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# LETTER FROM SWITZERLAND

By Gottfried Keller

## TRIAL BY JURY—OR BY THE PRESS?

This letter is written just *before* the beginning of the trial by Military Court of Brigadier Jeanmaire. He is, as is well known, accused of espionage in favour of the Soviet Union and of betraying Swiss military secrets. It may well be that the Court will find him guilty and punish him accordingly. But what I find shocking is the fact that the Swiss media have found him guilty long ago and have vilified the man with all the verbose skill at their disposal. Not only has he, before the Court has even met, been called a spy and traitor, but he has also been characterised as a drunkard, a braggard, and — vis-à-vis his erstwhile subordinates as a brutal near-sadist. Is it, one cannot help wondering, still possible to give the man a fair trial under such circumstances? Can a Court still be completely objective when public — or published — opinion has long since condemned the accused? To make my position quite clear: this is not a plea in favour of Brigadier Jeanmaire, but it is a plea for objectivity and fairness.

Much of what has been published about Jeanmaire would have constituted Contempt of Court under the British legal system. And there is a very great deal to

be said in favour of this British legal system. It not only secures a fair trial for anyone who is accused of crimes or misdemeanours, but it also affords him protection against public vilification. Every man in Britain is supposed to be an honourable gentleman unless the contrary has been proved beyond any reasonable doubt.

If one supposes for a moment that Jeanmaire is acquitted and that the Military Tribunal finds him not guilty — an unlikely supposition, it is true, but nevertheless a possibility — how could he ever return into Swiss society after having been hounded publicly for months?

At first, when the scandal broke, it was said the Jeanmaire had confessed, but later the version was put about that he had revoked his confession. Which of the versions is true is uncertain as there is little official information available. In view of the enormous publicity the case has received it might have been more prudent if the authorities had not been as secretive about whether there has been a confession and a revocation of it. After all: if Jeanmaire is really guilty of betraying Swiss defence secrets to the

Soviets they naturally know just what and how much he has betrayed to them. As already stated: the British legal system which protects the individual against defamation before a court has given its verdict has much to be said for it — whichever the verdict of the Court in the Jeanmaire case may be.

Footnote: Since we went to press the court has given its verdict. Brigadier Jeanmaire was found guilty as charged and sentenced to eighteen years' imprisonment along with other lesser penalties. His wife was discharged.

W.G.S.

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