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Amistad

By David Franzoni

Por favor!
Si.
Dolly!
Dolly!
Lay up, Mr. Packwood!
Aye, aye, sir!
Straight ahead!
Fire over their heads!
Open the gate!
Come on, come on, come on!
Move along, now!
Move along!
- Forward! Move along!
- Keep it going!
Get along! Get moving!
- Don't stop there! Keep moving!
- Make way for the stinking heathens!
All right, move on.
Lock 'em up!
Gates! Gates! Gates!
Push 'em in!
Mr. President!
What?
Seor Calderon.
Yes, all right. Not now.
- It is a matter of importance, sir.
- God bless you all!
I'm trying to drink my brandy
after a very long day.
I simply wasn't certain
whether this was something you wanted
to take care of personally.
Leder, there are what, four million
Negroes in this country?
Why on earth should I concern
myself with these forty-four? Hmm?
Well, there are reasons.
I don't care how.
You just take care of it.
The ship is Amistad.
It's too small to be
a transatlantic slaver.
They're plantation slaves, then?
West Indians?

Not necessarily.

At least they certainly
don't look it.

Not from the glimpse I caught of them
on their way to jail.

They have these... scars.

- Scars?

- Yeah.

They were first detained by officers
of a brig off Long Island.

They were conveyed to New Haven -
under what authority, I don't know -

and given over to
the local constabulary.

About forty of them,
including four or five children.

The arraignment
is day after tomorrow.

I can only assume that
the charge is murder.

I'll see what I can do about that.

Perhaps a writ for illegal arrest
and detainment to stall things.

At the very least,
make sure they have good counsel.

Hear ye! In the matter of the court
of the United States of America
in the year of our Lord, 1839, the
honourable Andrew T Judson presiding.

If it please, Your Honour.

The bench recognises
District Attorney Holabird.

I would like to present
the court, Your Honour,
with the charges
of piracy and murder...

I have a petition for
a writ of habeas corpus.

I was speaking.

Mr. Holabird, your charges, whatever
they might be, will be rendered moot.

That petition, Mr. Tappan

- if that's what it is - is moot,
until an actual writ by some higher

court, by some miracle, is granted.

- Mr. Holabird is correct.

- And if you would, sir,
please kindly refrain from
impersonating a lawyer,
which you patently are not.

- As I was saying, Your Honour...

- Your Honour.

Mr. Secretary.

Your Honour, I am here on behalf of
the President of the United States,
representing the claims of
Queen Isabella of Spain,
as concerns our mutual treaty
on the high seas of 1795.

- You have my attention.

- Thank you.

These slaves, Your Honour,
are the property of Spain,
and as such, under Article 9 of said
treaty, are to be returned posthaste.

Said treaty taking precedence
over all other claims...

Them slaves belong to me
and my mate, Your Majesty.

- Your Honour, I...

- Who be you two gentlemen?

"We, Thomas R Gedney
and Richard W Meade,

"whilst commissioned

US Naval officers,

"stand before this court

as private citizens,

"and do hereby claim salvage

on the high seas

"of the Spanish ship La Amistad

and all her cargo."

- Here you go, sir.

- Your Honour...

You wish to make this claim above
that of the Queen of Spain?

Where was she, pray,

when we was fightin' the winds,

Your Excellen... uh, Honour.

Her Majesty, the Queen of Spain,
was busy ruling a country.

Your Honour, these officers
claims are just...

Your Honour!

Here are the true owners
of these slaves.

- Order!

- On their behalf...

I am in possession of
a receipt for purchase
executed in Havana, Cuba,
June 26, 1839,

I do hereby call upon this court
to immediately surrender...

- ..these goods!

And that ship out there
to my clients,

- Jose Ruiz...

- Yo soy Ruiz.

"Yoso" Ruiz, and... Pedro Montes?

Pedro Montes.

Ah, Mr. Tappan. How do you do, sir?

My name is Roger S Baldwin,
attorney-at-law.

Real estate?

Real estate, inventories
and other assets.

- Can I help you with something?

- What is it that you do?

Well, I own various business...
and banks.

As a matter of fact, you probably
could help me, Mr. Tappan.

But that's not why I'm here.

I'd like to help you.

- Me?

- Yes. I deal with property.

Sometimes I get people's
property back,
other times I get it taken away,
as in this case.

Every one of the claims speaks
to the issue of ownership.

- Thank you, Mr... Mr. Baldwin.
- Baldwin, Roger S, attorney-at-law.
But I'm afraid what's
needed here is a criminal attorney.
A trial lawyer.
But thanks for your interest.
Yes. Well...
intending no disrespect, Mr. Tappan,
but if that were the way to go,
well, then...
Well, I wouldn't have bothered
coming down here.
Goodbye. I bid you gentlemen
a good afternoon.
In closing,...

I call upon our distinguished
colleague from Massachusetts,
Representative John Quincy Adams
to reweigh his unmeet
and unprecedented attempt
to convert this eccentric
bequest of - let's be frank -
a bunch of junk of
one James Smithson,
into a so-called institute
of national treasure!
Perhaps Mr. Adams is meditating
on his response.
Had I thought your remarks worthy
of riposte, Representative Pinckney,
be assured you'd have heard
from me... hours ago!

- Who?
- Mr. Tappan. Lewis Tappan.
Yeah?
I must see him?
I'm required to see him?
No, sir. He requests an audience.
Give me your hand.
Oh, he requests, does he?
Yeah. I don't know
anyone called Tappan.
- Sir, you do. You've met him often.
- Where?

- Where is he?
- He's right over there, sir.

Oh.

- What is that?

- Where?

- Right there, sir.

Lewis! Good to see you again!

- And you, sir.

- This is Theodore Joadson.

- How do you do, sir?

- An honour to meet you, sir.

- Yeah.

- Sir? Is there somewhere...

- Let's stroll in the garden...

- Yes.

- What?

Let go of my arm. Over here.

This case has
great significance.

Our secretary of state
is paying it his attention.

You don't have to shout!

He supports the Queen's
claim that she owns the Africans.

- Two sailors are making claims.

- What season is it?

- Pardon?

- I said, what season is it?

I don't understand what you mean.

There are two ways of knowing
without consulting a calendar.

The leaves on the maple trees
have all gone,
and the fact that the President is
not at home on Pennsylvania Avenue.

Tell me, sir...

Do you really think Van Buren
cares about the whims
of an 11-year-old girl
who wears a tiara?

I assure you, only one thing occupies
his thoughts this time of the year,
being all things to all people,
which means nothing to no one.

In other words,
gettin' himself re-elected.

Give me a hand.

Huh?

- Will you help us, sir?

- Let go of my arm.

Take my stick.

- Mr. Adams?

- Yeah, what?

As an advocate for the abolition
of slavery, will you help us?
I'm neither friend nor foe to the
abolitionist cause. I won't help you.

Sir...

- What?

- I know you, Mr. President.

I know you and your presidency as
well as any man, and your father's.

You were a child at his side
when he helped invent America.

You, in turn, have devoted your life
to refining that noble invention.

There remains but one task undone.

One vital task the Founding
Fathers left to their sons,
before their 13 colonies could
precisely be called United States.

And that task, sir, as you
well know, is crushing slavery.

Your record confirms you're an
abolitionist, sir, even if you won't.

- And whether or not you admit it...

- Mr. Joadson.

..you belong with us.

You're quite the scholar,

Mr. Joadson, aren't ya?

Quite the historian.

Let me tell you about
that quality, if I might.

Without an accompanying mastery of at
least one-tenth its measure of grace,
such erudition is worthless, sir.

Now, you take it from one who knows.

If you gentlemen will excuse me.

- We know we aimed high asking you...

- Well, aim lower!

Find yourselves someone
whose inspiration blossoms
the more you lose.

If the court
awards them to Spain,
they'll be taken to Cuba
and executed.

If the two lieutenants prevail,
they'll likely to sell them to Spain,
and they'll be executed.

If Montes and Ruiz are successful...

I'm a little confused.

What are they worth to you?

We're discussing the case,
not its expense.

Of course. Well, the case is much
simpler than you think, Mr. Tappan.

It's like anything - land,
livestock, heirlooms, what have you.
Livestock.

Yes. Consider -

the only way one may sell or purchase
slaves is if they are born slaves,
as on the plantation.

- I'm right, aren't I?

- Yes.

- So, are they?

- "Are they?"

Yes. Born slaves,
as on a plantation.

We're not certain,
but we very much doubt it.

Let's say they are.

Then they are possessions,
and no more deserving of
a criminal trial than a bookcase.

On the other hand,
let's say they aren't slaves,
in which case they were
illegally acquired.

Forget mutiny, forget piracy,
forget murder.

Those are irrelevant occurrences.

Ignore everything but
the pre-eminent issue at hand.

The wrongful transfer
of stolen goods.

Either way, we win.

Sir, this war must be waged on
the battlefield of righteousness.

The what?

It would be against
everything I stand for
to let this deteriorate into
an exercise in legal minutia.
Mr. Tappan, I'm talking about
the heart of the matter.

As am I.

It is our destiny,
as abolitionists and as Christians,
to save these people.

These are people, Mr. Baldwin,
not livestock.

Did Christ hire a lawyer
to get him off on technicalities?

He went to the cross, nobly.

You know why?

To make a statement.

To make a statement, as must we.

But Christ lost.

- You, I think...

- No, sir, he did not.

- You want to win, don't you?

- Yes.

I certainly do. Hell, sometimes
I don't get paid unless I do.

Which brings us back to
the question of worth.

In order to do a better job
than the Son of God's attorney

I'll require two and a
half dollars a day.

Amazing grace

How sweet the sound...

That saved a wretch like me...

I once was lost

But now am found... #
How do you do, sir? How do you do?
There?
I'm sorry. I don't understand.
Excuse me. I...
My name is Roger Baldwin.
This is Theodore Joadson
of the Anti-slavery Society
and owner of the Forten
Shipping Service.
And this is Professor Gibbs,
a linguist.
Keep talking. Get them to talk.
Have you seen this before?
- This belongs to you?
No.
Umm...
I need to know where you're from.
Uh...
He said, I think, "Show me the map."
Here, Africa...
Is this where you're from?
A-fri-ca.
Were you born in the West Indies?
What did he say?
Oh, he said, er...
They have to go away.
- Emancipation! It's God's way!
You cannot own another human being!
- Killers of white men!
- Slavery is tyranny!
God's blessing on you this morning.
Yes. You place your hand on
this book and I'll pray for you.
They're
human beings, not animals!
Slavery will kill this country!
... in the
quietude of the night
after the Spaniards attended their
vespers and were in virtuous sleep,
the savages broke loose
their collars,
and stole onto the deck

like creatures of prey.
They fell upon the unsuspecting crew
with these sabres and cane knives...
- I cannot overstate...
... they mutilated at least one...
The simple cook, a Creole...
Their own kind.
But for Seors Ruiz and Montes,
who steered the Amistad
to these shores
under constant threat of like fate,
we might never have heard of
this massacre, this bloodbath.
But for their bravery, these villains
would have escaped justice.
But they've not. They've not.
Do you know the difference
between a cow and a cabbage?
A brick and a bear?
Or how about...
a polecat and a president?
The Spanish government hopes you
don't have much more sense than that.
This case isn't about murder,
mayhem or massacres.
It's not about anything
that dramatic.
This case is about knowing the
difference between here and there.
I want to show you something.
Open your mouth.
He doesn't understand.
He doesn't speak English.
Abra su boca.
Doesn't he understand? I thought
he was born on a Cuban plantation?
Perhaps he simply doesn't like you.
He wouldn't be the first,
Mr. Holabird.
Yes.
What, did he learn this on some Cuban
plantation, this decorative effect?
Cuban plantation!
Stand up. Stand up!

Hey. Levantate.

Levantate.

- Levantate.

- Stand up.

- Ahh!

Thank you.

Your Honour, I speak more Spanish,
and I was born in Philadelphia.

On Spanish plantations,
slaves choose to live
surrounded by their own ways
and simple languages.

Pray tell, what need they know
of Spanish? "Fetch? Carry? Stop?"
Gestures suffice for slaves,
as for any other beast of burden.

Your Honour...

I represent the interests
of Seors Ruiz and Montes.

- I remember.

- I have a bill of sale,
issued in Havana
for the purchase of slaves.

I remember that too.

On it, in addition to the amounts
paid for each, are their names.

Jose, Bernardo...

Paco and so on.

On behalf of my clients, I submit
this document to the court.

Mr. Baldwin, you've proffered
a good deal of - I'll be kind -
circumstantial evidence.

Have you, in addition, anything, in
the order of actual documentation,
that might refute this one,
and so more compellingly
support your claims?

I'm sure I could manufacture some
as easily as they have, Your Honour.

What you're saying is,
then, you don't.

Is that correct?

I have them.

I'm afraid that does not impress me.

I thought you did quite well.

You do?

Much better than I expected,
to be honest.

Well, thank you, I think.

Although, I was concerned that
you might have forgotten

- this is just a case like any other.

- You needn't worry about that.

That's good.

Hello, Cinque.

My name is Roger Baldwin.

I'll be your attorney.

Yes. Thank you.

All right.

I need to prove where you're from.

How are you supposed to tell me?

You go.

Here. This is where I'm from.

Here. This.

All of this. All of this is...

is... my home.

Here.

Cuba. Cuba's an island.

The Amistad. This is where...

where you...

where everyone... was killed.

Here. Cuba, the Amistad.

Now, Cuba... Is this your home?

I don't think so.

But... Excuse me.

Now...

Africa.

This is your home, isn't it?

This... is... your home.

Yes?

You came...

all the way...

from... here.

Secure the ballast, transport!

Put your backs into it, boys.

This is a court order granting us
permission to search this vessel.

- What did they want?

- To come aboard.

I informed them they needed to obtain one of these... an authentic one.

Aren't you coming?

Heave-ho!

My light! Light... ?

Light the lamp, Mr. Baldwin.

I'm trying.

Mr. Joadson!

Here.

Are you all right?

Yes.

These papers - and I shall ask you to examine them - are portions of a ship's manifest I retrieved from the Amistad yesterday.

At first glance, they may appear to bolster the prosecution's case.

You see, they list cargo.

Cargo bearing the very Spanish names

Messrs Ruiz and Montes

insist represent my clients,

hand-scrawled in the margins.

But no, this is not the manifest of the Amistad at all. Look.

This is part of the cargo manifest of a Portuguese vessel, the notorious transatlantic slave ship the Tecora.

The Tecora.

I can bring you as many witnesses as you wish, Mr. Holabird...

Tecora!

Their clients trade primarily off the coast of West Africa.

The Ivory Coast, Sierra Leone.

I know what you're thinking.

Sierra Leone is a protectorate of the British Crown.

Slavery is outlawed there.

Its principal port, in fact, has been re-christened "Freetown".

How, then, can the

Portuguese Tecora...

engage in the slave trades
in these waters?

I'll tell you how. In a word...
Illegally.

Whatever these men say
clearly matters not
because this proves them liars.

My clients' journey
did not begin in Havana,
as they keep claiming more
and more emphatically.

No, my clients' journey...
began much, much further away.

I underestimated you, sir!

I really did!

- I should take that as a compliment.

- Oh, you should indeed, sir.

I can't imagine there's no not
reaching a favourable conclusion...

Hey! Hey!

A-Am I bleeding?

There's nothing there.

What did I do to deserve this?

You took the case, Mr. Baldwin.

You took the case, sir.

I should take that as a compliment.

"As you may perceive,

"I wish you to act promptly

"before this matter becomes
a weight on our two countries."

Uh, "great countries."

"Our great countries.

"After all, the business of
great countries is to do business."

Excelente, Su Alteza.

"Slavery is our pillar of
commerce in the New World.

"Without it, our goodwill
and excellent trade relations sh... "

- Uh, "should be imperilled."

- "Should be imperilled.

"Without it, we might
have been denied the glory

"of aiding you in your rebellion
against the British.

"As slave-owning nations,
we must together stand firm.

"Speak the words of humaneness
for the masses of your citizens,
"but hold tightly to the power
that protects them.

"That power, of course,
is their wealth.

"The Africans must never go free.

"With sincerest admiration,

"Isabella the Second,
Queen of all of Spain."

I am not about to bend to the will
of some pubescent queen.

Forget about them.

They're unimportant.

- Prepubescent.

- You need to concern yourself
with what this matter means here,
not an ocean away.

Someone would tell me what it means!

Leder, you yourself
said it was meaningless.

Well, not any more.

- John Calhoun paid me a visit.

- Oh, God.

To explain to me why this case
is of much greater import...

- much greater symbolism, to use his
word - to the South than the North.

If the Africans are executed,
the abolitionists will
make good use of it.

And yes, they will make
some converts.

If, on the other hand,
they are freed,

Calhoun says the Southern states
will so ally themselves against you
that you can forget
about re-election.

- Over this?

- It's worse than that.

Worse? What could be

worse than that?

Calhoun believes, and I am not sure

I can disagree with him,

that this could take us all

one long step closer to civil war.

- This?

- Yes, Mr. President.

But all is not lost.

The jury appears likely to free them,

but juries can be dismissed.

They can?

But I believe we must go further

and remove the judge.

We can do that?

He could be prevailed upon to

recuse himself for various reasons.

With that in mind,

I've taken the liberty of

exploring possible replacements.

I've found one I strongly

believe to be better.

He's young, which means he has a

career before him rather than behind,

he has yet to feel the hankering

for magnanimous last gestures

for the sake of posterity.

And he is monumentally insecure,

particularly about

his Catholic heritage.

- He's Catholic?

- His grandfather was Catholic,

which young Mr. Coglin has striven

all his days to keep quiet.

Mr. President, Judge Coglin.

Judge Coglin,

we are so pleased to meet you.

Thank you so much for coming.

I've been reading in the papers

the continuing saga

of the, uh, Amistad.

Real papers.

Real papers. Yes, sir.

Yes. Bad luck,
this last unfolding chapter.
What to do now, eh?
Which is why I came here
and imposed on you, sir.
No imposition... really.
Yeah.
How did that, uh...
How did that young lawyer
take the news?
Oh, in stride, sir. In stride.
The thing is, sir,
he did everything right.
- He proved the case.
- Did he?
Oh, yes, sir. Surprisingly, he did.
Hmm. Good.
Well, he'll just have
to do it again, then.
But like most things, it should
be easier second time around.
Well, I'm afraid it doesn't matter
what he does now, sir.
Rumour has it our next judge
was hand-picked by Van Buren himself.
No!
I'm embarrassed to admit that
I was under the misconception
that our executive
and judicial branches were separate.
No more so than these, Mr. Joadson.
No more so than these.
- So now you know.
- Yes.
- Sir?
- Yeah?
Mr. President, if it was you
handling the case...
Well, it isn't me.
And thank God for that.
- But if it was, sir,
- Huh?
What would you do?
Well, when I was an attorney,

a long time ago, young man,
I, er, I realised
after much trial and error,
that in a courtroom,
whoever tells
the best story wins.
In un-lawyer-like fashion, I give you
that scrap of wisdom free of charge.
I'm much obliged
for your time, sir.
What is their story,
by the way?
- Sir?
- What is their story?
Why, they're, um, ...
from West Africa.
No. What is their story?
Mr. Joadson, you're
from where originally?
Why, Georgia, sir.
- Georgia.
- Yes, sir.
Does that sum up what you are?
A Georgian? Is that your story?
No. You're an ex-slave,
who's devoted his life
to the abolition of slavery,
and overcoming great hardships
along the way, I should imagine.
That's your story, isn't it?
You and this young so-called lawyer
have proven you know what they are.
They're Africans. Congratulations.
What you don't know, and haven't
bothered in the least to discover,
is who they are.
Right?
Seven.
Eight.
Number nine...
and ten.
Now, how about you, Mr. Baldwin?
Would you like to count
from one to ten?

One to ten in Mende.

- One.

- Ta.

- Two.

- Fele.

- Three.

- Sawa.

- Four.

- Nanee.

Right. Five.

Lorlu.

Fresh fruit!

Straight from the Caribbean!

- Sawa, nanee, lorlu...

- What's happened here?

- One of them died last night.

We tried to take the body
away to bury it.

What do they want?

They want to live with it?

They want to bury him.

They have to bury him
according to their poro beliefs.

Otherwise, his soul
will haunt them.

The house of Thine abode
With His own precious son...

The house of Thine abode
The church of

blessed redeemers... #
If I were you, if I ran this place,
I'd set protocol aside just
this once and let them bury him.

I love Thy kingdom, Lord... #
I was thinking the same thing.

A problem has arisen.

The judge we had,
who believed, I believe,
that you should be freed,
has been dismissed.

A new judge has been called upon
to hear the case,
this time without a jury.

How is that possible?

A chief cannot be replaced.
I can't explain it in any way
that you would understand, Cinque.
Or me, for that matter.
Only that, well, it has happened.
I am not a great orator
or advisor, Cinque.
I'm not a big man in my profession.
I don't know if I alone can convince
this next judge to set you free.
I need your help.
When we go to court,
I need you to speak.
I'm not
an advisor of any kind.
I cannot speak for the others.
Cinque, the others, they say you can.
They say you're the big man here.
I am not.
What's this I hear about a lion?
They say you alone - alone, Cinque -
slew the most terrifying beast
anyone has ever seen.
Is it not true?
It had killed several people.
Even hunters among us.
Everyone including me was afraid.
I was lying down with my family,
when out of nowhere it appeared.
As it came for me
I picked up this big rock
and I threw it.
And by some miracle,
you see, I hit it.
He don't know how
that killed it, but it did.
A rock.
A rock.
I received the gratitude
of everyone in the village.
I was given respect.
They treated me
as if I was a prince.
They gave me

the fine country cloth.
All these things they gave me,
I took them all.
But I knew
I didn't deserve it.
For when I threw that rock at
that beast... if I had missed him...
He said he wouldn't be here
trying to explain these things.
He'd just be dead.
Understand?
Understand?
I'm not a big man.
Just a lucky one.
I might agree with you, Cinque,
except you're forgetting something.
The other lion.
The Amistad, Cinque.
The insurrection.
That too was an accident?
I hardly think so.
That wasn't bravery.
Any man would do the same
to get back to his family.
You yourself would do it.
Someone said that might be yours.
'My wife gave it to me.'
'To keep me safe.'
Cinque...
I need you to tell me
how you got here.
I wanted to kill them too.
For they convinced some of us
that they would take us back home.
Thank you, sir.
Mr. Holabird.
Quite a tale.
Intrigue, abduction,
courage in the face
of unspeakable suffering.
And all true. All right.
Now tell me if this is true.
Some tribes in Africa, for hundreds
of years - thousands, perhaps -

have owned slaves.

Translate.

Yes.

Under what circumstances might one become a slave among the Mende, of which you claim to belong?

Translate.

Wars, debts.

Oh, I see. And how many men are indebted to you ?

I don't think you do see.

Mr. Holabird is trying to intimidate my colleague.

The Mende word for "slave" is closer to "worker".

Do these workers own the land they work on? Do they receive wages?

Are these workers free to not work for you, if they so choose?

He's questioning the translator!

The translator is answering for the witness.

- The witness isn't getting a chance!

- Mr. Baldwin!

Fine, Mr. Baldwin! Slavery, indentured servitude.

Whatever they want to call it, the concept is the same.

Now, he is familiar with the concept.

When you come down to it, it's all about money, isn't it?

Slaves, production, money.

I mean, that's the idea of it.

Whether it's here or there.

I'm confused.

Do your people routinely slaughter their slaves in the manner that you just so vividly described to us?

Of course they don't.

What would be the point of that?

Killing your own slaves is like burning down your own house or hut, isn't it?

How do you explain that paradox?
I don't understand what you mean.
Sure you do.

As does everyone here.
The behaviour you attribute to
your tormentors - your victims -
and therefore every other
aspect of your testimony,
makes no sense.

- Not even to you.

But thank you. Like all good works
of fiction, it was entertaining.
Nothing more.

Captain Fitzgerald,
please explain your duties
in Her Majesty's navy.
To patrol the Ivory Coast
for slave ships.

Because?

Because slavery is banned
in British law, sir.

Yet the abduction of men from the
British protectorate of Sierra Leone
and their illegal transportation
as described by Cinque,

- is not unheard of, is it?

- Not even unusual, regrettably.

What, if anything, in his account of
his ordeal, do you find believable?

His description of the slave
fortress, for one thing.

There is such a place.

You've seen it?

No, sir. We've not
managed to locate it,
but there is overwhelming
evidence that it is real.

What evidence, exactly? Rumour?

Reports.

By "reports" you mean of the variety
Cinque shared with us today?

Its existence, sir,
has been reported.

Cinque describes

the cold-blooded murder
of many of the people
on board the Tecora.
Mr. Holabird sees this as a paradox.
Do you, sir?
Often when slavers are intercepted,
or believe they may be,
they simply throw all
their prisoners overboard
and thereby rid themselves
of the evidence of their crime.
- Drown hundreds of people?
- Yes.
It hardly seems a lucrative
business to me,
going to all that trouble rounding
men up only to throw them overboard.
No, it's very lucrative.
If only we could corroborate
Cinque's story somehow with...
with evidence of some kind.
The inventory.
This? From the Tecora?
If you look, there's
a notation made on May 10,
correcting the number of slaves on
board, reducing their number by 50.
What does that mean?
If you look at it in conjunction
with Cinque's testimony,
I would say that it means this:
The crew greatly underestimated
the amount of provisions
required for their journey,
and solved the problem
by throwing 50 people overboard.
I'm looking at
the inventory, Captain,
and I'm sorry, I don't
see where it says,
"This morning, we threw
On May 10 or any other day.
As of course you would not.
I do see that

the cargo weight changed.
They reduced the poundage,
I see, but that is all.
It's simple, ghastly arithmetic.
Well, for you, perhaps.
I may need a quill and parchment
and a better imagination.
And what poundage do you imagine
the entry may refer to, sir?
A mast and sails, perhaps?
Give us... us... free.
Give... us...
free.
Give us, us free.
Give... us... free.
Your Honour, please
instruct the defendant
not to disrupt proceedings
with such outbursts.
Give us, us free!
If we are to have any semblance
of order in court...
Give us, us free! Give us, us free!
He cannot keep crying out
"Give us free"...
Give us, us free!
... while I am questioning
this witness!
GIVE US, US FREE!
GIVE US, US FREE!
All rise.
After careful review
and thorough reflection,
I find it impossible to deny the
power of the government's position.
There is no doubt in my mind
that District Attorney Holabird,
Her Catholic Majesty,
Isabella of Spain,
and her trusted minister,
Seor Calderon,
have all proceeded
with the utmost faith
in the soundness of their case.

I also believe
that Seors Ruiz and Montes
may have... misrepresented
the origin of the prisoners,
an issue which weighs
crucially upon their fate,
and that of the Spaniards as well.
Were they born in Africa?
Since the answer to that question
shall govern every determination
of this court, I ask it again.
Were they born in Africa?
I believe they were.
As such, Her Catholic Majesty's
claims of ownership have no merit.
Neither do those for salvage
made by Lieutenants Mead and Gedney.
I hereby order the arrest
and detention
of Seors Ruiz and Montes..
... by federal mar...
By federal marshals... on
the charge of slave-trading!
The release of the Africans
and their conveyance,
by this government,
at her earliest
convenience and expense,
back to their homes in Africa!
Yes!
We've done it, Joadson!
We've done it! Yes!
Covey, tell them! Tell them now!
Look at 'em!
What's most bewildering
to Her Majesty
is this arrogant independence
of the American courts.
After all, if you cannot
rule the courts, you cannot rule.
Seor Calderon, as any
true American will tell you,
its the independence of our courts
that keeps us free.

John... I'm glad you came.

Mr. President?

Senator Calhoun is here.

John! I was afraid you weren't going to be able to join us.

- You may put that fear to rest, sir.

- Oh, thank you! Please.

I'd like you to meet Seor Calderon, ambassador from Spain.

Buenas noches, Seor Ambassador.

- Thought you said he wasn't coming.

- He said he wasn't.

You see, Seor Calderon, there's a growing number of people in this part of the country that regard us in the South as not only geographically beneath them.

They ignore the fact that slavery is so interwoven into the fabric of this society, that to destroy it would be to destroy us as a people. It's immoral. That's all they know.

Therefore, so are we.

Immoral and inferior.

We are inferior in one area.

We're not as proficient in the art of gain.

We're not as wealthy as our northern neighbors.

We're still struggling.

Take away our life's blood now...

Well, we all know what happens then.

North and South.

They become the masters, and we the slaves.

But not without a fight.

Senator Calhoun is being modest.

He's not inferior in another area - the art of exaggeration.

Ask yourself, Seor Calderon...

What court wants to be responsible

for the spark that ignites
the firestorm?
What president
wants to be in office...
when it comes crashing
down around him?
Certainly no court before this one.
Certainly no president
before this one.
So...
Judge us not too harshly, sir,
and bid Her Majesty like.
Because the real determination our
courts and our president must make
is not whether this
ragtag group of Africans
raised swords against their enemy,
but rather... must we?
Whoa!
Come along, Mr. Joadson.
This news...
Well, of course,
it's bad news, but...
They may be more valuable to our
struggle in death than in life.
Martyrdom, Mr. Joadson.
From the dawn of Christianity,
we have seen no stronger
power for change.
You know it's true.
What is true, Mr. Tappan -
and believe me when I tell you,
I've seen this -
is that there are men whose hatred of
slavery is stronger than anything,
except for the slave himself.
If you wish to inspire such hatred
in a man, Mr. Joadson,
speak to him in that fashion
and it may come true.
Our president,
our big, big man,
has appealed the decision
to our Supreme Court.

What does that mean?

We have to try the case again.

Now, I-I know it's hard

to understand, Cinque.

I don't understand, for that matter.

You said there would be

a judgment, and we would go free.

No, no. What I said is that we won

it at the state level.

I said if we won it at the

state level, we then go on.

That's what you said!

- That's what you said!

- All right! Yes, I said it!

I said it, but I shouldn't have.

What I should have said...

- I can't translate that.

- You can't translate what?

- I can't translate "should".

- There's no Mende word for "should"?

No. Either you do something,

or you don't do it.

What I meant to say, what I meant...

Not in the way you mean it.

Try and understand me.

"Meant" is the same as "should".

You're misunderstanding the language.

Cinque! Listen to me.

Understand what I'm saying.

What I said to you

before the judgment

is almost how it works here.

Almost!

Almost?

Yes, Cinque. But not always.

Yes. And that's what's happened here.

"To His Excellency,

John Quincy Adams,

"Massachusetts member,

House of Representatives.

"I have understood from Mr. Joadson

"that you are acquainted with

the plight of the Amistad Africans.

"If that is true, then you are

aware that we have been,
"at every step, successful in
our presentation of their case.
"Despite this,
"and despite the unlikelihood of
President Van Buren's re-election,
"he has appealed our most recent
favourable decision
"to the highest court in the land.
"As I'm sure you are well aware,
"seven of nine of these
Supreme Court justices
"are themselves Southern
slave owners.
"Sir, we need you.
"If ever there was a time for a man
to cast aside his daily trappings
"and array himself for battle,
that time has come."

Thank you.

"Cicero said, appealing to Claudius
in defence of the Republic,
"that 'the result of this war
"depends on the life of one
most brave and excellent man.'
"In our time, in this instance,
I believe it depends on two.
"A courageous man, at present
in irons, named Cinque,
"and you, sir.
"Sincerely, Roger S Baldwin,
attorney-at-law."

Mr. Tippings, excuse me
a moment, please.

- Any word from... ?

- What did Cinque say?

He won't talk to you.

He won't talk to me?

No.

How's your English coming?

No better than my Mende, I suppose.

Cinque, I know this isn't something
you necessarily want to think about,
but has it occurred to you

that I'm all you've got?
Because, since my practice has
now completely deteriorated,
you're all I've got.
See, this is me. You see?
You see? You see how this works?
And-And-And this, this here,
Cinque, is for me. Hmm?
More death threats.
Some have been signed.
By my own clients, no less.
I should say, should say...
former clients, shouldn't I?
There is one more consequence
to having no clientele to speak of.
I am now free to sit here
as long as it takes
for you to acknowledge me.
Yes, you understood that word,
didn't you?
Free.
All right.
Then we'll just sit.
Caesar.
Cicero's appeal was to
Julius Caesar, not Claudius.
Claudius would not be born
for another hundred years.
You were right,
there was one of them.
- Is that him?
- Yes, Mr. President.
Please unlock this door.
Adams has flirted with abolitionists
for 15 years,
but has yet to take one home.
- How old is he?
- Too old to take anyone home!
He sleeps through three quarters
of the sessions on the Hill.
Let's see. President,
slumbering congressman,
jailhouse lawyer - one waits with
great anticipation for what's next!

- What must that be like?

- What?

Knowing all your life,
whatever your accomplishments,
you'll only be remembered
as the son of a great father.
The only thing John Quincy Adams will
remembered for is his middle name!

I wonder, is there anything
as pathetic as an ex-president?

I was talking about John...

- Sir.

- Yes?

Cinque has asked me t-t-to ask you...
whether you have thought about
the question of jurisdiction.

What?

That since they took over
the ship far out to sea,
and since neither Spain
nor America owns the sea,
how is it that the treaty applies?

Tell him the treaty recognises
no jurisdictional limitations.

He will ask me why.

Because I said so.

- Excuse me, sir.

- Yes?

Cinque would like to know that if he
is the property of Ruiz and Montes,
then how does the treaty apply,
as it is between America and Spain?
Or their citizens.

"Or their citizens" is included
in the language, if he must know.

Thank you, sir.

It's a good point, though.

Does Britain have any treaties with
West Africa which may override

- those between Spain and America?

- No.

Does Britain have any
treaties with America

- which might override those...

- No.

Does America have treaties
with West Africa?

No!

- Does Spain?

- No!

Does the Commonwealth of Connecticut
- have any treaties with West Africa?

- No, no, no, no! Now stop this!

Unshackle him.

I'm sorry, sir.

- I'm under strict orders...

- Unshackle him, please.

Yes, Mr. President.

This is a phalaenopsis, moth orchid,
I brought over from China.

And this is a primrose
from an English garden.

And, uh, this spear lily,
from the south of France.

This is my rose Blush Noisette.

This came all the way from,
uh, Washington, DC,
but don't tell anyone.

Hmm.

Go on, go on.

African violet. I can't tell you
how difficult that was to come by.

Now, you understand you're going
to the Supreme Court.

Do you know why?

It is the place where
they finally kill us.

No. Well, yes,
that may be true too.

That's not what I meant.

No, there is another reason
and a more important reason.

Although I'll admit that, uh,
perhaps more so to us than you.

All right, don't...

Cinque...

Do you know who I am?

Has anyone told you about me?

What have they told you?
That you are a chief.
I was a chief, yes.
A chief cannot become anything less
than a chief, even in death.
Oh, how I wish such
were true here, Cinque.
You've no idea.
One tries to govern
wisely, strongly, but...
One tries to govern in a way that
better the lives of one's villagers.
One tries to... kill the lion.
Unfortunately, one isn't always
wise enough or strong enough.
Time passes...
and the moment is gone.
Now, listen, Cinque. Listen.
We're about... We're about
to bring your case
before the highest court
in our land.
Were about to do battle with a lion
that is threatening
to rip our country in two.
Huh? And all we have on our side
is a rock.
Of course, you didn't ask
to be at the centre
of this historic conflagration
any more than I did,
but we find ourselves here,
nonetheless,
by some mysterious mix
of circumstances
and the whole world watching.
So, uh, what are we to do? Huh?
- What did he just say?
- I-I... Sorry, I didn't catch it.
Cinque, look.
I'm being honest with you.
Anything less would be
disrespectful.
I'm telling you, I'm preparing you,

I suppose I'm explaining to you,
that the test ahead of us is
an exceptionally difficult one.
We won't be going in there alone.
Alone? Indeed not.
We have right at our side.
We have righteousness at our side.
We have Mr. Baldwin over there.
I meant my ancestors.
I will call into the past,
far back to the beginning of time,
and beg them to come and help me
at the judgment.
I will reach back
and draw them into me.
And they must come,
for at this moment, I am the whole
reason they have existed at all.
Your Honours...
I derive much consolation
from the fact that my colleague,
Mr. Baldwin here,
has argued the case
in so able, and so complete a manner
as to leave me scarcely
anything to say.
However...
Why are we here?
How is it that a simple,
plain property issue
should now find itself
so ennobled as to be argued
before the Supreme Court of
the United States of America?
Do we fear the lower courts, which
found for us, missed the truth?
Or is it, rather, our great
and consuming fear of civil war,
that has allowed us to heap symbolism
upon a simple case
that never asked for it?
And now would have us disregard truth
even as it stands before us,
tall and proud as a mountain.

The truth... in truth, has been driven
from this case like a slave.
Flogged from court to court,
wretched and destitute.
And not by any great legal acumen
on the part of the opposition,
I might add.
But through the long, powerful arm
of the executive office.
This is no mere property
case, gentlemen.
This is the most important case
ever to come before this court.
Because what it in fact concerns
is the very nature of man.
Uh, these are, um...
These are transcriptions of letters
written between our
secretary of state, John Forsyth,
and the Queen of Spain,
Isabella the Second.
Now, I ask that you accept
their perusal
as part of your deliberations.
Thank you, sir.
I would not touch on them now
except to notice
a curious phrase
which is much repeated.
The Queen again and again refers
to our incompetent courts.
Now what, I wonder, would be
more to her liking? Huh?
A court that finds against
the Africans?
Well, I think not.
And here is the fine point of it.
What Her Majesty wants is a court
that behaves just like her courts.
The courts this 11-year-old child
plays with in her magical kingdom
called Spain.
A court that will do what it is told.
A court that can be toyed with

like a doll.

A court, as it happens,
of which our own president,
Martin Van Buren,
would be most proud.

Thank you.

This is a publication
of the office of the President.
It's called "The Executive Review",
and I'm sure you all read it.

At least I'm sure the President
hopes you all read it.

This is a recent issue, and there's,
uh, an article in here,
written by "a keen mind
of the South", who...

My former vice-president,
John Calhoun, perhaps.

Could it be?

Who asserts that "there has never
existed a civilized society
"in which one segment did not
thrive upon the labour of another.
"As far back as one chooses to look,
"to ancient times, to Biblical times,
"history bears this out.

"In Eden, where only two
were created.

"Even there, one was pronounced
subordinate to the other.

"Slavery has always been with us,
"and is neither sinful nor immoral.

"Rather, as war and antagonism
are the natural states of man,
"so, too, slavery, as natural
as it is inevitable."

Well, gentlemen, I differ with
the keen minds of the South,
and with our president,
who apparently shares their views,
offering that the natural state
of mankind is instead -
and I know this is
a controversial idea -

is freedom.

Is freedom.

The proof is the length to which
a man, woman or child will go
to regain it, once taken.

He will break loose his chains.

He will... decimate his enemies.

He will try and try and try,
against all odds,
against all prejudices,
to get home.

Cinque, would you stand up,
if you would,
so everyone can see you.

This man is black.

We can all see that.

But can we also see as easily
that which is equally true?

That he is the only
true hero in this room.

If he were white,
he wouldn't be in this court,
fighting for his life.

If he were white
and his enslavers British,
he'd be weighed down by the medals
and honours we would bestow upon him.

Songs would be written about him.

The great authors of our times
would fill books about him.

His story would be told
and retold, in our classrooms.

Our children, because we would
make sure of it,

would know his name as well as
they know Patrick Henry's.

Yet, if the South is right,
what are we to do with that
embarrassing, annoying document,
"The Declaration of Independence"?

What of its conceits?

"All men created equal," "inalienable
rights," "life, liberty," and so on.

What on Earth are we

to do with this?

I have a modest suggestion.

The other night I was talking
with my friend Cinque.

He was over at my place, and we were
out in the greenhouse together.

He explained to me how when a member
of the Mende - that's his people...

How when a member of the Mende
encounters a situation

where there appears

no hope at all,

he invokes his ancestors.

Tradition.

The Mende believe that if one can

summon the spirit of one's ancestors,
then they have never left.

And the wisdom and strength

they fathered and inspired

will come to his aid.

James Madison,

Alexander Hamilton,

Benjamin Franklin,

Thomas Jefferson,

George Washington,

John Adams.

We have long resisted

asking your for guidance.

Perhaps we have feared

in doing so,

we might acknowledge

that our individuality,

which we so, so revere,

is not entirely our own.

Perhaps were feared an... an appeal

to you might be taken for weakness.

But we have come to understand,

finally, that this is not so.

We understand now...

We've been made to understand,

and to embrace the understanding

that who we are

is who we were.

We desperately need

your strength and wisdom
to triumph over our fears,
our prejudices, ourselves.
Give us the courage
to do what is right.
And if it means civil war,
then let it come.
And when it does,
may it be, finally,
the last battle of
the American Revolution.
That's all I have to say.
In the case of the United
States of America
versus the Amistad Africans,
it is the opinion of this court
that our treaty of 1795 with Spain,
on which the prosecution has
primarily based its arguments,
is inapplicable.
While it is clearly stipulated
in Article 9 that - and I quote -
"Seized ships and cargo
"are to be returned entirely
to their proprietary."
The end of quote.
It has not been shown
to the court's satisfaction
that these particular Africans
fit that description.
We are then left with the alternative
that they are not slaves,
and therefore cannot
be considered merchandise,
but are, rather, free individuals
with certain legal and moral rights,
including the right
to engage in insurrection
against those who would deny them
their freedom.
And therefore, over one dissent,
it is the court's judgment
that the defendants are to be
released from custody at once,

and, if they so choose,
to be returned
to their homes in Africa.

Thank you.

Well...

- What did you say to them?

- Huh?

What words did you use
to persuade them?

Yours.

To keep you safe.

Thank you... Baldwin.

Fire!

All clear, sir.

- Fire.

- Fire!

- Fire.

- Fire!

Fire.

Fire.

Fire.

Take a letter, Ensign.

"To His Honour, the United States
secretary of state, Mr. John Forsyth.

"My dear Mr. Forsyth,

"it is my great pleasure to inform
you that you are, in fact, correct.

"The slave fortress in Sierra Leone
does not exist."

Que bonita!