

## Press Kit

# “Article 43”

a film by

**Denise Gilliard**



*The intense experiences of prisoners and film makers who come together to create cinema – in spite of prison walls and cinematographic constraints.*

Article 43 received a special mention by the **“Spotlight on crime”** jury at the Festival Visions du réel in Nyon, Switzerland

[www.article43.ch](http://www.article43.ch)

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# Article 43 *a film by Denise Gilliard*

90 minutes/DigiBeta/ stereo

## Synopsis

“Article 43” recounts the intense experiences of prisoners and film makers who come together to create cinema behind bars. Despite the constraints posed by prison walls and cinematographic demands, prisoners facing heavy sentences talk frankly and without varnish about the acts that changed the course of their lives. A number of them have no idea when they will get out; they are subject to the former Article 43 of the penal code which allows dangerous criminals to be imprisoned for an indeterminate period. They await new sentences. Their liberty is in the balance even as the cameras roll. “When’s tomorrow?”

## Technical information

Genre	Documentary
Length	90 minutes
Shooting format	DV CAM 16/9 colour
Screening format	Beta digital 16/9 colour
Place of shooting	Prison in Switzerland Etablissements Pénitentiaires de la Plaine de l’Orbe
Length of shooting	44 evenings
Language	French
Subtitles	English
Sound	Stereo
Date of shooting	April 2007-January 2008
First public screening	20th April 2008 Festival Visions du réel, Nyon
Director	Denise Gilliard
Scenario	Denise Gilliard
Camera	Fabrice Aragno Denise Gilliard
Sound	Gilles Abravanel
Editing	Edwige Ochsenbein
Music	Louis Crelier
Producer	Œil Ouvert, Denise Gilliard
Co-producer TV	TSR Switzerland

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## Director's biography

Denise Gilliland was born in Switzerland in 1964. She went to live in Mexico when she was 16 and discovered cinema there while working as a model in advertising productions.

In 1985 she obtained a diploma in directing from the Istituto di Scienze Cinematografiche in Florence, Italy. On her return to Switzerland she wrote, directed and supervised many made-to-order films. In 1989, an audiovisual campaign for AIDS prevention drew her awareness to the suffering linked to social exclusion. This influenced her commitment to giving a voice to those who don't have one, and bringing humanity and dignity to those whom society rejects. Her first creative full length film was "**Mon père, cet ange maudit**" which came out in 1994 when she was 30. She mirrored this theme in "**Gangsterino**", her book published with Alain Maillard, about a gangster serving life who became a painter in prison.

After producing "**Mon père, cet ange maudit**", then "**Femmes du No Future**" and "**Les bas-fonds**" - which was nominated for the Swiss Cinema Prize - Denise grew increasingly aware of the power of art to help people to move forward in their lives. On her 35th birthday, she created the "**Rebond'Art**" Association whose aim is to support cultural projects made by underprivileged people. She was its president and leading light for four years. Denise now directs and leads a prison cinema workshop in order to build upon the work begun by this initiative.

At 40, and now a mother of two children, she believes more than ever in the power of creative action to change the world. Her documentaries, shown in cinema and on several TV channels, are also frequently used by associations and organisations as a focus for debate on social issues.

Today, Denise Gilliland has switched her attention to fiction in order to give her message a broader appeal. She is working on the production of a psychodrama, "**La violence du double**", the story of a schizophrenic woman who tries to live a normal life in the image of her double - her twin. At the same time, she has taken on the directorship of the association **Œil Ouvert** where she worked on the "**Article 43**" project.



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## **Filmography** (in french)

2008. « **Article 43** » - Documentaire produit par Œil Ouvert (CH) en coproduction avec la TSR - 90 minutes. Vidéo.

Première mondiale Festival Visions du réel à Nyon le 20 avril 2008.

**Mention spéciale du jury** « Regard sur le crime ».

Première festive en présence des détenus le 30 avril 08 à l'Atlantic à Lausanne. Suisse

Diffusion cinéma dès l'automne 2008.

Diffusions TV : TSR date inconnue

2006. « **L'école qui fait aimer l'école** »

*Pour changer le monde : une école autrement...*

Documentaire produit par Leelou films (CH) - 67 minutes.

Diffusion DVD Fnac et autres commerces en 2006 en F-B-CH par AVdistrib.

2002. « **Aux frontières de la mort** »

*Ils ont frôlé la mort et en sont revenus transformés*

Documentaire produit par PCT cinéma et Télévision (CH) en coproduction avec La TSR. 52 ' - vidéo.

Diffusions TV : TSR « Temps présent » - TSI - TF1 (extrait) - RTBF.

**Hit parade TSR** pacte audiovisuel : dans les 10 meilleurs pdm (44.7) 242000 spectateurs

Sortie DVD Fnac et autres commerces en 2006 en CH-F-B. [www.swissdvdshop.ch](http://www.swissdvdshop.ch)

2000. « **Tempo** »

*La métamorphose du corps d'une femme enceinte*

Vidéo art pour l'exposition collective « Humeurs@00 ». 5 minutes

2000. « **Les bas-fonds** »

*De la misère à la dignité retrouvée : des sans-abri parisiens deviennent comédiens.*

**Film nommé pour le prix du cinéma suisse 2000.**

Documentaire produit par PCT cinéma et Télévision (CH) en coproduction avec Au Large de l'Eden (F) - 35mm - 75'.

Diffusion en salles de cinéma en Suisse Romande en 2001.

Diffusions TV : TSR 2, émission « Visions du réel » - TSI.

Ainsi que très largement diffusé lors de conférences sur le thème « L'Art comme énergie du rebond » et d'hommages au travail de Serge Sandor en Suisse, France, Turquie, à Cuba et à Mexico.

Sortie DVD Fnac et autres commerces en 2006 en CH-F-B par AVdistrib.

Festival de Soleure, Suisse

Festival Visions du réel à Nyon, Suisse. Compétition internationale.

Festival international du film francophone de NAMUR en Belgique . Compétition internationale.

Les Ecrans documentaires de Gentilly-Paris, en compétition internationale

Festival « Academia film Olomouc », en compétition internationale

1998. « **Heidi forever** »

*Comment la petite Suissesse de roman est devenue un mythe planétaire*

Documentaire produit par Leapfrog (CH) et Dune (F) - vidéo - 50'

Diffusions TV : TSR (Suisse) - La 5<sup>ème</sup> (France) - Q Channel (Corée) - TV 10 Angers - HRT (Croatie) - Nos For Avro (Pays-bas) - CCT (Belgique - Luxembourg)

1997. « **Alain comme les autres, les chiffonniers Emmaüs** »

*Des communautés ouvertes à tous les « cabossés de la vie » (l'Abbé Pierre)*

Documentaire fiction produit par Nag Films - 16mm - 85'

Diffusion salles de cinéma Suisses, Cinémathèques de Annecy et Grenoble en France.

Diffusions TV sur la TSR et TSR2.

Sortie DVD Fnac et autres commerces en 2006 en CH-F-B. [www.swissdvdshop.ch](http://www.swissdvdshop.ch).

Festival de Soleure, Suisse

Festival de Locarno, Suisse

1996. « **Femmes du No Future** »

*Elles étaient punks, comment ont-elles survécu à l'autodestruction ?*

Documentaire produit par PCT cinéma et Télévision en co-production avec la TSR - vidéo - 53'

Diffusions TV : Suisse 4 et Planète Câble.

Sortie DVD collection DVDpoche chez Artfilms.

Festival de Soleure, Suisse

Festival Visions du réel à Nyon, Suisse.

1994. « **Mon père, cet ange maudit** »

*Elle part à la découverte de son vrai père, un gangster condamné à perpétuité*

Documentaire produit par Aie productions en co-production avec la TSR et la TSI - vidéo - 55'

Diffusions TV : TSR 29'12'94 "Temps présent" - TSI 10'1'95 "999" - YLE - RTBF - Japon Chanel 4 - Radio TV Canada - Rai 3.

Sortie DVD Fnac et autres commerces en 2006 en CH-F-B par AVdistrib.

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## ***Director's commentary***

When I started running this cinema workshop in prison, I wasn't thinking of making a film myself. I just wanted to encourage the inmates to make the most of their creativity. But it wasn't enough. I'm a film maker before anything else, and the power of what we shared and our enthusiasm made it hard not to grab a camera and put this incredible adventure on film. Such an immersion in a prison universe over several months is rare. We discovered that prisoners serving light sentences, and with whom we had no relational problems, could face imprisonment for an indeterminate duration: Article 43. This penal article allows inmates considered to be dangerous to be detained after their sentences are completed for any length of time - even for life. With the coming into force of the new penal code, the cases of the prisoners in question were being reevaluated even as our cameras turned. We were able to follow closely this crucial time in their lives. "Article 43" is therefore a unique document. Through this creative workshop, we met people who were likeable and sensitive; people like us but who were also dangerous criminals. Where does the difference lie? Where is the famous line in the sand? What motivates our actions, creative or destructive? These are questions that inevitably come to the surface in "Article 43" - for us and the prisoners alike.



Does memory create identity?

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## **Extracts from the film**

### **Denise Gilliard, director**

February. On the way to the Prison La Colonie where I run a cinema workshop. The aim is to help the prisoners produce their own documentary films.

Cinema is an art with many constraints: temporal, financial, dramaturgic and relational too. Bringing it into a prison is a formidable challenge. Will the prisoners play along? Will they learn? Will they submit to the rules of cinema despite the censorship, the context and the bars? I don't know if my project means anything to them. Does a human being still have the creative urge after years behind bars? Have they got anything to say apart from anger or despair? How do they preserve a desire to create or express themselves when no-one asks them their opinion, when their range of choices is so limited?

To motivate them, our own enthusiasm will have to be highly contagious. But for that, we've got to stand being closed in too.

Working in prison also means confronting your own tolerance level. For me, not knowing what crimes the people we are working with committed is vital if we are to create good work. Our ignorance keeps us free of prejudice and protects us too. The encounter is based purely around cinema. [...]

Several inmates in our group were charged under Article 43 which allows criminals judged as dangerous to be interned for an indeterminate period of time. For some of them, that may mean for life. By chance, we are here at a crucial time for the inmates concerned. Following a revision of the penal code, they will all be re-judged this year. The stakes are high. On the advice of the experts, the judges can decide on immediate freedom or a new sentence of imprisonment. Not having a release date is probably the hardest of punishments. The uncertainty gnaws at the inmates. Under these conditions, their commitment surprises and reassures me at the same time. Creativity builds resilience.

December. It's a month since anyone's been down to the Unchained Channel. Everything's closed. I know that several inmates have received their new verdicts. Their future is mapping out. Now our work's done, the questions we didn't let ourselves ask flood back. At this point, I don't think that the nature of their crimes could change my relationship with them. For me, their present is more important than their past, I think...

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**Marco Schlechten,  
Warder**

*It really motivates me seeing them work as a team like they're doing right now! It's incredible what's going on with this group. They're talking together a lot, exchanging a lot of things, and that continues back in the cell block. Incredible!*

**Jean Anken,  
Inmate/film maker**

*Jean: I've always been told that I never go right to the end of my ideas. Well, there, I did go right to the end. I put everything into it. So much into the choices, the voices, the text, research for the story too. I chose the important paragraphs to put with the pictures. For once I can show people I went right to the end!*

*Denise: How much time do you still have left?*

*Jean: I've got no idea. It could last for ten years, or it could last for fifteen, twenty, thirty years...it could even last for the rest of my life. It all depends on the judge's attitude and the administration here. It could last a very long time! There's people who've been inside for fourteen years, others eleven years. There was one, he got five years but he's been in for ten.*

*Denise: And how come there are particular kinds of sentences?*

*Jean: It's internment, internment! And normally, internment should be done in a psychiatric unit, with people specially trained to work with prisoners. But the problem in Switzerland is that we make the laws but we don't make the establishments for them. So, sure, they stick us in prison and then we're treated like prisoners. Normally, we shouldn't be. We should be somewhere else.*

*Denise: You'd prefer to be in a hospital?*

*Jean: No! I'd like to be outside, because anyway, they reckon I'm dangerous, I'm a moron, a nutter and all, but I don't actually see myself like that at all. I see myself as a completely normal type of guy, calm, who is just asking for a bit of peace. I just want to live peacefully for a while.*

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**Pierre,  
Inmate/film maker**

*Pierre: When I think back to what I was when I was between 20 and 25, when I went to prison at the age of 25, and what I am now, at almost 40, yes, there's a certain change. Biologically, psychologically, it changes automatically. Then, everything I've learnt in prison. I'm not saying it's thanks to prison, because it doesn't teach you much except hatred, hatred, hatred, and then, finally, going beyond hate. But going beyond hate, in the really pejorative sense of the phrase. It's more than hatred. But it's more the relationship between the killer and the victim which suddenly clicked with me. Because it's not obvious.*

*Denise: When you say "relationship"?*

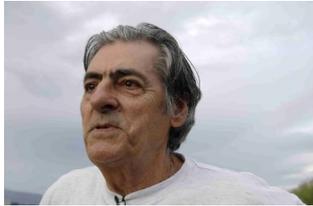
*Pierre: (Silence) For a start, when you love someone, you don't kill them. Next, you, you're still alive, right? So I haven't lost much, but the victim, you can't really ask her her opinion. But that's not thanks to prison. That's down to what I went through with the crime I committed, through the losses I caused. That revolts me! Then I tell myself, "Hold on, you weren't born for that!" A natural born killer, that's cinema, Hollywood. It's not real life. And that for me is something I can't admit. Anyway, not in these conditions.*

*Voice off Denise Gilliland:*

*We get to know the inmates through their creations but also through their words, which are sometimes violent. Putting the films together gets them to open up. I have the impression that some of them use our view of them as a mirror. It's as if they need to know more about who they are today. We're probably the only people with whom they've had contact where nothing is at stake, whether at a judicial, penal or emotional level. We encourage them to give their best in their films. We can't do more.*

# The main Characters

## Pedro Toledo, director of “Gros cauchemar”



Pedro is a father and several times over a grand-father. His family visit him often. He never complains and jokes freely. He never talks about himself or - apart from pleasant memories - of his past. Pedro is Spanish and retains the strong accent of his country of birth. Very classy and elegant, he seems out of place in prison. He seems to be passing through on a courtesy visit. He misses the sea terribly... when he gets out, visiting the sea is a priority. Today, Pedro dedicates himself to raising calves for the prison, the Etablissements pénitentiaires de la plaine de l’Orbe. He doesn’t know when he’ll get out.

## Hervé Barbezat, director of “La vie d’une patate”



Born in 1973, Hervé Barbezat grew up in Geneva. He completed an apprenticeship as a salesman for the Migros supermarket, where he worked closely with food and became greatly interested in the question of nutrition. A nature lover, he now works in the prison as a farmer, a career he discovered behind bars. Hervé is very discreet about his past.

## Jean Anken, director of “A l’époque”

After spending his childhood in the La Côte region by Lac Lemman, Jean Anken lived in the Lausanne area and then in Bienne. Passionate about travel, Jean made several trips to Vietnam. He’s especially interested in photography and the history of the places he visits. When he gets out - he has no idea when that will be - Jean hopes to discover new horizons.



*Jean: “Article 43, it’s the dungeon of modern times. That’s what my lawyer said.”*

**Bernhard Baeriswyl, director of “Pourquoi Bernhard, pourquoi?”**

Bernhard was born in Berne and raised in Lausanne and the La Côte region. He later lived in the north of the Canton de Vaud. A DIY man at heart, he expresses his creativity through “metallic craftwork”. He married a Cameroonian woman in April 2007. He works in the prison forge and makes metal skewers and rods which he is very proud to sell. Despite his age, he still exudes physical



strength. The other prisoners give him space when he’s angry. Bernhard talks openly about himself and prison and takes responsibility for his past actions. Today, aged 55 and after a total of 26 years behind bars, Bernhard sees an important part of his future as transmitting his experiences to people in difficult social situations. If all goes well, he’ll leave prison in June 2008.

**Patrick Liniger**



Born in 1969, Patrick Liniger grew up in Lausanne. He talks about the years he spent working for a bank with derision: “You started each morning with a pile of papers on the left and by evening the pile was on the right and you’d done a good job.” Bored by the routine, he gave up working in the bank. He picked up cabling, electricity and sound engineering as he went along.

Patrick has been in prison for 9 years for a murder committed under the influence of drugs. He’s one of a number of detainees for whom the date of release is still unknown. Each year, a psychiatric evaluation determines his aptitude for reintegration in society. In the meantime, Patrick has begun a training course in computing.

**Pierre**

Born on the 25<sup>th</sup> October 1968, Pierre grew up in children’s homes, spent ten years in a foster family, then returned to children’s homes at the age of 15. At 17, he entered the Fondation La Clarière, an anthroposophic institution. Pierre has been in prison for 13 years. He can expect to be released in 5 years. He talks a lot about himself and his past, and about the horror of the crime he committed. Bernhard makes sure he never annoys him because “Pete’s dangerous, after all.” Very passionate about 3D animation, he waits with impatience for the prison’s internal TV workshop to reopen.

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## **First public screening**

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Le dimanche 20 avril 2008 au **Festival Visions du réel à Nyon**

**First Screening** de « ARTICLE 43 »  
à 13h30 Salle la Colombière à Nyon  
*en présence de la réalisatrice*

**First Screening** de « Œil Ouvert en prison »  
à 17h30 Salle la Capitole 2 à Nyon  
*discussion avec Denise Gilliland réalisatrice et Anne-Laure Sahy productrice*

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Coming out in **Swiss cinemas**: autumn 2008

**TV screening**: TSR (date to be decided)

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### **Festivals:**

Festival Visions du réel in Nyon, Switzerland/Swiss section. 20th April 2008.

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## **Contacts**

Press Kit and downloadable images on

**[www.article43.ch](http://www.article43.ch)**

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### **Contacts**

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