



Written by [Selwyn Duke](#) on September 30, 2009

Don't Cry for Roman Polanski

Even if time does heal all wounds, it certainly doesn't make us forget all crimes. And, finally, after 31 years on the run from U.S. authorities, Roman Polanski, director, producer, writer, actor, and rapist, may be brought to justice.



On September 26, Polanski was arrested at Zürich Airport in Switzerland on an outstanding international warrant as he tried to enter the country to attend an event. The Polish-born director had long avoided countries that might have extradited him to the United States, remaining mainly in France (where he holds citizenship), Germany, Poland, and the Czech Republic. However, American authorities had learned of Polanski's trip to Switzerland in time to negotiate for his arrest with Swiss law enforcement.

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Yet not everyone is happy to see Polanski brought to justice. Many in [France](#), Poland, and among the [Hollywood Left](#) are outraged that a 76-year-old man would be arrested on a 31-year-old warrant — even if his crime was raping a 13-year-old girl. Given this, I think it's time for a little history and a lot of moral clarity.

The Polanski case dates back to 1977, when the director conducted a photo shoot with 13-year-old Samantha Gailey (now Samantha Geimer) at the home of a young Jack Nicholson. Obviously, and as Gailey would later attest, Polanski had more in mind than taking pictures.

The charges ultimately brought against Polanski were pretty ugly, but you'd never know it reading many media sources today, which sometimes only mention that he pled guilty to "unlawful sexual intercourse with a minor." So a little perspective is in order, and Kate Harding sums it up well at [Salon.com](#), [writing](#):

Roman Polanski raped a child. Let's just start right there, because that's the detail that tends to get neglected when we start discussing whether it was *fair* for the bail-jumping director to be [arrested at age 76](#), after 32 years in "exile" (which in this case means owning multiple homes in Europe, continuing to work as a director, marrying and fathering two children, even winning an Oscar, but never — poor baby — being able to return to the U.S.). Let's keep in mind that Roman Polanski gave a 13-year-old girl a Quaalude and champagne, then raped her....

Roman Polanski instructed her to get into a jacuzzi naked, refused to take her home when she begged to go, began kissing her even though she said no and asked him to stop; performed...

Sorry, but I'll leave you hanging right there, as the description gets pretty graphic. You'll have to use



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your imagination or read Harding's linked piece.

Despite the facts of the case, Polanski's defenders are passionate. Anne Applebaum at the *Washington Post* [finds it](#) "outrageous" that a judge wants to keep pursuing his case "after so many decades." I wonder, Anne, would you "feel" (ol' Anne isn't exhibiting much thought) the same way if he had raped your daughter? Then, Bruce Crumley at *Time* reports on how the French are in a tizzy, [writing](#):

"To see him thrown to the lions and put in prison because of ancient history — and as he was traveling to an event honoring him — is absolutely horrifying," French Culture Minister Frédéric Mitterrand said after Polanski was arrested upon arrival in Switzerland to attend the Zurich Film Festival, where he was to receive a lifetime achievement award. "There's an America we love and an America that scares us, and it's that latter America that has just shown us its face."

Well, I'm so sorry, Monsieur Mitterrand, that I have to show you my scary face, the one that believes Polanski's crime is just a tad more "horrifying" than his arrest. But, hey, you know how puritanical and un-evolved we Americans are. I am, however, amenable to self-improvement, so I have some questions that may help us simpletons understand the enlightened mind-set prescribing a pardon for this poor persecuted man. To wit:

1. Do you believe that forcible rape should be de-criminalized?

Follow-up: if so, do you think the rescindment should be made retroactive and all those incarcerated for the crime set free?

2. If you doubt Polanski's act was non-consensual, do you believe the age of consent should be lowered to 13?

Follow-up: if so, should the change be made retroactive and all those incarcerated for the crime set free?

3. Should there be one standard of justice for rich and famous people who might direct movies and another for those who just watch them?

4. Do you believe the law should apply to everyone except those you like and admire?

5. If someone guilty of a crime breaks the law again by jumping bail and is able to elude justice for a certain period of time, does this accomplishment warrant clemency? (Let's see how this goes over when applied to Nazi war criminals.)

If you cannot answer yes to at least one of these questions and, where appropriate, its follow-up, on what do you base your defense of Polanski? Does he have a really-cool-movie-director-get-out-of-jail-free card?

The reality is that Polanski's apologists are driven by emotionalism, which causes them to behave as if they would answer a couple of my questions in the affirmative. This renders them guilty of some rather ugly faults.

First, we have the matter of why we're talking about this case 30 years later. Of course, if Roman Polanski the (in)famous director were Roman Peters the anonymous accountant, no one would be talking about this right now. But also true is that the critics of justice wouldn't be defending him — they wouldn't even be critics. The rapist simply would have been arrested, extradited, and incarcerated without fanfare. It is reminiscent of how Michael Jackson's fans will overlook his odd and inappropriate behavior or how residents in the late mafia don John Gotti's neighborhood — and actors such as



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Anthony Quinn, John Amos, Al Lewis, and Mickey Rourke — defended the Mafioso. In all these cases, the wealth, fame, and acclaim of the transgressors inspired many to defend them. But granting the Robin Leach-set a special dispensation from the laws governing the common man is a grave offense against justice. And anyone who would allow affection to trump morality is sorely lacking in affection for morality.

Moreover, Applebaum et al. should note another simple reason why we're talking about Polanski's case "decades later": *because he decided to jump bail prior to sentencing and flee the country decades ago.* And he was only able to do this, mind you, because he received preferential treatment based on his status in the first place.

Lastly, some point out that Samantha Geimer has forgiven Polanski and doesn't want her pound of flesh. But this is a poor argument because we shouldn't allow victims to dictate clemency any more than punishment. And just as it was Giemer's place to forgive, it's Lady Justice's place not to forget.

Of course, we know that justice isn't always blind and that sometimes, despite our best efforts, clout translates into clemency. But good people will fight this, not facilitate it. So don't cry for Roman Polanski. There are people far more deserving of your tears.

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