

Is freedom to demonstrate a right?

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IS FREEDOM TO DEMONSTRATE A RIGHT?

Switzerland's highest judicial body, the Federal Court, will be called upon to rule whether or not demonstrations in the city of Zurich need prior police authorization.

Two lower courts have given conflicting judgments on the point.

A district court judge in Zurich last year annulled fines imposed on four people who took part in a spontaneous demonstration involving a march to the Spanish consulate to protest against the treatment of trade unions in Spain.

The judge held that the city of Zurich does not have the right to make demonstrations subject to prior permission, otherwise the authorities would be able to restrict guaranteed liberties through their police powers.

However, this judgment, which aroused widespread interest in Switzerland, has now been overruled by the Zurich High Court, which said prior permission is needed so that the police can make preparations.

The High Court said, however, that permission for a demonstration should be refused only if there is a clear danger to public peace and order. But it found that the four men were guilty as originally charged.

Defence counsel for the four maintains that a demonstration becomes illegal only if damage to property or personal injury occurs.

Meanwhile Zurich attorney Manfred Kuhn says that, if the Federal Court upholds the Zurich High Court's judgment, he will put forward an individual initiative to get the cantonal constitution altered so that the right to demonstrate is expressly guaranteed.

Dr. Kuhn says a spontaneous demonstration — such as one protesting against Soviet policies or actions — will not be possible if prior permission is needed. He maintains that an insistence on prior permission is just as incompatible with a free society as press censorship.

(Weekly Tribune, Geneva)

A LOUDER VOICE FOR SWITZERLAND

On his return from a world tour that had taken him for many months to Swiss communities all over the world, M. Louis Guisan, president of the Commission for the Swiss Abroad of the New Helvetic Society, reported that the need most felt by our expatriate compatriots was better information on what was going on at home. His report focused the attention of the press of the Swiss Short-Wave Radio-Service and its alleged insufficiencies.

Those responsible for this service did not hesitate in making the situation clear: there were neither sufficient equipment nor enough money available to provide for a satisfactory short-

wave service to all the disseminate Swiss of the planet. The need for a reform of the Service has since then been in the air and underlined in many an official speech.

An objective appraisal of what it actually achieved in its present state would lead to less pessimistic conclusions to those arrived at by Louis Guisan. The correspondence of a truly personal nature between the broadcaster and individual listeners around the world attests to the good the broadcasts of the Short-Wave Service can do. The two following letters, typical of those received at the Giacomettistrasse in Bern, sound like cries for help.

"I would be exceedingly grateful, if you would send me your programme booklet as well as instructions concerning the rigging of my antenna because I count among those who play with the radio knob almost every night with undaunted optimism and goodwill, in the hope of catching the sound of a familiar music or language".

"Work apart, this place is unbelievably boring. The village of Puerto Cabezas consists of fifty wooden huts on the Caribbean coast, bordered by jungle and moor. Without the Swiss Short-Wave Service, there could be no question of remaining sane in these conditions".

The Short-Wave Service is not only aimed however at the Swiss abroad — it is intended to "export" Switzerland to the world. It should aim, as pointed out by its director J. Curchod, to present as correct an image of Switzerland as possible. But the claims of the generalised folkloristic understanding of Switzerland contradicts this project. Moreover, it so happens that it is the Swiss abroad who are most endeared to the klongs of cow-bells and alpine yodel. These are sufficient reasons not to discard the folklore from foreign programmes. For the benefit of the rest of the world, foreign broadcasts now include more topical programmes, such as the "Swiss Mirror" and "Europe" programmes and increased information in the English, Spanish, Portuguese, French and Arab, overseas broadcasts.

The reorganisation of the Short-Wave Service is under preparation: future efforts will aim at restricting programmes to essentials. The folklore will be sacrificed to more information. Extra-European regions will receive priority and it is hoped that the increased powers of the Swiss national transmitters will make the short-wave broadcasts unnecessary for Europe.

The Short-Wave Service has up to recent times been financed by revenues derived from radio licences and specially set apart from the main flow of funds to the home services. Last year, 1.8 million francs came from this and other sources, but an extra million had to come from the Confederation. The need for more money is bound to

increase and the Short-Wave Service is now asking for a credit amounting to 3 million francs a year for five years. Understandably, the confederal purse-string being pulled at from so many sides, the officials at Bern are not over-eager in satisfying these wishes. They have perhaps to be yet more convinced of the usefulness of the Short-Wave Service.

(picked from the Basler Nachrichten)

LUCERNE FESTIVAL — LUDICROUS? SNOBBISM?

Lucerne's cultural-minded people are showing a certain discontent with the handling of their festival.

They believe that "snobbism" is becoming too prevalent, and that the talents of young musicians are not being encouraged.

Unhappiness was first shown with the awarding of the 1969 Lucerne Art Prize to the famous conductor Herbert von Karajan.

Many would have liked this prize given to a young artist in need of a certain recognition rather than to a man overloaded with honours.

Then came the Clara Haskil Competition at the beginning of the month, a competition for young performers.

The winner was to receive Sfr. 10,000 and the right to a solo performance during the Lucerne Music Festival.

Many Lucernese attended the concert at which the three finalists played.

Pleased with what they heard, and many betting on the Japanese pianist Hanae Nakajima, they awaited the decision of the jury.

When the President of the Music Festival announced that no award would be presented this year, and that the three finalists would receive Sfr. 500 each, there was an outcry.

Critics demanded to know if the Festival Committee were putting too high a price on their musical weeks.

They criticized the committee's demand for old-hand experience and for lack of nervousness from young performers.

Lucernese wrote to local newspapers condemning the Committee's action, calling the awarding of Sfr. 500 to the finalists "ludicrous".

Dr. W. Winker described as scandalous his experience after the concert. He was sitting with his family in a restaurant after the performance, when the Japanese pianist walked in alone.

He asked what sort of hospitality was this when a foreign performer was not even asked to have a drink with officials after her rather gruelling ordeal.

"Is the Lucerne Music Festival in danger of becoming a centre of snobbism?" he wrote in *Luzerner Tagblatt*.

(Weekly Tribune, Geneva)