

The Kapo

by Phillip W. Weiss

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The Characters

Ivan Stelsky – the Kapo

Wilhelm Heisler – Commandant, Pilsburg Concentration Camp

Harald Von Esler – SS captain, Heisler’s adjutant

Pavel – a concentration camp inmate

Boris Nachtman – a concentration camp inmate

Nadia Lubovski – a concentration camp inmate

Sigmund Rubinski – a concentration camp inmate

Louise Stelsky – Ivan Stelsky’s wife

Eugene Howard Dolan – FBI agent

Bernal – FBI agent

Donald Barrow – Prosecuting Attorney

Irving Hausman – Defense Attorney

The Judge

Court Clerk

Hans – concentration camp guard

Janitor

This is a play in two acts

(Act 1, Scenes 1 – 9 take place in the Pilsburg Concentration Camp)

Act 1

Scene 1 – Heisler’s office, 1943 (page 1)

Scene 2 – Heisler’s office, one hour later (page 3)

Scene 3 – Stelsky’s room, evening (page 10)

Scene 4 – Roll Call Square, next day (page 14)

Scene 5 – Stelsky’s room, evening (page 18)

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Scene 8 – Stelsky’s room, later in the day (page 29)

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Scene 10 – Stelsky’s living room in Syracuse, NY, 1953 (page 39)

Scene 11 – Stelsky’s apartment in Palm Beach, Florida, 1994 (page 44)

Scene 12 – Stelsky’s bedroom, later that night (age 53)

Act 2

Scene 1 – a court room in Miami, Florida, 1995 (page 57)

Scene 2 – Stelsky’s bedroom, later that night (page 88)

Scene 3 – a warehouse, present day (page 92)

This play is a work of fiction. The characters in this play are fictitious and their resemblance to any person living or dead is entirely unintentional and purely coincidental.

This play is a work of fiction. The story never happened. The characters and settings described are a product of the author's imagination. Yet, sadly, the events in this story are inspired by events that actually did happen, at a time and at places that are now history. History is fickle. It's open to interpretation. It seduces us into believing in things that we have never personally witnessed, yet are asked to accept as the truth. Well, this play is not a history nor should it be construed as such. It's a drama. But it does touch on events that, based on the historical record, did occur. If anyone believes otherwise, then so be it.

Phillip W. Weiss

Act 1, Scene 1

Time: 1943

Place: Pilsburg Concentration camp located somewhere in central Europe.

Place: An office. Sitting behind a desk, sipping on a drink, is a man, about 40 years of age, dressed in the uniform of a high-ranking officer of the SS. His name is WILHELM HEISLER and he is the commandant of the camp. He evokes an air of complacency coupled with authority. Standing next to him is another man, about 30 years of age, who is a captain in the SS. His name is HARALD VON ESLER and he is Heisler's adjutant.

HEISLER

I am sick and tired of all that Jewish propaganda accusing us of being the brutes, the bad guys, the lowlifes. We're doing the world a favor by getting rid of the Jewish Bolshevik slime. Yet how are we repaid? With war! Outrageous!

VON ESLER

Yes, Commandant, the world is really in a sorry state, thanks to the Jews. Damn Yids, just a bunch of parasites, all of them. They tried to suck us dry but we're on to them now.

HEISLER

But what galls me the most is how the Yids have the temerity to claim that they are better than us, that THEY are the victims, as if we were never stabbed in the back by evil forces who wished our destruction. Well, guess what, von Esler. I'm going to conduct a little demonstration that will prove once and for all that what we say about the Jews is not mere propaganda. I will randomly select one Jew from among the prisoners, make him a Kapo and then you watch what happens. Now go find me a Jew and bring him here.

VON ESLER

That won't be too difficult to do. Do you have any particular type in mind?

HEISLER

Any Jew will do, and remember, he has to be a Jew.

VON ESLER

Jawohl, Commandant. Heil Hitler.

Von Esler clicks his heels, gives the Nazi salute and leaves the office.

Lights dim.

End of Act 1, Scene 1

Act 1, Scene 2

Time: One hour later.

Place: The Commandant's office.

Heisler is sitting at his desk; Von Esler is standing to Heisler's right. In front of the desk, standing at attention, is a third man, about 30 years of age, wearing the striped shirt and pants of a concentration camp inmate. He is thin, but still handsome and not yet emaciated.

HEISLER

(pointing to the inmate)

So, von Esler, who do we have here?

VON ESLER

Herr Commandant, let me introduce you to inmate number (*Von Esler reads from a file*) two four five eight three.

HEISLER

(to the man)

So, what is your name?

MAN

Ivan Stelsky, Herr Commandant.

HEISLER

What kind of name is Stelsky? That doesn't sound like a Jewish name. Are you really a Jew?

STELSKY

I am.

HEISLER

(to Von Esler)

He doesn't look like a Jew but then again they are a sneaky race. (*to Stelsky*) Where are you from?

STELSKY

Warsaw, Herr Commandant.

HEISLER

Schooling?

STELSKY

I attended trade school.

HEISLER

And what kind of trade did you learn?

STELSKY

Electrician.

HEISLER

(laughs)

An electrician? A Jewish electrician? You didn't go to a Yeshiva and study Torah? (to Von Esler) Can you believe this Von Esler? A Jew who actually learned a manual trade. Perfect!

VON ESLER

(skeptical)

It is unbelievable. He's gotta be lying. (pause) Wait a minute. He's a Jew! So of course he's lying!

HEISLER

(to Stelsky)

You're not lying to us because if you are I'll personally kick your ass so hard that my boot will become a permanent part of your butt.

STELSKY

I am telling the truth, Herr Commandant.

HEISLER

(sarcastic)

Like we can believe a Jew.

(Both laugh)

VON ESLER

(still laughing)

Not likely, sir. *(to Stelsky)* Listen, you dirty, stinking piece of pastrami, if you're lying the Commandant, I will personally see to it that you regret the day you were born. *(Stelsky does not respond.)*

HEISLER

Anyway, enough of the small talk. *(facing Stelsky)* What I want to talk about is a job we have for you. We want you to be the kapo for barrack 24.

STELSKY

Why me, Herr Commandant?

HEISLER

(jumps up from his chair, enraged, and screams)

WHY ME, YOU ASK? WHO THE HELL ARE YOU TO ASK ME ANYTHING? I'M IN CHARGE, NOT YOU, YOU SLIMY PIECE OF BOLSHIEVICK FILTH! THIS ISN'T 1918 AND THIS ISN'T THE FUCKING JEWISH BUND. ALL YOU SAY IS YES HERR COMMANDANT AND THANK YOU HERR COMMANDANT! YOU GOT THAT, YID? *(to Von Esler)* The nerve of him. Such insolence. Are you sure you selected the right man?

VON ESLER

He better be or he and I will have a long talk. *(to Stelsky)* You marking my words, Jew?

STELSKY

Yes, Herr Captain.

VON ESLER

That's more like it.

HEISLER

(regaining his composure)

So, Stelsky, the Jewish electrician, tell me a little more about yourself.

STELSKY

Herr Commandant, after graduating from trade school I worked for a construction company in Warsaw installing electrical wiring in buildings. Then in 1939 I was drafted into the Polish army.

HEISLER

Ah, so you were a soldier too. What was your rank?

STELSKY

I was a corporal and was in charge of a platoon.

HEISLER

(incredulous)

The Poles put a Jew in charge of Polish soldiers? *(laughs)* No wonder we beat the Poles so easily. The Jewish soldiers were too busy dah-vening!

(Heisler and Von Esler laugh)

HEISLER

Come to think of it now, in the last war we had too many Jews in the German army. They were insisting that they were Germans, but they were just imposters, infiltrators who took all the desk jobs while the real Germans bled and died. The Kaiser should have gotten rid of them, should have dumped them on the Americans. They love Jews. After the war I spent some time in New York City. The place was swarming with Jews. Ugh! Well, like you said, Von Esler, we're on to them now. They won't fool us again. *(To Stelsky)* You hear that, Stelsky? You will not fool us again. *(pause)* How old are you?

STELSKY

Twenty-nine, Herr Commandant.

HEISLER

Married?

STELSKY

Single, Herr Commandant.

HEISLER

You're a good looking man. You're tall, blond, handsome, in fact you could almost pass for an Aryan. *(pause)* How come you don't have a wife?

STELSKY

I was working to support my mother.

HEISLER

Ah, so you are a nice Jewish boy. Well, Mister nice Jewish boy, Mister Jew Soldier, Mister Electrician, you're going to be our first Jewish Kapo in this camp and if you fuck it up I will personally shoot you in the head. Do I make myself clear?

STELSKY

Yes, Herr Commandant ... and thank you.

HEISLER

Don't thank me. Just do your job and we'll get along just fine. You will be in charge of all the prisoners in the barrack. You will make sure that they obey all rules, keep the barrack clean and conduct themselves properly. You will have total authority to use whatever measures you deem necessary to enforce the rules and regulations of the camp. Do you understand?

STELSKY

Yes, Herr Commandant. May I ask a question?

VON ESLER

(annoyed)

Now what?

HEISLER

Just a moment, Von Esler. *(to Stelisky)* What is it?

STELSKY

My mother. I want to know if my mother is still alive.

HEISLER

I'll look into that for you. Anything else? *(Pause)* No? Good! Now before I dismiss you, I want you to sign this paper. *(Heisler reaches into a draw in his desk and pulls out a paper.)* Let me read it to you. "I, Ivan Stelsky, voluntarily agree to become Kapo of barrack 24 and accept this position of my own free will and accord and under no duress. Further, as Kapo of barrack 24 I will enforce all the rules and regulations of this camp and will report any infractions of said rules and regulations to the Commandant or his representatives." *(Heisler places the paper on the desk.)* Sign right there *(points to where Stelsky should sign.)*

(Stelsky approaches the desk, looks at the form for a moment and then signs it. He then steps away from the desk.)

HEISLER

Good. Good.

(Heisler reaches into his file cabinet and pulls out a coat and a loaf of bread, and throws them hard to Stelsky who catches them, almost falling backward.)

HEISLER

That is your official Kapo jacket and a little extra food to give you more strength to do your job. After all, we don't want you to set a poor example for your fellow Jews. You will also occupy the Kapo's quarters. *(pause)* Oh, before I forget, here's something else I think you will need. *(Heisler again reaches into the file cabinet and pulls out a three-foot long truncheon, one end encased in leather.)* This is your enforcer. You will carry this with you at all times and use it unsparingly to encourage compliance with the rules. Is that clear?

STELSKY

Yes, Herr Commandant.

(Heisler gets up from the desk and tosses the truncheon to Stelsky.)

HEISLER

(to Von Esler)

Get the camera.

(Von Esler leaves the room and soon returns with a camera.)

HEISLER

Good! Now take a picture of us.

(Heisler grabs Stelsky's hand in a firm handshake.)

HEISLER

(posing with Stelsky)

Take the picture.

(Von Esler snaps the picture. Heisler releases Stelsky's hand.)

VON ESLER

Anything else, Commandant?

HEISLER

Now we're going to go to Barrack 24 and introduce the new Kapo to his charges. I'm sure they will be very happy.

As the three men leave the office, the lights dim.

End of Act 1, Scene 2

Act 1, Scene 3

Time: Evening

Place: Stelksy's room in Barrack 24. From outside of the room can be heard the sound of moaning and grunts. Stelksy is sitting in a chair, starring blankly at the wall. Then there is a knock on the door.

STELSKY

Come in.

A man enters the room. He is starving.

STELSKY

What do you want?

PAVEL

To talk.

STELSKY

Get back to your bunk.

PAVEL

I can't sleep.

STELSKY

I'm not a nurse. Now get out of here.

PAVEL

Is that how you talk to an old friend?

STELSKY

You are not my friend. Not now, not ever. Back home you used to snub me all the time, as if I weren't good enough for you.

PAVEL

How can you say that? Didn't we grow up in the same neighborhood? Play together?

STELSKY

Yes, we did. That didn't mean we were friends.

PAVEL

Okay, then, as an old acquaintance, can you tell me how you became the Kapo?

STELSKY

How the hell do I know? They chose me, that's it. Nothing more and if you know what's good for you, you'll stop asking questions and get back to your bunk.

PAVEL

And if I don't, what are you going to do? Smack me?

STELSKY

(annoyed)

Listen "friend," are you trying to fuck with me? ARE YOU?

(Stelsky gets up from the chair, and starts pushing Pavel toward the door. Pavel resists.)

PAVEL

(laughs)

Some Kapo you are. You can't even deal with a starving man.

(Stelsky lets go of Pavel; he glances at the truncheon that is in the corner of the room.)

PAVEL

You don't have the guts to do it. You're a wimp, a punk, just like you were when we were kids.

STELSKY

GET THE FUCK OUT OF HERE NOW!

PAVEL

You stupid, little faggot. Always the momma's boy. Don't you know what those Nazi pigs are up to? They want to show us that we're just as depraved as they are. Don't you get it ... or maybe you got it already. Which one is doing you, the commandant or his queer Captain?

STELSKY
(enraged)

Listen, Pavel, you have no idea what you're talking about. They ordered me to be the new Kapo, that's it.

PAVEL

And you didn't refuse?

STELSKY

Refuse the Commandant? How could I?

PAVEL

Maybe by saying ... no?

STELSKY

And if I had said no, then what?

PAVEL

Then they would have kicked your ass, maybe thrown you in solitary, but at least you'd have your self-respect.

STELSKY

SHUT THE FUCK UP! WHY DO I HAVE TO EXPLAIN ANYTHING TO YOU?

PAVEL

Because I'm the closest thing you have to a friend in this shit hole, and also I knew your mother.

STELSKY

That's all finished now.

PAVEL

Yes, and you're the one that finished it, the moment you said yes to those Nazi pigs. Now you're their toy, their tool, their plaything. And you're a Jew too! Fucking Traitor! *(Stelsky is silent. Then he leaps from his chair, grabs the truncheon and in one swoop hits Pavel hard on the head. Pavel collapses onto the floor, motionless. Stelsky is standing over him. Then he opens the door and shouts)*

STELSKY

Get this stinking carcass out of my room now! And make it fast! AND DON'T MAKE ME REPEAT MYSELF! YOU GOT IT!?

Several men rush into the room and are dragging Pavel's motionless body as the lights go out.

End of Act 1, Scene 3

Act 1, Scene 4

Time: Morning

Place: Roll-call square. Von Esler is standing behind a podium. Stelsky is standing at attention.

VON ESLER
Barrack 24. All accounted and present?

STELSKY
Yes, Captain

VON ESLER
Anyone in the infirmary?

STELSKY
One, Captain.

VON ESLER
What's his problem?

STELSKY
Severe head injury.

VON ESLER
How did that happen?

STELSKY
The prisoner was in an altercation.

VON ESLER
Anyone else hurt?

STELSKY
No one.

VON ESLER

(addressing all the prisoners)

Fighting will not be tolerated. If any of you are caught fighting you will be severely punished. Now form a line. It's chow time.

(The prisoners start forming a line.)

VON ESLER

Stelsky, come over here. I want to talk to you.

STELSKY

Yes, Captain?

(Von Esler takes Stelsky aside)

VON ESLER

You stupid fuck! What the hell kind of Kapo are you? That guy shouldn't be alive. You're making me look bad. Now, how am I going to explain this to the Commandant? *(Stelsky is silent.)* Do I have to do your work for you? *(pause)* You slimy, filthy Yids are all the same, trying to cover for each other. You disgust me. You ALL disgust me. The faster we rid the world of you vermin the better off we will be.

STELSKY

Herr Captain, I hit him as hard as I could.

VON ESLER

You're lying. We give you food, your own bed, your own coat and what do you do? You fuck up, just like all you Jews do, always looking for an edge, a chance to grab that extra inch. What's the matter? You want more bread? Or maybe we should get find another Kapo.

STELSKY

(alarmed)

Please, Herr Captain, I will do better.

VON ESLER

You're damn right you will, Jew, or we'll throw you back with your Bolshevik comrades and let's see how long you last with them. Now get out of here.

STELSKY

Yes, Herr Captain. *(pause)* What will happen with Pavel?

VON ESLER

Don't you worry about that. He'll be taken good care of. But next time, when you impose discipline, make sure you do it right. This is not a kindergarten. And stop asking me questions. You heard what the commandant said.

STELSKY

Yes, Herr Captain.

(Stelsky turns to leave.)

VON ESLER

Oh, Stelsky, one other thing. The Commandant's wife is away and he doesn't like to be alone at night. Send one of the prisoners over to keep the commandant company.

STELSKY

I'm sorry, Herr Captain, I don't understand.

VON ESLER

(annoyed)

Do I have to draw a picture for you?

STELSKY

No, Herr Captain.

VON ESLER

Then don't play games with me.

STELSKY

It's just that I've never been involved with anything like that before.

VON ESLER

Well, now you will get some on the job training, courtesy of the Reich. The Commandant will be expecting someone to report to his house at nine o'clock tonight. Do not disappoint him.

Von Esler exits, leaving Stelsky standing alone, as the lights fade.

End of Act 1, Scene 4

Act 1, Scene 5

Time: Evening

Place: Stelsky's room

*Stelsky is in bed, laying on his back, starrng at the ceiling.
There is a knock on the door.*

STELSKY

Come in.

A handsome young man enters. Stelsky gets up from the bed and sits on a chair. He is starrng at the young man.

STELSKY

What's your name?

YOUNG MAN

Boris Nachtman

STELSKY

How old are you?

BORIS

Nineteen.

STELSKY

When did you arrive in camp?

BORIS

A week ago.

STELSKY

No wonder you still look good. *(pause)* Where you from?

BORIS

Russia.

STELSKY

You're a Russian? What are you doing here?

BORIS

I was sent here from a POW camp.

STELSKY

You were in the Red Army?

BORIS

Yes.

STELSKY

Have a girl friend?

BORIS

I do, but I don't know where she is now.

STELSKY

Well, it doesn't matter. You're here now and there is something I want you to do.

BORIS

What is it?

STELSKY

I want you to go to the commandant's house tonight.

BORIS

Me? Why me?

STELSKY

Because I am ordering you. The Commandant needs some company and if you don't show up I will look bad and if I look bad then you will definitely look bad. Do I make myself clear?

BORIS

Yes, I understand perfectly well what you want me to do and to you I say no! I'm no pansy!

STELSKY

Listen, Boris, don't be a hero. *(pause)* Just do what I tell you because if you don't, you will die.

BORIS

Then I'll die.

(Stelsky gets up, grabs hold of the truncheon, and looks Boris straight in the face):

STELSKY

I'm going to give you to the count of three to change your mind. One ... two ... three!

(Stelsky swings the truncheon but misses Boris who flees from the room.)

VOICE
(Offstage)

Halt, halt!

(Then the sound of machine gun fire.)

Hans, I just killed a prisoner who was trying to escape. He was running from barrack 24, I ordered him to halt, he didn't obey and as soon as he reached no-man's land I let him have it.

HANS
(offstage)

Good job.

STELSKY

(Standing at the door, speaking to the rest of the barrack)

Listen up, you disgusting vermin! That's what happens if anyone tries to escape. Now, I need a volunteer for a special assignment. Whomever I select for this important job will get two extra pieces of bread. Now line up at the door. And move your asses! I don't have all night.

(Several men start lining up at the door as the lights go out.)

End of Act 1, Scene 5

Act 1, Scene 6

Time: One week later

Place: Stelsky's room

Stelsky is nervously pacing around the floor. Then there is a knocking on the door. Stelsky opens the door. Standing at the door is a young attractive woman, about 20 years of age, dressed in sackcloth with a sash tied around her waist.

STELSKY

Ah! Come right in!

(The young woman slowly enters the room. Stelsky shuts the door behind her, then turns and faces her.)

STELSKY

(leering)

Very nice, very pretty. Did anyone ever tell you that you are pretty?

WOMAN

Herr Block Leader, my matron sent me to you; she did not explain why.

STELSKY

(laughs)

Oh, I see. You want to get right down to business. Then let's not play games. *(pause)* Oh, excuse me, please sit down.

(The woman sits on one of the chairs. Stelsky sits on the edge of the bed, facing her.)

What is your name?

THE WOMAN

Nadia.

STELSKY

That's a pretty name. Would you like a little something to eat?

(Nadia is silent)

Oh, I see that you're proud. Anyway, I'm sure you would like to have a little something to bite on.

(Stelsky grabs a loaf of bread and cuts off two slices which he offers to Nadia)

Go on, eat it! I know you want food. There's no need to pretend with me.

(At first Nadia does not move. Then she takes the slices and slowly starts eating.)

STELSKY

That's right. Don't you feel better already?

NADIA

Thank you, Herr Block Leader. Very kind of you.

STELSKY

Would you like a little something to drink? Perhaps some wine?

NADIA

No thank you. *(pause)* With your permission, I would like to return to my barrack.

STELSKY

What's the rush, Nadia? We're just getting acquainted. Where are you from?

NADIA

Poland ... Cracow.

(Nadia is now eating the second slice of bread)

STELSKY

I see you're hungry. If you want, I'll give you some more.

NADIA

That would be kind of you, sir.

STELSKY

Yes, it would. Of course, you will have to do something for me.

(Nadya stops eating, puts down the bread)

NADIA

I'm sorry, Herr Block Leader, I don't know what you're talking about.

STELSKY

(suddenly enraged)

LISTEN YOU STUPID TRAMP. STOP PLAYING GAMES WITH ME! YOU KNOW EXACTLY WHAT I'M TALKING ABOUT!

(Stelsky slaps Nadia hard on the face and she and chair fall backward onto the floor. Nadia starts screaming.)

NADIA

(on the floor, in shock and pain)

YOU BEAST! I AM NOT THAT KIND OF GIRL!

(Stelsky yanks Nadia from the floor and throws her on the bed.)

STELSKY

(still enraged)

I'M GONNA TEACH YOU HOW TO TREAT A MAN.

NADIA

(hysterical)

Please don't! I've never been with a man before. *(starts crying, pleading)* I'm a good girl, a nice girl. Please, don't hurt me, please!

(Stelsky pauses for a moment)

STELSKY

There's no such thing as a nice girl and besides, what do you have to lose?

NADIA

My virginity.

STELSKY

(excited)

So your matron didn't lie to me!

NADIA

(pleading)

Please, sir, let me leave. I'll give you my food, I'll make your bed, but please sir, leave me be.

STELSKY

Stand up.

(Nadia slowly stands up.)

Now let me kiss you.

(Stelsky starts to embrace Nadya who recoils away.)

NADIA

NO! NO!

(Stelsky punches Nadia in the face. She staggers backward, bleeding from her nose and mouth. Stelsky then throws Nadia onto the floor and kicks her. Nadia is screaming.) AAAAAHHHHHHH!!!!!!!!!!

STELSKY

Scream all you want, bitch.

NADIA

(now moaning)

I'll do whatever you want. Just don't hit me anymore.

STELSKY

That's much better. Now clean yourself up.

(Stelsky tosses a towel to Nadia who starts wiping the blood from her face. Nadia then slowly stands up and begins removing her sackcloth while Stelsky stares at her. Suddenly Stelsky throws Nadia onto the bed and jumps on top of her. The lights go out. From the darkness the audience can hear sounds of furious, violent copulating mingled with screams, moans and sobs. Then there is silence; then a spot light shines on Nadia, her face and sackcloth covered with blood. Nadia faces the audience.)

NADIA

Why have we been forsaken?
 What crimes did we commit?
 What harm have we inflicted
 To make us suffer like this?

The innocent are the victims,
 The predators get their way,
 But someday there will be justice
 And there will be much to pay.

Today I'm bruised and battered,
 A victim of cruel lust,
 An object to be pitied,
 a girl who's lost her trust.

Why have we been forsaken?
 What crimes did we commit?
 What harm have we inflicted
 To make us suffer like this?

End of Act 1, Scene 6

Act 1, Scene 7

Time: One week later

Place: The punishment area. Heisler and Von Esler are standing in front of a stockade that is used for flogging prisoners. Standing opposite them at attention are Stelsky and other inmates from Barrack 24.

HEISLER

(addressing the inmates)

I have assembled you here today to show you what will happen to you if you violate the rules. Yesterday one of you tried to escape. Escape is prohibited and is punishable by death. However, as a gesture of mercy on my part, I have decided to reduce the punishment to fifty lashes. *(pause)* Stelsky! Bring in the prisoner!

(Stelsky goes offstage and then returns, dragging a man who is heavily shackled, with a sign hanging from his neck saying "Ich bin zuruck.")

STELSKY

Herr Commandant! The prisoner is reporting for punishment.

HEISLER

Good. *(to the prisoner)* Inmate number two one seven eight three, you have been convicted of violating section 4, paragraph 3, subsection 2 of the rules and regulations of this camp which strictly forbid unauthorized absences. Because you violated camp regulations, the Reich had to expend considerable resources to recover and return you to your rightful place. The penalty for this infraction is twenty-five lashes with a belt, and since the escapee was from Barracks 24, Kapo Stelsky will be assigned the duty of administering the punishment.

STELSKY

Herr Commandant, I respectfully request that another inmate be given that honor.

HEISLER

You may select someone else to do the honors.

STELSKY

Yes, Herr Commandant! *(to the assembled prisoners)* Any volunteers! *(no response)* I repeat, any volunteers? *(again, no response)*. *(to Heisler)* Herr Commandant, no one has volunteered.

HEISLER

(angry)

What? No volunteers? *(to the prisoners)* Who the hell are you to refuse your Kapo's request? What kind of scum do I have here that you so blatantly ignore this opportunity to demonstrate your devotion to the Reich? Your arrogance is duly noted. *(to Von Esler)* I want a complete roll call and everyone is to remain standing at attention until the count is completed, even if it takes all night. And as for our friend over here *(motions to the shackled prisoner)* since no one came forward to administer the punishment, I hereby order Kapo Stelsky to do the honors.

STELSKY

(to Heisler)

Yes, Herr Commandant

(to the assembled prisoners)

This was your chance to show the Reich what kind of men you have become but you have all failed, miserably, and so now I will do this work. You all let me down, embarrassed me in front of the Commandant and I will not forget this, do you hear? *(to Heisler)* Herr Commandant, I am ready.

(Heisler nods at Stelsky who picks up a large leather belt that has been soaking in water. Stelsky takes a few practice swings in the air and then roughly grabs the shackled man, pulls down his pants, exposing his buttocks and straps him down over the stockade. The man is babbling incoherently.)

STELSKY

Ready to proceed, Herr Commandant.

HEISLER

You may proceed.

(As the lights go out, the sound of the belt striking naked flesh and loud shrieks can be heard.)

End of Act 1, Scene 7

Act 1, Scene 8

Time: later in the day

Place: Stelsky's room

Stelsky is laying on his bed. There's a knock on the door.

STELSKY

Come in.

(A man enters the room.)

MAN

You wanted to see me, Herr Kapo?

STELSKY

That's right, Rubinski. *(pause)* Who the hell do you think you are to make me look bad?

RUBINSKI

I don't know what you're talking about, Herr Kapo.

STELSKY

Listen, you ugly baboon, you know exactly what I'm talking about. How come you didn't volunteer to whip that guy? I thought you wanted to play ball with me. Don't tell me I was wrong.

RUBINSKI

I didn't know you expected that of me.

STELSKY

Don't fuck with me. I've seen you shaking down other prisoners, so stop acting so smart. I can use a tough guy like you.

RUBINSKI

Herr Kapo, I just want to obey your orders.

STELSKY

Stop it! First chance you have you'll try to get my job; probably denounce me.

RUBINSKI

I would never do such a thing, Herr Kapo.

(Stelsky gets up from the bed and grabs Rubinski by the collar.)

STELSKY

Well, you better not. I ought to bash you head in right now, just to show you who's boss, but I won't because I need an assistant to police this barrack. You're in?

RUBINSKI

Whatever you want, Herr Kapo.

STELSKY

Well, that's what I want. And don't patronize me. In return, I'll give you extra rations and release you from your work detail.

RUBINSKI

Thank you for your generosity.

STELSKY

Fuck off! And wipe that brown stain from your face. Now get back out there and if there's any trouble you take care of it. Here, use this belt.

(Stelksy give Rubinski the belt that was used to beat the escapee.)

Don't forget! Out there you are in charge. Anybody gives you back talk, just use the belt. That will quiet them down. And if they resist, let me know and I'll set them straight.

KUBINSKI

Thank you, Herr Kapo.

STELSKY

And the next time I ask for a volunteer, you volunteer. Get it?

RUBINSKI

Yes sir, Herr Kapo.

(Rubinski leaves. Offstage Rubinski can be heard screaming at the other prisoners and using the belt.)

RUBINSKI (o.s.)

These barracks are filthy! Bastards! Clean it NOW!

(o. s., screams mixed with the sound of the belt striking a body)

(Stelsky lays down on the bed, stares at the ceiling, hands folded behind his head, listening to the screaming. Lights out.)

End of Act 1, Scene 8

Act 1, Scene 9

Time: April 1945

Place: Heisler's office

Heisler and Von Esler are frantically gathering and burning papers. There is knocking on the door.

HEISLER

(stuffing papers into a garbage can)

Who can that be?

VON ESLER

(emptying a file cabinet)

I don't know, Herr Commandant.

HEISLER

See who it is.

(Von Esler puts down a wad of papers and opens the door. Stelsky is standing at the entrance.)

VON ESLER

What do YOU want, Jew?

STELSKY

The barrack is refusing to report to work. I am requesting orders.

VON ESLER

Don't you see that we're busy? Get lost!

HEISLER

(Stuffing some papers in a garbage can, looks up)

Stelsky! Why are you here?

VON ESLER

He's saying that the inmates won't report to work.

HEISLER

They won't? Then shoot them!

STELSKY

With what, Herr Commandant?

HEISLER

(changing the subject)

Can't you see we're busy?

(Stelsky does not respond.)

HEISLER

Use a machine pistol.

VON ESLER

(alarmed)

Sir, giving a Kapo a fire arm is strictly forbidden. And besides, this Jew cannot be trusted. Give me an order, and I'll finish him off right now!

(Von Esler reaches for his side arm.)

HEISLER

Put it away!

(to Stelsky)

How do we know you're telling us the truth?

STELSKY

Because most of the guards deserted last night and if I don't act now, we may all be in danger.

HEISLER
(surprised)

The guards are gone?

STELSKY

That's right, Herr Commandant.

VON ESLER

Don't trust this Jew! He's a liar, just like they all are. Better that I shoot him now and then deal with those bastards in the barracks myself.

HEISLER
(to Von Esler)

Go out and check on the situation and report back to me.

(Von Esler grabs a machine pistol and as he is leaving roughly pushes Stelsky aside.)

HEISLER

Come in.

(Stelsky comes into the office and remains standing.)

HEISLER

We have gotten reports that the Russians are just outside of town and will soon be here. I bet you can't wait for that.

STELSKY

I have no use for the Russians, Herr Commandant. I'm no commie. I'm more concerned with the whereabouts of my mother. Did you ever find out what happened to her?

HEISLER

Your mother? How should I know what happened to her?

STELSKY
(irritated)

You promised you would find out.

HEISLER

I promised no such thing.

STELSKY

You mean I did your bidding all this time for nothing?

HEISLER

You did what I ordered you to do and you did so voluntarily.

STELSKY

I want that paper that I signed and that photograph.

HEISLER

I have no idea what happened to them.

STELSKY

You're a damn liar!

Heisler reaches for his gun but Stelsky punches him on the face. Soon both men are grappling with each other, with both of them trying to grab Heisler's gun. Finally, Stelsky punches Heisler in the stomach, then hits him on the face; Heisler crashes to the floor. Stelsky then kicks Heisler on the ribs and grabs his gun.

STELSKY

(pointing the gun at Heisler)

Okay, you stupid kraut, you're going to tell me what happened to my mother.

HEISLER

(still on the floor, moaning)

I told you I don't know. She's probably dead!

STELSKY

Probably? You don't know?

HEISLER

I never checked. I had other matters to deal with.

STELSKY

Never checked? So I'll never know if she's alive or dead.

(Stelsky kicks Heisler in the stomach causing Heisler to double up in pain.)

STELSKY

That's for lying to me.

(Stelsky grabs Heisler by the arms and starts dragging him to the door.)

I think it's about time you spoke with the prisoners.

(Stelsky is preparing to kick Heisler again.)

HEISLER

Wait!

STELSKY

What?

(Stelsky lets go of Heisler's arms. Heisler slowly gets up from the floor. Stelsky is pointing the gun at Heisler.)

HEISLER

I may be able to help you.

STELSKY

I don't want your help.

HEISLER

Yes, you do because without me you will be held fully responsible for everything you did. You're implicated too.

STELSKY

You'll say anything to save your skin, you lying Nazi pig. *(pause)*
Now, *(screams)* WHAT HAPPENED TO MY MOTHER?

HEISLER

I'll ask Von Esler when he returns.

STELSKY

How would he know?

HEISLER

Because I ordered him to check it out.

STELSKY

What did he find out?

HEISLER

I don't know but I will ask him when he returns.

Von Esler returns.

VON ESLER

(alarmed)

What's going on here?

(Stelsky swings around and shoots Von Esler in the chest. Von Esler staggers backward and falls onto the floor, bleeding to death.)

HEISLER

You fool! Now you'll never find out what happened to your mother.

STELSKY

I don't believe that you don't know! NOW TALK!

HEISLER

If I knew I'd tell you.

STELSKY

You better tell me or else you a dead man.

HEISLER

Kill me then. My life is over anyway, just like yours, Herr Kapo.

STELSKY

Fuck you!

(Stelsky shoots Heisler in the head, killing him instantly. Then he goes through Heisler's clothing, removing money from Heisler's wallet, tosses the gun away, spits on Heisler's lifeless body and exits.)

End of Act 1, Scene 9

Act 1, Scene 10

Time: 1953

Place: Syracuse, New York

Setting: a living room in a house. Stelsky is sitting in a chair watch television; a woman enters the room.

WOMAN

How was work today?

STELSKY

Pretty busy, Louise. Lots of customers. I'm really beat.

LOUISE

I'll get you a beer.

STELSKY

Thanks.

Louise leaves and soon returns with a bottle of beer which she gives to Stelsky.

STELSKY

Nothing better than a refreshing bottle of beer after a hard day's work.

Stelsky takes a long gulp from the bottle and then puts it down.

STELSKY

Aaah! That was good. How was your day today?

LOUISE

Fine. I took the kids to the park and then we went to the zoo.

STELSKY

I'm a lucky guy to have such a wonderful family.

(Stelsky gets up and hugs Louise who kisses Stelsky on the cheek and then on the lips.)

LOUISE

I love you.

(They kiss again. Suddenly the phone rings. Louise answers the phone.)

LOUISE

Hello. ... Who is this? ... it's for you.

STELSKY

Who is it?

LOUISE

They wouldn't say.

Louise give Stelsky the phone.

STELSKY

Hello. This is he Who are you? What did you say? You were a prisoner at the Pilsburg Concentration Camp? Werner Heisler? ... I never heard of him. ... Are you threatening me? Listen, whoever you are, I have no idea what you're talking about, so goodbye!

(Stelsky hangs up the phone.)

LOUISE

Who was that?

STELSKY

Some clown who mistook me for somebody else.

LOUISE

Well, it must have been some mistake because it got you really mad.

STELSKY

Well, sometimes the only way to get rid of a pest is to be nasty, especially if they're saying garbage.

LOUISE

What did they say?

STELSKY

Nothing. Really. Nothing. *(pause)* Just forget it.

LOUISE

Did this have anything to do with the war?

STELSKY

(annoyed, defensive)

I told you that I never want to talk about the war. It was a bad time, period. I told you that when we first met.

LOUISE

I know, sweetheart, but still if something is bothering you we should talk about it.

STELSKY

(angry)

I told you that I don't want to talk about it. Period! Now please drop the subject. *(pause)* Now look what you've done. I don't even want to drink my beer.

LOUISE

Then have some coffee.

STELSKY

To tell you the truth, I've lost my appetite.

LOUISE

(insistent)

What is going on? You get this phone call and now you're all upset.

STELSKY

I'm upset because you won't drop the subject.

LOUISE

No. You're upset over what you heard over the phone and now you're not telling me and I don't like it.

STELSKY

(livid)

If you keep on pestering me, I'm gonna hafta do something to shut you up! Get it!

LOUISE

(shocked)

Ivan, you've never acted like this before. What's going on with you?

STELSKY

STOP IT! Just stop it. Drop the subject.

LOUISE

I can't.

STELSKY

You must.

LOUISE

Please calm down.

STELSKY

Just leave me alone for a while.

LOUISE

Okay, I'll leave you alone, if that what you wants, but I still don't like it.

STELSKY
(imploring)

Yes, leave me alone for awhile (*pause*) Louise, I'm sorry for what I said before. I really do love you. Please believe me.

LOUISE

Okay. I'll be in the kitchen. If you want to join me there I'll have a sandwich waiting for you.

STELSKY

Thank you.

LOUISE

I really don't understand what got into you.

STELSKY

Please, drop the subject.

Louise exits.

Lights out.

End of Act 1, Scene 10

Act 1, Scene 11

Time: 1994

Place: An apartment in a retirement community in Palm Beach, Florida. The door is located at stage right.

Stelsky and Louise, now elderly, are sitting in a room watching television. There is the sound of knocking on the door.

STELSKY

Who can that be?

LOUISE

It's probably Harold.

STELSKY

That old goat's beginning to become a real pest.

LOUISE

Don't be so cruel. You know that he just lost his wife and needs some company.

STELSKY

Yeah, I know. *(pause)* Well, go see who it is.

Louise gets up and opens the door. There are two men, both dressed in business suits.

MAN NO. 1

Hello. We're from the FBI. My name is special agent Dolan and my partner here is special agent Bernal. *(They show their badges.)* We want to speak with Mister Ivan Stelsky. Is he here?

LOUISE

One moment, please. *(Louise turns around and speaks to Stelsky.)* Ivan, there are two men here who want to speak with you.

(Stelsky gets up, goes to the door).

STELSKY

Yes?

DOLAN

Are you Ivan Stelsky?

STELSKY

I'm Ivan Stelsky. What is it you want?

DOLAN

We want to ask you some questions about your entry into the United States. May we come in?

STELSKY

Sure. Come in.

Dolan and Bernal enter the room.

LOUISE

Would you like to sit down?

DOLAN

Yes, thank you.

STELSKY

(pointing to two chairs)

You can sit there.

(Dolan, Bernal and Stelsky sit down. Louise is still standing.)

(to Louise)

Please close the door and come join us. *(Louise closes the door and sits down too.)*

(to Dolan and Bernal)

Now what is it that you want to know?

DOLAN

Well, sir, we want to know about your activities in Europe during World War Two.

STELSKY

I was an inmate in a concentration camp.

BERNAL

Frankly sir, our office has received information alleging that while in the concentration camp you committed war crimes.

LOUISE

(shocked)

WHAT!?! WAR CRIMES!!! IVAN, WHAT ARE THEY TALKING ABOUT?

STELSKY

Look what you've done to my wife. *(pause)* Gentlemen, I am a Holocaust survivor. This is outrageous.

BERNAL

Sir, that is why we are here, to try to clear this up.

DOLAN

So once again, tell us about your activities during World War Two.

STELSKY

Like I said before, I was an inmate in a concentration camp. What more needs to be said?

DOLAN

How did you manage to survive?

STELSKY

Pure luck. We were assigned to work details. As long as you were able to work, you could survive. It was as simple as that.

BERNAL

What kind of work were you assigned?

STELSKY

It is so long ago. I really can't recall. But it was bad, very bad.

DOLAN

What was bad?

STELSKY

Everything. The brutal way we were treated. It was awful, horrible.

BERNAL

We have received reports from several reliable sources identifying you as a collaborator with the SS at the Pilsburg Concentration camp. Is that true?

STELSKY

Me? A collaborator with the SS? That is almost laughable. I was an inmate, a victim. I lost my entire family.

DOLAN

Our sources are quite reliable. We have several sworn affidavits attesting to your activities in the camp.

STELSKY

Look, I don't care how many affidavits you have. This is all one big grotesque mistake. I'm a law abiding American citizen. I've been in this country for over forty-five years, worked my way up to be a district manager for a large department store, I'm married, I've raised two fine children and have seven grandchildren. The idea of me being some kind of war criminal is ridiculous, laughable.

BERNAL

Still, sir, we have received reports specifically identifying you as a Nazi collaborator at the Pilsburg concentration camp. Now, when you entered the United States you were required to complete a standard form five sixty-three, which specifically asks whether you were a member of or performed duties for any outlawed Nazi organizations. Did you fill out this form?

(Bernal takes out a form from his briefcase and hands it to Stelsky who looks at it.)

STELSKY

If you say I did, then I did. I can't recall filling out this form. It was a long time ago.

DOLAN

We understand that, sir. But that is your signature on the form, is it not?

STELSKY

If you say it is, then it is.

DOLAN

Well, we want you to take a look at that signature and tell us if it is yours.

STELSKY

(looks at the form again)

It could be mine. Like I said, it was a long time ago.

BERNAL

Please don't play games with us. Is it or is it not your signature on that form?

STELSKY

All I can say is that it looks like it's my signature.

DOLAN

Okay. Now on this form you declared that you were requesting entry into the United States as a stateless person and victim of religious persecution.

STELSKY

That is all true. I am a Jew. I had lost my home, my family, everything, in the Holocaust. After the war I spent three years in DP camps, mostly in Germany of all places. I had nowhere else to go.

BERNAL

Did you know someone by the name of Wilhelm Heisler?

STELSKY

He was the commandant of the Pilsburg camp.

BERNAL

We understand that you worked for him. Is that true?

STELSKY

Worked for him? Untrue! Entirely false! I was a prisoner.

BERNAL

We understand that when the camp was liberated you were already gone. Where did you go?

LOUISE

Why is Ivan being investigated now?

DOLAN

This investigation has been ongoing for years. During that time we have accumulated a mountain of evidence showing that your husband committed war crimes.

LOUISE

Ivan was a victim, not a criminal. He is a good man, a good father and a good husband.

DOLAN

All of that may be true, but the fact remains that several informants have come forward identifying your husband as a collaborator and war criminal.

STELSKY

Me, a Jew, a Holocaust victim, committed war crimes? What a bunch of garbage.

BERNAL

So, Mister Stelsky, how come you were already gone when the camp was liberated?

STELSKY

I had no reason or desire to remain there.

BERNAL

Okay, but how were you able to leave before the camp was actually liberated?

STELSKY

Gentlemen, it was a long time ago and frankly I can't remember anymore. Conditions were chaotic.

DOLAN

We know that. But still, we have statements from several eye witnesses attesting that you systematically beat and even killed other prisoners, all with the approval of and collaboration with the camp authorities.

STELSKY

I never hurt anybody. I only wanted to survive.

LOUISE

My husband wouldn't hurt a fly. He's a retiree. What do you want from him?

BERNAL

The truth.

STELSKY

I'm telling you the truth. Obviously somebody is out to get me.

BERNAL

Why would anyone be out to get you?

STELSKY

I don't know. Maybe they are mistaking me for someone else.

DOLAN

Okay, but these reports provide some very specific information about your activities at Pilsburg.

STELSKY

The Pilsburg Concentration camp was a brutal place where many people died. All this happened a long time ago and it's something that I would rather not discuss.

BERNAL

Mr. Stelsky, we have the duty to inform you that this investigation into your activities will be continuing and that we may be contacting you again.

STELSKY

Do what you have to, but I can assure you that I was a victim, just like the six million Jews who lost their lives, except that I happened to be one of the lucky few to have survived.

(Dolan and Bernal get up and are putting away their papers, preparing to leave.)

DOLAN

You will be hearing from us again. Have a good day.

(Dolan and Bernal exit.)

LOUISE

You're under investigation? Ivan, what is this all about?

STELSKY

Don't worry, they have nothing on me.

LOUISE

(shocked)

Why should they have ANYTHING on you?

STELSKY

Please, Louise, don't upset yourself.

LOUISE

I can't help being upset. Two government agents just left our home accusing you of being a war criminal! Good lord! Did anything happen during the war that I need to know?

STELSKY

I tell you, nothing happened except my having committed the crime of surviving. Maybe I would have been better off if they had gassed me.

LOUISE

Please don't say that.

STELSKY

Well, it's true. Look at what I have to put with now! Being called a criminal. I didn't ask to be put in a concentration camp and whatever happened in there wasn't my fault. None of it was my fault, do you hear?

LOUISE

Of course, none of it was your fault. I know that.

STELSKY

Please, let's not dwell on this any longer. I'm feeling tired, very tired and I think I'll take a nap.

(Stelsky exits the stage; Louise is silent as the lights go out.)

End of Act 1, Scene 11

Act 1, Scene 12

Time: Night

Place: The bedroom. Stelsky and Louise are asleep. Suddenly Stelsky wakes up, screaming.

NO!!!
STELSKY

LOUISE
(suddenly awakened, alarmed)
What is it, Ivan?

STELSKY
I had a dream, a bad dream.

LOUISE
About what?

STELSKY
Awful stuff, terrible things, things that are too horrible to describe.

LOUISE
Is there anything I can do?

STELSKY
I don't know, I just don't know.

LOUISE
Ivan, what DID happen at Pilsburg?

STELSKY
Things were bad, period.

LOUISE

Ivan, something terrible **MUST** have happened for you to be so upset after all these years.

STELSKY

It was a question of survival, do you understand? I was worried about my mother. It was all, all so awful.

LOUISE

Yet you came through it. You survived and you made a new life for yourself.

STELSKY

Yes, I know that. Louise, is it wrong to want to survive?

LOUISE

That's a pretty deep question. Why do you ask?

STELSKY

Because sometimes I think that I would have been better off dead.

LOUISE

Better off dead? Why are you now so preoccupied with death?

STELSKY

Because it's an escape.

LOUISE

From what?

STELSKY

The agony of living, especially when you're not sure whether you deserve to be alive.

LOUISE

(alarmed)

What are you talking about? I never heard you talk this way before.

STELSKY

I'm sorry for saying such things; I guess I'm just a little rattled by some of the questions those agents asked, it brought back some bad memories.

LOUISE

But you were handling things so well for so many years. What changed?

STELSKY

I don't know. All I know is that my life now seems so worthless.

LOUISE

(alarmed)

How can you say that? You've had a wonderful, full life. How can all that be worthless?

STELSKY

In the camp many bad things happened, things that I am ashamed of, things that I have never talked about, not to you, not to anybody.

LOUISE

What things?

STELSKY

I was forced to do some awful things that hurt people.

LOUISE

But you were FORCED to do those things. The Nazis would have killed you otherwise.

STELSKY

Maybe I was just a coward, couldn't face death.

LOUISE

I've never known you to back away from anything and if you did things in the camp that you are ashamed of, it's not your fault. **NONE** of it is your fault. The Nazis made people do lots of bad things. That's why they had to be defeated.

STELSKY

(takes hold of Louise's hands)

What would I have ever done without you? I love you.

LOUISE

And I love you too.

(Stelsky and Louise look deeply into each other's eyes and start crying as the lights go out.)

End of Act 1, Scene 12

Act 2, Scene 1

Time: 1995

Place: a court room in Miami, Florida. In the court room are Stelsky, his attorney, Irving Hausman, the judge, the court clerk and the prosecuting attorney, Donald Barrow. Louise is sitting in the gallery.

COURT CLERK

The next case on the docket is case number two one five six three eight, the People versus Ivan Stelsky. The defendant is charged with crimes against humanity, conspiracy to commit crimes against humanity, lying to government investigators and obstructing an official investigation,

THE JUDGE

How does the defendant plead?

HAUSMAN

Not guilty, your honor.

THE JUDGE

Mister Barrow, Is the state ready to proceed?

BARROW

We are your honor.

THE JUDGE

Then call your first witness.

BARROW

I call Nadia Lubovski.

(A frail, elderly woman enters the room and sits in the witness box)

BARROW

What is your name?

NADIA

Nadia Lubovksi

BARROW

Do you know the defendant?

NADIA

Yes, I do.

BARROW

From where do you know the defendant?

NADIA

From the Pilsburg Concentration camp, where I was an inmate.

BARROW

And the defendant was an inmate too?

NADIA

Yes. At least I think he was.

BARROW

You're not certain if the defendant was an inmate?

NADIA

Actually, I really don't know. I mean he wore prison clothing and lived in the barracks but he behaved like a Nazi.

HAUSMAN

Objection, your honor. The witness is expressing an opinion.

THE JUDGE

Objection overruled.

BARROW

What do you mean by "he behaved like a Nazi"?

NADIA

He was brutal, vicious, constantly lording over the other prisoners. He was especially sadistic with me.

HAUSMAN

Objection, your honor. The witness is again expressing an opinion.

THE JUDGE

Overruled. The people may continue.

BARROW

How was the defendant sadistic with you?

NADIA

He raped me numerous times.

BARROW

How many times exactly?

NADIA

I wasn't counting, but it had to have been at least seven or eight times.

BARROW

How did you happen to come in contact with the defendant?

NADIA

My matron would order me to visit him and each time he would rape me.

BARROW

Where did these rapes occur?

NADIA

In his room in the barrack.

BARROW

Did he hurt you?

NADIA

Yes, badly.

BARROW

How did the defendant hurt you?

NADIA

Every time I would beg him to stop he would hit me with his fists or with the butt of the truncheon he kept in his room.

BARROW

Did you ever report this to anyone?

NADIA

There was no one I could report this to.

BARROW

Did you suffer any injuries?

NADIA

Yes. I was bruised all over my body and I contracted a venereal disease which made me sterile.

BARROW

No other questions, your honor. Your witness, Mister Hausman.

HAUSMAN

Ms. Lubovski, when did these alleged rapes occur?

NADIA

In 1944 and 1945.

HAUSMAN

That's over fifty years ago, isn't it?

NADIA

Yes.

HAUSMAN

Yet fifty years later, you're certain that it was my client, and not someone else, who raped you?

NADIA

I'm absolutely certain. I'll never forget him or what he did to me.

HAUSMAN

Don't you mean what you **THINK** my client did to you?

NADIA

No, he's the same man, the same vicious brute that violated me again and again, ruining me for life.

HAUSMAN

(to the judge)

Move to strike as nonresponsive.

THE JUDGE

Motion denied. Go on.

HAUSMAN

How can you be certain after so many years that my client is the same man who allegedly raped you in the concentration camp?

BARROW

Objection, your honor. The witness has already testified that it was the defendant who raped her.

THE JUDGE

Objection sustained. Move on to something else, Mister Hausman.

HAUSMAN

Wasn't it true that in the concentration camp women would sell sexual favors for food and other items?

NADIA

I did no such a thing.

HAUSMAN

But others did, did they not?

NADIA

I wouldn't know anything about that.

HAUSMAN

Oh, I see. You were one of those decent girls?

BARROW

Objection, your honor. Counsel is mocking the witness.

HAUSMAN

Question withdrawn. (*pause*) What was your job assignment in the camp?

NADIA

I was assigned to a construction detail.

HAUSMAN

Was it hard, heavy work?

NADIA

Yes, it was.

HAUSMAN

I bet you would have done anything to get off that detail.

BARROW

Objection, your honor.

THE JUDGE

Sustained.

HAUSMAN

How long were you assigned to that detail?

NADIA

About two weeks.

HAUSMAN

Then were you reassigned somewhere else?

NADIA

Yes

HAUSMAN

To what?

NADIA

To a housecleaning detail.

HAUSMAN

Was that easier work?

NADIA

It was hard work.

HAUSMAN

I asked if it was easier work. Was it?

NADIA

Yes, it was.

HAUSMAN

How did you manage to get transferred?

NADIA

I don't know, it just happened.

HAUSMAN

It just happened. You didn't trade anything in return for that easier assignment?

NADIA

I had nothing to trade.

HAUSMAN

Nothing? What about your body?

NADIA

HOW DARE YOU ASK ME THAT?

HAUSMAN

Your honor, please instruct the witness to answer the question.

THE JUDGE

The witness is instructed to answer the question. *(to Nadia)* Please answer the question.

NADIA

I never sold my body for favors. Never.

HAUSMAN

No further questions.

(Nadia slowly gets up from the witness chair and leaves the court room.)

THE JUDGE
(to Barrow)

Call you next witness

BARROW

The prosecution calls to the stand Sigmund Rubinski

(Rubinski enters the court room and slowly takes a seat in the witness stand.)

BARROW

What is your name?

RUBINSKI

Sigmund Rubinski

BARROW

Do you know the defendant?

RUBINSKI

I do.

BARROW

From where do you know the defendant?

RUBINSKI

From the Pilsburg Concentration camp where we were both inmates.

BARROW

During your incarceration at Pilsburg, did you ever interact with the defendant?

RUBINSKI

I did.

BARROW

How did you come to interact with the defendant?

RUBINSKI

He made me his assistant.

BARROW

Assistant to do what?

RUBINSKI

To keep order in the barracks. He was the Kapo and he made me his assistant Kapo.

BARROW

As a so-called assistant Kapo, what were your responsibilities?

RUBINSKI

Basically to use whatever means necessary to keep order in the barracks.

BARROW

By what ever means necessary, what did that entail?

RUBINSKI

Beating up on the inmates, assigning punishment work like emptying the latrines and other unpleasant tasks.

BARROW

Did you ever personally beat any inmates?

RUBINSKI

I did.

BARROW

Was the defendant aware of what you were doing?

RUBINSKI

Not only was he aware, he used to berate me severely for not being even rougher on the men.

BARROW

So everything you did was done under the defendant's supervision?

RUBINSKI

Everything.

BARROW

Why did you do it?

RUBINSKI

Because if I hadn't, the defendant would have killed me and I wanted to live.

BARROW

How do you know he would have killed you?

RUBINSKI

Because he told me so, straight to my face and I believed him.

BARROW

Why did you believe him?

RUBINSKI

Because I personally witnessed him severely beat other inmates to death.

HAUSMAN

Objection. Unsubstantiated allegation.

THE JUDGE

Objection overruled. (to *BARROW*) Go on.

BARROW

I have no more questions for this witness. Your witness, Mister Hausman.

HAUSMAN

Isn't it true that you made a deal with the prosecutor to testify in return for immunity?

RUBINSKI

That's true.

HAUSMAN

So you will say anything the prosecution wants to hear, true?

RUBINSKI

No, that is not correct.

HAUSMAN

Isn't it true that you beat other inmates?

RUBINSKI

Yes.

HAUSMAN

And you say that everything you did was with my client's approval.
Was he an SS guard?

RUBINSKI

He wasn't a guard.

HAUSMAN

So he was an inmate, just like you. Is that correct?

RUBINSKI

Yes.

HAUSMAN

So how could my client, who was an inmate just like you, force you
to do anything?

RUBINSKI

He was the Kapo of the barracks.

HAUSMAN

So what? How do we know that you did not go around beating up people all on your own?

BARROW

Objection. Calls for speculation.

HAUSMAN

Your honor, I am trying to show that my client had no authority over anyone.

THE JUDGE

Objection overruled. The witness may answer the question.

RUBINSKI

Because I never did anything in that place on my own.

HAUSMAN

But isn't it true that after the war you were brought up on charges of having run an extortion racket in the camp?

BARROW

Objection. Irrelevant.

THE JUDGE

Objection overruled. The witness may answer the question.

RUBINSKI

Yes, but those charges were later dropped.

HAUSMAN

I have no other questions for this witness.

THE JUDGE

The witness is excused. (*pause*) The state will now call their next witness.

BARROW

The state calls Eugene Dolan.

(Dolan enters the court and takes the witness stand.)

BARROW

What is your name?

DOLAN

Eugene Howard Dolan

BARROW

Are you employed?

DOLAN

Yes, by the FBI.

BARROW

In what capacity?

DOLAN

Senior Special Agent.

BARROW

What is your current assignment?

DOLAN

Currently I am in charge of the FBI investigation into the activities of Ivan Stelsky.

BARROW

What has your investigation entailed?

DOLAN

It has required the compilation and analysis of documentary evidence and interrogations of witnesses.

BARROW

Now I want to show you a document marked State Exhibit number one.

Barrow hands the document to Dolan who examines it and hands it back to Barrow.

Are you familiar with that document?

DOLAN

I am.

BARROW

Please tell the court the nature of this document.

DOLAN

It's a statement dated sometime in 1944 which says that the defendant agrees to voluntarily accept the duties of Kapo for Barracks 24 at the Pilsburg Concentration Camp.

BARROW

Whose signatures appear on the document?

DOLAN

The defendant's, Heisler's and Von Esler's.

BARROW

Who were Heisler and Von Esler?

DOLAN

Heisler was the commandant and Von Esler was his adjutant.

BARROW

During your investigations, did you ever discuss this document with the defendant?

DOLAN

I did not.

BARROW

Why was that?

DOLAN

We discovered this document three days before the start of the trial and so had insufficient time to schedule an interview with the defendant.

BARROW

But the defendant is aware of the existence of this document, correct?

DOLAN

That is correct.

BARROW

And his counsel has had opportunity to read and study the document?

DOLAN

That is correct.

BARROW

Did you ever interview the defendant?

DOLAN

Yes I did, on two occasions.

BARROW

And afterwards, your office felt that there was sufficient evidence to request an arrest warrant?

DOLAN

Yes.

BARROW

And a warrant was granted?

DOLAN

It was, and the defendant was placed in custody and subsequently arraigned before a federal magistrate.

BARROW

During your interviews with the defendant, did he ever admit to having been an inmate at the Pilsburg Concentration camp?

DOLAN

He did.

BARROW

And did he admit to having known of a Commandant Heisler?

DOLAN

He did.

BARROW

And that he was a Kapo at the camp?

DOLAN

No, he did not admit to that but did say that it terrible things happened there.

BARROW

Now I want to show you a standard form five sixty three, marked as state's evidence number two.

(Barrow hands the document to Dolan who examines it and hands it back to Barrow)

BARROW

Did the defendant admit to having signed the five sixty three form?

DOLAN

He claimed he could not remember what he signed so many years ago.

BARROW

What was the defendant's demeanor during the interviews?

HAUSMAN

Objection. Speculation.

THE JUDGE

Objection overruled. The witness may answer.

DOLAN

Generally, the defendant was evasive.

HAUSMAN

Objection. Again speculation.

THE JUDGE

I'll overrule but I must advise the witness to provide specific examples of the defendant's evasiveness.

BARROW

In what way was the defendant evasive?

DOLAN

He was unwilling to acknowledge his own signature on an official government document that was signed by him and witnessed.

BARROW

Thank you. I have no other questions. (*to the defense attorney*)
Your witness.

HAUSMAN

Special Agent Dolan, regarding State's exhibit number one, where was this document found?

DOLAN

In a pile of papers dating back to the Nuremburg War Crimes trial.

HAUSMAN

Where was this pile of papers located?

DOLAN

In the federal archives in Washington DC.

HAUSMAN

How did you happen to locate this document?

DOLAN

By sheer luck. A team of investigators were sifting through papers when we found that document.

HAUSMAN

Now you have testified that the document bears my client's signature, yes?

DOLAN

That is correct.

HAUSMAN

How do you know that it's my client's signature?

DOLAN

Because it was identical to the defendant's signature on his passport and driver's license.

HAUSMAN

Are you a handwriting expert?

DOLAN

No, I'm not.

HAUSMAN

So on what scientific basis can you conclude that the signatures are the same?

DOLAN

Because they LOOK the same.

HAUSMAN

That's it? They look the same?

DOLAN

Yes.

HAUSMAN

That's just your personal opinion, correct?

DOLAN

No, it's my professional opinion.

HAUSMAN

Have you ever been certified as an expert witness in the field of handwriting analysis?

DOLAN

No.

HAUSMAN

You are aware that my client was an inmate in a concentration camp where he was incarcerated against his will solely because he is Jewish?

DOLAN

Yes, I'm aware of that.

HAUSMAN

And that as a prisoner he was at the total mercy of his captors who held total power of life and death over him?

DOLAN

I'm aware of that.

HAUSMAN

So, isn't it possible that anything my client may have signed may have been signed under duress?

DOLAN

Yes, it is possible.

HAUSMAN

I am finished with this witness.

THE JUDGE

The witness may step down.

DOLAN leaves the witness chair and exits the court room.

THE JUDGE

Does the state wish to call any more witnesses?

BARROW

The state rests, your honor.

THE JUDGE

Does the defense wish to call any witnesses?

HAUSMAN

We do, your honor. The defendant.

THE JUDGE

(to Stelsky)

You understand that legally you do not have to testify but that if you do testify you could be subject to cross-examination? Do you understand that?

STELSKY

I do, you honor.

THE JUDGE

Do you still wish to testify?

STELSKY

I do, your honor.

THE JUDGE

The witness may take the stand.

Stelsky takes the witness stand.

HAUSMAN

Mister Stelsky, were you ever an inmate in the Pilsburg Concentration camp?

STELSKY

I was.

HAUSMAN

For how long?

STELSKY

Two years, 1943 until 1945.

HAUSMAN

During that period what were your duties?

STELSKY

Duties? I was a prisoner.

HAUSMAN

Were you ever assigned to be a Kapo?

STELSKY

I was ordered by the Camp Commandant to supervise a barrack.

HAUSMAN

But you were still a prisoner. Is that correct?

STELSKY

Yes, that is correct.

HAUSMAN

Now, the state has produced a form allegedly signed by you agreeing to be a Kapo. Did you ever sign such a form.

STELSKY

I may have. It was a long time ago.

HAUSMAN

Presuming that you did the sign that form, could you have refused to sign?

STELSKY

Out of the question. It would have meant instant execution.

HAUSMAN

Now, what were the duties of a Kapo?

STELSKY

Supervise a barrack, meaning keep order.

HAUSMAN

Did Kapos ever abuse their authority?

STELSKY

Yes.

HAUSMAN

The camp guards would look the other way?

STELSKY

All the time. Prisoners were at the mercy of the Kapos.

HAUSMAN

But Kapos were prisoners too, were they not?

STELSKY

They were.

HAUSMAN

And they did the bidding of the commandant?

STELSKY

Yes, they did.

HAUSMAN

And if they refused?

STELSKY

They were executed, usually by hanging. I witnessed several Kapos who were hanged after refusing to carry out orders.

HAUSMAN

No more questions. Your witness, Mister Barrow.

BARROW

You were a Kapo at the Pilsburg Concentration Camp, were you not?

STELSKY

That's what I was called.

BARROW

Yet, you attempted to conceal that information from government investigators?

STELSKY

No, I did no such thing. At the time I was baffled and confused and could not clearly remember such events from so many years ago.

BARROW

But you now admit that you were a Kapo?

STELSKY

Yes.

BARROW

Now, as a Kapo, you were given total control of the barracks, correct?

STELSKY

Incorrect. The Germans had total control of the barracks.

BARROW

Yet you had authority to discipline your fellow inmates, correct?

STELSKY

I had no authority whatsoever. I was a prisoner and did what I was told.

BARROW

Did that include beating prisoners, denying them food, and assigning them dangerous work?

STELSKY

As Kapo I was responsible for keeping order in the barracks. If I had failed to do that, I and the rest of the barracks would have been liquidated.

BARROW

Yet other Kapos did refuse to obey and suffered the consequences, is that correct?

STELSKY

Yes.

BARROW

Now you heard Ms. Lovinski testify, yes?

STELSKY

I heard her testimony.

BARROW

She said you raped her.

STELSKY

I never raped anybody.

BARROW

She positively identified you as her rapist. Why would she identify you?

STELSKY

I can't explain why.

BARROW

Now, regarding State's evidence number one, the form you signed agreeing to be a Kapo, you signed that form voluntarily, did you not?

STELSKY

I never did anything in that place voluntarily.

BARROW

Yet the form says that you voluntarily agreed to become a Kapo. Is that not true?

STELSKY

I don't remember.

BARROW

Maybe this will help you remember.

(Barrow goes to his desk, grabs the document and hands it to Stelsky.)

BARROW

Now maybe you'll be better able to remember.

THE JUDGE

Does the witness need time to read the document?

STELSKY

No, your honor.

BARROW

Please note where it says, and I quote, "I. Ivan Stelsky, do hereby voluntarily agree to become Kapo of Barracks 24." Have you read that?

STELSKY

Yes I have.

BARROW

So, you did volunteer to become a Kapo, correct?

STELSKY

That is only partially correct. I did become a Kapo but I never volunteered. I was ordered to.

BARROW

But it says that you voluntarily agreed.

STELSKY

Look, sir, I did not write that statement, the commandant did and I would have signed anything that he put in front of me. I was his prisoner.

BARROW

Now, as Kapo, what privileges were you granted?

STELSKY

I was assigned my own bunk and was excused from having to perform heavy work assignments.

BARROW

Did you ever beat anyone?

STELSKY

Yes, but only when they were disobedient.

BARROW

Your assistant Rubinski testified that he witnessed you beat other inmates. Is that true?

STELSKY

No.

BARROW

Then he was lying?

STELSKY

Yes.

BARROW

How do we know that you're not lying?

STELSKY

Because if I was as brutal as you say, I wouldn't have lasted five minutes.

BARROW

But weren't you backed up by the guards?

STELSKY

As far as the guards were concerned all the prisoners were scum.

BARROW
(to the judge)

The answer is nonresponsive, your honor.

THE JUDGE
(to Stelsky)

The witness will answer the question with a yes or no.

STELSKY

Then the answer is no.

BARROW

So if the guards did not back you up, then how could you keep order in the barracks?

STELSKY

The barrack knew that the commandant had appointed me Kapo. That was enough for them not to try to make trouble.

BARROW

And what did you do when someone in the barrack made trouble?

STELSKY

I would summon them to my office and advise them to stop.

BARROW

And if they didn't stop?

STELSKY

I would report the matter to the guards who would then tell me what further action to take.

BARROW

Which would be?

STELSKY

Sending the inmate to the camp jail house or sometimes applying corporal punishment.

BARROW

And who would execute these orders?

STELSKY

Sometimes I would or sometimes other inmates would be assigned.

BARROW

Now, Mister Stelsky, did you personally ever strike anyone with your fists, feet or object?

STELSKY

Yes.

BARROW

Under what circumstances?

STELSKY

When it was found that an inmate had violated a regulation.

BARROW

Are you proud of your service at the camp?

STELSKY

I wouldn't call it service.

BARROW

Then what would you call it?

STELSKY

Extortion. I was forced to perform those duties.

BARROW

Such as rape?

HAUSMAN

Objection, your honor.

BARROW

Withdrawn. (*pause*) Nothing more, you honor.

THE JUDGE

The witness may step down.

Stelsky leaves the witness stand and returns to the defense table.

THE JUDGE

Mr. Hausman, do have any other witnesses to call?

HAUSMAN

The defense rests, you honor.

THE JUDGE

I will now deliberate on this matter and announce my decision in one week. Court adjourned.

The Judge bangs his gavel.

Lights fade.

End of Act 2, Scene 1

Act 2, Scene 2

Time: At night

Place: The bedroom in Stelsky's house. Stelsky and Louise are in bed sleeping. Stelsky is having a dream. Nadia, Rubinski, Boris, Pavel, Heisler and Von Esler enter the dream and form a circle around Stelsky.

NADIA

You know that what you did was wrong. You are an evil, wicked man.

RUBINSKI

I did your bidding, you murderer.

BORIS

You drove me to commit suicide.

PAVEL

I thought we were friends. How could you turn against me?

HEISLER

You thought you were better than me? Ha! You're worse, you're a hypocrite.

VON ESLER

You tried to out Nazi us just to save your skin. You're just another filthy Jew who's was willing to sell out his own people to save himself.

STELSKY

No! It isn't true! **NONE OF THIS IS TRUE!**

PAVEL

But it IS true, Ivan. Your actions proved it. You are a murderer. You don't deserve to live.

All start chanting in unison:

Nazi! Murderer! Pimp!

Nazi! Murderer! Pimp!

Nazi! Murderer! Pimp!

STELSKY

NO! I was just following orders!

HEISLER

Ha! You see! You were just like us, just following orders. That was my defense at the war crimes trial and look what happened to me? I was hanged!

NADIA

Who ordered you to rape me?

PAVEL

Who ordered you to kill me?

BORIS

Who ordered you to torment me?

All scream in unison:

NOBODY ORDERED YOU!

STELSKY

I am not a murderer! I was a victim, just like you!

HEISLER

(laughing)

I'm a victim too? Well, thank you. I am honored.

STELSKY

No, I don't mean you.

VON ESLER

Just like a Jew, trying to talk his way out of trouble.

NADIA

**Blood is on your hands, Jewish blood, your own people's blood.
And you never did find out about your mother, did you?**

STELSKY

Don't mention my mother! You have no right to mention my mother.

NADIA

Your mother died while you became a pimp.

PAVEL

Your mother died while you became a murderer.

BORIS

Your mother died while you became a Nazi.

STELSKY
(screaming)

NO! NO! NO!

All scream in unison:

**YES ! YES! YES!!
NOW DIE! DIE! DIE!**

(Suddenly a hole opens up where Stelsky is standing. He is sinking into the hole. Then Stelsky wakes up screaming; sweat his running down face. Louise wakes up.)

LOUISE
(alarmed)

What is it?

STELSKY

A dream, a bad dream.

LOUISE

About what?

STELSKY

It's too terrible to talk about it. All I know is that I didn't do anything wrong.

LOUISE

Of course you didn't, Ivan.

Louise starts stroking Stelsky's head and then cradles him in her arms.

LOUISE

There, there. There, there.

From offstage comes a chant:

Evil doers sometime cry,
They make a fuss,
They live a lie,
They act so nice
When it suits their needs,
But justice comes
And tugs their sleeve.
You can run away
and try to hide
But memories are not so kind
They have a way to reappear
And change your mood from
Cheer to fear.
It's nature's way
To reign us in,
To pull us down
To make us grim
As we act so nice
And live so fine
Until we reach
That reckoning time.

End of Act 2, Scene 2

Act 2, Scene 3

Time: The present

Place: Inside a large government warehouse containing thousands of files.

Hanging from the ceiling is a large sign which says "Closed Files." A janitor is mopping the floor. Suddenly he notices something sticking out from under the bottom of a file cabinet. He bends down and carefully pulls out a faded, crumpled photograph from under the file cabinet. He looks at the photograph, is about to throw it in the garbage bin but hesitates and takes out a cell phone and makes a call.

JANITOR

Mister Schactman, I found a photograph ... on the floor. ... I don't know where it came from. ... it's a pretty old photograph ... it looks like a guy in a black uniform shaking hands with another guy wearing a striped suit. ... Yeah, I agree. It's a weird photo. ... I was just about to toss it, but I thought I should call you first. ... So, what should I do with it? ... Okay, I'll do that.

(The Janitor then makes another call.)

Hello ... FBI? ...

The End