

# art & auction

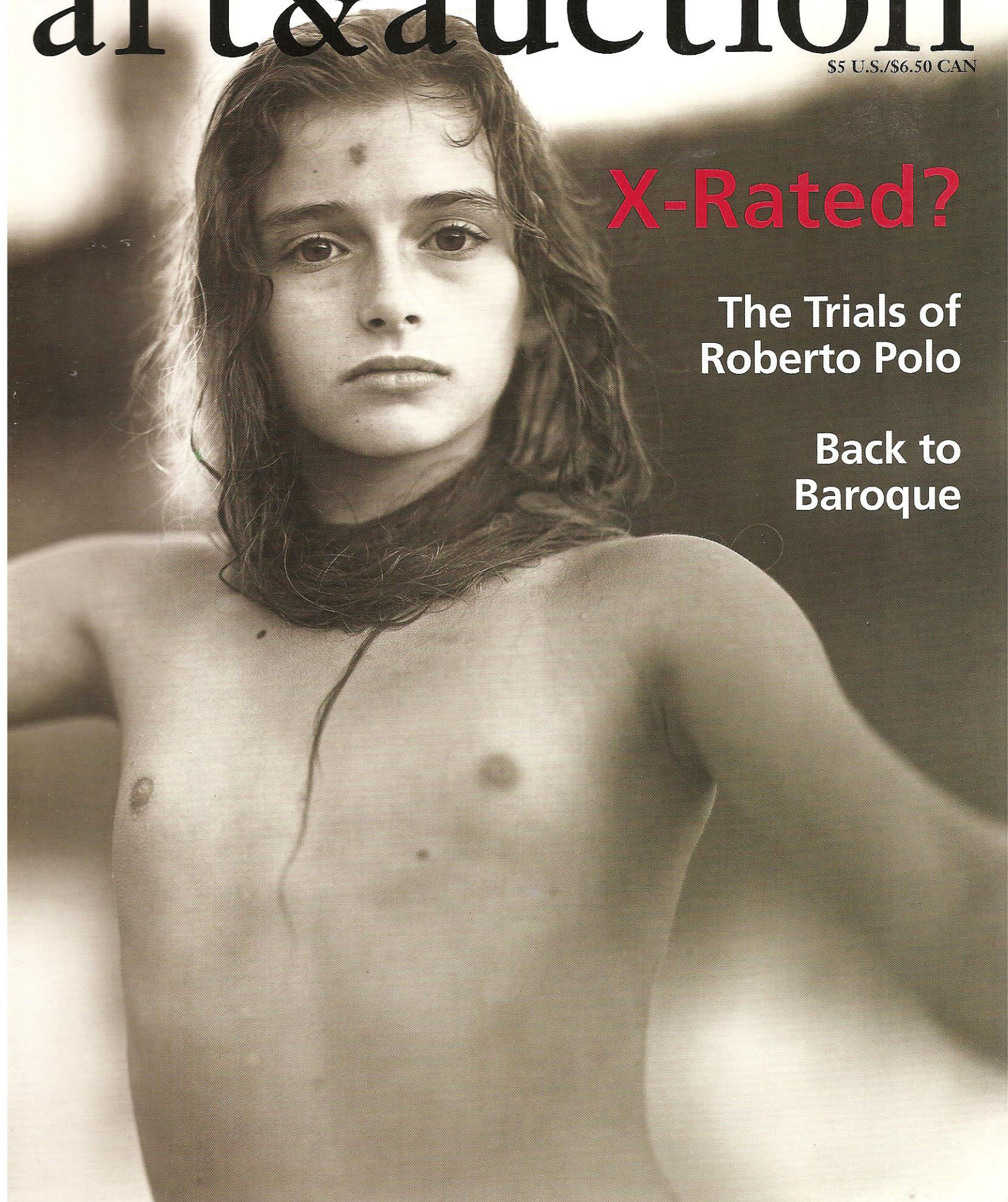
March 1995

\$5 U.S./\$6.50 CAN

**X-Rated?**

**The Trials of  
Roberto Polo**

**Back to  
Baroque**



Cover: *In the Eye of the Beholder*: Sally Mann's hauntingly beautiful photographs of her children, like Jesse at 11, have elicited groundless intimations of exploitation and child abuse. What is it about photography that strikes such a nerve? See page 84.

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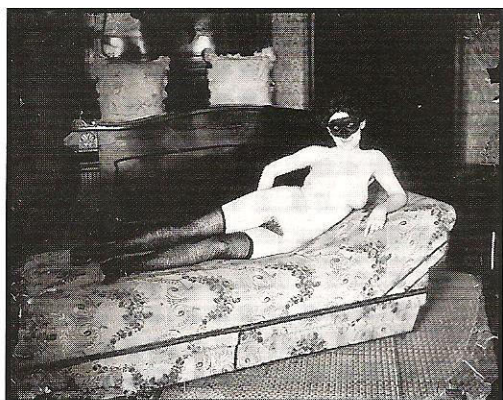
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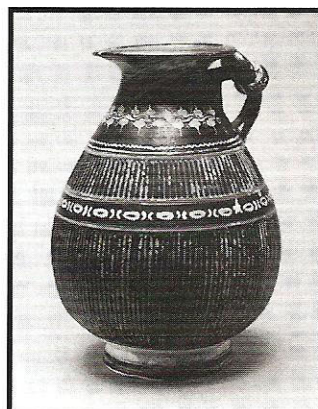
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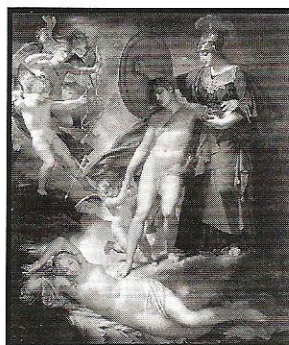
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# Who's Playing Polo?

**Roberto Polo was once celebrated for his luxe extravagance and exquisite taste in art. Today, he sits almost forgotten in a Swiss prison. Is this justice—or a vendetta?**

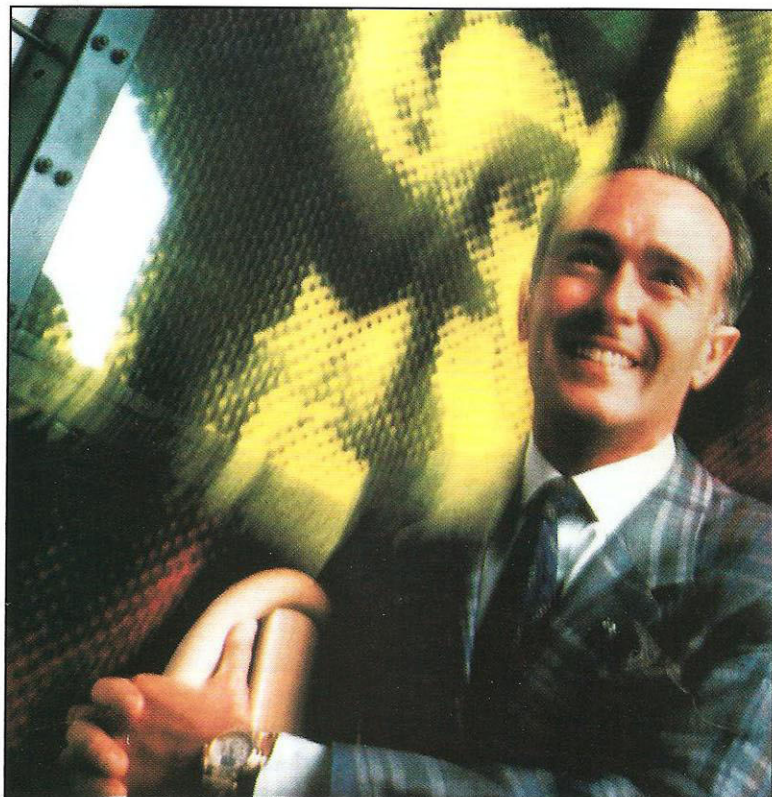
by Amy Page

**B**ack in the 1980s, Roberto Polo was an elegant young man in a hurry. Today, he sits in the

Champ Dollon prison near Geneva and waits. What he's been waiting for since 1988—including the past 40 months in preventive detention—now looks to be coming to pass: in the next few months, he may finally be brought to trial in a Swiss court.

The story of the 43-year-old Cuban-American's rise from the training program at Citibank to making, spending and, ultimately, losing a fortune has been well (if, by *Vanity Fair's* Dominick Dunne in 1988, maliciously) chronicled. What is less well-known is the tortuous, seven-year-long legal tale of his subsequent imprisonment in Italy and Florida and his unsuccessful battle to avoid extradition to Switzerland on charges including embezzlement and fraud. Indeed, when this magazine (in its May 1994 anniversary issue) named Polo one of the people "who've made a difference" in the art world over the past 15 years, we said that Polo was enjoying a new life as an artist in Miami. The only reader who contacted us to correct this was—Polo himself.

"I live in a cell by myself," wrote the man whose exquisite taste—in art, furniture, jewels—and luxe extravagance were once on display in the apartments he shared



*What was, what is: A smiling Roberto Polo in Miami before he was jailed and extradited to Switzerland. A considerably more somber Polo (opposite) is evident in a self-portrait from prison.*

with his stunning wife, Rosa, in New York and Paris. (For example, one journalist recalls seeing, in the Polos' splendid apartment on Paris's Quai Anatole France, a Christmas tree covered, top to bottom, in white orchids. The only problem with it, Polo explained, was the necessity of changing them completely every five days.) "The cell is about 15 by 9 feet. In it there is a small bathroom without a door, which contains a toilet, washbasin and a mirror. The cell has a picture window of unbreakable glass, through which I see the prison courtyard, sports field and the French Alps. Next to this solid picture window, there is a smaller vertical window which I can open, but which has bars. All along, in front of these two windows, there is a counter, on top of which is the television my brother gave me, a cassette player/radio, my music cassettes"—Mozart's *Don Giovanni* and Mascagni's *Iris*, Dire Straits and Pink Floyd, Ella Fitzgerald and Jacques Brel—"and all my edibles."

Polo's daily routine involves waking up between 3:30

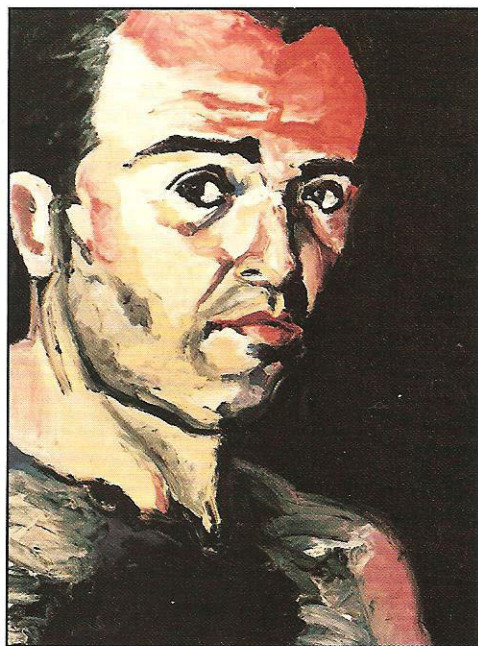
and 4:30 a.m., making himself coffee with hot water from a thermos that he fills the afternoon before, drinking several cups, making up his cell, watching nature programs and the news on television, writing letters—including the many he has sent exclusively to *Art & Auction* after attempts by this magazine to interview him in jail were rejected by the Swiss investigating judge—and, always, working on his case. Later in the morning, or in the afternoon, he “lifts weights” using plastic jugs filled with water. Polo says these are efficient and that his body is in good shape. “In general, the guards and the police here are courteous,” he writes. “I am always called Mr. Polo, not Polo or some number, like in the U.S.

“I have a daily one-hour promenade, if the terrain is dry, in the sports field. Basically, this consists of going around in circles and listening to my Walkman in order to obliterate the incessant prison talk and gossip about who did what, drugs, that sort of thing.” Polo spends the other 23 hours of each day locked in his cell in a cigarette-smoke-filled section that houses about 30 men.

His fellow prisoners, says Polo, are either “petty drug traffickers, drug users, or both. There are some financial cases, but these are a very small percentage of the prison population. Many of the inmates are foreigners—Albanians, Yugoslavs and Americans among them. This leads one to believe that the Swiss are genetically incapable of committing a crime.” Some inmates pose for Polo on weekend afternoons as he uses an easel, which his mother bought him for his last birthday, to do pencil portraits of them. He sends the finished drawings home to his mother to be photographed before giving the originals to their subjects: another example, no doubt, of Polo’s oft-noted obsession to document his triumphs and, now, his travails. “All along the side wall of my cell, piled up in stacks, are notebooks full of my case documents and books. There are boxes full under my bed. Basically, I live among documents.”

**W**hat some of those documents relate is how Polo’s New York-based investment company, PAMG (Private Asset Management Group), was founded in 1982 and attracted a bevy of international clients who

wanted to quietly invest their money outside their home countries. Reduced to its essentials—admittedly, not an easy thing to do given the dense blizzard of facts and factoids at issue—the case that will soon come before a Swiss court hinges on whether or not Polo deceived two such clients, both very wealthy Mexicans, by using their money to invest in artworks and pay for his expensive lifestyle, rather than putting it, as they claim they expected, into time deposits. The two Mexicans are Emilio Martinez-Manautou, former governor of one of Mexico’s poorest states, who, through a Cayman Islands company called Rostuca, alleges he transferred to Polo about \$46 million to invest, and Pablo Aramburuzabala, one of the owners of the brewery group that manufactures Corona beer, who invested with Polo through a group of off-



**“During the past seven years, I have learned not to fear anything or anyone. I have defended myself with clenched teeth and do not intend to give up now.”**

shore companies known as AIDA and claims that Polo caused him to lose about \$60 million.

Polo rejects those claims, saying the two Mexicans knew he was investing their money in art. “You might ask yourself,” writes Polo, “why would anyone go to me to invest exclusively in time deposits, when I am an art and jewelry expert, and anyone who wishes to invest in time deposits can simply go to a bank, which specializes in this.” He adds, “Mind you, the civil plaintiffs are not widows or orphans—one is the principal stockholder in one of the biggest beer breweries in Latin America. Neither is senile or incapacitated, and neither claims that I induced them to do anything.” Polo adds that the art and the jewels he bought, as well as an ill-starred fashion-design and perfume company in which he invested an

estimated \$12 million, were not in fact his, but investments for clients—and, moreover, investments that these clients, including Martinez-Manautou and Aramburuzabala, have in large measure recovered.

Whatever the truth, there is one school of thought that holds that what really enraged the two Mexicans about Polo and fueled *their* dogged pursuit of him was that, no matter what the size of their wealth, he lived more grandly and certainly with greater panache than they could ever hope to. By this reading, Polo's crime, more than any other, was his breach of some unspoken modern sumptuary code, by which one should never be seen to be doing better than one's clients—lest one be suspected of doing it with their money. And, indeed, in at least one instance, Polo's prodigality was not quite what it seemed.

With great fanfare, in 1988 Polo gave to the Louvre the crown of the Empress Eugénie and *The Adoration of the Shepherds*, an important Fragonard painting. For this, French Minister of Culture François Liotard made him a Commander of the Order of Arts and Letters. In fact, however, the Fragonard was not Polo's, but rather belonged to Costa Rican collector Carlos Gil, who had instructed that the gift be made in Polo's name. "Since I was not willing to make donations in my name," Gil later said, "I felt it was better for the credit to go to Mr. Polo than to no one at all; at least it would help him in his business. I am only very sorry that in my desire to remain anonymous and to help Mr. Polo, I unwittingly hurt him."

The struggle between Polo and Martinez-Manautou and Aramburuzabala has been raging since well before April 30, 1988, when, amidst a run by his clients and growing rumors of the imminent collapse of Polo's business empire, which included the noted New York French furniture gallery Jacob Frères, the Swiss issued a warrant—instigated by the two Mexicans—for his arrest. (Under Swiss law, civil plaintiffs can file a criminal complaint, which, Polo and his American attorneys suggest, means that anyone waging a vendetta can—with the right money and pull—have someone incarcerated while a magistrate investigates whether or not there is proof enough of the allegations to justify an indictment. It's the opposite of Anglo-Saxon law—one is, in effect, guilty until proven

innocent. Or one just as well might be: even after having spent more time incarcerated than many sentenced criminals, Polo has yet to be convicted of anything!)

After five weeks on the lam in Europe, Polo was seized in Viareggio, Italy. According to Polo, he then spent eight months in Italian custody, almost three of them "in isolation in the 12th-century Lucca prison," where "I was naked, slept on the cement floor, had no toilet or washbasin (only a hole in the middle of the floor to defecate and urinate in) and was beaten—I ended up hospitalized, first in the Pisa prison hospital and then in the public hospital in Florence." Polo starved himself down to 85 pounds and was diagnosed as anorexic by court-appointed doctors. Eventually freed on bond, Polo skipped—to Miami, reportedly with the help of the American consuls in Florence and Athens.



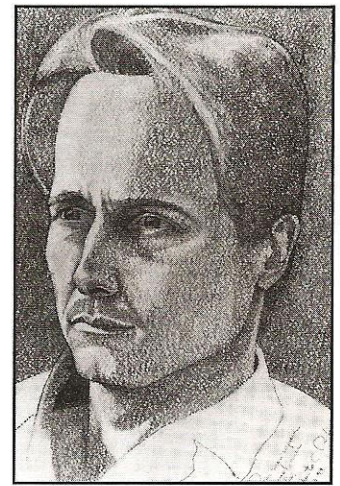
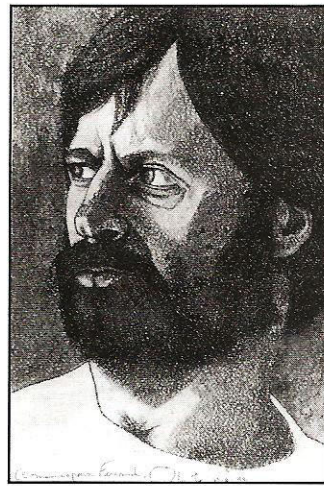
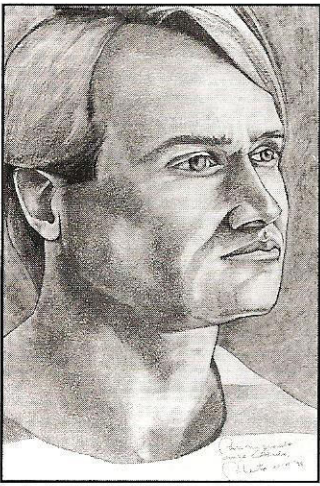
*A mural by Polo adorns the Yuca restaurant in Coral Gables, Florida. "He really wanted to be an artist," says one friend.*

Meanwhile, art and other valuables from the collections Polo formed, including some of his own art holdings, were being auctioned to pay off Rostuca and AIDA as well as the IRS, which had made an assessment based on the Mexicans' allegations. More than \$20 million worth of jewels were sold at Sotheby's. Twenty-six major, 18th-century French paintings, including important works by Boucher and Chardin (indeed, 11 of the 26 set records), brought \$14 million at Paris's Ader Picard Tajan. And Sotheby's expert Thierry Millerand described the November 1989 sale of French furniture from a collection formed

by Polo as "the most important group of objects we've sold here since the Patiño sale in November 1986."

In Florida, with no American charges against him, Polo was free to pursue *la vita nuova*—as an artist. He hung works in his friend Efrain Veiga's Yuca (Young Urban Cuban American) restaurant—which also christened an appetizer "Polo croquettes"—and had a series of exhibitions. One, in April 1992 at Fort Lauderdale's Museum of Art, had only been open for a few days when U.S. marshals arrested Polo for extradition to Switzerland. Having been refused bail, he's been incarcerated ever since. (He spent more than 17 months in Florida prisons alone.)

The Swiss made their extradition request in order to investigate Polo on five alleged offenses: embezzlement; fraud; unfaithful management; falsification of documents; and suppression of documents. While Polo and his lawyer,



*Polo spends weekend afternoons doing pencil portraits of fellow inmates, many of whom are foreigners. "This leads one to believe that the Swiss are genetically incapable of committing a crime."*

Edward R. Shohat, introduced a raft of evidence before a U.S. magistrate to challenge these allegations—in answer to the first, for example, Polo produced agreements and powers of attorney signed by the plaintiffs—it didn't seem to matter. "The Swiss request was horribly flawed," says Shohat, adding that extraditions are generally viewed in the U.S. as routine matters. The problem is getting attention in the courts and, he says ruefully, "We didn't succeed in convincing them."

Not for want of trying. "Roberto Polo has the ability to attract quality people behind him—well-connected, politically powerful, loyal people," Shohat notes, and many of them supported his challenge to the extradition. Among those who wrote letters or made affidavits on his behalf were Paris dealers Maurice Segoura and Jean-Marie Rossi, auctioneer Guy Loudmer, the Louvre's Daniel Alcouffe and jewelry dealers Fred Leighton and Alain Boucheron. A group known as Citizens Against the Extradition of Roberto Polo drew up a petition signed by the mayors of Hialeah, Miami and Sweetwater, Florida, as well as state senators, representatives and commissioners, journalists, businessmen, civil rights advocates and a veritable Who's Who of Cuban-Americans. A *Miami Herald* editorial, headlined "Set Roberto Polo Free," said the Polo case had "nightmarish elements" and declared, "Secretary of State Warren Christopher has the opportunity to redress a disquieting injustice. He can—and should—free Roberto Polo from a federal prison."

All to no avail. The U.S. magistrate, upholding the Mexicans' claims, found "probable cause" that Polo had committed the crimes of embezzlement, fraud and unfaithful management. (The magistrate rejected his extradition for falsification and suppression of documents, but the Swiss would indict him for them anyway.) In August 1993, Polo was sent to Switzerland.

**E**ver the connoisseur, Polo in his letters measures his Swiss prison against others he has known. "Compared to cells which I lived in in Lucca and Pisa and in the Metropolitan Correctional Center and

the Federal Detention Center in Miami and Tallahassee, respectively, this is the Ritz. On my walls, I have museum posters, photographs of those I love and paintings by my daughter [Marina, 12], whom I haven't seen for about 6 years."

Unlike in U.S. prisons, where, Polo says, the emphasis is on "sports, education and working on one's defense," there is very little physical activity in Swiss jails. "True, in general the U.S. prison guards are pigs and the U.S. marshals are worse, but at least one could exercise intensively to relieve the stress." Polo wears his own clothing, which "helps the morale a lot, even if you're just wearing jeans." He is allowed one two-hour visit a week. Normally, it would be one hour, he says, but since his 71-year-old mother, Maria Teresa, travels by train from Italy every week, he is permitted extra time with her. He is also granted one 15-minute phone call—which is recorded—per week. He calls his daughter, who lives in Paris with Rosa (the Polos are now separated), but has been getting only the answering machine.

Depending on the charges filed and the type of court in which they are heard, it is possible that by the time Polo is tried he will have already served all or most of any likely sentence. Should he be found guilty, it is even possible that he could be sentenced to time already served. Not that this prospect blunts his determination to prove his innocence. "During the past seven years, I have learned not to fear anything or anyone," he writes. "I have defended myself with clenched teeth and do not intend to give up now. Public opinion about me has changed dramatically since 1988, when an international defamation campaign was launched against me, in order to convict me in the press before I could speak my mind. Dominick Dunne's piece was virtually a carbon copy of the Geneva complaints, but sensationalized and elaborated. It was a slanderous article written by a bitter man. Now, however, many intelligent people realize I am the victim of judiciary authorities

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## Very British Baroque

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and baroque elements into grand rooms, and they often brought about fruitful collaborations between imaginative artists and traditional craftsmen. Frank encouraged the Giacometti brothers, for example, to make lamps and pieces of bronze furniture for his schemes. Similarly, he made extensive use of objects created for him by Serge Roche. Roche, a respected dealer in fine antique mirrors, also developed techniques for creating Neo-Baroque furniture and other objects in mirror-glass and in cast plaster. While his best-known artifacts are his palm-tree lamps of the mid-'30s, which were cast entirely in white plaster, his masterpiece is a vast baroque dining table, made for his own house, that combined both materials to startling effect. Dealers such as London's David Gill, Paris's Pierre Passebon and Eric Philippe (both in the Galerie Vero-Dodat) and New York's Bruce Newman of Newel Art Galleries

all have interesting pieces by makers of this period. Prices vary greatly according to the rarity and beauty of the piece, as well as its all-important provenance. A classic pair of Roche palm-tree lamps could cost from \$4,000 to \$7,000, while a medium-size, wrought and gilded iron table by the recently rediscovered genius of that material, Gilbert Poillerat, would command, says Newman, perhaps twice that. (As for the contemporary "New Baroque," commodes in copper and various metals and other large pieces by André Dubreuil range from \$22 to \$75,000, with chairs and smaller pieces by Tom Dixon costing from \$600 to \$900.)

After 1945, alas, there was a waning of interest in the baroque in the face of triumphant modernism and its democratic ethos. Now, all that has changed. Who can say if our '90s baroque revival is the robust expression of a flourishing culture or the presage, as in other

baroque ages, of decadence and decay? Is it not curious that the images of the palazzo—either ruined or opulently smart—seem to mirror so precisely our strange, edgy fin-de-siècle sensibility with its uneasy mix of doubts and certainties, its feel of a need for reticence but love of display? What is clear is that, as in many periods when the design and making of fine things by craftsmen—men who delighted equally in their materials, in their skills and in their imaginations—was at its height, richness, opulence and ornament once again seem essential. These qualities lie at the heart of the great baroque tradition and, at least for the moment, they have exploded the less-is-more myth of modernity: *more is more!* **Stephen Calloway, a curator at London's Victoria & Albert Museum, is author of the recently published *Baroque Baroque: The Culture of Excess (Phaidon) and of Twentieth Century Decoration.***

## Who's Playing Polo?

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who will not admit to their mistakes."

And the future? Where will Polo go and what will he do when his ordeal is finally over? His friends and family say that he has no money, all of it having gone to pay lawyers. In fact, his attorneys in Geneva, Marc Bonnant and Matteo Pedrazzini, are said to be work-

ing for very little money—indeed, practically nothing—so strongly do they feel about the case. While friends characterize Polo as currently disenchanted with the U.S., there are some hints that he might go back to Miami nonetheless. Or perhaps Paris, to be near Marina. What seems certain is that Polo is hop-

ing to return to what he was doing before Citibank, before PAMG, before all the money, the parties, the clothes, the gossip columns—and jail. "He really wanted to be an artist," says his friend Veiga, "but Roberto always liked the good life." **Amy Page is the editor in chief of *Art & Auction.***

## Up from Obscurity

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idea of a black woman who is qualified to sell them a work of art," says Margaret Porter Troupe, the black owner of the Porter Randall Gallery in La Jolla. "It's almost like, how dare I presume to be a tastemaker?" Confides Beverly Sacks, the white owner of 57th Street's Sacks Fine Art, "I think there's some resentment on the part of black collectors and

even black dealers that white people are selling African-American paintings."

But Peg Alston speaks for the majority of black dealers in saying, "I look forward to the day when an artist isn't typed as a white artist or an African-American artist—when people will just see the art." That day has yet to dawn, but the increasing visibility of African-

American art—and the expanding number and growing confidence of the galleries and collectors of all colors supporting it—will assure the place of this art in American culture. "This is another voice of America," says Kelly. "These works are American icons." **Khephra Burns is a free-lance writer based in New York.**