

Director Roman Polanski faces months in Swiss prison

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Filmmaker Roman Polanski could spend months in a Zürich, Switzerland prison following his September 26 arrest by Swiss authorities at the behest of the United States government.

The director was taken into custody upon his arrival in Switzerland, where he was to receive a lifetime achievement award at the Zürich film festival. The arrest was made on the basis of a request by the US Justice Department, which wants Polanski extradited to the US to answer for charges stemming from a 1977 incident which led to the director pleading guilty to unlawful sex with a minor. Polanski fled the US in 1978 when it appeared the judge presiding over the case intended to throw out a plea bargain and sentence Polanski to a lengthy prison term.

Attorneys for Polanski have acted swiftly to request the release of their client. The Swiss Federal Criminal Court released a statement in response to their request, saying simply, "A decision will be made in the course of the coming weeks." Swiss legal experts say the release of Polanski on bail or to house arrest is unlikely. A spokesperson for the Swiss Justice Ministry told the media, "Up to now there has never been a case of house arrest in such a situation."

The United States has sixty days in which to file a formal extradition request. Should that time elapse without a request, Polanski must be set free, though this outcome doesn't seem likely. He will likely remain in prison in Switzerland, possibly for months, until the US Justice Department takes steps to return him to the US. Even were Polanski to be set free in the event that no extradition request was filed, he could be rearrested and the US would have another opportunity to file an extradition request.

The arrest of Polanski has drawn protests from an international community of filmmakers. A petition

initiated by the Société des Auteurs et Compositeurs Dramatiques (SACD), an organization representing filmmakers in France, which demands the "immediate release" of Polanski, has been signed by a number of prominent artists including Martin Scorsese, Woody Allen, Bertrand Tavernier, Michael Mann, Wes Anderson, David Lynch, Costa-Gavras, Wim Wenders and Marco Bellocchio. More than 100 filmmakers have signed the petition as of this writing.

Additionally, the jury presiding over the Zürich film festival has released its own statement condemning the actions of US and Swiss authorities, saying the festival has "been exploited in an unfair fashion."

In an interview with the *Hollywood Reporter*, festival jury member Henning Molfenter declared his intention to boycott the festival, saying "There is no way I'd go to Switzerland now. You can't watch films knowing Roman Polanski is sitting in a cell 5 km away."

While the arrest of Polanski seems both sudden and arbitrary, a number of those protesting the incident have pointed to recent relations between the US and Switzerland to provide a context.

The US has placed increasing pressure on the Swiss government and the Swiss bank UBS to reveal the names of American tax evaders believed to be hiding funds in confidential bank accounts in Switzerland. A deal between UBS and the United States Internal Revenue Service was reached in July, in which the bank agreed to turn over the names of 52,000 of its American clients. The decision would seem to violate banking confidentiality laws that have been on the books since 1934 in Switzerland.

The official story that the arrest was made because this was the first time US authorities knew exactly where to find Polanski is not credible. Polanski is a world famous Academy Award-winning film director

who has hardly been hiding in the shadows since 1978. He has a home in Gstaad, Switzerland and could have been taken into custody at any point during the past several years.

The Swiss government's willingness to cooperate with the United States' pursuit of Polanski appears to be an attempt to curry favor with Washington, perhaps to reduce the pressure on UBS.

Any claims by either the US or Swiss governments that justice is being served with the arrest of Polanski should be rejected. The 76-year-old artist is clearly not a threat to anyone. Since his flight from the US in 1978, Polanski has raised a family and continued his filmmaking career, winning an Academy Award in 2002 for his direction of *The Pianist*, a remarkable work based on the life of classical pianist Wladyslaw Szpilman, who, like Polanski himself, was a survivor of the Holocaust.

There is no social good that can come from Polanski's arrest, nor does the US Justice Department represent the interests of the victim in the 1978 trial. Samantha Geimer, the minor at the center of that trial, now in her 40s, has asked that charges against Polanski be dropped and that the US government's pursuit of the director come to an end.



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