

AIDING THE ENEMY

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FADE IN

INT. COURTROOM -- DAY

A court-martial (military criminal trial court) has been convened. Present in the court: military JUDGE; COURT CLERK; COURT SECURITY GUARD (military police officer); PRIVATE ANN JONES, the defendant; MR. McDONALD, civilian counsel for the defence; MR. MORRIS, military counsel for the defence; MR. TUPPER, trial counsel (military prosecutor); panel (jury) of five COMMISSIONED OFFICERS (CO #1, CO #2, CO #3, CO #4, CO #5); various soldiers belonging to Private Jones' unit, as well as others in civilian (including members of the MEDIA) and military dress.

COURT CLERK

This court is now in session.
Private Ann Jones, please rise.

Private Jones rises, as do her two lawyers, one on either side of her.

JUDGE

Private Jones, you have been charged with one violation of Article 104, aiding the enemy. Under the United States Code, this charge applies to "any person who aids, or attempts to aid, the enemy with arms, ammunition, supplies, money, or other things."

Beat.

JUDGE (CONT'D)

Your plea of guilty has been entered and accepted by the court. We are convened today to hear evidence in support of extenuating circumstances that might bear on your sentence, as it is within the authority of the court to decide in favor of the death penalty.

(looks directly at
Private Jones)
Do you understand?

PRIVATE JONES

Yes, sir.

JUDGE

Please be seated. Mr. McDonald?

Mr. McDonald rises.

MR. MCDONALD

I call Private Ann Jones to the stand.

Private Jones takes the stand.

JUDGE

You understand you are still under oath?

PRIVATE JONES

Yes, sir.

JUDGE

(to Mr. McDonald)

Proceed.

MR. MCDONALD

Thank you, your Honor. Private Jones, to reiterate previous testimony, you provided a firearm to Ms. Sharif, is that correct?

PRIVATE JONES

Yes, sir.

MR. MCDONALD

Why? Why did you do that?

PRIVATE JONES

I believed she would need it for self-protection, sir.

MR. MCDONALD

But she was a civilian, living in a town occupied by your unit. Surely your unit did not intend to open fire upon the civilians in the town?

PRIVATE JONES

No, sir.

(beat)

Members of my unit intended to rape Ms. Sharif.

MR. MCDONALD

They said that?

PRIVATE JONES

Yes, sir.

MR. TUPPER

Objection, hearsay.

JUDGE

(looking at Mr.
McDonal)

I trust subsequent testimony will
corroborate?

MR. MCDONALD

Yes, your Honor.

JUDGE

Proceed.

MR. MCDONALD

And did you have good reason to
believe that they were serious, that
it wasn't just male posturing?

CUT TO FLASHBACK:

INT. BARRACKS -- DAY

Five male soldiers are raping Private Jones. SOLDIER #1 is holding her down on a cot, his shirt is off, suggesting he's had his turn; SOLDIER #2 is engaged in penetration; SOLDIERS #3 and #4 are standing near, waiting their turn, bottles of beer in hand and CHEERING; SOLDIER #5 is relaxed in a chair, shirt off, bottle of beer in hand, enjoying the view. Private Jones is clearly in pain, and still struggling; her eyes are closed tightly, she's trying not to cry, not to break, not to break down.

SOLDIER #1

Come on, private, buck up!

SOLDIER #2

You can take this...oh yeah...

INT. COURTROOM -- CONTINUOUS

Courtroom as before.

MR. MCDONALD

And you didn't report this?

PRIVATE JONES

No, sir. Not until now.

MR. MCDONALD
May we know why?

PRIVATE JONES
I was persuaded that it was not in our best interests to do so at the time.

MR. MCDONALD
By 'our', you mean...

PRIVATE JONES
Our unit. Our country, sir, the U.S. of A.

CUT TO FLASHBACK:

INT. BARRACKS -- NIGHT

Private Jones and PRIVATE KELLY DELTON are alone in the barracks, engaged in conversation.

PRIVATE DELTON
(shrugs, dismissive)
So all you're saying is you got hazed last night.

PRIVATE JONES
(horrified at her trivialization)
Is that what you call it?

PRIVATE DELTON
Oh don't go all prissy.
(beat)
It's for your own good.

Private Jones looks at her in shocked disbelief.

PRIVATE DELTON (CONT'D)
Look, if you ever get taken POW, what do you think they're going to do to you? This way, you'll be prepared, you won't fall apart. Consider it a training exercise.

PRIVATE JONES
Do they 'haze' each other?

PRIVATE DELTON

(overlapping with
Jones' next
question)

Sure.

PRIVATE JONES

Do they subject each other to
training exercises?

(responding to the
'Sure')

Involving rape?

Beat. Private Jones gets up and starts pacing in
frustration.

PRIVATE JONES (CONT'D)

How am I supposed to "trust the men
in my unit" now? How am I supposed
to put my life on the line for -

(with disgust)

- them?

PRIVATE DELTON

Oh please. Do you think you're
special? Do you think you're the
only one?

Private Jones' eyes widen as she realizes Private Delton has
also been raped by the men in their unit.

PRIVATE JONES

But -

PRIVATE DELTON

Think, girl. You report this, and we
lose them. We can't afford to lose
any more men.

(beat)

We're not exactly winning this war.

Beat.

PRIVATE DELTON (CONT'D)

And if you can't think of your
country, then go ahead and think of
yourself. You'll be known as a
troublemaker. See who puts their
life on the line for you.

INT. COURTROOM -- DAY

As before.

MR. MCDONALD

But assuming you believed Private Delton's explanation, Ms. Sharif wasn't part of your unit - so the men in your unit would have no reason to subject her to any such training exercise, is that correct?

PRIVATE JONES

Yes, sir.

MR. MCDONALD

And yet you still believed they were going to rape her?

PRIVATE JONES

Yes, sir.

CUT TO FLASHBACK:

EXT. SOMEWHERE ON THE MILITARY COMPOUND -- NIGHT

Private Jones is walking and talking with a male soldier of her unit, PRIVATE BAREAU.

PRIVATE JONES

But why do they do it? I mean, you can't say they just get carried away by the violence of the moment - it's not like discharging your weapon ten times when twice would do.

Beat.

PRIVATE JONES (CONT'D)

Plus, they're planning this.

PRIVATE BAREAU

Well, some of them are pretty - Aryan.

PRIVATE JONES

You're saying this is ethnic cleansing? But that doesn't make any sense. They're making kids that will be half whatever -

PRIVATE BAREAU

You're assuming it's a rational thing. It's not. It's an insecurity thing. Sex is 'power over'. That's all.

Beat.

PRIVATE BAREAU (CONT'D)
I've made excuses the last couple weeks, but if I don't go with and take part soon, I'll be next.

She looks at him in horror.

PRIVATE JONES
You're saying this is the regular Friday night entertainment?

INT. COURTROOM -- CONTINUOUS

As before.

MR. MCDONALD
So you wanted Ms. Sharif to be able to...protect herself against the coming rape?

PRIVATE JONES
Yes, sir.

MR. MCDONALD
You knew Ms. Sharif? You were friends with her?

PRIVATE JONES
No, sir. She worked at the restaurant in town. We all knew her. In that capacity.

MR. MCDONALD
But how did you know where she lived?

PRIVATE JONES
I happened to be on patrol one night when she got off shift, and I saw her walk home. She lives just a couple buildings down from restaurant.

MR. MCDONALD
I see. So you went to Ms. Sharif's apartment prior to the Friday night and offered her a gun.

PRIVATE JONES
Yes, sir.

CUT TO FLASHBACK:

INT. MS. SHARIF'S APARTMENT -- DAY

Ms. Sharif is busy doing something inconsequential in her modest apartment. She hears a KNOCK at her door, and goes to answer it. Private Jones is standing there, in uniform.

MS. SHARIF

Yes?

PRIVATE JONES

I wonder if I might come in for a moment.

MS. SHARIF

Is there a problem -
 (she looks at
 Private Jones' ID)
 - Private Jones?

PRIVATE JONES

Not exactly. But I would like to speak with you. I'm alone. I'm not here on official business.

MS. SHARIF

But you are in uniform.

PRIVATE JONES

Yes. I suppose I shouldn't be.

Intrigued, and just a little less cautious, Ms. Sharif lets Private Jones in. Private Jones stands awkwardly in Ms. Sharif's living room.

PRIVATE JONES (CONT'D)

I don't really know how - I think you - I thought you might need this.

She takes a gun out of an inside vest pocket. Ms. Sharif steps back in some alarm.

PRIVATE JONES (CONT'D)

Please - take it.

She extends her hand, holding the gun handle out, toward Ms. Sharif.

PRIVATE JONES (CONT'D)

I have reason to believe that tomorrow night, you might have need of it.

Ms. Sharif looks at Private Jones in puzzlement, and seems reluctant to take the gun.

MS. SHARIF

But -

She then takes the gun, looking at it uncomfortably. Private Jones misunderstands her reluctance and discomfort.

PRIVATE JONES

Would you like me to show you how to use it?

MS. SHARIF

No -

(grimaces)

No, I know how to use a gun.

Ms. Sharif sets the gun onto the living room table, then walks over to a desk, opens a drawer, and takes out a box, which she opens. There is a gun inside. She holds the open box out toward Private Jones.

MS. SHARIF (CONT'D)

You see, I already have one.

Private Jones is surprised, confused, and feeling a little stupid - why shouldn't she have a gun? It's a time of war. Private Jones takes the gun out of the box and examines it, out of habit. She is, after all, accustomed to handling guns. But then she sees the engraving and is suddenly very disturbed. She looks up at Ms. Sharif.

PRIVATE JONES

Is this a stolen gun?

MS. SHARIF

No. It is government issue. Every household was issued a gun by our government several weeks ago.

PRIVATE JONES

It wasn't obtained on the black market?

MS. SHARIF

No. I had to go to military supplies, at our Defence Department, to pick it up in person. That was the regulation.

INT. COURTROOM -- CONTINUOUS

As before.

MR. MCDONALD

You say you were surprised when you examined the gun. Ms. Sharif's gun. The gun she had obtained from her government's supply stores.

PRIVATE JONES

Yes, sir.

MR. MCDONALD

What was it about the gun that surprised you?

PRIVATE JONES

It was engraved, "Made in the U.S.A."

There is some movement among the civilians and media in the courtroom.

MR. MCDONALD

But you later found out that that's not so surprising. You discovered that American manufacturers routinely sell to whatever countries are willing to buy. Including countries that may have been - or may become - our enemies.

MR. TUPPER

(rising to object)

But they do not sell to countries that are currently our enemies.

We hear someone from the media section of the court express an opinion; we do not see who it is.

MEMBER OF THE MEDIA

(with extreme sarcasm)

Of course not. Never happens.

Mr. McDonald chooses to let the comment of Mr. Tupper and the 'response' of the media person stand on their own; he goes back to his table as if he's done, but stops before he sits down and asks one more question of Private Jones.

MR. MCDONALD

And was it that discovery that motivated your earlier comment about justice for all?

PRIVATE JONES

Yes, sir.

She looks at the panel of commissioned officers, all in full military uniform complete with their many rank indicators and decorations, who are to decide her fate.

PRIVATE JONES (CONT'D)

If I'm to die for aiding the enemy -

FADE OUT