

AIDING THE ENEMY

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**CAST:**

Judge  
Court Clerk  
Court Security  
Private Ann Jones, defendant  
Mr. McDonald, civilian counsel for the defence,  
Mr. Morris, military counsel for the defence  
Mr. Tupper, trial counsel (military prosecutor)  
Commissioned Officer #1, panelled jury  
Commissioned Officer #2, panelled jury  
Commissioned Officer #3, panelled jury  
Commissioned Officer #4, panelled jury  
Commissioned Officer #5, panelled jury  
various soldiers  
various civilians  
media members  
Soldier #1  
Soldier #2  
Soldier #3  
Soldier #4  
Soldier #5  
Private Kelly Delton  
Private Kyle Bateau  
Ms. Sharif

**SETS:**

Courtroom  
Barracks (interior)  
Military compound (exterior)  
Ms. Sharif's apartment

**NOTE:**

Flashback scenes are to be pre-recorded and projected.

Scene 1:

Courtoom.

A court-martial (military criminal trial court) has been convened. Present in the court are the 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 dress (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: 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. (He 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. McDonald) 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?

PRIVATE JONES: Yes, sir.

Scene 2: (flashback)

Barracks.

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...

Scene 3:

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.

Scene 4: (flashback)

Barracks.

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: 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? Do they subject each other to 'training exercises' —

PRIVATE DELTON: (overlapping) Sure.

PRIVATE JONES: Involving rape?

Private Delton doesn't answer. Private Jones gets up and starts pacing in frustration.

PRIVATE JONES: How am I supposed to trust the men in my unit now? What they did, it's like they — they've become the enemy.

Private Delton doesn't answer.

PRIVATE JONES: And how am I supposed to put my life on the line for — them? (said with disgust)

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

Private Jones' eyes wide 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. We're not exactly winning this war.

Beat.

PRIVATE DELTON: And if you can't think of your country, then go ahead and think of yourself. You report them and see who puts their life on the line for you!



Scene 5:

Courtroom. 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.

Scene 6: (flashback)

Somewhere on the military compound. Night.

Private Jones is walking and talking with a male soldier of her unit, PRIVATE KYLE 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: 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 they're trying to eradicate. (She grimaces at her use of the word.)

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: 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?

Scene 7:

Courtoom. As before.

MR. MCDONALD: So you wanted Ms. Sharif to be able to ... protect herself against the 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.

Scene 8: (flashback)

Ms. Sharif's apartment.

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: 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: Please — take it.

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

PRIVATE JONES: 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: 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 notices something 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.

Scene 9:

Courtroom. 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. That American manufacturers routinely sell to whatever countries are willing to buy. That that, in fact, is standard practice.

PRIVATE JONES: Yes, sir.

Mr. McDonald 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: If I'm to die for providing aid ... to ...

END