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Defamation

By

TODD LOGAN

Dramatic Publishing Company

Woodstock, Illinois • Australia • New Zealand • South Africa

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TODD LOGAN

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(DEFAMATION)

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Defamation was produced by Canamac Productions and performed in Evanston, Ill., on Nov. 8, 2010, at Sherman United Methodist Church; on Nov. 9, 2010, at the Unitarian Church of Evanston; and on Nov. 10, 2010, at Beth Emet The Free Synagogue. It was directed by Richard Shavzin.

CAST:

Judge Adrian Barnes Robert Riley
Mr. Lawton..... Steve Pringle
Regina Wade Jacquie Coleman
Ms. Allen..... Shariba Rivers
Lorraine Jordan Demetria Thomas
Arthur Golden Bernie Beck

Defamation

CHARACTERS

JUDGE ADRIAN BARNES: any race or gender, at least 40 years old.

MR. LAWTON: white, 35-65 years old.

REGINA WADE: black, 40 years old.

MS. ALLEN: black, 40–65 years old.

LORRAINE JORDAN: black, 35 years old.

ARTHUR GOLDEN: white, 50-60 years old.

SETTING

A Chicago courtroom in 2012. There should be no “theatrical” lighting and no noticeable lighting cues. House lights should be at full throughout.

If performed in a non-theatre space, all that is needed are:

Two tables with two chairs each:

Plaintiff stage left

Defendant stage right

Two other chairs centered but offset between the tables:

Witness chair

Judge’s chair (should be somewhat fancier)

PRODUCTION NOTES

This play contains strong language that may be offensive. The playwright suggests indicating that there is strong language in the play programs.

The playwright also suggests that the following information is included in the programs:

The Case

In this play, the plaintiff, Ms. Regina Wade is suing Mr. Golden for defamation.

In order for Ms. Wade to win her case she must prove both:

That a false statement was made about her to a third party.

And

She was damaged financially as a direct result of the false statement.

For more information about *Defamation*, including history, audience deliberations, videos, a study guide and more, go to defamationtheplay.com

For professional direction, post show facilitation, workshops and more, you can contact Canamac Productions directly at canamacproductions@gmail.com.

JUDGE. Mr. Golden, you can take a seat. Call your next witness, Ms. Allen.

ALLEN. The defense re-calls Regina Wade to the stand.

(WADE takes the stand.)

JUDGE. Please remember you're still under oath. Go ahead, Ms. Allen.

ALLEN. Ms. Wade, I don't like talking about race. It leads to too many disagreements and misunderstandings. Don't like it coming up in trials because it has a way of making the jury take their eyes off the ball. I don't like discussing religion either. We've got that here, too. And class. Makes for quite a spicy stew. You, Ms. Wade, brought race into this case. I wasn't surprised you talked about your experience

growing up black and tried to connect that dot to Mr. Golden. Certainly as a black woman in America, I can relate to the accusation “If something’s missing, must be the black person who took it.” But you and I both know that sometimes when something is missing, the black person could take it. Isn’t that right, Ms. Wade?

WADE. Yes, it is.

ALLEN. Of course it is. Ms. Wade, you and I are strivers and achievers. Still, no matter how much we achieve, many folks still think the worst of us simply because of the pigmentation of our skin. We resent it. Makes us angry. Isn’t that right?

WADE. That’s why we’re here today.

ALLEN. Touché, Ms. Wade. That’s why you’re here today. You know how you talked about “the look.” You said with the success of your business you stopped noticing the look. I just want to clarify something—did you stop seeing the look, or did you continue to see it and it just didn’t bother you anymore?

WADE. Ms. Allen, you always see it. It just didn’t bother me as much.

ALLEN. Thank you, Ms. Wade. That’s an important distinction—very important to this case. Here’s a question for you. Did you know that there’s no blood test anyone can take that will tell that person’s race?

WADE. Yes, I’m aware of that.

ALLEN. Biologically, we’re all equal. So, when you get down to it, race is just an artificial construct. Obviously, historically that hasn’t meant equal treatment, has it?

WADE. No.

ALLEN. Mr. Golden never made any racial comments to you, did he?

WADE. No, he didn't.

ALLEN. Good. Want to be clear about that. Yet, you said at the end of the day, to Mr. Arthur Golden, you're still a nigger. There was no factual basis for that comment. *(Beat.)* Ms. Wade, you know inferences aren't facts. *(Beat.)* It's not a rhetorical question.

WADE. Ms. Allen, I know inferences aren't facts.

ALLEN. Good, I want to be clear about that, too. In July of 2009, you were still living in Bronzeville, is that right?

WADE. Yes.

ALLEN. Bronzeville's predominantly African-American, isn't it?

WADE. Yes, it is.

ALLEN. Mr. Lawton has more than implied that Mr. Golden is a racist because he lives in "lily-white Winnetka." Mr. Golden explained he lives where he lives because that's where he grew up. How about you? Why did you live in Bronzeville?

WADE. I was comfortable living there.

ALLEN. Where you go to bed at night matters to you too.

WADE. I suppose it does.

ALLEN. Would you take offense if someone accused you of racism just because you live in Bronzeville?

WADE. Since I'm not a racist, yes I would.

ALLEN. So you agree with Mr. Golden's comment—you can't judge a person by where they go to bed at night.

WADE. I suppose so.

ALLEN. So, here we are, you suing Mr. Golden for defamation. It strikes me that the only defaming going on here is the defamation of Mr. Golden.

LAWTON. Objection!

JUDGE. Sustained.

ALLEN. I want to get to the day in question. The day you went to Arthur Golden's home. You started out from your condominium in Bronzeville?

WADE. Yes.

ALLEN. It was a pretty hot day, wasn't it.

WADE. It was a summer day.

ALLEN. A Chicago summer day. According to the National Weather Service, July twenty-seventh had a high of ninety-two degrees. The humidity was eighty-seven percent. So it wasn't just hot, it was a real scorcher. When you walked to the L, carry anything with you?

WADE. I had my shoulder bag.

ALLEN. Were you a happy camper as you set out?

WADE. I don't understand your question.

ALLEN. How was your mood?

WADE. My mood was fine.

ALLEN. You weren't a little irritated that you were having to travel two and a half hours for a pro bono job?

WADE. I don't recall.

ALLEN. Fair enough. So, you walk to the L. See a lot of people along the way?

WADE. I'm sure I saw people.

ALLEN. Mostly African-Americans?

WADE. Mostly.

ALLEN. You get on the L. Sit or stand?

WADE. I sat.

ALLEN. Mostly African-Americans on the L?

WADE. Yes, mostly African-Americans.

ALLEN. As you got closer to downtown the demographics changed, didn't they?

WADE. I'm sure they did.

ALLEN. You walked from the L to the Chicago Metra. You must have been feeling the weather as you walked?

WADE. Like you said, it was hot.

ALLEN. Were you perspiring?

WADE. I don't remember.

ALLEN. Did you carry a bottle of water with you?

WADE. I don't remember.

ALLEN. Did you stop for a drink?

WADE. No.

ALLEN. How about when you got to Mr. Golden's? Did his housekeeper offer you a drink?

WADE. No.

ALLEN. A hot day like that, you're sure?

WADE. I'm sure.

ALLEN. How about Mr. Golden, did he offer—

WADE. No, he didn't.

ALLEN. His housekeeper didn't?

WADE. I already said—

ALLEN. Mr. Golden was rushing, probably figured his housekeeper offered you one. Anyway, I'm getting ahead. You took the Chicago Metra out to Winnetka. You go through Evanston, Wilmette, Kenilworth and then Winnetka. Interesting, the contrast—how the landscape changes from city to leafy, wealthy suburbs. When you were on the train did you think about your financial troubles?

WADE. Ms. Allen, I was in the middle of a financial crisis. So, yes, it probably crossed my mind when I was on the train.

ALLEN. You just testified that you were in the middle of a financial crisis before you ever met Mr. Golden. Is that right?

LAWTON. Objection. Asked and answered.

ALLEN. Withdrawn. How about National Graphix' half-million dollar offer to buy your business? The very offer you turned down. Were you thinking about that?

WADE. No.

ALLEN. How about Siegel and Karmin? You must have been wondering how much longer before they would jump to National Graphix?

WADE. No.

ALLEN. Just to be clear, you're not saying that you never thought about the possibility.

WADE. No, I'm not saying that.

ALLEN. If I were you, I would have been thinking about it a lot.

LAWTON. Objection.

ALLEN. Withdrawn. So, you get off at Winnetka. You've got a mile walk to Mr. Golden's house. Seemed like you were disappointed he didn't offer you a ride back to the station.

WADE. I never said I was disappointed.

ALLEN. Not directly, no.

LAWTON. Objection.

JUDGE. Inferences aren't facts, Ms. Allen. Just want to make sure you know that. Objection sustained.

ALLEN. So, you start walking. Did you feel comfortable?

WADE. I was aware of my surroundings.

ALLEN. What exactly does that mean—"aware of your surroundings?"

WADE. Being a black woman walking for the first time in a community I've never been, I am not oblivious to the situation.

ALLEN. Did you feel safe?

WADE. I didn't think anything would happen to me. But I didn't feel at ease either. Does that answer your question?

ALLEN. Did you pass any people?

WADE. Yes, Ms. Allen. I walked past many people. Men, women and children. Yes, they were all white. And yes, many of them gave me “the look.” I was even stopped by a Winnetka police officer, who wanted to know if I knew where I was going. Strange question, isn’t it, Ms. Allen? Do I know where I’m going. As if I just landed from outer space.

ALLEN. Probably not the first time you’ve been profiled.

WADE. No, Ms. Allen, not the first time.

ALLEN. Make you angry?

WADE. What do you think?

ALLEN. I think it made you very angry.

WADE. Yes, it did!

ALLEN. You make it to Golden’s. Quite a house he has overlooking the lake. While you waited in the study did you notice the family photos?

WADE. Hard to miss.

ALLEN. Yes, they are. There are family pictures and then there are family pictures. Mr. Golden arrives. Did he apologize for being late?

WADE. He said he was sorry.

ALLEN. You don’t sound convinced.

WADE. I had never met the man before.

ALLEN. Did you and Mr. Golden shake hands?

WADE. We shook hands.

ALLEN. Didn’t get a drink, at least you got a handshake. Now we get to the moment of truth. Mr. Golden says he took his watch, wallet and keys and put them on the desk. You say you never saw him do it?

WADE. That’s right, I never saw him do it.

ALLEN. Just to be clear, you're not saying he *didn't* put his wallet, watch—

WADE. I'm not saying he didn't.

ALLEN. How about the keys? Did you hear the keys hit the desk?

WADE. No, I didn't hear the keys.

ALLEN. C'mon, you had to have heard a set of keys.

LAWTON. Objection. Asked and answered.

JUDGE. Sustained. Move on, Ms. Allen.

ALLEN. So, there you are. You're the only two people in the room.

You talk for a while. Hey, did you see him taking notes?

WADE. Yes, I saw him taking notes.

ALLEN. On a legal pad?

WADE. Yes, on a legal pad.

ALLEN. Mr. Golden says you were taking notes, too. Is that right?

WADE. Yes, I was taking notes.

ALLEN. Do you still have those notes?

WADE. No.

ALLEN. Why not?

WADE. I didn't get the job. There was no reason to save them.

ALLEN. Just as there was no reason for Mr. Golden to save his notes.

WADE. I'm not the one offering notes on a legal pad as part of my defense.

ALLEN. How was Mr. Golden supposed to know he would need a defense? Ms. Wade, what did you do when Mr. Golden left his study to take the call from his building manager?

WADE. Like I said earlier, I looked through Edgework's brochures.

ALLEN. Did you ever get up?

WADE. No, I didn't.

ALLEN. Don't believe you, Ms. Wade.

WADE. Don't believe me, Ms. Allen.

ALLEN. The last place you wanted to be that summer Saturday was Arthur Golden's house. But you had to go because your biggest client asked you to, and you couldn't take the chance to say no. You couldn't take that chance, could you, Ms. Wade?

WADE. No, I couldn't.

ALLEN. So, you gather yourself that Saturday morning. You step into a ninety-two-degree, humid Chicago summer day. Just a few degrees away from triggering one of those alerts where they tell people to stay inside. All the thoughts racing through your mind—were you going to have to shutter the business? How would you pay off that debt? What were you going to live on? Would you be able to keep your condo? Probably had already done the math on that one. Knew the answer was no. Had you done the math?

WADE. Yes, I had done the math.

ALLEN. What could you really do about any of it? The tanking economy, National Graphix. Their prices were a third less than yours. Bet you couldn't believe it was all happening. Especially to you, Ms. Wade—a proud black woman. How could a life come undone so fast? Then you're on that damn train to Winnetka. The land of the haves and have-a-lots. Getting the look each time you passed someone. Getting stopped by a Winnetka police officer to be asked do you know where you're going. How thirsty you must have been. How insulted you were that you weren't offered a drink. Worse, how angry you were with yourself that you didn't even have the self-confidence to ask for a glass of water. How unimportant Mr. Golden made you feel by showing up late.

WADE. You got that right!

LAWTON. Objection, your honor. Is this going anywhere?

JUDGE. Sounds like the pot's calling the kettle, Mr. Lawton.

You had your say, Ms. Allen's going to get hers.

ALLEN. Then Golden tells you about the theatre built for his son, who probably never had to pay for a roof over his head, and here you are battling to keep a roof over your own head. You had fought your entire life to find peace, and now it was all coming undone. Sitting there listening to Mr. Golden go on and on. What an internal fight it must have been not to explode. Then Mr. Golden gets this call and disappears. So little respect to you. No, Ms. Wade, you didn't stay in that chair. You couldn't have. Your world was imploding. You were ready to jump out of your skin. You stood up. You walked around the room. Everywhere you turned you were mocked. Photos of Golden and his family in Paris, Rome, London—places you've never been and only dreamed of. How long was he going to be on that damn call? The pressure inside building. You needed a release. Something that would take the pain away, something that would make you feel you had some power again. You decide to do something you never imagined doing when you woke up that morning. You decided to steal something, didn't you, Ms. Wade?

WADE. No, I did not.

ALLEN. Sure you did. But not just anything. It had to be something personal. That's why you didn't take the wallet. Wallets you can replace. Contents of wallets can be replaced. A watch is personal. That's how you released the pressure. That's how you re-empowered yourself. You took the watch! Isn't that right, Ms. Wade?

WADE. No, that isn't right!

ALLEN (*beat*). The world's not a fair place, Ms. Wade. I think it's a tougher place for you and me. But no, Ms. Wade, that

doesn't give you license to steal a man's watch, and on top of that, sue him for \$500,000 so you can put your life back together. No further questions. The defense rests.

JUDGE (*to the audience*). I've made a couple of decisions. The first isn't that significant. Oh, some of you may think so. I've been doing this a long time—believe me, it's not. Go ahead, Ms. Wade, you can step down. We're not going to hear closing arguments. Don't need to. We've heard everything that is pertinent in this case. Second decision. I'm not going to adjudicate the matter of Wade v. Golden; you are.