jurisdiction the Barnes lies, and whose members have recently called for plans to move the Barnes to be "abandoned forever."

All right, there's a political tug of war between Montgomery County and Philadelphia, with Ed Rendell and an assortment of power brokers and high-flyers pulling the city's way. But don't the proponents of the move need a *reason* for it? After all, the Foundation's Indenture of Trust states that "no picture belonging to the [permanent gallery] collection shall ever be loaned, sold or otherwise disposed of All the paintings shall remain in exactly the places they are at the time of the death of [the] Donor and his . . . wife." That is as clear a statement as it is possible to make that the Barnes should remain where and as Dr. Barnes left it, forever.

When the Barnes' lawyers--more accurately, the Pew's lawyers, since the Pew was paying for them--went into court in 2004 to break the Indenture for good, they argued that the Barnes was running an annual deficit of \$2.5 million that could not be closed while it remained in Merion. They contended that the Foundation could only be saved by developing an ambitious three-campus model, with the gallery collection housed in a new, enlarged facility in Center City.

There were two things quite seriously wrong with this argument. First, the new plan would not close the deficit, but increase it to \$4.5 million per year, and that on the

most optimistic projection of revenue. Second, the actual deficit wasn't \$2.5 million but \$1-1.2 million, as revealed by a financial analysis done by one of the most respected auditing firms in the country, Deloitte and Touche.

In other words, the lawyers lied.

Now, \$1 million is still a sum. But proposals have already been made, and accepted by Lower Merion Township, to increase the annual attendance levels at the Barnes by 40,000. The immediately affected neighbors on the Barnes' block have endorsed this. With parking revenues, uniform admission fees, and ancillary sales, the deficit could be *readily closed without any necessity to move and without any compromise in the integrity of the Barnes' unique aesthetic experience*. On the other hand, the move itself, if implemented, *would* bankrupt the Barnes, in addition to costing what I and others estimate to be \$300 million in public and private funds--funds desperately needed, not to create a financial white elephant on the Ben Franklin Parkway, but to support Philadelphia's desperately straitened museums, art and music programs, and general educational and cultural needs. In short, this is not merely a case where the cure is worse than the disease. It is a case where the cure *is* the disease, a lose-lose proposition for all concerned that would strip Montgomery County of its cultural patrimony and, in offering a debased replica of the original, deprive Philadelphia of funds that could help promote a genuine renaissance for the city--as well as the matchless experience of the real Barnes, only twelve minutes away from the Parkway by bus or car off City Avenue. Nor would it even provide the additional tourist revenue anticipated from a new gateway attraction, for a Barnes on the Parkway would be as likely to compete with the Art Museum as to complement it, at least until its novelty had faded.

To sum up: there is no need to move the Barnes; there is no realistic prospect that it can survive, much less thrive on the Parkway; and there is, in consequence, no legal or economic justification for it. Beyond that--and we should get beyond it, because to reduce the fate of the Barnes to its cash value is to speak the very language of those who would destroy it--it would be, above all, the aesthetic crime that Mr. Schjeldahl so eloquently speaks of. The Barnes Foundation is still an active place of learning. It is, for those who come to visit, whether once in a lifetime or on a regular basis, one of the rarest and most precious experiences of art on earth. How can we not treasure and preserve it?