



## AN ACT OF DEFIANCE

Bram Fischer: "I'm trying to save your life, Nelson."  
Nelson Mandela: "And I'm trying to save yours, Bram!"

Genre: Drama, Historical, Biopic

Length: 123 minutes

## **FILM PRODUCTION CONTEXT**

An independent low budget production by Dutch company Richard Claus & Co. with Spier Films, South Africa.

Producers by Richard Claus, Michael Auret and Hugh Rogers.

It is the first official Netherlands/South African co-production under the new treaty. The film has received development and production funding from the Netherlands Film Fund and the CoBO Fund.

The Dutch broadcaster VARA and the Abraham Tuschinski Fund contributed to the film's financing as well as investments by friends and family.

International distribution by Cinema Management Group.

## **SUMMARY**

"I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if it need be, it is an ideal for which I am prepared to die." - Nelson Mandela's impassioned speech to the prosecutor of "The Rivonia Trial."

Apartheid is rampant in South Africa, 1963. When ten men are arrested on a farm in Rivonia for conspiring to commit sabotage and violent acts against the repressive S. African government, tenacious lawyer Bram Fisher steps up to the challenge as lead counsel. He soon finds that political leader Nelson Mandela is also on trial. Mandela urges his fellow defendants to plead not guilty and shine light on the systemic corruption against the African people. As the outcome of the trial looks bleak, Mandela gives his famous "I'm Prepared to Die" speech, discussing how the ANC's resistance is justified. But will Mandela's impassioned speech save these men's lives?

## **SYNOPSIS**

On a winter's day, July 1963 the police raid a farm in the village of Rivonia. Nine black and white leaders of the banned ANC and the Spear of the Nation are arrested. And a tenth member is added to the group of nine, who had been arrested earlier: Nelson Mandela.

More than anything the Apartheid Regime wants to sentence these freedom fighters to death: not only as a warning to their fellows but also to get rid of some of their most notorious enemies; to decapitate the freedom movement.

When the wives and families of the suspects try to find a lawyer to defend the accused, the potential candidates are afraid or unwilling to take the mandate. Also, the widely respected Bram Fischer hesitates. He is the Dean of the Bar Association, counsel for major mining magnates and scion of a prominent Boer Family.

But Bram hesitates for other reasons: he has a secret that only a few people and his wife know. Bram Fischer should have been the eleventh accused, and only by luck he was not present at the farm in Rivonia, when the others were arrested.

Bram Fischer decides to take on the defense. During the trial Bram not only has to unravel the manipulated evidence by the prosecutor and expose bribed or tortured witnesses, he must also protect himself from detection by witnesses.

During the trial Bram Fischer sees more and more reasons to move away from his nonviolence principles, and becomes prepared to support violent acts of sabotage and the armed uprising of the people. The death penalty for the accused could be the spark igniting the powder keg, and parallel to the trial Bram is busy to organize the uprising and prepares the ANC to lead it.

During the trial, the secret police uncovers Bram Fischer's double role and the State Attorney is forced by the Minister of Justice, Balthazar Vorster, to play this card. Bram is in a moral dilemma: the defense of his clients or his own welfare and safety.

Putting his own life and that of his wife and children in jeopardy, Bram becomes the man who succeeds in preventing Nelson Mandela and the other accused to go the long way to the gallows. 'Life! It's life!' is what the free world is shouting when the verdict of life imprisonment is proclaimed.

## **DIRECTOR'S NOTES**

'My Sarie Marais is so ver van my hart. Maar 'k hoop om haar weer te sien. O bring my t'rug na die ou Transvaal. Daar waar my Sarie woon.'

'My Sarie Marais is so far from my heart. But I hope to see her again. Oh bring my t'rug to the old Transvaal. Where my Sarie lives.'

Ahmed Kathrada, one of ten 'terrorists' imprisoned together with Nelson Mandela and sentenced to life, sang to me in fluent Afrikaans in an almost empty restaurant on a Saturday afternoon in Johannesburg shortly before his passing. As one of the two Rivonia trialists then still alive, I had visited him in early June to hear as much detail and backgrounds as possible about that historical process in 1963/64; about his fellow fighters and about Bram Fischer, the lawyer who led the team and had to save them from the gallows. What did you do the last days and evenings in your cell before judge de Wet's sentence, I asked? "I sang songs, children's songs. In Dutch. The language of my youth. It is such a beautiful language." The language of his oppressors. The language of apartheid. The Dutch language.

It was one of the many impressive encounters I've had since I started writing, rewriting and preparing the film AN ACT OF DEFIANCE over three years ago.

Kathrada was the youngest of the convicts, 34, and he told me what Denis Goldberg and co-lawyer of Bram Fischer, George Bizos, had already told me. From the moment the arrested prisoners first saw each other and the previously arrested Mandela, they decided three things in a few minutes: we take responsibility for what we have done, we accept every punishment, including the death penalty, and we are not going to appeal. Let us be defiant!

1963/1964, I was 7 years old and grew up in another part of Africa, Belgian Congo. We thought very little of apartheid. That was unknown. With us there were no signs for "whites only." With us, black people were allowed to swim in the same swimming pool.

After SILENT ARMY and THE PRICE OF SUGAR I was given a script of which producer Richard Claus had acquired the rights, based on the book, The State Versus Nelson Mandela, of a third lawyer Joel Joffe, and I was immediately interested in the defense of Nelson Mandela and the trialists. A new genre, courtroom drama, and a special look at the process that could have been the start of a civil war and a violent overthrow of a regime like that in many other African countries, such as Congo. But even though interesting, the book and the original script, just played out the courtroom and sometimes became bogged down with technical legal terms. To learn more about the background of this process, I read countless books and many well-documented internet sites of South African history, and one character came floating to the surface each time: Bram Fischer, the leader of the lawyers' team, Dean of the Order of Lawyers, "Crown Prince" from a famed Afrikaans family that had a father and grandparents that had held high government posts in what was then called Orange Free State. A gifted rugby player who played against the All Blacks from New Zealand; a big deal in South Africa. Bram Fischer, a successful lawyer specializing in mining and land affairs, living in a large house, with three growing children, happily married to a strong and smart woman and secretly, the biggest secret, president of the Forbidden Communist Party, and closely involved in the ANC and in many underground activities aimed at overthrowing the white Apartheid government and creating a society that equals white and black. Bram Fischer was leading a double life.

With that fact in my mind, I rewrote the script and I had those special meetings with Ahmed Kathrada, George Bizos, the still living daughters of Bram Fischer, the Bernstein children, and many others. I heard details and observations about the man Bram Fischer, his family, the process, life in South Africa in those dark days, the Secret Police, details, and observations of which only some ended up in the film. In all honesty, all 'trialists' and all lawyers should earn a movie. The degree of enthusiasm, fear, daring, surrender, sacrifice, courage, and idealism is unprecedented in all those people.

Not to mention the cast extra that I met before the shoot for the waterboarding scene set in 1963 (the South African police had just learned this method from the French police in Algeria during work visit). I wanted an old, fragile man. I explained to him the scene, what I expected of him and said something awkward like "Do you not mind doing such a thing?" He looked at me and smiled. He told me that in the 1970s he had been locked in the feared Victor Verster prison for seven years because of his political activities. That's what he was used to. "Seven years long and not one day was I not beaten or kicked. I entered the prison with a mouthful of strong teeth. They were all beaten out." He smiled again. Besides 2, I thought, when I saw two stumps in his mouth. He explained that most of his friends had fled, but he always had the belief that "we would win." "And it's my country. I'm not leaving. I belong here." This man deserves a movie: MOSES RAPHALANYANA.

Whenever possible, I tried to stay close to the authenticity of the subject, in language, in casting, in locations. We were able to shoot in Pretoria's courtroom where the process actually took place 50 years ago, in the cells where the prisoners were detained during the trial. And we were the first to cast a South African actor for Nelson Mandela in a feature film. The Mercedes of Bram Fischer, the batons, the copier, the documents, the maps; the apartheid era was brought back to life in all details of the art direction. A big challenge in that quest for authenticity, was for the only Dutch actor in the movie Peter Paul Muller to learn to speak Afrikaans and Afrikaans-English. I've shot with Peter Paul, two All Stars movies and a series. His timing for comedy is very known to me. But I used to see him on the stage often enough to know that there is also a

beautiful serene seriousness in him. From day one he was at the top of my list, and when we were certain that we would raise the appropriate funding, I asked him at the beginning of last year whether he wanted to play Bram Fischer's role with the only condition: learn to speak the language. A condition with which Peter Paul had no trouble; better yet: he took the challenge a step further than I expected. He worked with three dialogue coaches over all these months: first in the Netherlands, later during the preparations, Peter Paul came to Johannesburg and practiced for weeks endlessly, and during the shooting again every day. And sometimes you have to dub some sentences for technical reasons and even then: again the coaching because of Peter Paul's aim for perfection.

Finally, during the meet-and-greet drinks at the start of the shoot, I recalled my speech for the crew. I had read a message on the internet a couple of days ago, that about 40 people die every year while taking selfies, and that number is growing. There are people who risk their lives to give other people a beautiful image of themselves?! ... Neither Bram Fischer could have been further removed from this, nor Molly Fischer nor Nelson Mandela, Ahmed Kathrada, Joel Joffe, Walter Sisulu, George Bizos, Govan Mbeki, Bernstein, Hepples, Mlangeni; and also the almost toothless extra Moses Rahalanyana. His missing teeth are his 'selfie.' Not to make yourself more beautiful, but to make others happier, others in another place or others in a future time. We all stand on the shoulders of all those people before us who have given their hearts, their soul, their salvation and, in many cases, their lives for our freedom and equality. I am happy I was able to make the film AN ACT OF DEFIANCE.

## QUOTES

★★★★ 'An **EXQUISITE, MOVING** film about a forgotten piece of history.'  
Peter Paul Muller is **UNPARALLELED**.' - TV KRANT

★★★★ '**BEAUTIFUL** and **MODEST**.' - DE VOLKSKRANT

★★★★ '**A SUBLIME INTERPRETATION**.' - ALGEMEEN DAGBLAD

★★ ★★★★★ 'The **BEST FILM** by Jean van de Velde thus far. A **FANTASTIC LEADING ROLE** by Peter Paul Muller.' - TROUW

★★★★★★★★ 'Peter Paul Muller plays the part with **ADMIRABLE SUBTLETY**. A film that's also **RELEVANT** today.' - DE FILMKRANT

★★★★★★★★ 'A **STRONG**, fact-based courtroom drama about the struggle against apartheid. Wither Peter Paul Muller as **INTRIGUING HERO**.' - MRC HANDELSBLAD

★★★★★ 'A **SKILLFULLY** made film. Peter Paul Muller is a **CONVINCING** Bram Fischer.' - ELSEVIER

## CREDITS

### CAST

Bram Fischer PETER PAUL MULLER

Molly Fischer ANTOINETTE LOUW

Ilse Fischer IZEL BEZUIDENHOUT

Paul Fischer LEROUX VAN DIEMEN

Officer Dirker MORNÉ VISSER

Lieutenant Swanepoel WILLIE ESTERHUIZEN

Percy Yutar JOSE DOMINGOS

George Bizos DANIEL JANKS

Joel Joffe CONRAD KEMP

Rusty Bernstein GREG VILJOEN

Hilda Bernstein SYLVAIN STRIKE

Nelson Mandela SELLO MOTLOUNG

Walter Sisulu JOSIAS MOLEELE

Denis Goldberg JOHN HENRY OPPERMAN

Govan Mbeki GETMORE SITHOLE

Ahmed Kathrada ASHISH G'

Joseph Mashifane THAPELO SEBOGODI

Raymond Mhlaba MOMELEZI NTSHIBA

Bob Hepple HANNES BRÜMMER

Judge De Wet DAN ROBBERTSE

Bruno Mtolo FEZILE MPELA

Written & Directed By

JEAN VAN DE VELDE

Producers

RICHARD CLAUS

MICHAEL AURET

HUGH ROGERS

Co-Producer

PATRICIA VAN HEERDEN

Associate Producer

LWAZI MANZI

Director of Photography

MILES GOODALL

Editor

SANDER VOS

Production Designer

CHANTEL CARTER

Costume Designer

SULET MEINTJES

Make-up and Hair Designer

JULIA RUBINSTEIN

Casting Director

CHRISTA SCHAMBERGER

### **JEAN VAN DE VELDE**

Born in 1957 in Bukavu (in the former Belgian Congo), Jean van de Velde grew up in the tropics, went to secondary school in the Netherlands and graduated from school in 1974 in Utrecht, after which he studied at the Dutch Film Academy in Amsterdam. In 1985, Jean van de Velde founded his own company and wrote and directed a large number of successful features for several producers including the award-winning LEAK and ALL STARS, the feature film and TV series (winner of the International Emmy Award 2000) both being remade in many countries, among which the U.K., Spain, Italy, Germany and Belgium. Jean van de Velde has been on the board of several film organizations, including the Dutch Film Fund and the Dutch Film Festival. From July 2000 to January 2003 Jean van de Velde worked as Intendant for the Dutch Film Fund and in this capacity, he was responsible for developing and guiding over 20 commercial features. Currently he is chairman of the Dutch Screenwriters Guild. In 2004, he was honored at the Dutch Film Festival as 'Guest of the Year' with a retrospective. Jean van de Velde lives with his wife Utrecht.

### **RICHARD CLAUS & CO.**

Richard Claus has produced such films as Anthony Waller's "Mute Witness" and "An American Werewolf in Paris", the family films "The Little Vampire" and "The Thief Lord", and more recently the dramas "Black Butterflies" and "The Price of Sugar".

## **SPIER FILMS**

Spier Films is an Award-winning finance and production company with offices in Cape Town and London which began in 2005 with the Golden Bear winning "U-Carmen eKhayelitsha". Since then the company has gone on to have films in Cannes "The Salvation" (2014) and Sundance "Young Ones" (2014) and "Son of Man" (2006) as well Berlin "Layla Fourie" (2013) Jury Special Mention. Its films have also won Best Feature Film twice at the South African Film and Television Awards for "Of Good Report" (2014) and "Black Butterflies" (2011). The company has just wrapped production on the UK/German/South African co-production of "3 Way Junction" starring Tom Sturridge, Tommy Flanagan and Stacey Martin.

## **CINEMA MANAGEMENT GROUP**

CMG is a full service international sales company specializing in renowned commercial films, headed by veteran sales and distribution executive, Edward Noeltner. Since its launch in 2003, CMG has added over 100 titles to its line-up that includes quality feature films of all genres, 3-D animated features grossing over \$80 million at the box-office worldwide, as well as award winning feature length documentaries and series. Recent acquisitions include AINBO – SPIRIT OF THE AMAZON, AN ACT OF DEFIANCE, LOVING VINCENT, THE LITTLE VAMPIRE 3D, PING PONG RABBIT 3D, MISSION KATHMANDU, NEW LIFE and SEAL TEAM 3D. CMG's past films include TIFF Selection BORN TO DANCE; Berlin Selection REACHING FOR THE MOON; TIFF Selection STILL MINE; SXSW Audience, Jury and Emerging Women Award winner EDEN; Academy Award nominated GASLAND; Sundance Special Jury Prize winner CHRIS ROCK'S GOOD HAIR; and Annecy Selection ADVENTURES IN ZAMBEZIA 3D. For more information, please visit [www.cinemamanagementgroup.com](http://www.cinemamanagementgroup.com)