[CH] On-screen Violence - How Far Can it Go?

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On 22 August 1996, Swiss television (DRS) showed the Belgian film, Man beisst Hund ("Man bites Dog") on the programme, Delikatessen. In the film, a three-man camera crew follows a professional killer, who brutally murders over 25 people on impulse and also commits a rape. His savage and cold-blooded acts are unflinchingly portrayed in scenes of graphic violence. Article 55 bis, para. 2 of the Swiss Constitution regulates the reponsibilities of radio and television, and specifically assigns a cultural role to programme organisers, who are required to protect cultural values. However, the Independent Complaints Authority has consistently ruled that it is not necessary for every programme to contribute positively to the enhancement of cultural values although programmes which flagrantly do the opposite are not permissible. In this case, it found that the brutally violent killings in the film bordered on the intolerable. They could not, however, be viewed in isolation, but needed to be seen and judged in the context of the film's particular style. The violent scenes did not show violence for its own sake, and their impact and meaning were qualified and altered in various ways. Detailed commentary, the interplay of documentary and fiction-film elements and occasional grotesquely exaggerated scenes were among the means employed for this purpose. The use made of these stylistic devices and the absurdity of the action served to distance viewers firmly from the scenes of violence. They could clearly see that the film as a whole was not intended to glorify violence or play down its effects. This being so, it did not violate the programme regulations.

Entscheid der Unabhängigen Beschwerdeinstanz für Radio und Fernsehen vom 7. Februar 1997, VPB/JAAC 1997, 655 ff

Decision of the Independent Complaints Authority for Radio and Television of 7 February 1997, VPB/JAAC 1997, 655 ff

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