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## BEHIND THE BARNES BONANZA

by David D'Arcy

Last week, \$25 million was added by Pennsylvania governor **Edward G. Rendell** to a fund that will relocate the **Barnes Foundation** to downtown Philadelphia, near the **Philadelphia Museum of Art**. The new Barnes, in a projected \$100-million building, is being celebrated by local boosters as the eventual crown jewel of a museum mall in Philadelphia. Critics say the Barnes scheme does double-duty as a favor to some of Rendell's key political supporters.

The \$25-million check from the **Redevelopment Capital Assistance Fund** was given to the Mayor of Philadelphia. (Before construction begins, a juvenile detention center that the city operates on the site must be relocated and demolished.) It augments some \$100 million in "commitments" pledged to the fund drive by the **Pew Charitable Trusts**, the **Annenberg Foundation** and the **Lenfest Foundation**. The three charities underwrote the Barnes Foundation lawsuit to overturn **Albert C. Barnes'** indenture, which famously restricted the ways that Barnes paintings could be shown, and enlarge the foundation's board of trustees. These organizations are also paying the foundation's expenses, an agreement based on its willingness to move its much-envied holdings of works by **Paul Cézanne**, **Pierre Matisse**, **Pablo Picasso**, **Pierre-August Renoir** and **Vincent van Gogh**.

"We're rounding third base with the wind at our back," said **Rebecca Rimel**, executive director of the Pew Charitable Trusts, the Philadelphia charity that is coordinating the fundraising drive. Rimel would not say how much money has been raised, nor would she identify any new contributors. "It gives us additional momentum," she said, noting that the state gift might enable her to announce the completion of fundraising in a matter of months.

"The significance of the award is to help the Barnes Foundation and the Pew move forward with their fundraising goals," said Rendell's press secretary, **Kate Philips**.

Skeptics say the state intervened to jumpstart a faltering fund drive. "I doubt much money's been given," said **Richard Glanton**, the former president of the Barnes Foundation who stepped down in 1997. "They won't disclose it beyond the initial commitments, because nobody's given any." Rimel denied that Rendell's largesse was in response to lagging donations, and said the project had 40 donors.

Others see in the gift an affirmation of the same alliance between the state and wealthy philanthropists that persuaded a state court to step in to break Barnes' indenture. "Obviously, the establishment wants the tourist trade. They don't care about the will and all the other stuff," said the art dealer **Richard Feigen**, who testified before the **Pennsylvania Orphans Court** in September 2004 that the Barnes Foundation could avoid a costly relocation if it sold just one painting by **Gustav Courbet** and several others not covered by Barnes' indenture against selling works from the collection.

The large state grant suggests a two-way street between the governor and major contributors supporting the Barnes move, all of whom could be characterized as members of Philadelphia's establishment -- ironically, heirs of the very group that Barnes was defying when he left

control of his art collection to **Lincoln University**, a small African American college. Many backers of the Barnes move have made significant contributions to Rendell's political campaigns.

**Ray Perelman**, the Philadelphia philanthropist and a prominent supporter of moving the Barnes, gave Rendell \$25,000 on Dec. 31, 2005. **Sheldon Bonovitz**, an art collector and chairman of the law firm **Duane Morris LLP**, contributed \$114,000 to Rendell's campaign funds over the last several years. Bonovitz joined the Barnes board in 2005.

Among those associated with foundations that helped fund the Barnes legal campaign to overturn Dr. Barnes' indenture, **Walter Annenberg** donated \$100,000 to Rendell's campaign in 2000, and another \$75,000 in 2002. Annenberg died in September 2002, but his wife, **Leonora Annenberg** (the Annenberg Foundation's president and CEO), who contributed \$25,000 to Rendell in 2000, gave Rendell's campaign \$5,000 in 2004 and 2005. (The Annenberg Foundation paid \$145,000 toward the Barnes' legal fees in 2005.)

The Lenfest Foundation, another group supporting the Barnes move and underwriting the foundation's expenses, was founded by **H. K. (Gerry) Lenfest**, an entrepreneur whose fortune comes from cable television. Lenfest gave Rendell \$138,500 between 2002 and 2005, \$50,000 of which was donated on Sept. 29, 2002, just after the Barnes Foundation petitioned the court to break the founder's indenture. **Andre V. Duggin**, a recent appointee to the Barnes board, gave \$95,000 to Rendell's campaigns since 2002. **Comcast**, the telecommunications firm founded by **Ralph Roberts**, gave Rendell \$30,000 last year. Its founder's daughter-in-law, **Eileen Roberts**, sits on the Barnes board. Gifts to Rendell's campaign from Eileen Roberts, her husband, **Brian Roberts**, and his father and mother, **Ralph and Suzanne Roberts**, total \$90,000 since 2002.

According to Richard Glanton, some of those donors, including Perelman and Lenfest, had earlier sought his assistance in moving the Barnes downtown. "They came to see me and asked me if I would agree to help them take over the Barnes, and I said, 'No'," Glanton claims.

Rendell spokesperson Kate Philips denied any relationship between campaign contributions and the \$25-million grant, which is \$10-million larger than Rendell's proposed \$15.2-million allocation for all state-funded arts programs for 2006-07. "Gerry Lenfest is a very good friend of the governor's. Lee Annenberg is a very good friend, as well," she said. "The governor has very wealthy and very loyal fundraisers, not only across the state, but across the country. He does not make any decisions regarding state funding that are a reflection of those donations and contributions." Rendell raised \$43 million for the campaign that won him election as governor in 2002.

"I think this shows how business is really done," said **Nick Tinari**, an attorney and former Barnes student who has been a longtime opponent of efforts to liberalize operations at the Barnes. "Forget about trust law, forget about the trope of 'Saving the Barnes,' moving the collection is in the interest of big business and Ed Rendell's campaign contributors and that is the bottom line. A \$25 million grant to your favorite boondoggle smells like a pretty good return on a couple of hundred thousand in campaign contributions."

"The way I see it, the Barnes board and its allies are acting like a PAC [political action

committee] that has a lot of leverage with the state governor. That's what it looks like -- not a registered PAC, but a de facto PAC," said Tinari.

Rebecca Rimel of the Pew rejected the notion that political contributions had anything to do with the \$25-million grant.

In the early 1990s, the Barnes Foundation was running in the black on an annual budget of \$1 million. As recently as 2004, it had a \$1.2-million deficit on a \$4.8-million budget. Opponents of the Barnes relocation said in hearings in 2004 that an infusion of \$25 million could have enabled the collection to stay in the building that architect **Paul Cret** completed in 1925. Wall arrangements in the galleries are by Barnes himself, who stipulated in his indenture of trust that these arrangements not be changed.

Coincidentally, Rendell's announcement of the \$25-million grant came on the same day the Pennsylvania state legislators cut a \$25-million appropriation to the Philadelphia school district. More school cuts are planned. Rendell noted at the announcement of the \$25-million grant that the Barnes might well receive more state money.

Yet the schoolchildren's loss may be at least one builder's gain. A high-rise condominium called "The Barnes Tower" is now being planned for a site right behind the plot where the Barnes Collection will eventually displace the current juvenile detention center. The developer insists the name has nothing to do with the Barnes Foundation.

DAVID D'ARCY is a correspondent for the *Art Newspaper*, a contributing editor at *Art & Auction* and a regular critic on the "Front Row" program on BBC Radio.

