

NUREMBERG

FADE IN ON:

A country road in the morning sun.

Poorly paved. Hundreds of REFUGEES stream up it. Tattered clothes. Hollow faces.

The HONKING of a car horn. The crowds part as a Mercedes sedan edges through, slowly headed towards a grove of trees.

SUPERIMPOSE - May 7, 1945. Last Day of the War in Europe

1 EXT. GROVE OF TREES - MORNING 1

A clutch of American soldiers stand by jeeps in the shade. Smoking and laughing. The sedan, approaching.

SERGEANT POWELL

Heads up!

They raise their weapons towards the Nazi vehicle...

2 INT. MERCEDES SEDAN - MORNING 2

The DRIVER stops the car twenty feet from the Americans. He is sweating. Nervous.

(A note on the GERMAN in the script -- English translation will always be provided in this draft, but unless specifically noted, it will NOT BE SUBTITLED in the film).

A VOICE speaks from the back, calm, and we see tight impressionistic shots of him - a uniform, a host of MEDALS on his chest:

VOICE

*Sachte, Hans. Stellen Sie das Auto
bitte ab. ("Careful, Hans. Turn off
the engine.")*

3 EXT. GROVE OF TREES - MORNING 3

The Mercedes' engine dies. The Americans don't budge. Weapons trained on the car.

4 INT. MERCEDES SEDAN - MORNING 4

The man in back leans forward, and we get our first look at

HERMANN GORING. Tall and proud. A ruddy face with laugh lines. In dress uniform, medals gleaming on his chest.

GORING

*Haben Sie ein Taschentuch? ("Do you
have a handkerchief?")*

The Driver nods, terrified. He slowly pulls out his handkerchief. It is RED.

Goring sighs. He turns to others in the car - his wife EMMY, blonde, stunning, and his 7-year-old daughter EDDA. He reaches down and begins to tear at the hem of Edda's dress...

5 EXT. GROVE OF TREES - MORNING

5

The sedan's front window begins to roll down...

SERGEANT POWELL

(weapon up)

Hands, let me see your hands!

The Driver's hand emerges, waving a torn piece of WHITE FABRIC back and forth. *Surrender.*

Powell swallows. Decides. He moves to the car, weapon up...

6 INT. MERCEDES SEDAN - MORNING

6

Goring turns to his crying wife. He takes her hands in his.

GORING

Meine Liebsten, alles wird gut!

(SUBTITLED)

("Everything is going to be fine, my loves.")

He turns to his daughter.

GORING (CONT'D)

Edda, du wirst tapfer für mich sein?

(SUBTITLED)

("Edda, will you be brave for me?")

EDDA

Ja, Papa. Ich werde richtig tapfer sein.

(SUBTITLED)

("Yes, Papa. I will be so brave.")

She bursts into tears and clutches her father's midsection. Goring kisses her tenderly on the cheek, then straightens his uniform. To his wife:

GORING

Wie sehe ich aus?

(SUBTITLED)

("How do I look?")

Emmy looks at him proudly through the tears.

EMMY

Herrlich.

(SUBTITLED)

("Magnificent.")

He slips off his WEDDING RING and hands it to her.

GORING

*Mach' Dir keine Sorgen, meine Liebe.
Ich weiß genau, was ich mache.*

(SUBTITLED)

*("Don't worry, my love. I know
exactly what I'm doing.")*

7 EXT. GROVE OF TREES - MORNING

7

The other Americans, looking on as the Goring family emerges.
One soldier goes sheet white at the sight of them.

SERGEANT POWELL

Jesus Christ, that's Hermann Goring.

CORPORAL HODGES

Who?

SERGEANT POWELL

Hitler's second in command. The
Fuhrer-in-waiting.

A ripple goes through the soldiers. Goring, with a big
smile:

GORING

*Meine Herren, ich ergebe mich Ihnen
ganz förmlich! Mein Gepäck ist im
Auto. ("Gentleman, I am formally
surrendering. My luggage is in the
car.")*

Hodges turns to his Sergeant, questioning.

CORPORAL HODGES

What- what did he say?

SERGEANT POWELL

He asked us to get his luggage.

8 EXT. WASHINGTON D.C./GEORGETOWN STREET - NIGHT

8

Rain pours. A MAN in a Fedora, TRAVIS, pounds on the door of
an old colonial style home on a well-to-do street.

SUPERIMPOSE - **Washington D.C.**

A light goes on inside, and a man in his 50's opens the front
door. This is JUSTICE ROBERT JACKSON and he is not
accustomed to receiving visitors at this hour. Travis steps
back.

TRAVIS

Justice Jackson?

JACKSON
That depends on if you have a good
reason to be banging on my door at
three in the morning-

TRAVIS
They've captured Hermann Goring
alive.

That wakes Jackson up.

JACKSON
Where?

TRAVIS
Austria.

JACKSON
What are they going to do with him?

TRAVIS
That's the real question, isn't it?
Can I come in?

JACKSON
No.

TRAVIS
But it's raining.

JACKSON
I can see that. Are they going to
shoot him?

TRAVIS
Not that I know of.

JACKSON
Because for a long time they were
going to shoot him.

TRAVIS
Yes, sir.

JACKSON
Churchill Roosevelt signed an order
declaring the Nazi High Command
"World Outlaws" who were to be
executed within six hours of capture-

TRAVIS
An order you opposed.

JACKSON
I'm a Supreme Court Justice; I tend
to frown on executing men without a
trial.

TRAVIS
That's what I'm here to talk about.
Are you sure I can't come in?

JACKSON
Pretty sure. You're Army
Intelligence?

TRAVIS
No.

JACKSON
Justice Department?

TRAVIS
Not exactly.

JACKSON
Then what, exactly?

TRAVIS
Let's just say my boss lives in a
big white house.

A beat as Jackson absorbs what this means.

JACKSON
The President of the United States
wants to put the Nazis on trial?

TRAVIS
No, sir. But he'd like to be talked
into it.

9 INT. US ARMY BARRACKS - NIGHT

9

Prisoners being stripped, deloused with a hose. Allied
soldiers smoke and laugh.

Goring, sits, slowly removing his medals from his uniform.
Carefully placing them on a table. Powell walks past,
plucking an Iron Cross off Goring's uniform like a buffet.

SERGEANT POWELL
Check this one out, boys!

Goring doesn't flinch. Push in on his eyes. Never wavering.
Dangerous. A man with a plan.

10 INT. JACKSON'S HOUSE - NIGHT

10

An hour later. Jackson grips a brandy as he paces around
ELSIE, his secretary, who still wears her rain gear as she
goes through the files on Goring.

ELSIE
It can't be done.

JACKSON
You keep saying that-

ELSIE
Because it can't be done.

JACKSON
Give me one good reason why not.

ELSIE
There's no legal precedent for a trial. There's no international law to base the charges on. No one has ever tried war criminals outside of one nation's jurisdiction, because the whole concept of international law is that one country cannot tell another country's citizens how to conduct themselves-

JACKSON
Elsie-

ELSIE
Trying these men in a German court would be different; what you're talking about is trying them in some legal limbo that doesn't exist, with case law that hasn't been written yet, and on the off chance you're not keeping track, that's about four good reasons why not.

Jackson looks at her.

JACKSON
I'm getting you a drink.

ELSIE
I don't want a drink.

JACKSON
Then I'm getting me another and getting you one for show.

He walks over to the sideboard and uncorks the brandy.

ELSIE
Who do you put on trial? The German commanders? Enlisted men? What about the judges who enforced the racial laws? What about the financiers who made the weapons that shot at us?

JACKSON
(pouring her drink)
Obviously, we'd have to work that out-

ELSIE
And once you decide who to put on
trial, what do you charge them with?

He walks back over and places her drink in front of her.

JACKSON
Conspiracy to wage aggressive war on
the world.

ELSIE
And you want the United States to
argue that as the prosecution?

JACKSON
I do.

ELSIE
Against Germany, a country that
never attacked us.

JACKSON
They attacked our allies, they
declared war on us-

ELSIE
We sat on the sidelines for years,
they didn't lay a finger on us, then
the Japanese attack Pearl Harbor and
suddenly we go to war on *Germany*?
And you want to charge *them* with
aggressive war?
(smiles)
Good luck.

She picks up her drink and sips deeply. Jackson looks down
at his, finished. He takes a seat next to her.

JACKSON
Say, just for a second, that it
could be done-

ELSIE
Robert-

JACKSON
Don't you want to know how I'd do
it?

She looks at him. He has a twinkle in his eye.

JACKSON (CONT'D)
It would have to be a completely
international effort. All of the
allies would have to participate -
The U.S., Britain, France, Russia;
you can't do it without the Russians-

ELSIE
You're talking about a tribunal.

JACKSON
Exactly. Four international judges,
which means four separate
prosecution teams as well-

ELSIE
It's a logistical nightmare-

JACKSON
But it can be done.

Elsie looks at him and then drains the rest of her drink.

ELSIE
You'd need to know what you're
dealing with first.

JACKSON
How do you mean?

ELSIE
If you're going to take the Nazis on
in court on a world stage, you'd
better find out what kind of men
they really are first.

JACKSON
And how do you propose we do that?

And off Elsie's smile, we CUT TO-

11 EXT. LOCOMOTIVE (MOVING) - DAY 11

A WHISTLE blows as the locomotive steams through the European
Countryside, past rolling hills of flowers.

SUPERIMPOSE - **Luxembourg, August 1945.**

12 INT. MONDORF TRAIN CAR (MOVING) - DAY 12

Second class compartment. An attractive woman named LILA
(20's) reads a paper. Across from her, a man in an Army
uniform shuffles cards. Practiced. Handsome.

This is DOUGLAS KELLEY (30's). He cuts cards one handed.
Cuts the deck. Looks at the card. An Ace of Spades.
Cascade shuffles. Cuts again. Looks. The same Ace.

Lila tries to ignore him. Can't. He catches her looking.
Grins, holds out the deck to her.

KELLEY
Pick a card?

LILA
I don't think so.

Kelley places the deck of cards on the table between them.

KELLEY

Okay. Ask me to pick one.

A beat. She studies him, intrigued. She puts down her paper and picks up the deck.

LILA

Pick a card.

Kelley selects a card.

KELLEY

Now ask me to please remember it and put it back in the deck.

LILA

(playing along)

Please remember it and put it back in the deck.

He looks at his card, then slides it back into the deck.

KELLEY

Now shuffle them.

She does. Finishes and looks at him expectantly. The deck sits between them.

LILA

Now what?

KELLEY

My card was the three of spades.

LILA

That's hardly a trick.

He looks to the deck.

KELLEY

Turn over the top one.

A beat. She reaches for the top card of the deck. Turns it over. The three of spades. She smiles, delighted.

LILA

Who are you?

KELLEY

I'm a psychiatrist.

Lila laughs. Kelly grins, all charm.

LILA

Why are you going to Mondorf?

KELLEY

Secret mission.

LILA
They send psychiatrists on secret missions now?

KELLEY
I'm pretty sure I'm the first.

LILA
Doing your part for God and Country?

KELLEY
More like counting the days till I can go home.

LILA
How did you do that with the cards?

KELLEY
I didn't do anything. You're a really good magician.

She smiles at this. Kelley smiles back. As the WHISTLE blows again and the train pulls into the station...

13 EXT. MONDORF - TRAIN STATION - DAY

13

Crowds of soldiers disembark. A gum-chewing Sergeant in a Tigers hat scans them. SERGEANT HOWIE TRIEST (20's, baby-face). He spots Kelley and hurries to him.

HOWIE
Dr. Kelley? Sergeant Howie Triest, at your service! I'm gonna run you over to the Commandant's office.

As Lila passes them-

LILA
Maybe I'll see you around.

HOWIE
(staring after her)
Jiminy, who was that?

KELLEY
That, Howie, was a very attractive woman. Did you say Commandant?

Howie leads him through the crowd towards a waiting Jeep.

HOWIE
Colonel Andrus, yes, sir.

KELLEY
So can you tell me what I'm supposed to be doing here?

HOWIE
I couldn't say.

KELLEY
You couldn't say because you don't know, or you couldn't say because someone told you you couldn't say?

HOWIE
I couldn't say.
(off his look)
Don't get sore at me, Doc, I'm just your translator.

KELLEY
Translator for what?

14 EXT. PALACE HOTEL - MONDORF - DAY 14

Old world class. Soaring spires and grand staircases. Crumbling. An AMERICAN FLAG flies over it now. Barbed wire and guards. Howie drives the jeep through the Guard Gate...

ANDRUS (PRE-LAP)
Major Kelley, welcome to Ashcan...

15 INT. PALACE HOTEL - ANDRUS' MAKESHIFT OFFICE - DAY 15

Kelley and Howie stand at the bottom of a staircase as soldiers hurry past them with supplies, loading them into the hotel. COLONEL BURTON ANDRUS (50's, no-nonsense) faces them, briefing them while also directing the load in.

ANDRUS
My name is Colonel Burton C. Andrus and I imagine you have some questions.

KELLEY
More than a few.

ANDRUS
Then let's get to it. You are standing inside a secret military prison that currently houses the remnants of the Nazi High Command. The governments of Russia, Great Britain, France, and our United States are deciding right now whether to put these men on trial for their lives. You have been brought here to inspect and ensure these men's mental health, especially if this trial goes forward.

Kelley blinks.

KELLEY

Is- is this a joke?

ANDRUS

Major, do I strike you as someone who makes or enjoys jokes?

KELLEY

Not even a little, sir.

ANDRUS

Suicide is the main concern with most of the prisoners. Hitler, Goebbels, and Himmler have all taken their own lives; we can't afford any more losses. Goebbels and Himmler used these - hidden cyanide capsules.

Andrus holds up a small GLASS AMPULE.

ANDRUS (CONT'D)

Now, the one you're going to have to watch closest is Goring-

KELLEY

Goring, as- as in Hermann Goring?

ANDRUS

Yes.

KELLEY

I- you mean- Hermann Goring is *here*?

Andrus turns to Howie.

ANDRUS

Sergeant, did the Major perhaps receive a large blow to the head on the way to my office?

HOWIE

Not that I'm aware of, sir.

KELLEY

I'm sorry, it's just- it's a lot to process-

ANDRUS

Do it faster.

(opens his desk)

When Goring surrendered, he was traveling with his family, over a million dollars in German currency and gemstones, and these.

He tosses Kelley a PILL BOTTLE. Kelley catches it.

ANDRUS (CONT'D)
We sent it back to the States for
classification-

Surprised as Kelley opens the bottle and bites down on a
pill, tasting it.

KELLEY
Paracodeine. Fairly potent
painkiller.
(off their looks)
I'm a fan.

ANDRUS
He says they're for his heart.

KELLEY
Then I have a rather large bridge in
Brooklyn to sell you. These have
nothing to do with the heart; this
is an opiate. How many pills does
he take a day?

HOWIE
Forty.

KELLEY
Then I think it's safe to say the
Reichmarschall's got a drug problem.
Where's his family now?

ANDRUS
Pardon?

KELLEY
You said he was with his family when
he surrendered?

ANDRUS
They were released, they're not your
concern. Your job is to evaluate
Goring and the others' physical and
mental states. That's it.

KELLEY
Sir, I'm a good doctor, but the
entire Nazi High Command might be a
little beyond my area of expertise-

ANDRUS
Believe me, this wasn't my idea.
(tight smile)
Welcome aboard, Major.

16 INT. PALACE HOTEL STAIRS - DAY

16

Kelley strides out of the office, Howie on his heels.

KELLEY
Not great at pep talks, is he?

HOWIE
The Commandant is not noted for his
warmth, sir.

KELLEY
I want to see him.

HOWIE
See who?

KELLEY
Goring. Right now.

HOWIE
You sure you don't want to get
settled first?

KELLEY
I want to know what I'm dealing
with.

HOWIE
You shouldn't be intimidated-

KELLEY
I'm not. Tell me about him.

As they pass a gurney, Kelley snatches up a stethoscope.

HOWIE
Reichsmarschall Hermann Goring -
President of the Reichstag, Minister
of Aviation, Commander in Chief of
the Luftwaffe, Minister of
Economics, founding member of the
Gestapo Secret Police, was appointed
Hitler's successor in 1939, and is
the highest ranking German military
officer of all time.

KELLEY
Okay, now I'm a little intimidated.

As they push through a guarded door into

17

INT. PALACE HOTEL - GORING'S SUITE/CELL - DAY

17

Vaulted ceilings. Parquet floors. Bars over the windows.

HERMANN GORING himself sits reading. Oscar Wilde. He wears
an approximation of a military uniform, with no medals.

Kelley stops in his tracks. He can't believe he's in the
same room with this man. Goring's eyes go to Howie as he
enters. He smiles. Warm and inviting. Howie nods.

HOWIE
Reichsmarschall.

GORING

*Guten Tag, Herr Triest! Und in
wessen Begleitung? ("Good day, Mr.
Triest! Who is accompanying you?)*

KELLEY
 (gathers himself)
 Reichsmarschall Goring... my name is
 Dr. Douglas Kelley.

HOWIE
 (translating; to
 Goring)
"Mein Name ist Dr. Douglas Kelley".

GORING
*Wunderbar! Ein Arzt! Ist er hier,
 um mich zu untersuchen?*

HOWIE
 (translating)
*"Wonderful, a doctor! Is he here to
 examine me?"*

KELLEY
 I am. May I take your pulse?

HOWIE
 (translating)
*"Ja das bin ich, darf ich ihren Puls
 messen?"*

Goring offers his wrist.

GORING
Ich brauche meine Tabletten.

HOWIE
 (translating)
 He says he needs his pills.

Kelley checks Goring's pulse and frowns.

KELLEY
 Your pulse is at 84, which is not
 optimal. I understand you've had
 heart trouble?

HOWIE
 (to Goring)
*"Verstehe ich richtig, dass Sie
 Herzbeschwerden hatten?"*

GORING
*Ich hatte mehrere kleine
 Herzinfarkte. Die Tabletten helfen
 dabei.*

HOWIE
 (translating)
 "I've had several minor heart attacks. The pills help with that."

KELLEY
 Could you please open your shirt?

HOWIE
Könnten sie bitte ihr Hemd aufknöpfen?"

Goring unbuttons the front of his shirt.

KELLEY
 Respiration is rapid and shallow-
 don't translate that.
 (to Goring)
 The pills help with the pain as well?

HOWIE
 (to Goring)
"Und die Tabletten helfen auch gegen die Schmerzen?"

GORING
Ich wurde im Ersten Weltkrieg angeschossen. Ich habe eine Kugel in meiner rechten Hüfte. 1923, während des Putes in Münchnen wurde in die Leiste geschossen.

HOWIE
 (translating)
 "I was shot down in World War I. I have a bullet in my right hip. In 1923 I was shot in the groin during the Munich Putsch."

KELLEY
 You've been shot a lot, sir.

HOWIE
 (translates)
"Mein Herr, Sie wurden ganz schön oft angeschossen."

Goring bursts out laughing, nodding:

GORING
Berufsrisiko.

HOWIE
 (translating)
 "Occupational hazard."

Kelley smiles and removes the stethoscope.

KELLEY

If you really want to take care of
your heart, the best way to do that
is to lose some weight.

HOWIE

(translates)

*"Wenn Sie wirklich auf Ihr Herz
achtgeben wollen, ist es das Beste,
wenn Sie etwas abnehmen."*

GORING

*Sie sehen die beste Statur in ganz
Deutschland, frag einfach meine
Frau.*

HOWIE

(translating)

*"I assure you, you are looking at
the best physique in all of Germany,
just ask my wife."*

KELLEY

*I'm sure you're right, sir, but the
guards here call you 'Fat Stuff.'*

Goring's smile falters at this. Kelley notices.

KELLEY (CONT'D)

*I know losing this weight would be
hard for lesser men, but I am sure
you possess a discipline and
fortitude that others do not.*

HOWIE

(translates)

*"Ich weiß, abzunehmen wäre für
mindere Männer hart, aber ich bin
mir sicher, daß Sie über eine
Disziplin und Starke verfügen, die
andere nicht haben."*

Goring looks at Kelley for a beat.

GORING

*Ich wäre für meine Landsleute ein
gutes Vorbild, oder?*

HOWIE

(translating)

*"I would be a good example to my
fellow countrymen, wouldn't I?"*

KELLEY

Absolutely.

Goring smiles at this and looks at Howie.

GORING

*Sehen Sie, Howie, dieser Mann ist
anders.*

HOWIE
(translating)
"You see, Howie? This man is
different."

GORING
*Wir werden Freunde sein. Ich bin
davon überzeugt.*

Goring puts his hand on Kelley's as Howie translates.

HOWIE
(translating)
"We are going to be good friends. I
am sure of it."

18 INT. PALACE HOTEL - CORRIDOR - DAY

18

As they exit the cell and the MP closes the door behind them-

KELLEY
Pen, I need a pen!

Howie fumbles a pencil from his pocket and gives it to Kelley who begins scribbling furiously in his notepad.

We see snippets of the notes - "*inflated sense of self*",
"*1923: shot in leg*".

Howie waits. Kelley finishes. Breathing hard and then-

KELLEY (CONT'D)
He speaks English.

HOWIE
What? No-

KELLEY
The way he looked at me when I
called him fat, he understood me.
He's been playing you.

HOWIE
Why would he pretend?

KELLEY
Translation gives him more time to
consider his answers, he thinks that
gives him the advantage.

Howie stares at him, processing this.

HOWIE
You're saying I spent the last three
months mumbling to myself while he
understood every word?

KELLEY

Pretty much.

HOWIE

Jiminy! You gonna tell him you know?

KELLEY

No. He's gonna tell me when he's ready.

HOWIE

And when's that?

KELLEY

When he determines I'm not a threat.
(exhales)
I want to meet the rest of them.
Who's next?

He starts down the hall and Howie follows and we PRE-LAP:

HOWIE

Dr. Robert Ley...

19

EXT. RALLY AT THE BERLIN SPORTPALAST - DAY - **FLASHBACK**

19

February 6, 1942. ROBERT LEY (50's) in full Nazi Uniform delivering a fiery speech into a microphone...

LEY

Wer auch immer den Kampf mit Juda beginnt, einen Kampf auf Leben und Tod... einen „Vertrag von Versailles“ wird es nie mehr geben. Wenn wir, die Deutschen, in diesem Kampf besiegt würden, dann würde das deutsche Volk mit Stumpf und Stil ausgerottet. Der Jude kennt keine Barmherzigkeit, keine Gnade in diesem Kampf um Leben und Tod, um Existenz oder Nichtexistenz. Gott Jehova ist der Gott der Rache! Er wird dich auffressen, mein Freund. Dieser Kampf muss geführt werden, ob wir wollen oder nicht. Dieser Kampf ist unerbittlich, unabänderlich. Der Jude will diesen Krieg.

("Whoever starts the fight with Judah starts a fight of life and death ... a Versailles Treaty will never happen again. If we, the Germans, were to be defeated in this fight, then the German people will be exterminated, root and branch. The Jew knows no mercy, no grace in this fight of life and death, of existence and non existence. God Jehova is the God of Revenge.

(MORE)

LEY (CONT'D)

He will devour you, my friend. This fight must be fought. If we want or not. This fight is relentless, unchangeable. The Jew wants this war.")

19A EXT. VILLAGE SQUARE - DAY - **FLASHBACK**

19A

CHILDREN gathered around a radio, listening to the bile that spews forth from it in the form of Ley's hate speech...

HOWIE (V.O.)

He once wrote a book that was so complimentary of the Fuhrer that Hitler had the entire run destroyed because he was so embarrassed.

20

INT. PALACE HOTEL - INTERVIEW ROOM - DAY

20

A large grand room with a balcony overlooking and several tables. Ley, in ill-fitting fatigues, sits across from them, thundering at Kelley and Howie...

LEY

...Diese ganze Angelegenheit ist verrückt. Amerika ist von europäischem Blut, Deutschland ist von europäischem Blut, wir sind dieselben! Sogar jetzt schwört sich Russland gegen Sie.

(MORE)

LEY (CONT'D)

Deutschland und Amerika, stehen zusammen? Wir könnten unaufhaltsam sein.

HOWIE

(translating)

"This whole affair is foolishness! America is of European blood, Germany is of European blood, we are the same! Even now, Russia plots against you. Germany and America, standing together? We could be unstoppable."

LEY

"Ich bin nicht wie die anderen machthungrigen Männer, die sie hier eingesperrt haben. Ich rieche den Juden. Ich bin ein „Instinktiver Antisemit“"

HOWIE

(translating)

"I am not like these other power hungry men you have locked up here. I can smell the Jew. I am an instinctive anti-semite."

Kelley looks at him as we PRE-LAP:

HOWIE (CONT'D)

Great Admiral Karl Donitz...

21 EXT. NAZI U-BOAT - DAY - **FLASHBACK**

21

Fog. The imposing ADMIRAL DONITZ (50's) stands on the Conning Tower of a submarine, smoking a cigar, barking orders as a torpedoed DESTROYER burns in the distance...

HOWIE (V.O.)

The German Navy's Commander In Chief. Architect of the U-Boat attacks that crippled the British Navy...

22 INT. PALACE HOTEL - INTERVIEW ROOM - DAY

22

Donitz now sits in the room, addressing Kelley and Howie.

DONITZ

Ich bin nun schon seit 76 (sechundsiebzig) Tagen in Haft. Ich muss jetzt offiziell verhaftet oder wegen eines bestimmten Verbrechens angeklagt werden, was einen unmittelbaren Verstoß der Genfer Konvention bedeutet. Stellen Sie mich unter Anklage oder lassen Sie mich frei.

HOWIE

(translating)

"I have been in custody now for seventy-six days. I have yet to be formally arrested or charged with a specific crime, which is a direct violation of the Geneva Convention. Charge me or release me."

On Donitz's face as we PRE-LAP:

HOWIE (CONT'D)

Julius Streicher...

23 INT. BERLIN NEWSPAPER OFFICE - NIGHT - **FLASHBACK** 23

Printing presses crank out newspapers, as an nasty, balding, ink-stained man named JULIUS STREICHER (60's) looks on...

HOWIE (V.O.)
Hitler's Director of Propaganda.
Publisher of the national anti-
Semetic paper, "Der Stürmer".

24 INT. PALACE HOTEL - INTERVIEW ROOM - DAY 24

The reptilian Streicher studies Kelley as Howie looks on.

STREICHER
*Sind Sie ein Jude? ("Are you a
Jew?")*

HOWIE
He wants to know if you're a Jew.

KELLEY
No.

STREICHER
*Aber Sie arbeiten in einem jüdischen
Beruf.*

HOWIE
(translating)
"But you work in a Jewish
profession."

STREICHER
*Ich weiß nicht wer schlimmer ist -
diejenigen, die nicht sehen, dass
alles Übel der Welt jüdisch ist,
oder diejenigen, die es sehen und
tatenlos daneben stehen.*

HOWIE
(translating)
"I do not know what is worse - those
who do not see the evil of Jewry in
the world, or those who see it but
stand by and do nothing."

STREICHER
Für was kämpfen Sie, Doktor?

HOWIE
(translating)
"What do you fight for, Doctor?"

Kelley smiles at Streicher.

KELLEY
Honestly? I was drafted.

25 EXT. WASHINGTON D.C. - THE PENTAGON BUILDING - DAY 25

We soar over the newly built PENTAGON BUILDING, less than a year old. Scaffolding still up, the exterior being painted.

GENERAL MARSHALL
The US Army can absolutely not
support the idea of a trial.

26 INT. PENTAGON - GENERAL MARSHALL'S OFFICE - DAY 26

Jackson sits across from GENERAL GEORGE C. MARSHALL, Chief of Staff of the Army.

JACKSON
Why not?

GENERAL MARSHALL
For starters, you'd be prosecuting
soldiers for following orders, which
is precisely what soldiers are
supposed to do - it could set a very
dangerous precedent. I say we stick
to the original plan.

JACKSON
Summarily executing them without a
trial. You don't think *that* would
set a dangerous precedent?

Marshall exhales.

GENERAL MARSHALL
I follow orders too, Bob. You get
someone high up enough on the food
chain to give the word, then I'll
have no choice but to go along. But
you and I both know that's not going
to happen.

JACKSON
Why not?

GENERAL MARSHALL
Because Congress won't let it.

27 INT. WASHINGTON D.C. - COCKTAIL PARTY - NIGHT 27

Raucous laughter in a smoky lounge in a Georgetown Apartment. Jackson stands with SENATOR WILLIAM FULBRIGHT of Arkansas and SENATOR ALBEN BARKLEY of Kentucky.

SENATOR BARKLEY
Truman wants to win reelection in
'48, he's not gonna do it coddling
the Nazis-

SENATOR FULBRIGHT
True enough, plus a trial means
delays-

SENATOR BARKLEY
Huge delays-

SENATOR FULBRIGHT
And it means giving them a chance to
tell their stories to the world.

JACKSON
What are we afraid to hear them
tell?

Fulbright stares at him like he's crazy.

SENATOR FULBRIGHT
We won the damn war, Bob, you really
want to refight the ideas behind it
on national television? Because if
you do this, it'll turn into the
biggest boondoggle of all time.
Cameras in the damn courtroom-

SENATOR BARKLEY
And what if they're sympathetic?
What if all this does is provide
them with a platform for anti-
semitism all over the world? You
want to be responsible for that?
Cause I sure as hell don't.
(drains his drink)
You wanna know if I'm comfortable
executing a few Nazis without a
trial? You're damn right I am.

He heads for the bar to find another drink. Fulbright leans
in to Jackson, conspiratorially.

SENATOR FULBRIGHT
Doesn't matter anyway. You'll never
get the Russians.

28 INT. SUPREME COURT - JUSTICE JACKSON'S CHAMBERS - DAY 28

Polished oak, thick rugs. Jackson hurries into his office,
nearly bumping into Elsie and a young man named COLONEL JOHN
AMEN in the corridor.

ELSIE
We got the Russians.

JACKSON
We did?

COLONEL AMEN
Truman called Stalin himself,
they're looking at Nikitchenko for
lead prosecutor.

JACKSON
That is fantastic news and I have no
idea who you are.

COLONEL AMEN
(offers a hand)
Colonel John Amen, sir, I work for
the Judge Advocate General.

JACKSON
So the Army sent us a lawyer?

COLONEL AMEN
Yes, sir. I bring greetings from
General Eisenhower. He wants you to
know he's not for shooting anyone
without a trial.

ELSIE
Well, that's progress.

COLONEL AMEN
He also says he hopes the trial
won't take too long, so we can get
on with shooting them.

JACKSON
I guess we'll take what we can get.

COLONEL AMEN
I've read a lot about you, sir.
They say you're going to be the next
Chief Justice.

ELSIE
(proudly)
The President promised him the seat
personally-

JACKSON
And swore me to secrecy, so let's
maybe not tell everyone who walks
into the office about it, okay?

COLONEL AMEN
Everyone in my office says there's
no way you get the trial.

JACKSON
And what do you say?

COLONEL AMEN

(smiles)

I say I like an underdog. How are the prisoners doing?

JACKSON

Believe me, they're getting the best care possible.

29 INT. PALACE HOTEL - INTERVIEW ROOM - NIGHT

29

Late. Kelley sits, scotch at his side, deck of cards on the desk. A soldier mops the floors. Kelley, writing in a black and white notebook by candlelight. He fiddles with cards as he scribbles, cuts to the Ace of Spades again.

KELLEY (V.O.)

Goring seems in control of himself and his surroundings at all times...

30 INT. PALACE HOTEL - GORING'S SUITE/CELL - NIGHT

30

Shots of Goring trying to do push-ups in his room. Not making great progress. Cursing himself, trying again...

GORING

Gott im Himmel, Hermann!

KELLEY (V.O.)

He has begun a strict self imposed diet and exercise regimen and is dropping weight.

31 INT. PALACE HOTEL - INTERVIEW ROOM - NIGHT

31

Back to Kelley, writing.

KELLEY (V.O.)

It is almost as if he is training for something...

Kelley cuts to a card. Not the Ace. The King of Hearts. He frowns. Missed where he was aiming for.

KELLEY (V.O.)

Contrast this with Streicher, who cannot have a conversation for more than a few minutes without veering off into what he terms "The Jewish Problem". If one were to write a book about him-

Kelley stops. Stares down at this sentence. His eyes going over it again. *If one were to write a book...*

32 INT. PALACE HOTEL - HOWIE'S ROOM - NIGHT

32

Pounding on the door. Howie opens it, bleary-eyed, to reveal-

KELLEY
Is there a library in town?

HOWIE
You want to go to a library?

KELLEY
Yes.

HOWIE
At 2:33 in the morning?

KELLEY
Yes. Get your coat.

A beat.

HOWIE
I'll get my coat.

33 INT. MONDORF LIBRARY - NIGHT

33

Bombed out. Half the roof has caved in. Flashlights sweep through the sooty air, carried by Kelley and Howie. The latter pushes an empty wheelbarrow as Kelley scans the stacks.

HOWIE
Must've got hit with a shell...
Mind telling me what we're looking
for, Doc?

Kelley pulls a book from the stacks and holds it up.

KELLEY
This.

HOWIE
(squints at it)
A biography of Goring?

KELLEY
With the sheer amount of narcissists
we've got locked up in that hotel, I
bet at least half have books in here
written about them or written by
them. We're gonna study up.

He tosses Goring's book into Howie's wheelbarrow, and goes back to scanning the stacks.

HOWIE
You speak German, Doc?

KELLEY
Not even a little. How'd you learn?

HOWIE
My mother spoke it, I wanted to be
like her.

(MORE)

HOWIE (CONT'D)
(finds another book)
Autobiography of Ribbentropp.

KELLEY
Nice.

Howie tosses it into the wheelbarrow as they push on.

HOWIE
You really think you can do it?

KELLEY
Do what?

HOWIE
Get these guys to open up to you?

KELLEY
Sure.

HOWIE
How?

KELLEY
It's a con. A trick. Everyone wants to be listened to, it's a natural instinct. I learn about them, get them to trust me, and they open up.

HOWIE
You make it sound easy.

KELLEY
You ever feel like you were destined for something, Howie? Like you were meant to do something great?

HOWIE
Not really.

KELLEY
Bull. Everybody feels that way, they just don't like to admit it. These men did too - they almost took over the world. That's my way in.

HOWIE
Do you feel that way?

KELLEY
Like I was destined to be great?
(smiles)
Hell yeah. And this is how I'm gonna do it.

HOWIE
By making me translate a lot of books?

Kelley smiles, looking at him.

KELLEY

What if we could dissect evil?

(pause)

What sets these men apart from all others? What enabled them to commit the crimes they did? You've heard about the work camps for Jews? Rumor has it they're not just work camps.

HOWIE

I've heard.

KELLEY

So how do people become like that? For the first time in history, we have an actual shot to figure that out, Howie. To find out what makes the Germans different.

HOWIE

Different?

KELLEY

From the rest of us. A man who writes a book about that could make a lot of money.

Howie looks at him and then chuckles.

HOWIE

For a second there, Doc, I thought you were being noble.

KELLEY

You want noble? Fine. If we could psychologically define evil, we could make sure something like this never happens again.

(smiles)

We could save the world.

HOWIE

Shrinks don't save the world, Doc. Neither do translators.

Kelley tosses a book by Streicher into wheelbarrow and grins.

KELLEY

There's a first time for everything.

34

EXT. PALACE HOTEL - MONDORF - DAWN

34

Sunrise breaks over the hotel. Kelley and Howie unload stacks of books from their jeep. Interrupted as a GROUP OF MP's sprint past them across the Courtyard.

KELLEY
What's going on?

M.P.
Hermann Goring can't breathe!

Kelley and Howie exchange a look and burst into a run-

35

INT. PALACE HOTEL - GORING'S SUITE/CELL - DAWN

35

Pandemonium. Kelley and Howie burst in to find Goring, clutching at his throat, gasping. Kelley pushes through to get ahold of a struggling Goring, checking his throat-

KELLEY
His airway is clear-

HOWIE
That's good.

KELLEY
(checks his pulse)
Yeah, he's having a heart attack.

HOWIE
What?

KELLEY
Where the hell's the prison doctor?-

M.P. (CORPORAL JONES)
On his way!

KELLEY
Tell him to hurry. Howie, I need some aspirin, plain old ordinary aspirin, get it now! *Go!*

Howie bolts out the door. To the Guards-

KELLEY (CONT'D)
Get him on the bed-

Eyes bulging, Goring lurches towards the writing desk like a bull, but collapses halfway there!

KELLEY (CONT'D)
Whoa!

Kelley kneels with Goring, who is gasping, eyes wide.

KELLEY (CONT'D)
Listen to me! Your heart is still beating, which means you are *alive*, and I'm going to keep you that way, but I need you to calm down-

Goring's panicked eyes find Kelley's.

KELLEY (CONT'D)
Breathe with me. In and out. We're
gonna slow your pulse. In and out.

Goring breathes with him. In and out.

KELLEY (CONT'D)
I'm here. I'm here and you are not
going to die-

Goring, reaching towards the PICTURE OF HIS WIFE on his
writing desk.

KELLEY (CONT'D)
Is that your wife? Is that what you
want?

Goring nods, still trying to breathe. Kelley snatches the
photo up and presses it into Goring's hands.

KELLEY (CONT'D)
She's here. She's right here with
you. In and out. Breathe with me
now, come on-

Howie arrives at a sprint.

HOWIE
Doctor's coming! Here's the
aspirin!

Kelley takes it and sticks it into Goring's mouth.

KELLEY	HOWIE (CONT'D)	
Chew it up. Best thing for	Kauen Sie! Das Beste fürs	
the heart, plain old aspirin.	Herz ist Aspirin.	*

Goring stares at him, not chewing. Kelley takes another pill
and puts in his own mouth, chewing. Demonstrating it's safe.

KELLEY (CONT'D)	HOWIE (CONT'D)	
Trust me.	Vertrauen Sie mir!	*

A beat. And Goring does it. Chewing.

KELLEY (CONT'D)
Okay. Okay. You're alive.

HOWIE
Sie leben.

Goring does. He sits there, clutching Kelley's hands, and
they breathe together. Slowing back to normal. The PRISON
DOCTOR bangs through the door with a gurney.

PRISON DOCTOR

Let's get him to the infirmary!

As the Guards move to get Goring, he squeezes Kelley's hand.

GORING

...thank you...

They rush Goring out, leaving Kelley and Howie. The room is suddenly very quiet.

HOWIE
He gonna be all right, Doc?

Kelley nods and picks up the fallen picture of Goring's wife. Looks at her. *Beautiful.* He grins.

HOWIE (CONT'D)
What are you smiling at?

Kelley looks at him.

KELLEY
He said thank you in English.

36 INT. PALACE HOTEL - INTERVIEW ROOM - MORNING 36

Close on a set of RORSCHACH cards as Kelley removes them from his case in front of Ley.

KELLEY
Good morning, Dr. Ley. I'm going to show you a series of cards, each one with inkblots...

37 INT. PALACE HOTEL - INTERVIEW ROOM - MORNING 37

Streicher, staring at the cards.

KELLEY
And you're going to tell me what each inkblot makes you see.

38 INT. PALACE HOTEL - INFIRMARY - MORNING 38

Goring lies in a hospital bed. Kelley sits across from him, with the cards. Howie stands in the doorway as the Prison Doctor reads a chart.

KELLEY
There is no right or wrong answer here, so just take your time, okay?

HOWIE
Es gibt keine richtige oder falsche Antwort. Nehmen Sie sich Zeit.

GORING
Herr Doktor...?

KELLEY
Yes, sir?

GORING
I am... I can speak to you in English a little. If it would help.

By the doorway, Howie smiles.

KELLEY

Only if you are comfortable with it,
yes. Shall we begin?

39 INT. SUPREME COURT - JUSTICE JACKSON'S CHAMBERS - NIGHT 39

Late. Jackson hangs up a phone as Colonel Amen enters.

COLONEL AMEN

Goring had a heart attack. He's
recovering, but...

(off Jackson's face)

What is it?

JACKSON

Congress is going to say no to the
trial. They just want executions.
I'm out of moves.

COLONEL AMEN

What about the President-

JACKSON

The President wants someone to hide
behind, that's why he needs
Congress. Neither will do it
without the other.

ELSIE

So you need someone bigger to back
it.

They look over to see Elsie watching from her desk.

COLONEL AMEN

Oh come on, Elsie, who's bigger than
the President?

Elsie fixes Jackson with a look. As we PRE-LAP a CHOIR...

CUT TO:

39A EXT. ROME - DAY 39A

Rome. The Vatican. Establishing, soaring over the city.

40 INT. THE VATICAN - DAY 40

Jackson and Colonel Amen, dwarfed by the ornate architecture,
sitting at the bottom of an immense staircase. Behind them,
we see an OLD CARDINAL slowly descending to them. Colonel
Amen lets out a low whistle at the grandeur of it all.

COLONEL AMEN

Jesus Christ...

JACKSON

Literally. Are you a Catholic?

COLONEL AMEN
 (looking around)
 I am now...

As the CARDINAL finally reaches them, out of breath.

CARDINAL
 The Holy Father will see you now.

41 INT. THE VATICAN - GRAND CORRIDOR - DAY

41

Jackson walks through the ornate corridors with POPE PIUS XII (late 60's). Colonel Amen and the Cardinal follow twenty feet behind. The Pope speaks softly, with an Italian accent.

POPE PIUS XII
 You wish to put these men on trial
 for their lives and you have come to
 ask for the Church's blessing in
 this.

JACKSON
 Your support would go a long way to
 building an international consensus.

POPE PIUS XII
 Which you need. Badly.

JACKSON
 We do.

POPE PIUS XII
 And what of the consensus that
 murder is a sin?

JACKSON
 I don't dispute that.

POPE PIUS XII
 It is a Commandment. Handed down by
 God. I understand your own Geneva
 Convention prohibits you from
 executing prisoners of war.

JACKSON
 We are in uncharted territory here,
 Sir.

The Pope considers this, then begins walking again.

POPE PIUS XII
 No one denies these men are evil,
 but an eye for an eye is not the
 answer.

JACKSON
 Maybe not, but I'm pretty sure where
 I first read about it.

The Pope allows a small smile at this.

POPE PIUS XII
Are you a Catholic?

JACKSON
No, sir.

POPE PIUS XII
A religious man?

JACKSON
(an admission)
Not especially.

POPE PIUS XII
And yet at home they call you a
Justice, do they not?

JACKSON
I didn't pick the name.

POPE PIUS XII
No, but your country did. If you
sit in judgment of others long
enough, you come to believe the Laws
of Man outweigh the Laws of God.

JACKSON
I don't believe that.

POPE PIUS XII
Then what do you believe?

JACKSON
I believe in Man. In our capacity
to govern ourselves, to help
ourselves, to save ourselves from
men like the Nazis. I believe this
to be a good act.

POPE PIUS XII
One so good you must circumnavigate
your own laws to achieve it?
(shakes his head)
I'm sorry, but the Catholic Church
cannot support you in this.

He begins to move down the corridor. Jackson stays where he
is.

JACKSON
But you could support them in 1933.

POPE PIUS XII
I'm sorry?

JACKSON
You signed the Concordat with Hitler
yourself.

POPE PIUS XII
That was a different matter-

Jackson steps closer.

JACKSON
You lived in Munich, you were the
Nuncio to the German Empire; the
Catholic Church was the first world
power to acknowledge the Fuhrer
State. You gave the Nazis
credibility-

POPE PIUS XII
In order to protect Catholics in
Germany-

JACKSON
It's a pity the Jews didn't have
someone to do that for them.

POPE PIUS XII
Do you think I condone what they
did? No one could have *imagined*, I
didn't know, I-
(whispers)
How could I? How could any of us...

He trails off. Jackson looks at him.

JACKSON
People will remember, sir. What you
did in 1933. What you do now.
They'll tell their children. Did
the Catholic Church stand with the
Nazis? Or against them?

A long beat. The Pope bites his lower lip.

JACKSON (CONT'D)
Your full public support is
required.

The Pope nods. Looking out at the gardens once more.

POPE PIUS XII
I will release a statement to that
effect. And if you require my
testimony, I will be there.

Jackson and Colonel Amen, rapidly walking down the steps,
trying to make a hasty exit. Amen amazed.

COLONEL AMEN
Did you just blackmail the *Pope*?

JACKSON
I don't want to talk about it...

43 INT. PALACE HOTEL - GORING'S SUITE/CELL - NIGHT 43

Goring, sits, reading on his bed. The door bangs open and the full lights flip on.

CORPORAL JONES
On your feet!

Manacles are slapped on Goring's wrists and legs as he is pulled from the room...

44 EXT. SKIES OVER GERMANY - DAWN 44

A C-47 TRANSPORT PLANE roars over the German countryside.
SUPER - **August 12, 1945**

45 INT. C-47 PLANE (FLYING) - DAWN 45

Goring sits with the other Nazi prisoners as the plane jostles through the clouds. He watches closely as Kelley prowls the aisle. The Doctor stops by Ley's seat.

KELLEY
How are you feeling, Dr. Ley?

HOWIE
(translates)
"Wie fühlen Sie sich, Dr. Ley?"

Ley doesn't respond. All the prisoners sit in silence. Goring takes this opportunity to speak.

GORING
We all know, you know.

Kelley turns to face him.

KELLEY
Know what?

GORING
You do not empty an entire prison unless certain decisions have been made. Are you taking us to kill us?

He says it with a smile. Kelley looks at him.

KELLEY
Word came down last night. There's going to be a trial.

A moan from Ley. Goring nods slightly.

GORING
Good. As it should be.

He pats the seat next to him - an invitation. Kelley sits.
Goring speaks softly.

GORING (CONT'D)
Those cards you showed us the other
day. Quite fascinating.

KELLEY
The Rorschach test.

GORING
If only the Luftwaffe had access to
such tests. They're designed to
tell you about the patient through
their responses, correct?

KELLEY
That's right.

GORING
So what did they tell you about me?

Kelley looks at him.

KELLEY
Honestly? They said you're highly
intelligent.

GORING
I could have told you that-

KELLEY
And that you're a narcissist, given
to an expansive aggressive fantasy
life, with a strong ambition and
drive to quickly subjugate the world
as you find it to your own pattern
of thinking.

Goring takes this in and regards him evenly.

GORING
And were you surprised by this?

KELLEY
No.

GORING
Then you haven't learned anything at
all, have you?

Kelley doesn't know how to respond. Goring gestures to
Howie.

GORING (CONT'D)
Howie here tells me you do magic?

KELLEY
I- yes.

GORING
If it would not be too much trouble?
We do not get much entertainment.

A beat. Kelley takes a coin from his pocket and places it on the back of his hand. Pretends to rub it through his hand. When he removes his hand, the coin is gone. Simple.

KELLEY
Ta da!

Goring chuckles, delighted.

GORING
Very good! But I am going to show
you a real magic trick someday.

KELLEY
What's that?

GORING
I am going to escape the hangman's
noose.

KELLEY
And how do you plan on doing that?

GORING
(smiles)
It would not be a trick if I told
you, now would it?

From behind them, Ley finally speaks.

LEY
Nürnberg.

They turn to look. The clouds have parted and the City of Nuremberg lies below IN RUINS.

Even from the air, the scope of the destruction is jaw-dropping. 85% of the city is destroyed.

LEY (CONT'D)
*Sehen Sie, zu was die Alliierten
fähig sind? Es ist nichts mehr
übrig.*

HOWIE
(translating)
"Do you see what the Allies are
capable of? There's nothing left."

LEY
Abgesehen davon.

HOWIE
(translating)
"Except for that."

We see ONE BUILDING in the distance as they descend.

46 EXT. NUREMBERG - PALACE OF JUSTICE - DAY 46

An eight-story building largely untouched by the bombing.
Thick stone walls. Imposing. As the C-47 ROARS overhead...

JACKSON (O.S.)
The Palace of Justice.

47 INT. PALACE OF JUSTICE - COURTROOM - DAY 47

Peeling paint and cracked plaster. Smoke damage. Colonel Amen leads Jackson and a delegation of British and American legal teams into the Courtroom through the gallery.

JACKSON
The roof's been damaged by air raids
and fire gutted the upper floors and
collapsed the clock tower, but this
courtroom will be able to hold six
hundred people when it's finished.

They step over stockpiled CRATES OF SODA stamped with
Swastikas. Jackson snags one bottle and pops the top off,
taking a sip.

ELSIE
What's with all the supplies?

COLONEL AMEN
The Nazis made their last stand here
when the city was taken.

MAXWELL-FYFE (O.S.)
And so they will again.

They turn to see a greying British GENTLEMAN (60's) in the
back speak up. Elegant, with a wry smile.

MAXWELL-FYFE (CONT'D)
And of all the beautiful cities in
this conquered land, you want to try
them in this bombed-out husk?

JACKSON
This is Sir David Maxwell-Fyfe,
assistant prosecutor for the
British.

COLONEL AMEN
Yes, sir, we do. For one thing, we
can control the space. For another,
there's an adjoining prison with
space for twelve hundred inmates.

MAXWELL-FYFE

We only need space for twenty-two.

COLONEL AMEN

Twenty-two, sir?

MAXWELL-FYFE

That's the number of men we're going to indict for the first trial. You see, if we don't win that trial, there will be no more trials to come. And you, I, Justice Jackson, and our collected governments will be the laughingstock of the world, defeated by the very men we imprisoned. So that will be fun.

JACKSON

What do you think of the space, Sir David?

MAXWELL-FYFE

(looks around)

Is there not a very high probability the building will crumble around us?

COLONEL AMEN

We have men working around the clock to ensure that doesn't happen-

CRACK! A chunk of ceiling snaps off and plummets to the floor behind Amen with an ear-splitting CRASH! A beat.

ELSIE

Part of the ceiling just collapsed.

MAXWELL-FYFE

I'm evacuating to the hotel bar.

48 INT. GRAND HOTEL - BAR - DAY

48

Chandeliers. Old world opulence. Jackson and Maxwell-Fyfe sit comfortably at the bar with scotches.

MAXWELL-FYFE

My friends in Washington say opinion's turned against you. There's talk of you not getting the Chief Justice's seat when Hughes steps down.

Jackson waves away the idea.

JACKSON

Truman will never pick Vinson, he's a lightweight-

MAXWELL-FYFE

Yes, but he's *there*. This whole thing has become a sideshow, Robert, and it hasn't even begun. They say you're writing all the briefs yourself, refusing help from other lawyers-

JACKSON

Because it needs to be done right.

MAXWELL-FYFE

And it will. But you can't do it alone. I'm here as your friend, Robert.

JACKSON

Everything will be fine once we actually get to trial-

MAXWELL-FYFE

You say that as though trying the Nazi High Command with untested case law with the whole world watching is going to be the easy part.

JACKSON

(smiles)

Well, when you put like that...

MAXWELL-FYFE

Anything less than total victory is going to be considered utter defeat. Which means you don't just have to win, Robert. You have to be flawless.

As Jackson stares at him, we PRE-LAP...

ANDRUS

Your cells are made of stone, nine feet by thirteen...

49

INT. NUREMBERG PRISON - CELL BLOCK - AFTERNOON

49

Andrus leads the PRISONERS through the cell block. Spiral staircases at each end of the block leads to different tiers.

ANDRUS

Your beds are bolted to the wall, your mattresses stuffed with straw instead of springs. Your desks are made of cardboard, and will not support a man's full weight. Your chairs are never allowed against any wall, and will be removed every night at sundown.

HOWIE

(translating at the
same time)

*"Eure Betten sind in der Wand
verankert und die Matratzen haben
innen Stroh, keine Sprungfedern.
Die Tische sind aus Pappe und geben
unter dem Gewicht eines erwachsenen
Mannes nach. Die Stühle dürfen nie
nah bei der Wand stehen und werden
jeden Abend bei Sonnenuntergang
entfernt."*

Goring walks with the others, carrying his pillow and sheets.

ANDRUS

Your head and hands will remain visible above your blanket while you sleep. You will have no belts, no shoelaces, no toilet seats. You will have no weapons of any kind with which to take your own lives.

HOWIE

(translating at the
same time)

"Euer Kopf und eure Hände müssen während des Schlafes jederzeit sichtbar auf der Bettdecke liegen. Ihr werdet weder Gürtel oder Schnürsenkel haben noch Klodeckel. Ihr werdet keinerlei Waffen haben, mit denen ihr euch das Leben nehmen könntet."

They arrive at Ley's cell. The Guards unlock the door revealing a cold concrete box, lit by a single lightbulb.

ANDRUS

Welcome to Nuremberg.

HOWIE

(translating)

"Willkommen in Nürnberg."

Ley steps inside. Tears roll down his cheeks as the DOOR SLAMS SHUT behind him...

50

INT. NUREMBERG PRISON - GORING'S CELL - MORNING

50

The next day. Kelley and Howie sit in Goring's new accommodations. Goring paces it, appreciating.

GORING

Now *this* is a cell.

KELLEY

You approve?

GORING

German built. How could I not? They will charge us soon, yes?

He seems almost cheery.

KELLEY

You're looking forward to it?

GORING

I am. I will have my, as you say,
"day in court". Do you know this
Justice Jackson?

KELLEY

No.

GORING

A brilliant man. He will try and
outwit me. He will not succeed.

KELLEY

You're very sure of yourself.

GORING

No man has ever beaten me, Doctor.
Books are filled with the names of
those who've tried.

KELLEY

Yet here we sit. German built.

GORING

You think because I sit in this cell
I am at a disadvantage? Let me
remind you, I surrendered.
(smiles)
I am exactly where I want to be.

And as he says this we see, just for a moment, how dangerous
this man could be. But then the jovial Goring is back.

GORING (CONT'D)

In any case, we shall see how it
goes, no?

51 INT. NUREMBERG PRISON - MESS - NIGHT

51

Dinner. The Prisoners eat together, huddled around Goring.
Kelley sits with Howie, who picks at his tray of food.
Kelley, fiddling with his deck of cards, trying to work out a
problem.

KELLEY

The problem is they're so different.
Ley is erratic, Donitz meticulous,
and Streicher's...

HOWIE

Nuts?

KELLEY

Nuts would be an accurate
psychological description, yes. I
need to find the common thread.

HOWIE

Is this supposed to be apple sauce?

KELLEY

Mashed potatoes. Regular people
don't do what these guys did.
Goring's the key. Look at him. The
leader of a nation in exile.

Howie looks. Goring sits, regaling the Nazis with a story.

KELLEY (CONT'D)

He's binds them together. We figure
Goring out, we crack the whole
thing.

HOWIE
So how are we going to do that?

KELLEY
We ask for his help.

HOWIE
Help with what?

KELLEY
(smiles)
Rudolf Hess.

Howie's eyes go wide.

HOWIE
Rudolf Hess is coming *here*? I
thought they were holding him in the
Tower of London.

KELLEY
Not anymore...

52 EXT. NUREMBERG PRISON - NIGHT

52

Rain falls. Klieg lights illuminate TWO JEEPS escorting an
AMBULANCE through the iron gates of the prison.

They pull to a halt and armed men open the back of the
Ambulance, weapons trained on it...

KELLEY (V.O.)
Rudolf Hess. Deputy to the Fuhrer.

A SCRAWNY MAN with caterpillar eyebrows in an old overcoat
climbs out of the vehicle and squints in the klieg lights.

KELLEY (V.O.)
Third in line for succession,
following Hitler and Goring...

53 INT. NUREMBERG PRISON - CELL BLOCK - NIGHT

53

Wet boots echo off concrete. Hess is marched down the
corridor by Andrus and armed GUARDS.

KELLEY (V.O.)
One of Hitler's earliest devotees,
he was the 16th person to join the
Nazi party. He transcribed "Mein
Kampf" for Hitler while the two were
in prison and was known as one of
his most fanatical followers.

Hess spies Goring, being led back to his cell. The men's
eyes lock. Hess raises his arm in salute and shouts

HESSE
Heil Hitler!

Andrus grabs him and slams him up against a wall!

ANDRUS
 Never do that in my prison again!

54 EXT. BAVARIA - AIRFIELD/HANGAR - DAY - **FLASHBACK** 54

Four years earlier. A younger Hess, in full uniform, strides through the muddy field towards a fighter plane.

KELLEY (V.O.)
 On May 10th, 1941, on the advice of his astrologer, Hess climbed into a Messerschmitt fighter plane alone and flew it over the North Sea.

55 EXT. SCOTTISH FIELDS - AFTERNOON - **FLASHBACK** 55

A clutch of FARMERS, working their fields. A speck in the sky. A PARACHUTE emerges from it.

KELLEY (V.O.)
 He bailed out somewhere over Scotland and broke his ankle upon impact.

WHAM! As the pilot-less plane FIREBALLS into the field! The Farmers, seeing the parachute coming down, rush over to it. They find Hess curled in a ball, writhing in pain.

KELLEY (V.O.)
 Upon his discovery, he announced that he was Rudolf Hess, Third in line of the German High Command, and he was here on a mission of peace and wanted to speak with Douglas Douglas-Hamilton, the Thirteenth Duke of Hamilton, whom Hess had met at the 1936 Olympic Games in Berlin.

The Farmers exchange a glance at this... and then begin to beat the ever-loving-shit out of Hess.

56 INT. DUKE OF HAMILTON'S LIVING ROOM - NIGHT - **FLASHBACK** 56

Hess, his face bruised, sits on a banquette across from DOUGLAS DOUGLAS-HAMILTON, who sips cognac by a roaring fire.

KELLEY (V.O.)
 After some obstacles, Hess was granted his meeting.

As Hess speaks, we watch Hamilton's face grow in horror.

KELLEY (V.O.)

There he announced his intention to meet with King George the Sixth, have Winston Churchill fired, and negotiate a truce with Britain, allowing the two nations to join forces and defeat the Soviet Union.

Douglas-Hamilton makes his excuses and practically trips over himself leaving the room...

57 INT. SCREENING ROOM - NIGHT - **FLASHBACK** 57

The image of Groucho Marx fills the silver screen. A PLUME of cigar smoke encircles the head of the film's SOLE VIEWER. Douglas-Hamilton hurries down the aisle to speak with him.

KELLEY (V.O.)

Winston Churchill, when pulled out of a screening of a Marx Brothers movie and informed of Hess' plans, was not amused.

CHURCHILL looks up as Douglas-Hamilton whispers in his ear...

58 EXT. NAZI RALLY - NIGHT - **FLASHBACK** 58

ADOLF HITLER gives a fiery speech denouncing Hess. (**ARCHIVAL FOOTAGE**)

KELLEY (V.O.)

Nor was Adolf Hitler, who had never approved Hess' mission, and condemned him in public, calling him insane...

59A INT. TOWER OF LONDON - STAIRS - DAY - **FLASHBACK** 59A

Hess, being led down a stone hallway by British guards.

59B INT. TOWER OF LONDON - CELL - DAY - **FLASHBACK** 59B

KELLEY (V.O.)

Hess was taken to the Tower of London and later to a prison in Surrey.

60 INT. SURREY - PRISON INFIRMARY - DAY - **FLASHBACK** 60

Hess with a TEAM OF DOCTORS. They begin fading from one group of doctors to the next, always with Hess at the center.

KELLEY (V.O.)

In October 1943, Hess began claiming he had no memory of past events, even his childhood. This lasted until February 1945, when he said his previous amnesia had been faked.

((MORE))

KELLEY (V.O.) (CONT'D)

He then flipped again and said his amnesia had returned in July 1945 when Germany collapsed. He also believed his captors were trying to poison him and saved food samples to prove this.

He unwraps a part of a banana to show a doctor...

KELLEY (V.O.)

Twice while he was in British custody, Hess tried to kill himself.

61 INT. SURREY - JAIL CELL/STAIRWELL - DAY - **FLASHBACK** 61

Hess crouches on his cot, like a coiled spring.

KELLEY (V.O.)

In 1942, he called a guard into his cell, then threw himself over the bannister into the open stairwell.

Hess pushes past the SOLDIER and leaps over the railing! We hear a THUD below. We PAN DOWN the stairwell to see

KELLEY (V.O.)

He succeeded in breaking his upper thigh in three places.

62 INT. SURREY - PRISON INFIRMARY - DAY - **FLASHBACK** 62

Hess, in traction. Being served his lunch. He takes a butter knife and dramatically raises it above his chest...

KELLEY (V.O.)

Later he stabbed himself in the chest with a butter knife and screamed "Look, I have stabbed myself in the heart!"

As Hess, screaming, plunges the knife into his chest!

63 INT. SURREY - PRISON INFIRMARY - DAY - **FLASHBACK** 63

Hess, still in bed, as the doctor stitches up the pitifully small chest wound.

KELLEY (V.O.)

The wound required only two stitches. Hess claimed the Jews had left the knife there to tempt him. But through it all, he maintained he had amnesia.

64 OMITTED

64

65 INT. NUREMBERG PRISON - FILING ROOM - DAY

65

Hess sits across from Kelley. We are now back in Present Day. Kelley smiles at him.

KELLEY
Where were you born?

HESS
I do not know.

KELLEY
When were you born?

Hess thinks for a moment. Shakes his head.

HESS
It is a mystery.

KELLEY
Has your memory been like this for a long time?

HESS
(smiles)
I'm afraid I don't remember.

66 INT. NUREMBERG PRISON - GORING'S CELL - NIGHT

66

Goring looks from Kelley to Howie and back again. Intrigued.

GORING
You want me to help you?

KELLEY
Hess knows you. He trusts you.

GORING
I wouldn't go that far.

KELLEY
You're a familiar face.

GORING
And now you would like me to assist you in discrediting my old friend.
(looks at them)
What is in it for me?

KELLEY
What do you want?

Goring stares at him. Deciding if he can trust him.

GORING
My wife and daughter. No one has
been able to locate them since I
surrendered. I would like you to
find them and bring them these.

He goes to his desk and retrieves several envelopes.

GORING (CONT'D)
Letters. You will no doubt have to
translate them first to make sure I
am not passing on any information.

He hands them to Howie, who passes them to Kelley.

HOWIE
No doubt.

GORING
Do we have a deal?

Kelley places the envelope on the bed.

KELLEY
First we talk to Hess. Then your
family.

Kelley moves to go. Howie looks to Goring's chair.

HOWIE
It's eight o'clock.

Goring rises, allowing Howie to take the chair as he and
Kelley exit.

67 INT. NUREMBERG PRISON - CORRIDORS - NIGHT

67

As Kelley and Howie exit Goring's cell, Howie is carrying the
chair out with him, handing it to a guard.

HOWIE
The guy almost took over the world
and now you want us to do a mail run
for him?

KELLEY
Can you find them?

HOWIE
We need to get an okay from Colonel
Andrus first-

KELLEY
Andrus will say no.

HOWIE
Which is why we need to ask.

KELLEY
Screw Andrus.

HOWIE
Doc-

KELLEY
I'm in deeper with this guy than
anyone's ever been, and meeting his
family will only tell me more.
(MORE)

KELLEY (CONT'D)

(pause)

I need you with me on this.

Off Howie's torn expression...

68

INT. NUREMBERG PRISON - MESS - NIGHT

68

Goring now sits across from Hess, who smiles at him blankly as Kelley and Howie look on.

GORING

We speak in English, yes? For the doctor. Do you know me, Rudolf? Recognize me?

HESS

Not personally, but I know your name.

GORING

We talked a lot together.

HESS

We were together. That must have been the case, it must have been so.

(soft smile)

As Deputy Fuhrer, I must have met many high personalities such as yourself, but I cannot remember anyone, to the best of my will.

GORING

I was Supreme Commander of the Luftwaffe. You flew to England in one of my planes.

HESS

I am sure you were, but-

GORING

I was made Reichmarschall at a Reichstag meeting while you were present.

HESS

I am sorry.

GORING

Do you remember the Fuhrer announced that if something happened to him, I would be his successor, and if something happened to me, you were to be mine?

(pause)

It was the three of us, Rudolf. We ruled an empire. And you don't remember?

Hess studies him for a long time.

HESS

I am sorry. You may well have been
a friend. But I don't know you
anymore.

69 INT. NUREMBERG PRISON - GORING'S CELL - NIGHT

69

Goring sits on his bed across from Kelley and Howie.

GORING

He's lying.

HOWIE

Because he doesn't remember you?

GORING

He just spent an hour saying he did
not know me, but the first time he
saw me in this prison? He salutes.
(smiles)
Sieg Heil.

Kelley stares at him.

KELLEY

That's very good.

Goring nods and offers Kelley the envelopes of letters for
his family. Kelley stares at them... And takes them.

70 INT. JEEP (DRIVING) / EXT. NUREMBERG STREETS - DAY

70

German children play in the rubble of a bombed out tank,
pretending to be soldiers shooting each other. One smokes.

An army jeep jostles past, through the bombed out streets.
Howie drives, grumbling, while Kelley sits shotgun, grinning.

HOWIE

This is dumb. I'm dumb.

KELLEY

I knew you'd come through for me.

HOWIE

Yeah, because I'm dumb.

KELLEY

How'd you find them?

HOWIE

Local gossip told me they're in
Veldenstein. And if anyone asks,
your name is Colonel Andrus and this
is your jeep.

KELLEY

You stole the Colonel's jeep?

HOWIE

Kind of adds something to it, don't you think?

Howie offers him a cigarette.

KELLEY

I've never seen you smoke.

HOWIE

I gave it up. My parents hated it.

KELLEY

But you always have them on you.

HOWIE

It's a con.

(off his look)

A trick to get in good with the officers. I tell myself I'll have a smoke when the war is done.

KELLEY

The war *is* done, Howie.

Howie smiles at Kelley and points up ahead.

HOWIE

It's not too much farther.

71

EXT. THE HOUSE WITH THE YELLOW DOOR - AFTERNOON

71

A small village. TWO MEN stand in front of a HOUSE WITH A YELLOW DOOR. They stiffen as they see the jeep approach.

Howie pulls to a halt, and he and Kelley exit the jeep, approaching slowly. The men's hands dip into their coat pockets. The message is clear - they have guns.

HOWIE

(smiling; to the men)

Meine Freunde, wir sind hier, um Frau Göring einen Brief von ihrem Ehemann zu überreichen. ("My friends, we are here to give Mrs. Goring a letter from her husband.")

GERMAN MAN

Hier ist aber niemand, der so heisst. ("There is nobody here with this name.")

HOWIE

Wenn wir hier wären, um sie zu verhaften, würden wir uns ganz einfach den Weg frei schießen.

((MORE))

HOWIE (CONT'D)
*("If we were here to arrest you, we
 would shoot our way in.")*

The men PULL THE GUNS and level them at Kelley and Howie!

KELLEY
 What did you say?

HOWIE
 I said if we were here to arrest
 her, we would just shoot our way in.

KELLEY
 Might I suggest you walk that
 statement back a bit?

HOWIE
 (to the men)
*Ich verspreche, wir kommen mit guten
 Absichten. Bitte. ("I promise we
 come with good intentions. Please.")*

The first German looks to the second, debating. Finally, he
 steps aside and allows Kelley and Howie to climb the steps to
 the Yellow Door. Another man RAPS FOUR TIMES on the yellow
 door. A series of locks being undone. Kelley and Howie step
 inside to

72

INT. HOUSE WITH THE YELLOW DOOR - DAY

72

A PIANO plays softly from the living room. A man, FRANZ,
 stands, wearing a FULL NAZI UNIFORM, grilling a sausage.
 Stunned to see Americans.

HOWIE
 (soothing, to the
 man)
*Machen Sie sich keine Sorgen, wir
 sind- ("Don't worry, we are-")*

EMMY
*Franz? Wer ist das? ("Franz? Who is
 it?")*

Kelley looks up as EMMY GORING comes around the corner and
 stops in her tracks. Kelley blinks. She's beautiful.

KELLEY
 Mrs. Goring?

She doesn't move. Americans in her house. She's terrified.

KELLEY (CONT'D)
 My name is Doug Kelley.

HOWIE
 (translating)
"Mein Name ist Doug Kelley".

KELLEY

I work at the prison, I'm a
psychiatrist- Your husband asked me
to bring you some letters?

HOWIE
 (translating)
*"Ich arbeite im Gefängnis, ich bin
 Psychiater - ihr Mann bat mich Ihnen
 einige Briefe zu überbringen."*

Emmy stares at them.

EMMY
Hermann?

KELLEY
 Yes.

He holds the envelope out to her. A peace offering. It takes Emmy a moment to make her feet move. She takes them.

EMMY
Wie- Wie geht es ihm?

HOWIE
 (translating)
 "How is he?"

KELLEY
 He's good. Holding up.
 (tries a smile)
 He misses you.

HOWIE
 (to Emmy)
"Es geht ihm gut, er vermisst Sie."

Emmy nods, thankful. Looking around-

EMMY
*Es tut mir leid, ich würde Ihnen
 gerne Tee anbieten, aber wir haben
 keinen Tee.*

HOWIE
 (translating)
 "I'm sorry, I would offer you tea,
 but we have no tea-"

KELLEY
 That's fine-

The music from the living room STOPS. They all turn as an 8 YEAR OLD GIRL pads into the room. Goring's daughter. EDDA. Angelic. Wide-eyed. Kelley tries to fill the silence.

KELLEY (CONT'D)
 That was you playing? That was
 beautiful.

EDDA
 (to her mother)
*Wer sind sie, Mama? ("Who are they,
 Mama?")*

EMMY
*Freunde von deinem Vater. ("He's a
 friend of your father.")*

And Edda suddenly runs straight to Kelley and HUGS HIM. He turns to Howie, questioning.

HOWIE
 She said "he's a friend of your
 father."

Kelley looks down to the little girl clinging to his leg.

EDDA
Wie geht es Papa?

HOWIE
 (translating)
 "How is Papa?"

KELLEY
 He's doing very well. He's very
 strong.

HOWIE
 (translating)
*"Es geht ihm sehr gut. Er ist sehr
 stark."*

KELLEY
 (to Emmy)
 He's on a diet, he's lost some
 weight-

HOWIE
 (translating)
*Er ist auf Diät, und er hat schon
 etwas abgenommen-"*

EDDA
Ist er mutig?

HOWIE
 (translating)
 "Is he being brave?"

A beat. Kelley kneels down next to her.

KELLEY
 Yes. He's being very brave. He
 wants you to be brave too.

HOWIE

(translating)

*"Ja, er ist sehr mutig und er
möchte, dass Du ebenfalls tapfer
bist."*

KELLEY

He wrote you a letter.

HOWIE

(translating)

*"Er hat Dir einen Brief
geschrieben."*

Kelley holds the envelope out. Edda snatches the letter from Kelley and runs back to the living room with it. Kelley looks back up to see Emmy with tears in her eyes.

EMMY
Sie wird es hundertmal lesen.
Danke.

HOWIE
 (translating)
 "She will read it one hundred times.
 Thank you."

EMMY
 (weeping; to Kelley)
Danke. Danke.

73

EXT. HOUSE WITH THE YELLOW DOOR - DUSK

73

Kelley and Howie walk back to the jeep in silence. Almost there, when the door opens behind them and Emmy comes out holding something.

EMMY
Doktor!

She runs to the jeep and presses an envelope into his hand.

EMMY (CONT'D)
Für Hermann.

Kelley looks at the envelope with Goring's name on it.

KELLEY
 I don't know if I can-

EMMY
Bitte. ("Please.")

Please. She looks at him, eyes desperate. Kelley looks back up at the window, and sees Edda watching him.

KELLEY
 Okay.

She looks at him, grateful, then utters two words of English:

EMMY
Come back.

She goes inside. The yellow door shuts behind her.

HOWIE
 You okay, Doc?

KELLEY
 Let's go.

Howie puts the jeep in gear and they pull out...

74 EXT. NUREMBERG PRISON - NIGHT

74

Late. Kelley and Howie pull through the security gate to find the parking lot is jammed with vehicles. Lights everywhere. PRESS PHOTOGRAPHERS swarm outside of the prison. We see Lila among them.

75 INT. NUREMBERG PRISON - CORRIDORS - NIGHT

75

Kelley and Howie hurry towards Andrus's office. Rounding a corner, running into a DELEGATION OF SOLDIERS and LAWYERS, being lead by Andrus and COLONEL AMEN.

KELLEY

What's going on?

ANDRUS

Word came down from Central Command two hours ago, we're charging the prisoners. Where have you been?

76 INT. NUREMBERG PRISON - GORING'S CELL - NIGHT

76

Goring sits on his cot, listening. Footsteps. A lot of men coming. He straightens his shirt. Runs his hands through his hair. Rises to face them.

A key in the door. It swings open. Men step in. Howie. Andrus. Amen. Soldiers. Lawyers. Kelley hangs back, staying outside.

COLONEL AMEN

Hermann Goring?

GORING

Yes.

Goring rises and faces them.

COLONEL AMEN

Hermann Wilhelm Goring, you are hereby charged by the United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics on the following four counts - Crimes against Peace, War Crimes, Crimes against Humanity, and of a Common Plan or Conspiracy to commit those Crimes. The Crimes against Humanity you are accused of include Murder, Extermination, Enslavement, Deportation, and other Inhumane Acts. This is a copy of your indictment. Do you have any questions?

GORING
I would like to consult with my
lawyer, Hans Frank.

COLONEL AMEN
Hans Frank is also being indicted
for War Crimes and thus will not be
able to serve as your counsel. You
may select any other lawyer you
wish. Anything else?

Goring looks to Kelley and then back to the Colonel.

GORING
No.

COLONEL AMEN
Good day.

Goring watches as the delegation files out from his cell. As
they go:

COLONEL AMEN (CONT'D)
Who's next?

ANDRUS
Streicher.

We see Kelley's eyes meet Goring's, just before the door
closes on Goring.

77 INT. NUREMBERG PRISON - STREICHER'S CELL - NIGHT 77

The delegation now with Streicher, who examines the document.

COLONEL AMEN
...Do you have any questions?

STREICHER
*Ich möchte einen netten jüdischen
Anwalt.*

They look to Howie, who can't help but smile.

HOWIE
He said he'd like a Jewish lawyer.

78 INT. NUREMBERG PRISON - LEY'S CELL - NIGHT 78

The delegation is now with Ley, who holds the indictment.
Tears roll down his face.

LEY
*Ich werde nicht vor Gericht
kommen...*

HOWIE
(translating)
"I am not going to trial."

COLONEL AMEN
You are, Dr. Ley.

LEY
(shouting)
Ich habe nie jemanden getötet!

HOWIE
(translating)
"I never killed anyone--"

LEY
Ich habe nie jemanden getötet!

KELLEY
(steps forward)
It's gonna be okay, Robert, just--

Ley hauls back and PUNCHES KELLEY!

ANDRUS
Guards!

Guards rush Ley, pinning him to the back wall as he struggles against them, screaming in English:

LEY
*Shoot me, now, as a German! Don't
try me as a common criminal! Shoot
me!*

As his screams echo off the walls...

79

INT. GRAND HOTEL BAR - NIGHT

79

Ex-pats, soldiers, reporters. Jazz on the piano. Kelley sits, four whiskeys in. Holds an icepack to his face.

He cuts his cards. The King of Hearts. Kelley frowns. Not the one he was aiming for. It keeps showing up for him.

LILA
Rough day?

Kelley looks up to see the woman from the train to Mondorf standing there, in a red dress and a smile.

KELLEY
Lady from the train.

LILA
Magic man. How goes the secret mission?

Kelley puts down the icepack as she sits.

KELLEY
It's hit a few obstacles.

LILA
I can see. There's blood on your collar.

KELLEY
What are you doing here?

LILA
Came in with the press. Hermann Goring and the Nazis were indicted today.

KELLEY
You don't say.

LILA
The whole world is going to want to watch them pay for what they did.

Kelley looks at her. A beat.

KELLEY
What do you say I finish this drink, and then you and I go up to my room and fornicate vigorously?

Lila smiles at him.

LILA
I have some friends coming in.

KELLEY
More reporters?

LILA
Strap yourself in. This city's about to become the Greatest Show on Earth.

She rises and goes. Kelley watches her. Reaches into his pocket to buy another drink... and pulls out a CRUMPLED ENVELOPE. Emmy's letter. He stares at it for a long time.

80 INT. NUREMBERG PRISON - GORING'S CELL - NIGHT

80

Late. Goring blinks awake as his cell door swings open. A figure in the doorway. Kelley. He holds the envelope.

KELLEY
It's from your wife.

Suddenly the big man looks very small.

GORING
You saw her?

Kelley nods. Goring swallows.

GORING (CONT'D)
And my girl?

Kelley nods again. Goring takes the letter from him with trembling hands. Looks up at him, eyes full.

GORING (CONT'D)
Thank you, Doctor.

CUT TO:

81 A MONTAGE OF NEWSREEL FOOTAGE

81

Grainy black and white images of the City of Nuremberg. Troops marching through the streets, workers restoring the Courthouse, and the exterior of the Prison...

NARRATOR
Dateline Nuremberg! The legal teams are assembling for what promises to be the trial of the century! Hermann Goring and his Hitler-loving cronies are scheduled to face off with our boys in one week! And there's no question in this reporter's mind that Lady Justice is about to get served!

82 INT. NUREMBERG - JACKSON'S OFFICE - DAY

82

Bustling with lawyers preparing the case. Colonel Amen enters and tosses a file onto the table in front of Jackson and Elsie.

COLONEL AMEN
We have a problem.

JACKSON
We always have a problem.

COLONEL AMEN
This is a bigger problem. Operation Weserübung.

JACKSON
What's Operation Weserübung?

83 INT. NUREMBERG - JACKSON'S OFFICE - CONFERENCE ROOM - DAY 83

Colonel Amen stands with Jackson, Elsie, and Maxwell-Fyfe in front of a map of occupied Europe spread out on the table.

COLONEL AMEN
Operation Weserübung was the German Invasion of Norway and Denmark in 1940. Textbook aggressive war - the Nazis roll tanks in and occupy a neutral country.

JACKSON

Which is what we're prosecuting them for.

COLONEL AMEN

Except Keitel and Jodl's lawyers are going to claim the invasion was a preemptive strike.

ELSIE

To preempt what?

COLONEL AMEN

The British plan to invade Norway.

JACKSON

They're going to claim the only reason Germany invaded Norway was because the British were going to do it *first*?

COLONEL AMEN

That's the general idea.

JACKSON

Well, that's ridiculous!

MAXWELL-FYFE

Ridiculous, absolutely, I'm in complete agreement.

Jackson eyes the British lawyer.

JACKSON

It concerns me that you're in this room right now.

MAXWELL-FYFE

Well, in addition to being ridiculous, it also happens to be true.

JACKSON

(in disbelief)

So the British thought, in the middle of their war with Hitler, that it would be a good idea to invade *Norway*?

MAXWELL-FYFE

The idea was to get there before Hitler did, to use the country as a staging area to hold the Nazis back-

JACKSON

We can't prosecute the Germans for planning aggressive wars if *you guys were planning aggressive wars!*

MAXWELL-FYFE

I admit, there is a certain logic there.

ELSIE

Can the Nazis prove it?

COLONEL AMEN

Jodl's lawyer put in a request for documents, which means they know that documentation of the plan exists, but they don't have it yet.

MAXWELL-FYFE

So unless the tribunal requires the Allies turn over all war documentation-

COLONEL AMEN

Which they won't-

MAXWELL-FYFE

Then we're in the clear.

JACKSON

Maybe, but it raises a bigger issue. We need to know what the Nazis know. What their defense strategy is.

MAXWELL-FYFE

And how do you propose we do that?

83A INT. NUREMBERG PRISON - ANDRUS' OFFICE - NIGHT

83A

Kelley enters to find Andrus sitting behind his desk, bemused, drinking tea.

KELLEY

You wanted to see me?

ANDRUS

And not just me. I just got off a truly interesting phone call. You're going to go meet someone very important tonight.

(smiles; sips his tea)

Good luck.

84 OMITTED

84

85 INT. NUREMBERG STADIUM - NIGHT

85

Enormous. Crumbling. Deserted. A single ARMY JEEP pulls to a halt on the field. Kelley puts the jeep in park.

Kelley looks across the field to see a parked LIMOSINE. He gets out of the jeep and heads across the field towards it. Passing RUINED STONE SWASTIKAS. Debris covers the ground.

A LONE FIGURE stands in the center of the field, by the limo, waiting patiently. JACKSON. As Kelley approaches-

JACKSON
Impressive, right? Hitler was
building it to be the largest
stadium on the planet. Designed by
Albert Speer, who currently resides
in your prison.

Kelley regards him.

KELLEY

You're Justice Jackson.

JACKSON

And you're the shrink.

(looks around)

This is where they held the rallies. Every year, Hitler would pack this place, speak to the Nazi Party as a whole. They televised it. In 1935, this is where he announced the Nuremberg Laws. You know the laws?

Kelley just looks at him.

JACKSON (CONT'D)

The Nuremberg Laws defined a Jew as anyone having three or four Jewish grandparents. Didn't matter if you practiced Judaism, if you'd converted to Christianity; this was about blood. The Laws stripped all Jews of German citizenry. They made it illegal for Jews and Germans to marry each other because of the fear of *Rassenschande* - do you know what that translates to?

KELLEY

No.

JACKSON

"Defilement of the blood."

(begins pacing)

Under the laws, Jews could be barred from working as doctors, lawyers, and journalists. They were prohibited from using state hospitals and not allowed access to public education beyond the age of fourteen. Libraries, parks, and beaches were closed to Jews. War memorials had all Jewish names on them expunged. All of that was announced right here, on this very ground.

KELLEY

What do you want from me?

JACKSON

Your patients. I need you to start asking them the right questions.

KELLEY

And what are the right questions?

JACKSON

What they tell their lawyers, how they plan to defend themselves-

KELLEY

You want me to be a spy.

Jackson looks at him.

JACKSON

I want you to do your duty for your country.

KELLEY

No, you want me to break doctor-patient confidentiality.

JACKSON

You already have, Doctor. We read every report. We need more.

KELLEY

So why not just shoot them? It's what everyone wants, anyway. If you're going to cheat-

JACKSON

It's not cheating-

KELLEY

If you're going to ask me to betray my oath, why not just shoot them and be done with it?

JACKSON

At the end of the Last Great War we made Germany crawl. We humiliated them, made them pay reparations they couldn't afford. We made them hate us *so much* that in less than two decades, they went from a broken nation to near World Conquerors. We have to do this right, because, if we don't? If fifteen years from now, they come back even stronger? I don't know if we can beat them a third time.

(pause)

If we just shoot these men, we make them martyrs. I'm not going to allow them that. There will be no statues of them. No songs of praise. I'm going to put Hermann Goring on the stand and I'm going to make him tell the world what he did so that it can never happen again.

KELLEY
(realizing)
You brought me here because of
Goring.

JACKSON
I brought you here to show you that
before the bullets were fired,
before tens of millions of men died,
all of this started with laws.
(pause)
This war ends in a courtroom.

KELLEY
With Goring.

JACKSON
He's the face of the Nazis now. As
he falls, so do they all. But to do
that, I need to be ready for him.
(pause)
Will you help me?

Kelley stares at him for a long beat and then we CUT TO-

86

INT. NUREMBERG PRISON - GORING'S CELL - EVENING

86

Kelley sits in a chair across from Goring. Rain falls.

KELLEY
Let's talk about Hitler.

Goring studies him. Kelley offers him a cigarette. Goring
takes it. Kelley lights it.

GORING
It is interesting, you've never
asked me this question directly
before.

KELLEY
I'm curious about what the
attraction was. Adolf Hitler,
failed painter, not a very good
soldier, yet he is worshiped and
revered-

GORING
A failed painter? Perhaps at a
certain point he had more important
things to accomplish. And not a
very good soldier? He was at the
Somme, Ypres, Paschendaele,
Fromelles. He won the Iron Cross
twice - in 1914 and again 1918. He
was wounded, he was gassed. What
more of a soldier can you be? The
Fuhrer made us feel German again.

KELLEY

How?

GORING

The war had seen Germany crushed.
Then a man comes along and says "We
can reclaim our former glory."
Would you not follow this man?

KELLEY

Depends what else he wanted to do.

GORING

The first time I saw Hitler talk, it was 1922, the upstairs of a coffee shop, for maybe thirty people. It was peacetime, but it was a peace when there were no jobs, no food, no shoes. And like so many of my countrymen, I was looking for something to believe in. He stood up and he said: "French bellies are being filled with German pain." Then he said "No Frenchman is going to be scared by the rhetoric of intellectuals. If you make threats, you have to have bayonets. Rearm! Down with Versailles!"

(smiles)

I joined his party that night.

KELLEY

Off of one speech.

GORING

I could see he would appeal to the old soldiers, and if we had old soldiers, we had the manpower. Even the anti-semitism served a purpose. It brought us the men who needed something else to focus for their emotions. Something else to blame.

KELLEY

And the camps?

He says it softly. Goring turns to look at him, cigarette smoldering in his hand.

GORING

I still cannot believe that. They were to be work camps for our political opponents, nothing more.

KELLEY

And you signed off on that.

GORING

For work camps? Yes. Ask the Russians about forced labor camps. Do you not think the Japanese interned by the Americans after Pearl Harbor were put to work? And the Japanese themselves built their railways across Asia with the blood of English prisoners. I made the camps, for the good of Germany, for the war effort. But not for death.

(shakes his head; softly)
Himmler, Goebbels, Heydrich
- these men...

KELLEY

They were responsible?

GORING

If it is true... if what they say happened in the camps, happened there, then it is a blight on the great German Reich.

(softly)
They will only see us as evil now.

(MORE)

GORING (CONT'D)

Kelley stares at him, surprised by the admission.

KELLEY

Have you told your lawyer you feel
this way?

Goring waves his hand, dismissively.

GORING

No, this is not something for him to
know-

KELLEY

Why not?

GORING

There are things Hermann the man can
do. But the Reichsmarschall cannot.
You understand?

KELLEY

You think *that's* the improper
behavior?

Goring looks at Kelley.

GORING

Douglas, I will not stand against
the Fuhrer.

KELLEY

Not even if it could help you?

GORING

No one needs to know this, Doctor.
Only you.

87

INT. NUREMBERG - JACKSON'S OFFICE - NIGHT

87

Kelley sits across the table from Jackson, Colonel Amen, Elsie, and Sir David Maxwell-Fyfe, who repeats the phrase-

MAXWELL-FYFE

"Goring cannot stand against the
Fuhrer." That's an interesting
piece of information, don't you
think?

Colonel Amen snorts. Kelley looks at him.

KELLEY

He can be sympathetic. It's going
to be a problem for you.

COLONEL AMEN

He seriously claims he thought they
were only work camps?

KELLEY

That's right.

JACKSON

Do you believe him?

KELLEY

I don't know. Himmler ran the
camps, he was head of the SS, Goring
was head of the Air Force. How
often in America does the head of
the Air Force know what the head of
the Secret Service is doing?

Colonel Amen throws up his hands.

KELLEY (CONT'D)

Plus, Goring and Hitler had their
first real falling out in 1942. As
Himmler was instituting the camps,
Goring can argue he was moving
farther and farther away from the
daily operations of the Reich-

COLONEL AMEN

I can't believe I'm having this
conversation-

KELLEY

Hey, I'm doing what you asked, this
is his defense-

COLONEL AMEN

You're apologizing for him!

JACKSON
Gentlemen, please-

COLONEL AMEN
I'm not the one defending the Nazi-

KELLEY
You think I'm *defending* him? I'm
analyzing him, you provincial moron!

Colonel Amen rises, pissed, and Kelley stands to meet him-

KELLEY (CONT'D)
Goring is above all things a
narcissist, all he cares about is
building Germany up and becoming its
leader. *He doesn't care about the
Jews.*

COLONEL AMEN
So he's fine with them dying-

KELLEY
And he's fine with them *not*. All he
cares about is Hermann Goring.
(looks at them)
Does that sound like a man who
dedicates himself to the
extermination of an entire race?

They stare at him.

KELLEY (CONT'D)
You want to walk into that courtroom
with a handful of assumptions, fine.
But he will eat you for breakfast.

88 INT. NUREMBERG PRISON - LEY'S CELL - DAY

88

Kelley sits, preoccupied by the meeting we just saw. Ley
happily chatters away.

LEY
(cheerful)
*Ich entschuldige mich für meinen
früheren Ausbruch. Ich fühle mich
bereits viel besser!*

HOWIE
"I would like to apologize for my
outburst earlier. I'm feeling much
better."

KELLEY
That's good, Doctor Ley.

LEY
*Und Sie? Etwas scheint Sie zu
beschäftigen.*

HOWIE
 "And you? Something seems to be
 troubling you."

KELLEY
 I'm fine.

HOWIE
 (translates)
 "Mir geht es gut."

Ley smiles at him sympathetically and puts a hand on Kelley's
 shoulder.

LEY
*Machen Sie sich keine Sorgen. Bald
 wird all das vorbei sein.*

HOWIE
 "Don't worry. This will all be over
 soon."

Kelley smiles back at the man.

89 INT. NUREMBERG PRISON - MESS - NIGHT

89

Kelley sits at a table, making notes.

KELLEY (V.O.)
*...Ley's mood is markedly improved.
 He told us he has begun making
 arrangements for his defense. I
 feel as though for the first time,
 he has reached out to me-*

His pen stops moving as he hears SHOUTS. Coming from
 somewhere close. He moves towards the sounds, his panic
 growing as he hears...

HOWIE
Doctor, come quickly!

90 INT. NUREMBERG PRISON - CELL BLOCK - NIGHT

90

Kelley, racing along the cell block, headed for a cluster of
 GUARDS. Andrus and Howie among them. Pushing through the
 crowd into

91 INT. NUREMBERG PRISON - LEY'S CELL - NIGHT

91

Ley now sits on the toilet, pitched forward.

A towel is around his neck like a noose, underwear stuffed in
 his mouth. Face mottled purple. Dead awhile.

ANDRUS

He ripped out the hem of his towel to make a rope, stuffed his underwear into his mouth so he wouldn't scream. Then he just leaned forward. He had to want it.

Kelley, reeling. Andrus steps closer.

ANDRUS (CONT'D)

You're supposed to keep them alive. You didn't see this coming?

KELLEY

He was doing better. He told me...

A beat. Andrus shakes his head and strides out of the cell, leaving Kelley and Howie to stare at Ley's dead, bulging eyes.

92 EXT. NUREMBERG PRISON - MORNING 92

The sun, rising over the prison.

ANDRUS (O.S.)

I'm bringing in another doctor.

93 INT. NUREMBERG PRISON - ANDRUS' OFFICE - MORNING 93

Kelley stands in front of Andrus, face hollow.

ANDRUS

It has been determined that a second opinion on some of your patients is required. Dr. Gilbert arrives this afternoon. You will brief him.

94 INT. NUREMBERG PRISON - FILING ROOM - AFTERNOON 94

Kelley sits across from DR. GUSTAVE GILBERT, a short, wiry man with glasses and an oily complexion. He watches as Gilbert pages through the prisoners' files.

GILBERT

(dubious)

You found Hermann Goring to be "imaginative"?

KELLEY

I didn't find him that way, the tests did.

GILBERT

That's what second opinions are for. Which brings us to Rudolf Hess. I'm inclined to believe his amnesia is genuine.

Kelley blinks at this.

KELLEY

The guy who thinks we've been poisoning his food for four years despite the fact he's still alive - you think *he's* telling the truth about the amnesia?

GILBERT

Certain circumstances he describes fit the clinical criteria-

KELLEY

You mean the part where he forgets about being a Nazi?

Gilbert closes the file.

GILBERT

Look, Doctor, I'm not trying to step on your toes here. I'll share research. We'll co-author.

KELLEY

Co-author what?

GILBERT

You don't have to be coy with me. We're both here for the same reason.

Kelley stares at him.

GILBERT (CONT'D)

Now, two books on the Nazi High Command would cut into the market, so I say we write it together-

Kelley rises and heads for the door.

KELLEY

Good luck with your tests.

95

INT. NUREMBERG PRISON - GORING'S CELL - NIGHT

95

Late. Kelley sits, in a dark mood, as Goring paces.

GORING

It's just as well. I had my doubts about how Ley would behave at the trial. It's a good thing he got himself out of the way.

KELLEY

How do you feel about suicide?

GORING
(snorts)
It is the refuge of cowards.

KELLEY
Or the last act of a desperate man?

Goring clocks Kelley's mood. Takes a seat across from him.

GORING
There are exceptions, of course.
(studies him)
You are in trouble.

KELLEY
Why do you say that?

GORING
The new doctor, new tests. Since
Ley died, they do not trust you
anymore.

KELLEY
You're wrong.

GORING
When you are in a position of power,
they will always come for you. You
have to protect yourself.

KELLEY
Why would I have to protect myself
from my allies?

GORING
Just because a man is your ally does
not mean he is on your side.

Kelley looks at him.

GORING (CONT'D)
My father was a judge and then a
diplomat, did I tell you this?

KELLEY
No.

GORING
He was sent to Africa, and it was
there he met his best friend, a man
named Hermann von Epstein. He was
to become godfather to all my
father's children, and when I was
born, my father named me after him.

(MORE)

GORING (CONT'D)

When I was born, my father named me after him.

(smiles; off Kelley's reaction)

Yes, I was named for a Jew.

Kelley looks at him.

GORING (CONT'D)

We loved Uncle Hermann so very much. He was very rich too, he lived in Veldenstein Castle. When I was six, our whole family moved in with him. Can you imagine? It was a child's dream to live in a castle. I used to run through the halls, pretending I was a knight. Staring down from the battlements, envisioning armies swarming to attack us below. Uncle Hermann stayed in the largest bedroom on the top floor. My mother stayed down the hall. And my father stayed in a small bedroom on the ground floor. And I soon came to realize just how rich Uncle Hermann truly was. So rich that he could move us all in. So rich that he could put my father on the bottom floor. So rich that any time he wanted to, he could walk down the hall from his bedroom and bed my mother.

Silence. Kelley stares at him. Goring smiles.

GORING (CONT'D)

Just because a man is your ally, does not mean he is on your side.

96 EXT. NUREMBERG PRISON - NIGHT

96

Kelley steps out of the prison, headed towards the hotel, head spinning. Howie across the street, watching him go.

As we PRE-LAP a beautiful PIANO SONATA and begin a MONTAGE...

97 INT. HOUSE WITH THE YELLOW DOOR - EVENING

97

Emmy opening the door to reveal Kelley. He holds something out to her. A TIN OF TEA. Smiling, she takes it...

98 INT. NUREMBERG PRISON - GORING'S CELL - DAY

98

Gilbert, sitting with Goring, administering a Rorschach test. Making notes on his responses...

99 INT. HOUSE WITH THE YELLOW DOOR - EVENING 99

Edda's fingers dancing over the piano keys, playing this glorious Sonata...

100 INT. NUREMBERG PRISON - STREICHER'S CELL - DAY 100

Streicher, dictating a letter to Howie, who transcribes it into English...

STREICHER

*Meine geliebte Agnes! Da der
Münchner Rechtsanwalt, den ich für
meine Verteidigung ausgewählt hatte,
mir nicht mehr zur Verfügung
gestellt werden konnte, bat ich das
hohe Militärgericht mir den
Nürnberger Rechtsanwalt Dr. Marx zur
Verfügung zu stellen. Das ist
geschehen.*

HOWIE

(translating whilst
writing)

*"My beloved Agnes, Since the Munich
lawyer I had chosen for my defense
could no longer be made available to
me, I asked the High Military Court
to make the Nuremberg lawyer Dr.
Marx available to me. That's what
happened."*

101 INT. HOUSE WITH THE YELLOW DOOR - EVENING 101

Kelley and Emmy sitting side-by-side watching Edda play. A fire burns in the hearth. They almost seem like a family...

102 INT. NUREMBERG PRISON - GORING'S CELL - EVENING 102

Goring at his window.

103 INT. HOUSE WITH THE YELLOW DOOR - EVENING 103

Emmy smiles at Kelley as Edda plays. We see her hand drift to his between the chairs. CLASPING IT.

Kelley does not pull away.

They hold hands, as the piece crescendos...

104 INT. PALACE OF JUSTICE - COURTROOM - DAY 104

Jackson sits in the gallery as he watches the workmen put the finishing touches on what is to be his great stage...

105 INT. HOUSE WITH THE YELLOW DOOR - SITTING ROOM - EVENING 105

Emmy and Edda saying goodbye. Kelley reaches behind Edda's ear and PRODUCES A DOLLAR. Magic. Edda squeals in delight. Emmy beams at him. AS Kelley leaving-

EDDA

Bye!

He turns back, and kindly throws back the silver dollar to the girl, who catches it.

105A INT. HOUSE WITH THE YELLOW DOOR - KITCHEN - EVENING 105A

Kelley and Emmy say goodbye at the open door. We see her lips move again.

"Come back."

106 EXT. HOUSE WITH THE YELLOW DOOR - EVENING 106

The Piano music continues as Kelley bounds down the stairs to his parked jeep. No Howie. He came alone. He starts it up, smiling and heads down the road.

77A.

106A OMITTED

106A

107 EXT. VELDENSTEIN CASTLE - NIGHT

107

Kelley's parked as he looks at A SMALL CASTLE situated on a hill in the distance. Points it out to an OLD GERMAN asking-

KELLEY

Is that Veldenstein Castle?

The Old German looks.

OLD GERMAN

*Ja. Das ist, wo Hermann Göring
aufwuchs. ("Yes. That's where
Hermann Goring grew up.")*

Kelley, hearing Goring's name, knows he's in the right place.

Dark. Abandoned.

Where Hermann Goring used to play. Where he learned what
true power could do.

A wind blows from the south as Kelley looks up at the castle.

108

INT. NUREMBERG PRISON - GORING'S CELL - NIGHT

108

Mid-conversation. Goring roars with laughter as he and
Kelley play poker for match sticks. Five card draw.

GORING

And she was surprised?

KELLEY

She was astounded.

Goring claps his hands together in delight.

GORING

Teach me this trick.

KELLEY

The coin behind the ear?

GORING

Teach me this, so I can impress her.

Kelley smiles at this. What the hell. Puts down his cards,
reaching into his pocket.

KELLEY

Okay, I need- I gave my silver
dollar to your daughter.

GORING

Would it work with a reichmark?

KELLEY

A dollar's better for the size.
(pulls a bottlecap
from his pocket.)
This will work.

He holds up the bottlecap.

KELLEY (CONT'D)

It's the simplest trick in the
world. It works because people want
to believe.

(MORE)

KELLEY (CONT'D)

You hold up the dollar in your right hand - "Hey folks, here's an ordinary average silver dollar." You show the audience that you're putting it in your left hand, but instead you do a version of palming in your right.

GORING

Palm it?

Kelley reveals his hand with the bottlecap in it.

KELLEY

You curl your index finger in so it looks like your hand is relaxed and they can't see it.

(demonstrating)

Then you make a fist with your other hand and move it around like the coin's there, and that's where people will look. Their minds put it into the hand you tell them to concentrate on. Feel the coin in your hand, focus on it like it's there, feel the weight of it, because if you believe it, then everyone believes it's there. But we know the truth. And the truth is, it never left.

(opens his left hand)

My God! Where'd it go? Reach behind their ear and Abracadabra!

He "pulls" the dollar from Goring's ear.

GORING

What is Abracadabra?

KELLEY

The magic words, it gives the illusion a cosmic weight. It's what separates the magician from the audience, he knows something they don't.

GORING

Does it have to be Abracadabra?

KELLEY

It can be anything. Like "Presto".

GORING

I think I prefer Abracadabra. Your father taught you this trick?

KELLEY

My father? No.

GORING

You say that like it is unthinkable.

KELLEY

My father... He was content to ply his trade and display a cheerful disposition. He was a man of no accomplishment.

GORING

But you are destined for more.

(studies him)

You want to be a great man.

Kelley looks at him.

KELLEY

Yes.

GORING

And I am your ticket.

Kelley doesn't respond. Goring smiles.

GORING (CONT'D)

You will make your fortune on me.
Return to America the great scholar
of the Nazis; if this Gilbert does
not beat you to it.

(holds up the dollar)

And I will have a trick to impress
my daughter with when this trial is
done.

Kelley looks at him.

KELLEY

How are you going to defend
yourself, Hermann?

GORING

Would you not like to know?

KELLEY

I'm serious.

GORING

Are we friends, Doctor?

KELLEY

(considers)

I think that word might be a little
too simple for what we are.

GORING

I can accept that. Are you asking
me as a friend?

KELLEY

I am.

GORING

Tomorrow when I enter my plea, I am
going to read a statement. I am
going to say I assume all
responsibility for my actions, and
though I do not recognize this
court's authority because only a
German Court should be able to take
us to trial and to judge us, I will
provide explanations for my actions
and speak only the truth. I will
refuse, however, to accept
responsibility for acts committed by
others

(MORE)

GORING (CONT'D)

of which I was unaware and would not have approved.

(looking at Kelley)

What I did, I did for my country.
Tell me you would not do the same
for yours.

109 EXT. NUREMBERG PRISON - NIGHT

109

Kelley steps out of the prison. A VOICE from the shadows-

HOWIE

You stopped taking me with you to
see him.

Kelley turns to see Howie standing there, waiting for him.

KELLEY

Didn't want to bother you this late.

HOWIE

You've been seeing him a lot without
me. What are you doing, Doc?

KELLEY

Trying to learn something.

HOWIE

You sure that's what this is still
about?

Kelley stares at him.

KELLEY

Good night, Howie.

110 INT. PALACE OF JUSTICE - COURTROOM - NIGHT

110

Dark and cavernous. A lone figure walks the floor. JACKSON.
His footsteps echo through the enormous room as he treads the
boards, looking at the shadowed courtroom landmarks.

The Judge's Dais. The Witness Box. The Gallery.

KELLEY

They told me I could find you here.

Jackson turns. Kelley stands in the far doorway.

JACKSON

In seven hours, the whole world's
going to be focused on this room.
This is it. This is everything.

Kelley walks to him. Pulls a piece of paper from his pocket.

KELLEY

This is the statement Goring plans
to read tomorrow.

Jackson takes it. It's handwritten, from Kelley's notes. He
scans it, then looks up at the doctor.

JACKSON

Thank you.

Kelley turns and goes. Leaving Jackson alone on his stage.

CUT TO:

111 INT. PALACE OF JUSTICE - COURTROOM - MORNING 111

Technicians lay miles of cable. Film is loaded into cameras.
The gallery, bustling with REPORTERS. All the buzz of an
Opening Night Broadway show.

112 INT. NUREMBERG PRISON - CELL BLOCK - MORNING 112

The 21 NUREMBERG PRISONERS stand at attention with Andrus.
Goring. Hess. Streicher. Admiral Donitz. Kelley, Howie,
and Gilbert with them. Goring, quietly, to the Germans:

GORING

*Steht aufrecht! Wir sind alles
Manner, die ihrem Vaterland gedient
haben. Nicht mehr, nicht weniger.*
("Stand tall! We are all men who
served the Fatherland. Nothing
more, nothing less.")

ANDRUS

Belts and shoelaces will be
distributed each morning and
collected at the end of each day.

HOWIE

(translating)
*"Gürtel und Schnürsenkel werden
morgens ausgeteilt und abends wieder
eingesammelt."*

GORING

(to Hess)
Und du, wirst nebien mir sitzen.
("And you will sit right next to
me.")

Hess nods, grateful.

113 INT. NUREMBERG - JACKSON'S OFFICE - MORNING 113

Jackson straightens his tie in the mirror. Running on no
sleep. Elsie places a kiss on his cheek...

ELSIE

Here we go...

114 INT. MAXWELL-FYFE'S QUARTERS - MORNING

114

Maxwell-Fyfe adds a healthy tippie of brandy into his morning tea. Genuflects, raises the tea, and down the hatch...

114A INT. NUREMBERG PRISON - CELL BLOCK/PRISONER TUNNEL - MORNING

Andrus looks at the assembled prisoners and staff.

ANDRUS

Let's go.

HOWIE

(translating)

"Gehen wir"

He turns and leads them down the cell block and into

THE PRISONER TUNNEL

Constructed with lumber, the makeshift tunnel connects the prison to the Palace of Justice. Built so the Prisoners could be taken back and forth unexposed to the public.

Shafts of sunlight cut through the tunnel. Goring and the others march through it. Resolute.

Eyes watching through the slats. They begin BANGING on the tunnel with their fists. Fucking with them. The whole thing shakes.

GORING

Sei stark fur Deutschland. ("Be strong for Germany.")

The pounding only grows as they walk. Dust falls from the ceiling through the shafts of sunlight. Goring walks on. Face front, eyes set. Undeterred.

Reaching the end of the tunnel where an ELEVATOR awaits...

115 OMITTED 115

116 INT. PALACE OF JUSTICE - COURTROOM - MORNING 116

Jackson joins Colonel Amen at the American prosecution table. Maxwell-Fyfe gives him a nod from across the way.

An elevator door slides open and a ripple goes through the crowd. Lila among them. Turns to see the defendants have entered the courtroom.

FLASHBULBS POP as white-helmeted MP's lead the prisoners to THE DEFENDANT'S DOCK

Two rows of wooden benches to the right of the Judge's Dais.

A set of thick HEADPHONES adorn every seat, wires leading from them to a set of TRANSLATORS, who sit in soundproof glass boxes, poised to translate all four languages spoken during the trial for participants.

Lights blaze down from above. Almost blinding. For the cameras. Goring sits first and picks up his headphones. He smiles out at the crowd, enjoying the celebrity.

BAILIFF

All rise!

The crowd rises as one as the Four Tribunal Judges enter the courtroom. They take their places on the dais, each behind their nations' flag. They are-

FRANCIS BIDDLE, the American Judge; HENRI DE VABRES, the French Judge; GEOFFREY LAWRENCE, the British Judge, and IONA NIKITCHENKO for the Soviet Union.

The Judges sit. The crowds sit. Kelley and Lila's eyes meet. Judge Lawrence leans forward to his microphone.

JUDGE LAWRENCE
Hermann Goring.

Goring rises. The only man standing in the courtroom.

117 INT. HOUSE WITH THE YELLOW DOOR - MORNING 117

Emmy and Edda sit huddled around their radio, listening-

JUDGE LAWRENCE
The defendants are to plead guilty
or not guilty to the charges against
them. Then they will proceed, in
turn, to a point in the Dock
opposite to the microphone.

118 INT. PALACE OF JUSTICE - COURTROOM - MORNING 118

Judge Lawrence stares across the courtroom at Goring.

JUDGE LAWRENCE
How do you plead?

Goring walks to the microphone. He raises a piece of paper.
You can hear a pin drop.

GORING
*Ich stehe hier vor diesem Gericht
und der Welt, und gelobe, nur die
Wahrheit zu sagen-*
("I stand before this Court and the
world, and pledge to speak only the
truth to you"-

Judge Lawrence bangs his gavel, cutting him off.

JUDGE LAWRENCE
After much deliberation, the
Tribunal has reached the decision
that the Defendants are not entitled
to make a statement. They will be
permitted to address the Court prior
to their sentencing.

Goring stares at him.

GORING
As Reichsmarschall I should be
allowed to address this Court-

JUDGE LAWRENCE
You are not Reichsmarschall here, you
are only Hermann Goring the
prisoner. Do you plead guilty or
not guilty?

A long beat.

GORING
Nicht schuldig.

He moves to retake his seat. His eyes meet Kelley's as he crumples up his statement.

JUDGE LAWRENCE
Rudolf Hess.

Hess stands and walks to the microphone.

HESS
No.

He retakes his seat.

JUDGE LAWRENCE
We will take that as Not Guilty.

119 INT. HOUSE WITH THE YELLOW DOOR - MORNING 119

Emmy turns off the wireless, not able to listen anymore. She and her daughter sit in silence.

120 INT. NUREMBERG COURTHOUSE - CORRIDORS - MORNING 120

A CADRE OF REPORTERS stand waiting. Lila rushes out and heads to a bank of phones. Picks one up, calling her paper:

LILA

All twenty-one pled not guilty and Jackson's about to give the Opening Statement.

121 INT. PALACE OF JUSTICE - COURTROOM - AFTERNOON 121

In the gallery, film cameras are reloaded as Jackson walks to the podium. His eyes find Elsie in the crowd. Reassuring. Deep breath. He begins.

JACKSON

May it please Your Honors, the privilege of opening the first trial in history for crimes against the peace of the world imposes a grave responsibility. The wrongs which we seek to condemn and punish have been so calculated, so malignant, and so devastating, that civilization cannot tolerate their being ignored, because it cannot survive their being repeated.

A beat. Jackson turns to look at the Defendants.

JACKSON (CONT'D)

In the prisoners' dock sit twenty odd broken men. We will show them to be living symbols of racial hatreds, of terrorism and violence, and of the arrogance and cruelty of power. They are symbols of fierce nationalisms and of militarism, of intrigue and war-making. Civilization can afford no compromise if we deal ambiguously or indecisively with the men in whom those forces now precariously survive.

He looks to the Judges. Pauses for a moment, considering his next words.

JACKSON (CONT'D)

Twice in my lifetime, the United States has sent its young manhood across the Atlantic, drained its resources, and burdened itself with debt to help defeat Germany. But the real hope and faith that has sustained the American people in these great efforts was that victory for would lay the basis for an ordered international relationship in Europe and would end the centuries of strife on this embattled continent. This purpose, we know now, can never be realized if the world periodically is to be embroiled in war. The United States cannot, generation after generation, throw its youth or its resources on to the battlefields of Europe to redress the lack of balance between Germany's strength and that of her enemies, and to keep the battles from our shores. The hopes of nations can never be fulfilled if those nations are involved in a war every generation so vast and devastating as to crush the generation that fights and burden the generation that follows.

He looks to the crowd. Softly:

JACKSON (CONT'D)

Wars are no longer local. All modern wars become world wars eventually. And none of the big nations can stay out. So if we cannot stay out of wars, our only hope is to prevent wars. I am too well aware of the weaknesses of judicial action alone to prevent future wars. But the ultimate step in avoiding periodic wars, which are inevitable in a system of international lawlessness, is to make statesmen responsible to law. And let me make clear that while this law is first applied against German aggressors, it must condemn aggression by any other nations, including those which sit here now in judgment. We are able to do away with domestic tyranny and violence and aggression by those in power against the rights of their own people only when we make *all men* answerable to the law.

Silence. Jackson retakes his seat. You can hear a pin drop. Jackson looks to Elsie. She nods. *You parked it.*

It takes Judge Lawrence a moment to realize the entire room is looking to him. He bangs the gavel.

122 INT. NUREMBERG COURTROOM - CORRIDOR - DAY 122

The reporters in the corridor look up again as Lila comes back with another update-

LILA

We're adjourned till tomorrow at 10;
the first witness up is Hess.

123 INT. PALACE OF JUSTICE - COURTROOM - MORNING 123

The next day. The court is in an uproar, as Hess' LAWYER stands at the defense table, addressing the Tribunal.

HESS' LAWYER

We do not believe Herr Hess is
mentally fit to stand trial.

Meanwhile, Hess is whispering furiously to his lawyer. Goring next to him, trying to calm him down, but Hess is having none of it.

GORING

(quietly to Hess)
Bleib ruhig, Rudolf. Sei still!
("Calm down, Rudolf. Be still.")

JACKSON

Your honors, the defendant has been
examined by both an Army
psychologist and psychiatrist on the
matter-

He gestures to Kelley and Gilbert, who sit in the gallery.

JUDGE BIDDLE

And those men are in agreement?

Hess rises suddenly.

HESS

If it pleases the court, I would
like to register a... clarification
on this matter.

Judge Lawrence motions this will be acceptable.

HESS (CONT'D)

Mr. President, in order to take part
in the proceedings alongside my
comrades, I would like to make the
following declaration.

(MORE)

HESS (CONT'D)

(to the room)

Henceforth, my memory will again
respond to the outside world. The
reasons for simulating loss of
memory were of a tactical nature.

The courtroom is stunned. Hess retakes his seat next to
Goring who shakes his head.

124 INT. NUREMBERG PRISON - PRISONER TUNNEL - DAY 124

Gilbert walks with the Prisoners as they are escorted back to the prison. Kelley, passing him-

KELLEY
So much for amnesia...

He moves past and falls in step with Goring. Gilbert slows, and watches as they go. Andrus catches up to him.

ANDRUS
Dr. Gilbert. Not your finest hour today-

GILBERT
I think Dr. Kelley's getting too close to Hermann Goring.

125 OMITTED 125

126 EXT. HOUSE WITH THE YELLOW DOOR - NIGHT 126

Kelley drives through the streets, alone. On his way to Emmy's. He rounds a corner and stops short when he sees

The yellow door has been kicked half off its hinges. The piano has been thrown out the house and lies destroyed on the ground along with bookshelves and broken glass.

Kelley leaps from the jeep and rushes towards the house-

KELLEY
Emmy? Edda?

He finds FRANZ (from Scene 72) slumped among the ruins of the busted piano. Blood running down his face from a broken nose. Kelley kneels down.

KELLEY (CONT'D)
Where are they? What happened?

FRANZ
Sie haben sie mitgenommen... they took them...

KELLEY
Who?

Franz looks at him and spits the word.

FRANZ
Americans.

127 OMITTED 127

128

EXT. INTERNMENT CAMP - NIGHT

128

Guard towers and chain-link fences topped with razor-wire. An American flag flies over the installation. A fresh batch of German prisoners arrive. Filthy. Terrified.

Kelley comes running down the fence line with a flashlight, searching the new arrivals' faces.

KELLEY

Emmy! Edda! Emmy Goring!

Most of the Germans shy away as he passes. He hurries on, checking more and more faces as they are marched towards a steel corrugated barracks building.

KELLEY (CONT'D)

Emmy! Edda!

EDDA

Doktor?

He spins at her voice. Finds the little girl near the front, alone and frightened. He kneels by the fence-line.

EDDA (CONT'D)

*Sie haben mir meine Mutter
weggenommen- ("They took my mother
away from me-")*

KELLEY

Where's your mother?

EDDA

*Ich weiß es nicht, sie haben sie
mitgenommen! ("I don't know, they
took her away.")*

KELLEY

I'm getting you out of here-

As a spotlight from a guard tower lights them both up...

M.P.

Step away from the fence, sir!

Kelley turns to the M.P.

KELLEY

Where's her mother?

M.P.

No idea, they brought her in alone-

KELLEY

Open the gate.

M.P.
 Can't do that, sir. She'll be
 processed here and if no next of kin
 is located, she'll be placed with
 the nuns.

Kelley stares at the girl, her eyes wide with fear.

KELLEY
 I'll take her. I'll take
 responsibility.

M.P.
 No you won't, sir. Need you both to
 step away from the fence now.

Edda clings to the fence, weeping. The M.P. steps forward
 and calmly scoops her up, DRAGGING HER AWAY.

KELLEY
 Edda, it's going to be okay! I'll
 find her! I'll find you!

The M.P. carries the screaming girl into the steel barracks.
 Kelley, knowing she understood not a word.

129 INT. GRAND HOTEL - ANDRUS' ROOM AND HALLWAY - NIGHT 129

Andrus wakes to a BANGING on his door. He opens it, to
 reveal Kelley.

KELLEY
 I need a favor.

ANDRUS
 You've gotta be kidding me.

130 INT. GRAND HOTEL - ANDRUS' ROOM - NIGHT 130

Andrus hangs up the phone and looks to Kelley, both their
 eyes bloodshot from lack of sleep.

ANDRUS
 They arrested Emmy Goring on
 suspicion of complicity with her
 husband's art thefts. The kid goes
 to the nuns, no contact allowed.

KELLEY
 They're women and children.

ANDRUS
 Yeah.

KELLEY
 We're supposed to be better than
 this.

ANDRUS
At least they're alive.

KELLEY
Well, that's a high standard to hold
ourselves to-

ANDRUS
(sharply)
It's out of our hands. You're
welcome, by the way.

Kelley bites back a retort and heads for the door.

ANDRUS (CONT'D)
Hey, Doctor?
(Kelley turns back)
How'd you know where she was hiding?

Kelley blinks. Then turns and goes.

131 INT. NUREMBERG PRISON - GORING'S CELL - DAY

131

Kelley watches as Goring eats.

GORING
Did Edda play for you again?

KELLEY
Yes. She's very talented. She's
working on a new piece. It's a
little difficult, but she's getting
the hang of it.

GORING
She likes you. Do you have their
letters?

KELLEY
No letters today, unfortunately.

GORING
No?

KELLEY
Next time.

The cell door opens. Gilbert enters.

GORING
Ah, my new doctor is here. We were
talking about my family-

GILBERT
Yes, I was sorry to hear about that.

Kelley shoots Gilbert a look.

GORING
Hear about what?

GILBERT
About their arrest. Your wife and
daughter were arrested five days
ago.

GORING
For- for what?

GILBERT
For being your wife and daughter.
He didn't tell you?

Goring looks at Kelley in horror, tears forming in his
eyes...

132 INT. NUREMBERG PRISON - PRISONER'S TUNNEL - DAY 132

Kelley shoves Gilbert into the tunnel, furious.

KELLEY
What the hell was *that*?

GILBERT
That was me being honest with my
patient, you oughta try it sometime-

KELLEY
You destroyed him in there.

GILBERT
So?

Kelley stares at him for a moment and then PUNCHES HIM in the
face! Gilbert goes reeling back, clutching his eye!

GILBERT (CONT'D)
Ow! What is *wrong* with you?!

Gilbert charges Kelley as M.P.s rush in to PULL THEM APART...

133 INT. NUREMBERG PRISON - ANDRUS' OFFICE - DAY 133

Kelley and Gilbert stand at attention. Andrus, pissed.

ANDRUS
You're mental health professionals
for God's sakes!

Neither man responds. Andrus fumes.

ANDRUS (CONT'D)
Dr. Gilbert, would you like me to
place Dr. Kelley under arrest?

GILBERT

No, sir.

ANDRUS

Then get the hell out of my office.

134 INT. NUREMBERG PRISON - CORRIDOR - DAY

134

Kelley and Gilbert exit. Gilbert, rubbing his eye.

GILBERT

I don't get you, Kelley. They're
Nazis.

KELLEY

But we're not.

He walks faster, out the front door.

135 INT. PALACE OF JUSTICE - COURTROOM - DAY

135

Court comes to order. Kelley enters through the Main Entrance, trying to catch Goring's eye, who sits in the dock. Goring won't look at him. Kelley takes his seat.

A FILM PROJECTOR is being set up by the Prosecution Table. Goring sees it and chuckles, pointing it out to Hess.

GORING

Cinema.

Hess laughs, delighted.

HESS

Cinema! Cinema.

JACKSON

May it please the Court, the prosecution would now like to enter into evidence the following film footage. While it is by no means the only evidence on the subject the prosecution will be presenting, this film should give a brief explanation of what the words "Concentration Camp" implied.

The Judges nod. The lights go down. The projector rattles to life, throwing images onto a screen on the far wall.

A TITLE CARD comes up - **NAZI CONCENTRATION CAMPS. (ARCHIVE FOOTAGE)**

Then a Map of Europe. Names begin popping up all over it - *Dachau, Buchenwald, Chelmo...*

NARRATOR (V.O.)

These are the locations of the largest concentration camps and prison camps maintained throughout Germany and Occupied Europe under the Nazi Regime.

The names keep coming - *Ohrdruf, Belzec, Auschwitz, Stuthof, Sajmiste, Treblinka, Warsaw, Majdanen, Sobibor...*

They continue to appear until they blot out the map entirely.

CUT TO - A new title card - **OHRDRUF CONCENTRATION CAMP.**

NARRATOR (V.O.)

The Fourth Armored Division of General Patton's Third Army liberated this camp early in April.

We see footage of General Eisenhower walking through a camp of small wooden buildings. Then the shot cuts to BODIES. Piles of them, half melted into each other.

There is an audible shudder from the gallery at this first sight of death.

We see Eisenhower and a Congressional Delegation walk past bodies strewn through the yard. Not burned, but shot in the head. We know this because of close-ups. Brains on dirt.

Another title card - **NORDHAUSEN CONCENTRATION CAMP.**

We see a street full of bodies. An actual street, full of dead humans.

NARRATOR (V.O.)

A slave labor camp at Nordhausen, liberated by the Third Armored Division, First Army. At least 3000 political prisoners died here at the brutal hands of SS Troops and pardoned German criminals who were camp guards. Nordhausen had been a depository for slaves found unfit for work in the underground B-Bomb plants and other Germans camps and factories.

We pan slowly across the sea of discarded humanity.

NARRATOR (V.O.)

Amid the corpses are human skeletons too weak to move.

Another title card - **MAUTHAUSEN CONCENTRATION CAMP.**

Now we see the walking skeletons themselves, one man being held upright by troops. Naked, walking away from us, his skin shrink-wrapped over his ribcage and hip bones.

Cut to an interview with a pretty healthy looking AMERICAN SOLDIER addressing the camera.

LIEUTENANT TAYLOR

I'm Lieutenant Senior Grade Jack H. Taylor, US Navy, from Hollywood, California. Believe it or not, this is the first time I've been in the movies.

Taylor tries a smile to go with the joke. It doesn't fit.

LIEUTENANT TAYLOR (CONT'D)

In October '44, I was the first allied officer to drop into Austria. I was captured December 1st by the Gestapo, severely beaten, even though I was in uniform, and considered a non-prisoner of war. When the Russians neared Vienna, I was taken to this Mauthausen Concentration Stalag, an extermination camp, where we have been starving and beaten and killed. Uh, fortunately, my turn hasn't come-

A voice calls out from off-camera:

INTERVIEWER (O.S.)

How many ways do they execute you?

LIEUTENANT TAYLOR

Five or six ways. By gas, by shooting, by beating - that is beating with clubs - uh, by exposure - that is standing out in the snow naked for 48 hours and having cold water thrown on you in the middle of winter - starvation, dogs, and pushing over a hundred foot cliff.

(deep breath)

This is all true, has been seen, and is now being recorded.

Another title card - **BUCHENWALD CONCENTRATION CAMP.**

Somewhere in the courtroom, a man moans that this is continuing.

Railway cars being opened. Charred corpses. Cut to a body in a field, a soldier pulling up the corpse's shirt to see

NARRATOR (V.O.)

Nationalities and prison numbers are tattooed on the stomachs of inmates. In the official report, the Buchenwald camp is termed an extermination factory.

((MORE))

NARRATOR (V.O.) (CONT'D)
Bodies, stacked atop one another,
were found outside the crematory.

Inside a building, two men open up coffin-sized metal doors.

NARRATOR (V.O.)
The body disposal plant. Inside are
ovens which gave the crematorium a
maximum disposal capacity of about
400 bodies per 10 hour day.

Inside the ovens, charred bones. Not strewn about, but still
knitted together. AN INTACT RIBCAGE.

Another title card - **DACHAU CONCENTRATION CAMP.**

A helicopter shot of Dachau. Staggeringly large, like a
small city.

NARRATOR (V.O.)
Dachau, near Munchen, one of the
oldest of the Nazi Prison Camps.
This is what the liberators found
inside the buildings.

More naked corpses. Stacked in a room.

We cut outside the building to see coats and pants hanging on
clothes hooks...

NARRATOR (V.O.)
Hanging in orderly rows were the
clothes of the prisoners who had
been suffocated in a lethal gas
chamber. They had been persuaded to
remove their clothing under the
pretext of taking a shower, for
which towels and soap were provided.

Snow falls on the ownerless clothes.

Another title card - **BELSEN CONCENTRATION CAMP.**

We see a bulldozer rumbling in a field. The American soldier
driving it holds a rag to his mouth.

NARRATOR (V.O.)
Belsen Concentration Camp. Sanitary
conditions are so appalling that
heavy equipment had to be brought in
to speed the work of cleaning up.

We cut wide and now we see what the bulldozer is pushing.
HUNDREDS OF BODIES. Moving them across the yard.

Like moving a sand dune of dead flesh, limbs ever shifting
and poking out of the accruing mass, corpses cascading over
one another as the bulldozer continually upends them.

It is the worst thing you have ever seen.

RETCHING in the courtroom.

ON KELLEY. Stunned. His face white. His hands balled to fists. He looks to the Prisoners' Dock. Donitz is openly weeping. Streicher looks at the floor, as if distracted.

Goring stares straight ahead. Face calm, jaw set. Unfazed as the film plays on...

136 INT. NUREMBERG PRISON - CELL BLOCK - EVENING 136

Goring is led back to his cell to find...

137 INT. NUREMBERG PRISON - GORING'S CELL - EVENING 137

Kelley sitting on his bed. Waiting for him.

KELLEY
(softly)
How is that possible?

The door clangs shut behind Goring. Kelley's words hang in the air.

KELLEY (CONT'D)
What we saw today, how is it
possible?

GORING
(to himself)
*Am schuldigsten bin ich meiner
Ignoranz, Eitelkeit, Feigheit-*

KELLEY
What we saw today, how is it
possible?

Goring takes a breath.

GORING
Himmler-

KELLEY
Himmler wasn't second-in-command,
you were. *Twelve hundred camps.*
What am I supposed to believe, that
you didn't know?

Goring waves a hand, dismissively.

GORING
Film is a very powerful medium, we
used it to great effect ourselves.
Anyone can fake an atrocity-

KELLEY

So the film was a fake, that's your defense?

GORING

What would you have me say?

KELLEY

How about the truth for once?

GORING

Why? So you can once again tell Jackson?
(off his reaction)
My *friend*. You want *truth*? Your hypocrisy is stunning.

KELLEY

My hypocrisy?

GORING

You think American bullets and bombs don't kill people? You, who would take my wife and daughter who did *nothing*, and you want to lecture *me*? Four months ago you vaporized 150,000 Japanese citizens with the touch of a button, and you presume to sit in judgment on *me* for war crimes?

KELLEY

We had every right to defend ourselves.

GORING

How do you defend yourself on someone else's soil?

KELLEY

There's a difference between us bombing war factories and civilians dying as collateral damage, and you building 1200 human slaughterhouses designed to systematically exterminate all Jews and you *know* it!

GORING

What do you think war is?

KELLEY

Not what I saw today. You declared your intent to obliterate the Jews and then proceeded by your actions to do just that! That's not war-

GORING

What do you think the Russians do to their German prisoners in Stalingrad, in Siberia, in the Urals? You have your freedom, and I am a prisoner, because you won and we lost, *not* because you're morally superior! No one believes all men are created equal, least of all Americans.

Kelley looks at him. Goring is fury and spittle.

GORING (CONT'D)

This trial will be a disgrace in
fifteen years time.

(MORE)

GORING (CONT'D)

Great conquerors are not thought of
as murderers. Genghis Khan,
Alexander the Great-

KELLEY

You're not Alexander the Great.
You're a fat man in a cell. And you
knew.

He moves for the door.

GORING

I have made a mistake. You are not
destined for more. You will not
have a happy life, I think.

KELLEY

No?

GORING

It will all be overshadowed by this,
by these times with me. You will
write your volumes trying to re-live
it. The one moment in your life
where you actually stood with
greatness.

KELLEY

You think you're a great man? You
think that's your legacy?

GORING

At least I'll have one. You came in
here for a little while and dreamed
you were like me. But you're not.
You will leave no mark on this
world. I'm the book and you're the
footnote.

Kelley stares at him and speaks slowly.

KELLEY

They are going to kill you. They
are going to hang you by the neck
until you piss yourself and die,
because you deserve it.

(looks at him)

Your wife will be a widow. Your
daughter will be an orphan. And you
will have done it to yourself.

He turns and goes.

138

INT. GRAND HOTEL BAR - NIGHT

138

Kelley, blind drunk, sits at the bar. Alone. Lighting
matches, letting them burn down. Drains his glass. Another
appears in front of him. He looks up at his benefactor.

KELLEY
Lady from the train.

LILA
I know who you are. I saw you in
court with them.

Kelley shrugs. Raises the new drink to his lips. She sits.

LILA (CONT'D)
What's he like?

KELLEY
You don't want to know.

LILA
I do. Everyone does.

Kelley considers this, strikes another match.

KELLEY
Why?

Lila looks at him. Isn't it obvious?

LILA
Because we're moths and he's a
flame.

He raises his glass in salute. He can't argue with that.

LILA (CONT'D)
Jackson's putting him on the stand
the day after tomorrow.

KELLEY
Jackson's gonna get killed.

LILA
Why do you say that?

KELLEY
Because Goring's ready for him. He
was ready for all of us.

He raises his glass again, but she puts her hand on his.

LILA
Why don't you come upstairs and tell
me about it?

Kelley looks at her. Then nods. She takes him by the hand
and leads him to the stairs.

139 INT. NUREMBERG PRISON - ANDRUS' OFFICE - MORNING 139

Kelley stands, pitifully hungover. Andrus slaps a copy of
the *International Herald Tribune* down on the desk.

The headline blares - "**PRISON DOC TELLS ALL**".

ANDRUS

Your private conversations with Hermann Goring are on the front page of the International Herald Tribune.

KELLEY

Sir-

ANDRUS

You're done. I signed the transfer order this morning. You will be headed back to the States where you will be discharged. You've embarrassed this office for the last time.

Kelley looks at Andrus. Accepting it.

KELLEY

I'm sorry, Colonel. You deserved better.

ANDRUS

Yes, I did.

As Kelley turns to go-

ANDRUS (CONT'D)

Just so you know, we're releasing Goring's wife and daughter. You were right. We are better than that.

KELLEY

Thank you, sir.

ANDRUS

Your train's at five, doctor. I never want to see you again.

140 EXT. NUREMBERG TRAIN STATION PLATFORM - DAY

140

Kelley steps onto the platform with his bag. The train, boarding. He walks towards his car but stops when he sees Howie, waiting for him. Kelley smiles.

KELLEY

Come to say goodbye?

Howie looks at him.

HOWIE

Did you really mean when you said that Jackson had no chance?

KELLEY

You've been in that cell with me a hundred times. Am I wrong?

HOWIE

What happened to saving the world?

Kelley looks down the track.

KELLEY

It was a work, Howie. A trick to get your help. I do tricks. Not very good ones.

HOWIE

I don't believe that, and neither do you. You know more about them than anyone on Earth-

KELLEY

That's right, I do. I've spent thousands of hours with them, I've run hundreds of tests and you want to know sets them apart from us? *Nothing.* Some of them are vain, some racist, some cruel- so are we. They're us, Howie. And we want to make them different, we want to tell ourselves they're monsters and we're normal, but it's not true. I've done the tests - what happened here? It could happen *anywhere* with the right political and economic climates. So it doesn't matter what happens tomorrow; if Goring beats Jackson, so be it. Because they're us.

Howie looks at him.

HOWIE

I know.

KELLEY

You know.

HOWIE

Yeah. Because I'm one of them.

Kelley blinks.

KELLEY

I- What are you talking about?

HOWIE

I'm German, Doc. I grew up in Munich.

KELLEY

You grew up in Detroit. You said your mother spoke German...

HOWIE

She did. So did my father. Because I was raised here.

KELLEY

But you're an American soldier. You- Why did you leave?

HOWIE

Why do you think?

Kelley looks at him, as if for the first time.

KELLEY

You're a Jew.

Howie nods.

HOWIE

With the blonde hair and blue eyes, I never got hassled much. My Dad was a patriot, fought for Germany in the First World War. We loved this country.

KELLEY

What happened?

HOWIE

Nazis came to power, laws passed. It happens slowly. You don't see it coming. When you're ten years old, a book burning is fun.

(small smile)

We lost the factory in 1938, Jews weren't allowed to own businesses. Our travel was restricted. They legally changed the first name of every male Jew to "Israel" and every female Jew to "Sarah", and stamped a big red "J" on our passports so people would know. My father always thought someone would stop it, someone would stand up and make it all okay again. Eventually, he realized we had to get out.

KELLEY

How'd you do it?

Howie looks down the track.

HOWIE

The problem was getting travel visas, other countries wouldn't take us. Britain and Palestine had fixed quotas of how many Jews they would take, and the waiting list to get into the US was long.

(MORE)

HOWIE (CONT'D)

My Dad had a cousin in New York who helped. We finally got exit visas in 1940, but we only had enough money for one ticket out.

(pause)

My sister Margot was 11 and they didn't want her traveling alone, so they sent me. They put me on a boat in Antwerp headed for New York. My cousin was wiring them more money, so they were going to take a ship from Rotterdam and follow in a few weeks. So I sailed to New York. Seasick the whole way. Landed, stayed with my cousin. The Nazis invaded Holland. My family never showed up.

Kelley just watches as Howie looks out at the horizon.

HOWIE (CONT'D)

I moved to Detroit, got a job as an apprentice in a tool factory. Learned English listening to baseball on the radio. When Pearl Harbor happened, I was the first one at the recruitment office to enlist. You know what they told me? They couldn't take me because I wasn't an American citizen. They said I'd have to wait to get drafted. So I did. I checked the mailbox every day for two years. My induction papers came July 1943. I trained in basic as a machine gunner, got my US citizenship. June 6, 1944, I landed at Omaha Beach on D-Day. Four years before, I left here alone and scared in the middle of the night.

(looks at Kelley)

But I came back with an army.

Kelley doesn't know what to say. Howie looks at the ground.

HOWIE (CONT'D)

We pushed through to Paris, then into Germany. I looked for my family everywhere. I went back to Munich. People recognized me in the streets. They saw me in this uniform, they came out of their houses to welcome me, to assure me that they had not been Nazis. Hitler falls and all of a sudden, Germany has no Nazis.

(shakes his head)

I found Margot in Switzerland. She's sixteen now. Living with relatives. She's good. She made it.

KELLEY

And your parents?

HOWIE

Margot says they were all arrested after they put me on the boat. Taken down to a place called Camp Des Milles. They were set to be deported back to a camp in Germany, and one day a charity group called the OSE visited the camp. They offered to take the children. My mother and father had to decide whether to take Margot with them to the camp or give her up to strangers. They gave her up. Margot never saw them again.

(looks at Kelley)

Records show my parents arrived at Auschwitz on August 12, 1942. Camp was liberated January 27, 1945. There was no sign of them. The Nazis had a name for what they did to us. "The Final Solution." Like we were a nagging puzzle they'd finally figured out how to fix.

Kelley stares at him.

KELLEY

I'm sorry.

HOWIE

I'm gonna tell Streicher. Right before they put the rope around his neck, I'm gonna tell that bastard he's been confiding in a Jew.

Kelley doesn't know what to say. Howie leans in close.

HOWIE (CONT'D)

You say it doesn't matter what happens tomorrow. It matters more than you know. To me, to my family. To all of Germany. Goring has to fall.

(pause)

You think he's gonna beat Jackson? Then do something about it.

KELLEY

I can't.

HOWIE

You can't.

KELLEY

I'm just a shrink.

Howie stares at him.

HOWIE

You really want to know why it happened here? Because people let it happen. Because they didn't stand up until it was too late.

(pause)

Have a safe trip home.

He rises, leaving Kelley to wait for the approaching train.

141 EXT. PALACE OF JUSTICE - NIGHT 141

A storm has moved in. Rain pours down, pounding the newly repaired roof. Thunder in the distance.

142 INT. NUREMBERG - JACKSON'S OFFICE - NIGHT 142

Late. Jackson and Maxwell-Fyfe, the only ones still there. Preparing. Jackson's on the phone.

JACKSON

Yes, sir. Of course. Yes, I understand.

He hangs up. Looks to Maxwell-Fyfe.

JACKSON (CONT'D)

President Truman has named Frederick Vinson Chief Justice of the Supreme Court.

MAXWELL-FYFE

Ah.

JACKSON

I didn't want the job anyway.

MAXWELL-FYFE

(smiles)

Who would?

He pours Jackson a drink. A figure appears in the doorway.

KELLEY

You're walking into a trap.

They turn to see Kelley.

JACKSON

Dr. Kelley. I was under the impression you'd been relieved-

KELLEY

Putting Goring on the stand gives him everything he wants. It's why he surrendered in the first place.

(MORE)

KELLEY (CONT'D)

His last chance to redeem the Reich
on the world stage-

Jackson stands to face Kelley.

JACKSON

After what I read in the paper this
morning, I don't believe I care what
you think anymore-

KELLEY

You can't beat him.

MAXWELL-FYFE

Guards!

KELLEY

Not without help.
(holds up a notebook)
This is everything I have on him.
Private files, off the book
conversations. I know more about
him than anyone else on the planet.

Guards appear in the doorway. Jackson stares at Kelley.

JACKSON

Why do you have this?

KELLEY

I was gonna write a book. Make
something of myself.

Jackson takes the notebook. Waves the Guards away. Looks at
the book. The storm, getting closer.

JACKSON

You really think I can't beat him?

KELLEY

Honestly, I don't know.

Rain pounds the roof. They look at each other.

JACKSON

I was going to be Chief Justice.
Now I'll be lucky if there's even a
place on the Court for me when I
return. My career is over.

KELLEY

As of six hours ago, I was
discharged from the Army.
(pause)
Nothing else for us to do, sir.
Might as well go finish the war.

CUT TO:

143 INT. NUREMBERG PRISON - GORING'S CELL - MORNING 143

The first rays of sunlight stream through the window.
Goring, on the floor, doing pushes up again. Stronger now.
Banging them out. INTERCUT:

144 INT. NUREMBERG - JACKSON'S OFFICE - MORNING 144

Jackson buttons his uniform. Preparing for the fight as well. Elsie behind him. Running one final prep.

ELSIE

Start with his plan to overthrow the
Weimar Republic. He'll deny that
because it's aggressive war.

145 INT. GRAND HOTEL - KELLEY'S ROOM - MORNING 145

Kelley, buttoning his own uniform. Spotless. Picks up a deck of cards to put in his pocket. Cuts to one. Debates whether to look at it. Decides not to. Leaves them behind.

146 INT. NUREMBERG PRISON - GORING'S CELL - MORNING 146

A series of quick cuts as Goring pulls on his uniform. The brass buttons gleam.

ELSIE (V.O.)

Then move him into the Leadership
Principle where he takes power away
from the people.

Goring slicks his hair. Straightens his collar.

147 INT. NUREMBERG - JACKSON'S OFFICE - MORNING 147

Jackson combs his hair in the mirror.

ELSIE

Then lead him into the camps and
you'll have him.

Jackson smiles at her as she puts her arms around him.

ELSIE (CONT'D)

This is your day. You're ready.

148 INT. NUREMBERG PRISON - GORING'S CELL - MORNING 148

Goring looks at himself in the reflection of the pan.

Today is his day. He is ready.

149 INT. PALACE OF JUSTICE - COURTROOM - DAY 149

The courtroom, filling. An electricity in the crowd. They know they're here to see the main event.

Jackson sits, going over his notes. He looks to see Kelley take a seat in the first row next to Elsie. Kelley nods to him - *You can do this*. Jackson nods back. Kelley turns to Elsie, offers a handshake.

KELLEY

Hi.

ELSIE

Hi.

The doors open. The prisoners are led in. Goring smiling at the crowd. Relaxed. Ready for the final battle.

Andrus, Howie, and Gilbert take their seats near the prisoners' dock. Andrus frowns when he sees a familiar face in the front row.

ANDRUS

Sergeant, what is Doug Kelley still doing here?

Howie suppresses a smile.

HOWIE

I have no idea, sir.

BAILIFF

All rise!

Kelley, Goring, and the entire courtroom stand as one as the Judges enter and take their places at the front of the Tribunal.

As they sit, Jackson looks to Maxwell-Fyfe who has a steaming mug of brandy-infused tea sitting in front of him. In one move, Jackson takes it and downs it. Maxwell-Fyfe smiles.

JUDGE BIDDLE

Justice Jackson, are you ready?

JACKSON

The prosecution calls Hermann Goring to the stand.

Goring rises and takes the long walk to the witness stand. He finally reaches it. Settles in. Eyes Kelley, steely.

Looks at Jackson pleasantly. The sound of a hundred camera shutters clicking as the two combatants look at each other. And then it begins.

JACKSON (CONT'D)

For the record, is there any doubt in your mind that Adolf Hitler is dead?

Goring blinks at this.

GORING

I believe there can be no doubt about that.

JACKSON

And the same is true of Goebbels?

GORING

Goebbels, I have no doubt about that, because I heard from someone who saw his corpse.

JACKSON

And you have no doubt of the death of Himmler, have you?

GORING

I am not certain of that, but I think that you must be certain, as he died a prisoner of the United States.

JACKSON

And you have no doubt of the death of Heydrich?

GORING

I am absolutely certain about that.

JACKSON

So you are aware that this makes you the only living man who can expound to us the true purposes of the Nazi Party and the inner workings of its leadership?

GORING
I am perfectly aware of that.

JACKSON
And you, from the very beginning,
intended to overthrow the Weimar
Republic?

GORING
That was our firm intention, yah.

Jackson blinks. Did Goring just admit to aggressive war? In
the audience:

ELSIE
What the hell...?

Back to Jackson:

JACKSON
And, upon coming to power, you
immediately abolished parliamentary
government in Germany?

GORING
We found it to be no longer
necessary.

JACKSON
Is that because you believed people
are not capable of self-government,
or because you thought it was not
allowed in Germany?

Jackson's trying to trap him. Goring smiles at his opponent.
Nice try.

GORING
We were elected by the people and
given a mandate to make a change.
The system which previously existed
had brought Germany to verge of
ruin. Your own President Roosevelt
said "Certain peoples in Europe have
forsaken democracy, not because they
did not wish for it, but because
democracy had brought forth men who
were too weak."

Elsie, to herself:

ELSIE
Get to War Crimes...

Back to Jackson:

JACKSON

After you came to power, you
regarded it necessary to suppress
all opposition parties, correct?

GORING

We found it necessary not to permit
any more opposition, yes.

JACKSON

And you also considered it immediately necessary to establish concentration camps to take care of your incorrigible opponents?

Goring, treading carefully.

GORING

The reason for the work camps was not because we said, "Here are a number of people who are opposed to us." They were set up as a measure against the Communists and their violence, who were attacking us in their thousands, and who, since they were taken into protective custody, were not put in prison. So it was necessary to erect a camp for them - one, two, or three camps.

Jackson holds his gaze.

JACKSON

"Protective" custody.

GORING

Is that a question?

JACKSON

You also had to have certain organizations to carry out orders and fight for you if necessary, did you not?

GORING

I did not quite understand- Organizations to fight what?

JACKSON

If you wanted certain people killed, you had to have some organization that would kill them, right? Rohm and the rest of them were not killed by Hitler's own hands or yours, were they?

GORING

Rohm- the Rohm affair was a matter of State necessity. Here was a man who had influence and power and his behavior was not in accord with his authority. He was a homosexual, and he used his power to coerce young men, and that is something that cannot be permitted.

JACKSON

You have answered everything but my question.

GORING

I do not believe that it was the intention to assassinate Rohm, however if he did not submit to the power of the police, they would of course respond. As in any other countries they would do. This is the nature of the Police-

JACKSON

Can you answer my question?

GORING

You ask me about Rohm. I have answered. If the facts do not suit you, there's little I can do. I am answering your questions, but you must permit me to give contexts and explanations-

JACKSON

I'm not interested in your explanations, can you not answer "yes" or "no"? Time may not mean quite as much to you as it does to the rest of us.

On Goring as this lands. From the bench:

JUSTICE BIDDLE

Mr. Justice, the Tribunal thinks the witness ought to be allowed to make what explanations he thinks right in answer to this question.

JACKSON

I trust the Court is not unaware that outside of this courtroom is a great social question of regarding the revival of Nazism and that one of the purposes of the Defendant Goring- I think he would be the first to admit- is to revive and perpetuate it by propaganda from this Trial now in process.

JUDGE BIDDLE

Mr. Justice-

JACKSON

This witness has adopted, in the witness box and the prisoner dock, an arrogant and contemptuous attitude toward the Tribunal which is giving him the opportunity of a trial which he never gave a living soul.

JUDGE BIDDLE

The ruling stands, Mr. Justice.

JACKSON

I must, of course, bow to the ruling of the Tribunal and would simply request that the witness find a way to keep his answers *succinct*.

He looks to Goring expectantly, who smiles.

GORING

What was the question?

JACKSON

When it was a State necessity to have somebody killed, you had to have somebody do it, right?

GORING

Well, I would not want to look arrogant or contemptuous to the court, but yes, Germany had this, just like any other country. Whether you call it MI5, NKGB, BCRA, Secret Service or something else, I do not know.

JACKSON

And the SA, the SS, and the SD, were the organizations that carried out these orders for you, and dealt with people on a physical level, were they not?

GORING

The SA never received an order to kill anybody, neither did the SS, not in my time. Beyond a certain point, I had no influence on it-

JACKSON

The SS carried out arrests and the transportation of people to concentration camps. Can you recall what time did the SS began to perform this function of acting as the executor of the Nazi Party?

GORING

It is difficult for me to explain to an outsider where the SS or where the Gestapo may or may not be active. The two worked very closely together.

JACKSON

Try.

GORING

Perhaps when the Police came to be
more and more in the hands of
Himmler, expectations may have
changed.

(MORE)

GORING (CONT'D)

It is known that the SS guarded the camps and later carried out police functions.

JACKSON

And carried out other functions in the camps?

GORING

To what functions do you refer?

JACKSON

They carried out all of the functions of the camps, didn't they?

On Goring, seeing no way around this one:

GORING

If an SS unit was guarding a camp and an SS leader happened to be the camp commandant, in absence of other security services, then this unit would have carried out all the functions.

Jackson nods, point scored. On Andrus, softly:

ANDRUS

Bury him.

Back to Jackson:

JACKSON

You have said you wanted a strong German State to overcome the conditions of Versailles, is that correct?

GORING

We wanted a strong German State, regardless of Versailles.

JACKSON

The first country to be absorbed by Germany was Austria, but it was not a part of Germany before the First World War, and had not been taken from Germany by the Treaty of Versailles; is that correct?

GORING

That is not entirely correct-

JACKSON

The second territory taken by Germany was Bohemia, then Moravia, and then Slovakia.

(MORE)

JACKSON (CONT'D)

These were not taken from Germany by the Treaty of Versailles, nor were they part of Germany before the First World War.

GORING

These parts of Czech territory were not parts of the smaller German Reich at that time of the Treaty of Versailles. However formerly they had been united to the German Reich for many hundreds of years. That is historical fact-

JACKSON

You still have not answered my question. They were not taken from you by the Treaty of Versailles, were they?

GORING

Of course Austria was taken away by the Versailles Treaty and the Sudetenland, for both territories would have become German territories through the simple right of the people to self-determination.

Jackson smiles.

JACKSON

That's interesting, considering you've just testified people's self-determination was the first thing you took away. You have said that some of the members of your government were more radical towards the Jews than you. However, from the very beginning you regarded the elimination of the Jews from the economic life of Germany as one phase of the Four Year Plan under your jurisdiction, is that correct?

GORING

That is partly correct.

Jackson looks to a stack of files next to him.

JACKSON

I would like to review with you briefly public acts taken by you in reference to the Jewish question. First, did you proclaim the Nuremberg Laws?

GORING

Yes, I did. As President of the Reichstag, that was my job.

JACKSON

What date was that?

GORING

15th September, 1935. Here in *Nurnberg*.

JACKSON

Then on the first day of December 1936, you passed an act making it a death penalty for Germans to transfer property abroad?

GORING

That is correct; the "Decree
Governing Restriction on Foreign
Currency"-

JACKSON

Then, on April 22nd, 1938, you
published penalties for concealing
the character of a Jewish enterprise
within the Reich, did you not?

GORING

Yah-

JACKSON

On April 26, 1938, you signed a
decree ordering the registration of
all Jewish property inside and
outside Germany, did you not?

GORING

If it is signed by me-

Jackson, going faster, running right over him:

JACKSON

Then on November 12, 1938 a decree imposing a fine of 1 billion Reichmarks for atonement on all Jews?

GORING

(getting annoyed)

Yes, but-

JACKSON

And that all damage caused to Jewish property by the riots of 1938 must be repaired by Jews at their own expense, and their insurance claims forfeited to the Reich?

GORING

You're missing some details, the insurance companies-

JACKSON

And also a decree that Jews may not own retail stores, or offer goods or services for sale at markets, fairs, or exhibitions?

GORING

These are all parts of the decrees for the elimination of Jewry from economic life of Germany-

JACKSON

Then, on February 21, 1939, a decree that the Jews must render all objects of precious metals and jewels purchased, to the public office within two weeks?

GORING

I do not remember that-

JACKSON

And a decree on the 17th of September 1940 ordering the sequestration of all Jewish property in Poland?

GORING

Yes, in that part of Poland which, as an old German province, was to return to Germany-

JACKSON

And a decree on July 31, 1941, asking Himmler and Heydrich to make the plans for the Final Solution of the Jewish question?

Kelley looks up at these words. *Final solution.* Goring has STOPPED. Staring at Jackson.

GORING

No, that is not correct. I know that decree very well.

Kelley's breath has caught in his throat.

JACKSON

I ask to have you shown Document 710, Exhibit Number USA-509.

Colonel Amen is on his feet. Distributing the single sheet of paper to the Judges and Goring.

JACKSON (CONT'D)

That document is signed by you, is it not?

Kelley, watching. Goring, scanning the document. He knows the trap has been sprung.

GORING

That... is correct.

JACKSON

I am not certain whether the entire thing has been read into the record, but I think it should be, so we may have no argument about the translation. Please correct me if I am wrong:

(reading aloud)

"Complementing the task that was assigned to you on the 1/24/1939"-

GORING

Here is a mistake. It says
"supplementing" not "complementing".

JACKSON

Not "complementing"?

GORING

No.

JACKSON

Very well, I will accept that.

(reading aloud)

"Supplementing the task that was assigned to you on 1/24/1939 which dealt with arriving at - through furtherance of emigration and evacuation, a solution of the Jewish problem, as advantageous as possible, I hereby charge you with making all necessary preparations in regard to organizational and financial matters for bringing about a *final solution* of the Jewish question in the German sphere of influence in Europe."

Silence in the courtroom. All eyes on Goring and Jackson. Kelley looks to Elsie.

ELSIE

(softly)

He's got him.

Up front, Jackson stares at the Reichsmarschall.

JACKSON

Am I correct so far?

Goring ever so slowly looks up from the paper.

GORING
No, that is not correctly
translated.

JACKSON
Then give us your translation of it.

GORING
May I read it as it is written here?

Jackson motions - please do.

GORING (CONT'D)
(reading aloud)
"Supplementing the task which was
entrusted to you in the decree dated
January 24, 1939, to solve the
Jewish question by emigration and
evacuation in the most favorable way
possible, given present conditions,
I herewith commission you to carry
out all necessary preparations with
regard to organizational,
substantive, and financial
viewpoints--"

(to Jackson)
Now comes the decisive
mistranslation: "of the complete
solution," not "of the final
solution"

(reading)
"For a *complete* solution of the
Jewish question in the German sphere
of influence in Europe. While as
other capabilities of other central
organizations are afflicted, these
are to be involved.
I further commission you to submit
to me promptly an overall plan
showing the preliminary
organizational, substantive, and
financial measures for the execution
of the intended total solution of
the Jewish question."

Jackson stares at him. He still has him.

JACKSON
"Complete and total solution"?

GORING
Yes.

JACKSON
A complete and total solution you
wanted the Chief of the SS to enact?

GORING

Yes, but I have to make an
explanation.

JACKSON
Oh, please do.

GORING
The reason I sent this to Himmler and Heydrich, was because 18 months after the decree of the 24th of January, 1939, Heydrich had done very little, so I charged him to accelerate the task of dealing with the *emigration* of the Jews.

JACKSON
Emigration? You contend this letter was about emigration?

GORING
Of course. It says it right there in the first sentence.

Jackson looks down. It does. *"To solve the Jewish problem by means of emigration and evacuation"*. And suddenly he realizes he doesn't have Goring. Goring has him.

ELSIE
Oh no...

JACKSON
That's- just the first sentence, but the letter goes on to state-

GORING
My desire for a complete solution to the Jewish problem and an end of their financial influence, by their emigration and evacuation from Germany.
(smiles)
The proof, as you say, is in this document.

Kelley in the gallery, stricken. Jackson opens his mouth and closes it again. Goring beams. Jackson shoots a look back to Kelley, Elsie, and Amen. They've got nothing either.

JUDGE BIDDLE
Do you have anymore questions for this witness, Justice Jackson?

On Jackson. He's got nothing.

JUDGE BIDDLE (CONT'D)
Mr. Justice, is the witness excused?

Goring, beginning to collect his things...

MAXWELL-FYFE (O.S.)
I have a question.

Judge Biddle turns to the British Prosecution table.

JUDGE BIDDLE
The Tribunal was under the
impression the American Prosecutor
would be examining this witness
today-

JACKSON
The United States is always happy to
hear from our distinguished
colleague from Great Britain.

Judge Biddle looks to the others, who nod. Maxwell-Fyfe
rises as Jackson sits.

MAXWELL-FYFE
Just a few simple queries, your
honors, won't take more than a
moment.
(to Goring)
You've implied to this Court that
you lost some influence with Adolf
Hitler in 1942, is that correct?

GORING
Yes, that is what I believe is
correct.

MAXWELL-FYFE
But you were still Reichsmarschall
of Germany in 1942, Hitler's
successor, yes?

GORING
Yes.

MAXWELL-FYFE
You were one of the leaders of the
nation, and you're telling me that
you were unaware of the fact that
more than three million Jews were
murdered in 1942?

GORING
Yes.

MAXWELL-FYFE
In 1943, at least 800,000 Jews were
executed in the camps. You were
still Reichsmarschall in 1943, is
that correct?

GORING
That is correct.

MAXWELL-FYFE

In 1944, an additional 800,000 Jews died in the camps. You were still Reichsmarschall in 1944, is that correct?

GORING

Correct.

MAXWELL-FYFE

And in 1945, 250,000, an estimated six million Jews in total, as well as Soviet and Polish citizens, Romani people, artists, scientists, journalists, writers, photographers, filmmakers - people not killed in combat, not by enemy fire, but exterminated in the camps, exterminated by the state of Germany, the State which you were *the Reichsmarschall* of, the pre-eminent political post of your country, and you sit before this Court and contend you had no knowledge of this?

Goring stares at him. Maxwell-Fyfe doesn't miss a beat.

MAXWELL-FYFE (CONT'D)

Even if I was to accept this, surely now you can denounce a regime that committed such atrocious acts?

Goring's mouth works.

MAXWELL-FYFE (CONT'D)

At least give me this, knowing what we all know now, knowing what happened to those six million Jews, I have to ask - would you still have followed your Fuhrer? Adolf Hitler?

Kelley looks up. Recognizing this question. Jackson blinks.

Goring stares at Maxwell-Fyfe. Then turns to look straight at Kelley. Kelley holds his gaze. On Goring. To answer *no* would be to denounce the Furher in front of all of Germany.

GORING

(softly)

Yes. Yes, I would.

The crowd erupts in murmurs. Kelley exhales. The Judge pounds his gavel.

JUDGE BIDDLE

Order!

MAXWELL-FYFE
No further questions.

He takes his seat.

JUDGE BIDDLE

I think this as good a place as any
to adjourn for the day.

Another gavel rap and everyone is on the feet. Reporters hustling to phones. Lawyers smiling and congratulating one another.

Goring stays seated in the witness stand. Shoulders slumped. Finally bested.

Kelley looks over to Andrus, Howie, and Gilbert. Howie smiles. Andrus gives him a nod. Kelley and Elsie make their way through the throngs of people towards the lawyer's bench where Jackson and Maxwell-Fyfe are shaking hands. They turn to see the doctor, all smiles.

JACKSON

You were right, I couldn't beat him.
(smiles)
Not without help.

MAXWELL-FYFE

"Goring cannot stand against the
Fuhrer." It was a good piece of
information, Doctor.

He extends his hand to Kelley, who shakes.

KELLEY

So what now?

JACKSON

As Goring falls, so do they all.
We'll be okay.

KELLEY

Thank you, sir. For everything.

JACKSON

And you. You're off?

Kelley watches as Goring is led slowly from the stand back to the elevator to the prison.

KELLEY

There's one more thing I have to do.

150 INT. NUREMBERG PRISON - GORING'S CELL - DAY

150

The sound of tumblers unlocking a cell door...

Goring looks up as Kelley enters one final time.

GORING

Doctor.

KELLEY

Yes.

Goring studies him.

GORING

You helped them.

KELLEY

I did. I'm leaving.

GORING

Leaving?

KELLEY

Going home. I've come to say
goodbye.

(pause)

Your daughter's been released.
She's with your wife now. They're
going to be okay.

Goring's breath catches in his throat. His eyes, wet.

GORING

Thank you, Doctor. Thank you. I
wonder if I might shake your hand.

He extends his hand. Kelley just looks at him.

GORING (CONT'D)

You were my friend, weren't you? At
least for a little while?

Kelley doesn't respond. Goring steps back, composing
himself.

GORING (CONT'D)

There is one more favor I must ask
of you.

KELLEY

No, no more favors.

GORING

It's Edda.

That stops Kelley.

GORING (CONT'D)

She is not part of this. If I am
found guilty, Germany will not be a
good place for her.

(whispers)

Take her to America with you.

KELLEY

What?

GORING

Please, I know you care for her.
Don't leave her to this life I've
made for her. Take her and raise
her as your own, I'm begging you.

Fresh tears roll down his cheeks. Kelley stares at him. The
powerful man, reduced to this.

KELLEY

(softly)

Goodbye, Hermann.

He raps twice on the cell door. The Guard comes.

GORING

Years from now, what will you say
when they ask about us? Will you
even acknowledge we were human?

Kelley steps out. Goring looks away as the DOOR SLAMS SHUT-

151

INT. NUREMBERG PRISON - INTERVIEW ROOM - DAY

151

The Security checkpoint. EMMY and EDDA GORING stand, being
searched. There for a visit. Kelley walks down the hall.
Emmy's face brightens when she sees him-

EMMY

Doktor!

Kelley takes them in, mother and beautiful child. Then he
turns away at the sight of them, heading down another hall.

EMMY (CONT'D)

(confused)

Doktor?

She tries to follow, but a Guard stops her.

EMMY (CONT'D)

*Doktor, ich bin es! ("Doctor, it's
me!")*

Kelley keeps walking. He doesn't look back. As we PRE-LAP:

LORD JUSTICE LAWRENCE (PRE-LAP)

The judgment of the International
Military Tribunal will now be read.
Each defendant will be addressed in
turn...

152 INT. PALACE OF JUSTICE - COURTROOM 152

September 30, 1946. The Prisoners are assembled in the dock. Film runs through a hundred cameras. Lord Justice Lawrence reads the decision.

LORD JUDGE LAWRENCE
Hermann Goring.

Goring stiffens, but does not stand.

LORD JUSTICE LAWRENCE
The evidence shows that after Hitler
you were the most prominent man in
the Nazi regime...

153 INT. NUREMBERG TRAIN CAR (MOVING) - DAY 153

Kelley sits, pulling away from Nuremberg. Shuffling cards, he turns the top one over. The Suicide King...

LORD JUSTICE LAWRENCE (V.O.)
Your guilt is unique in its
enormity. Your record discloses no
excuses.

154 INT. PALACE OF JUSTICE - COURTROOM - DAY 154

LORD JUSTICE LAWRENCE
The International Military Tribunal
sentences you to death by hanging.

An exhale goes throughout the courtroom. Goring stays stone-faced. Elsie squeezes Jackson's hand. *He's done it.*

LORD JUSTICE LAWRENCE (CONT'D)
Rudolf Hess. You are indicted under
all four Counts...

154A INT. COURTHOUSE - CORRIDORS - DAY 154A

REPORTERS spread the news of the verdict.

155 EXT. PALACE OF JUSTICE - DAY 155

Speakers broadcast the verdict in the street. Rejoicing on the sidewalk. Allies and Germans celebrating as news of each successive conviction comes through. Howie looks out at the ruined city. His ruined city. His Germany.

ANDRUS (PRE-LAP)
The executions are scheduled for
midnight tonight...

156 INT. NUREMBERG PRISON - ANDRUS' OFFICE - AFTERNOON 156

The Prison Staff are gathered around Andrus, who briefs them.

ANDRUS

In order to maintain discipline, the prisoners will not be informed until they are awoken at 11:45 pm and offered Last Rites in their cells.

157 EXT. PALACE OF JUSTICE - NIGHT

157

Rain falls. A delegation of JOURNALISTS arrives at the security gate, Lila among them. OVER THIS:

ANDRUS (V.O.)

At 8:00 pm, eight handpicked journalists will arrive at the prison; two American, two British, two French, and two Russians.

158 INT. PRISON GYMNASIUM - GALLOWS - NIGHT

158

Colonel Amen leads a delegation of OFFICERS to where chairs have been set up in front of a WOODEN GALLOWS, which has been erected in the center of the basketball court.

ANDRUS (V.O.)

At 9:00 pm, a delegation of forty Allied officers chosen to witness the executions will arrive.

159 INT. NUREMBERG PRISON - CELL BLOCK - NIGHT

159

The Prison Doctor walks down the cell block.

ANDRUS (V.O.)

At 9:30, Dr. Pflucker will do his normal final rounds before lights out. Any prisoner who requests a sleep aid will be given a placebo filled with baking soda.

The Doctor hands a pill through the bars to Admiral Donitz. PAN UP to the cell blocks central lights, which CLICK OFF.

ANDRUS (V.O.)

Normal lights out is at 10 o'clock, at which point we will bring the press down to the gallows, where I will brief them on the final preparations for tonight.

Pan to Goring, standing at his cell door. The Doctor offers a pill to Goring, who refuses it. He knows something is up. Then, silence on the tier.

160 INT. NUREMBERG PRISON - GORING'S CELL - NIGHT

160

Dark. Goring steps back from the door. Looks to the window. Crickets, starting to chirp. He raises his hands. Empty. Puts one palm over the other, like Kelley showed him and

GORING
Abracadabra.

A GLASS AMPULE has appeared in the palm of one hand.

Goring smiles. Takes one last look at the picture of his wife. Places the ampule in his mouth and bites down...

161 INT. PRISON GYMNASIUM - GALLOWS - NIGHT 161

Andrus, in front the gallows, briefing the witnesses.

ANDRUS
The prisoners will be brought in one at a time and given the opportunity to speak their last words. Then a bag will be placed over their head-

An ALARM begins to sound somewhere in the prison.

ANDRUS (CONT'D)
Excuse me.

Andrus forces himself to walk, not run, to the far door.

162 INT. PALACE OF JUSTICE - CORRIDORS 162

Out of sight, Andrus BEGINS TO RUN towards the prison. He reaches the Security Gate, which is in an uproar.

ANDRUS
Who is it?

PRISON GUARD 1
Goring!

Andrus curses and bolts for the prison...

162A INT. PALACE JUSTICE - TUNNEL - NIGHT 162A

Andrus runs through the tunnel.

163 INT. NUREMBERG PRISON - GORING'S CELL - NIGHT 163

Goring lies, body twisted. One eye still open. Foam from the mouth. Andrus bursts in.

ANDRUS
No, you son of a bitch!

Andrus rolls Goring onto his back and pounds on his chest.

PRISON GUARD 2
He's dead, sir. Cyanide.

Andrus keeps pounding and cursing.

But it's no use. Hermann Goring is gone.

164 INT. PRISON GYMNASIUM - GALLOWES - NIGHT

164

News has spread of Goring's death. Andrus, trying to compose himself in front of the ranking GENERAL onsite. Howie, with him.

ANDRUS

We have to make a decision, sir. We can either scrub the executions for another night or proceed-

GENERAL PHIPPS

Let's get on with it.

A Guard comes over-

PRISON GUARD 3

Sir? Streicher's refusing to put his clothes on.

165 INT. NUREMBERG PRISON - STREICHER'S CELL - NIGHT

165

Clad only in his underwear, Streicher screams as three guards try to forcibly dress him.

STREICHER

*Nein! Nein, Sie Sie Juden-Fotzen /
Juden-Huren, nein! Nein! ("No! No,
you Jewish bitches! No!")*

Howie appears in the doorway.

HOWIE

Let him go.

CORPORAL JONES

But sir-

HOWIE

Just do it!

The Guards release him. Streicher retreats to the back of his cell, weeping. Howie comes over. Gently.

HOWIE (CONT'D)

*Julius. Sei ein Deutscher.
("Julius. Be a German.")*

Streicher looks up at Howie. Wipes his eyes. Voice quavering:

STREICHER

You... you have been a friend.

Howie opens his mouth. Wants to tell him. To take his revenge. But he sees a nearly naked old man staring back at him, terrified to die.

Howie closes his mouth. Takes his arm.

HOWIE
Come on, we'll do it together.

He helps the frail old man pull on his clothes.

166 INT. NUREMBERG PRISON - CORRIDOR - NIGHT 166

Streicher walks down the long corridor, shivering. Howie walks with him, helping him along.

167 INT. PRISON GYMNASIUM - GALLOWS - NIGHT 167

We enter with Streicher. On the Death March with him. His breath catches at the sight of the gallows. A soldier mops up the floor beneath them.

COLONEL FRANKS
Ask him his name.

STREICHER
You know my name.

Streicher is marched to the gallows. Howie stays behind, watching. Streicher climbs the steps. Steps onto the platform.

STREICHER (CONT'D)
Heil Hitler!

Woods puts the noose around his neck.

ANDRUS
Any last words?

STREICHER
Purim Feast, 1946!

Andrus nods to Woods, who lowers a black hood over his head. From under it, to Woods:

STREICHER (CONT'D)
*Die Bolschewiken werden Sie eines
Tages hängen! ("The Bolsheviks will
hang you one day!")*

Woods steps back and takes hold of the lever. Then, from under the hood, comes a sob. Streicher begins to weep.

STREICHER (CONT'D)
(sobbing)
*Adele, meine geliebte Frau-!
("Adele, my beloved wife-!")*

The crowd leans forward in their chairs, waiting for it. This is what they came to see...

Woods pulls the lever. The trap door opens. Streicher plummets. The trap door swings back, SMASHING HIM in the face, as he falls. A sickening CRACK as it impacts.

His body disappears behind the black curtain hung in front of the gallows. But the rope continues to dance and we realize his neck did not break.

Streicher is still alive, hanging by his neck, choking and swinging behind the curtain.

The crowd, exchanging glances, as the rope continues to dance. This is not how it was supposed to go.

Woods sighs, walks down the stairs. Disappears behind the curtain. We see the rope pull TAUT. Woods is bear-hugging him, pulling him downwards to put more weight on the noose...

The struggling eventually ceases.

Lila and others exhale. Not what they were expecting.

TIMECUT TO:

STREICHER'S BODY is laid on a gurney in front of the crowd.

Andrus removes the hood. Streicher's face looks like a hammer was taken to it from the impact of the trap door.

ANDRUS

Jesus...

SERGEANT WOODS

The gallows weren't properly built.
It's gonna happen to all of them.

Andrus looks to the Colonel, who looks green. Even monsters dying is a horror. Andrus hands Woods the bloody hood.

ANDRUS

Wash this before the next man.

Howie turns and goes. He's seen enough. Pushes through the door out into the cool night air.

168 EXT. PALACE OF JUSTICE - NIGHT

168

Howie stands outside. Silence save for the crickets. He pulls out the pack of cigarettes. Takes one out. Puts it in his mouth. Goes to light it. Hands shaking...

From inside, we hear the gallows drop again. Another man down. Howie stands there. Pulls the cigarette from his mouth unlit and tosses it away. He walks off into the night.

169 INT. TENNESSEE DINER - MORNING 169

Kelley sweetens his coffee with a flask of whiskey. The Waitress frowns. He picks up a discarded paper next to him.

The headline blares - **GORING DEAD - SUICIDE HOURS BEFORE HANGING**. Kelley stops mid-drink. The picture of Goring's corpse below it. The clock on the wall ticks.

KELLEY
Son of a bitch... He escaped.

170 INT. TRUCK (MOVING) - DAWN 170

Close on Hermann Goring's face. Eyes closed. Peaceful. Jostling a little with the movement of the truck.

We begin to pull back slowly.

We realize he's not wearing a shirt. Another face near his. Streicher. Slumped on top of him. And another body on him. All rocking with the truck.

We pull back farther to realize we are looking at the naked bodies of Goring, Streicher and the other eight executed Nazis. Piled atop one another among tarps in the back of a truck. Pulling back farther...

171 EXT. ROAD, OUTSIDE NUREMBERG - DAWN 171

The Army Truck rumbles down the road towards a crematorium in the distance. A single plume of black smoke curls into the sky. The ovens there, already lit.

These words appear over this-

Hermann Goring and the Nazis were cremated in secret. Goring's wife Emmy died in Munich in 1973. His daughter Edda died in 2018, living her entire life in Germany.

Robert Jackson served on the Supreme Court until his death in 1954. The case laws he established at Nuremberg have become the bedrock for all modern war crimes prosecution.

Howie Triest left the Army following Nuremberg and chose to return to America with his sister. He lived to be 93. His parents' remains were never found.

These words fade. Replaced by-

Dr. Douglas Kelley returned home in 1946. As Goring predicted, it was not a happy life.

It took him a full year to complete his book. Not everyone agreed with his findings.

172 INT. RADIO STUDIO - DAY

172

1947. A ROUNDTABLE RADIO SHOW. A sickly looking Kelley smokes and guzzles scotch furiously, embroiled in an argument with the other GUEST and a MODERATOR:

GUEST

...you were dealing with the Nazis,
who you must admit are a unique
people-

KELLEY

They are *not* a unique people. There
are people like the Nazis in every
country in the world today-

GUEST

(chuckling)
Not in America-

KELLEY

Yes in America, their personality
patterns are *not* obscure - they are
people who want to be in power, and
while you say that they don't exist
here, I would say I am quite certain
there are people in America who
would willingly climb over the
corpses of half the American public
if they could gain control of the
other half.

MODERATOR

Doctor, please-

KELLEY

You want to think it can't happen
again, but it *will* happen again if
we continue to let politicians use
racism and nationalism as a method
to obtain personal power-

GUEST

This is ridiculous-

KELLEY

They stoke hatred; it's what Hitler
and Goring did, and it's textbook,
and if you think the next time it
happens we're going to recognize it
because they're wearing scary
uniforms, you're out of your damn
mind! They're us, okay? The
Germans are us.

Silence. The Moderator leans into his microphone.

MODERATOR

More with our panel when we return.

Commercials begin. The PRODUCER comes over, whispering:

PRODUCER
They're not going to invite you to
stay for the next segment. Let's
go.

He helps Kelley to his feet and hustles him towards the door.

PRODUCER (CONT'D)
And just so you know? Trashing our
country is not the best way to sell
your book.

Kelley looks at him. Turns and goes.

172A INT. RADIO STUDIO - CORRIDOR - DAY

172A

We hold on Kelley as he walks down the long hallway and these words fade up-

Kelley's book failed. He never wrote another. He became increasingly agitated that no one would heed his warnings.

In 1961, after a long struggle with depression, Kelley committed suicide.

He used cyanide, the same method as Hermann Goring.

These words fade, followed by-

"The only clue to what man can do is what man has done".

-RG Collingwood

ROLL CREDITS

FADE OUT