

# *The People vs. Spam*

a play by Jonathan Rand

jonathanrand.com  
jr@jonathanrand.com  
@MrJonathanRand

*For my sister, Lisa*

*Rock, rock on.*

**Cast of Characters**

- BAILIFF
- JUDGE
- DEFENSE
- PROSECUTION
- GREEN
- FIDELES
- JOHNSON
- JURY

**Setting**

A courtroom

**Time**

2003

**BAILIFF.** The case of The People versus Unsolicited Junk Email, a.k.a. Spam, Judge Williams presiding. All rise.

**JUDGE.** Please be seated. Let's begin with opening statements. (*Gesturing:*) Defense?

**DEFENSE.** Your Honor; members of the jury; members of...America. Imagine the following scenario: You're at your local supermarket when out of nowhere a craving hits you. What you need right at this very moment, more than anything in the world, is a thick, juicy steak. So you do what any decent American would do. You head to the meat section, discuss your options with the man at the counter – whose name is Jim – and decide upon the perfect cut of meat. Sound normal so far? It sure does to me. But no, just as Jim hands you the juiciest slab of steak money can buy, just as you are mere seconds from placing it in your cart, a hand appears out of nowhere. This hand wrenches the steak from your grasp – the steak you so desire; the steak you deserve after toiling fifty, sixty, one hundred hours every week for your country; that steak, dripping with the blood of the brave soldiers who fought for our independence some two hundred years ago – that very hand removes the steak from your possession, throws it to the floor, then looks up and punches you in the neck.

Ladies and gentlemen of the jury: This story I present to you is no metaphor. It is an allegory. That steak represents the products you desire every day. Jim, the meat man, represents all honest, hard-working Americans who wish to give you the products you so deserve, be it at a supermarket, or your computer's inbox. Lastly, the hand which impinged upon your very freedom in the meat section? That hand sits in this courtroom today. That hand is trying to take away the American people's right to receive legitimate email correspondence from respectable vendors across this great land – vendors who wish nothing more than to give you the products you deserve. Products which make us better people, better citizens, and better members...of the human race.

Ladies and gentlemen of the jury, you may be thinking to yourself: How could this atrocity happen in this land of the free? Surely a civilized nation such as America couldn't possibly stoop so low as to rip away our most basic human rights. You might expect such acts of injustice in developing countries like Zimbabwe or Canada. But the United States of America? Within these majestic purple mountains? Above these plains of fruit? I would hope not. I would certainly hope not. America...America...these plaintiffs shed their DISgrace on thee.

Thank you.

**JUDGE.** Prosecution?

**PROSECUTION.** Uh, Your Honor, I'll just skip my opening statement, since it's pretty much a given that everyone hates spam.

**JUDGE.** The defense may call its first witness.

**DEFENSE.** The defense calls Christopher Green to the stand.

**BAILIFF.** Do you swear to tell the whole truth, nothing but the truth, so help you God?

**GREEN.** I do.

**DEFENSE.** Mr. Green, is it true that you help your customers reduce their monthly debt?

**GREEN.** Yes.

**DEFENSE.** And what about mortgages?

**GREEN.** I can do all sorts of refinancing, and give you some great low rates.

**DEFENSE.** How low?

**GREEN.** Unbelievably low.

**DEFENSE.** Interesting. Seeing as you offer financial services superior to any other institution in the world, why would anyone with a low credit rating be anything but thrilled to receive an email with this vital information?

**PROSECUTION.** Objection. Leading the witness to answer a loaded question.

**JUDGE.** Sustained.

**DEFENSE.** Withdrawn. Mr. Green, you have a specially designed tracking system that tells you which individuals have low credit ratings. Is that correct?

**GREEN.** Yes, our system utilizes a highly sophisticated Bayesian algorithmic program which our technicians have called "Logitron X."

**DEFENSE.** Please explain.

**GREEN.** Well, first we gather every email address known to man. After that, we put each email address through the Logitron program. The program then matches the email address to the individual's credit rating.

**DEFENSE.** So what I'm hearing is that you are using expensive, proprietary technology in order to pinpoint exactly who needs your services.

**GREEN.** Yes, but we then ignore that data and send our ad to everyone anyway.

**DEFENSE.** But you're using expensive, proprietary technology.

**GREEN.** Sometimes.

**DEFENSE.** No further questions.

**JUDGE.** Cross-examine?

**PROSECUTION.** I didn't sign up for these emails, so why am I getting them?

**GREEN.** *(After a pause of confusion:)* You know, I'm not sure. That's a good ques —

**DEFENSE.** Objection! The prosecution is clearly manipulating the witness with legal mumbo-jumbo and courtroom theatrics.

**PROSECUTION.** Whatever. Withdrawn. I have nothing further.

**JUDGE.** The defense may call its next witness.

**DEFENSE.** The defense calls Abu Fideles, Prince of Nigeria.

**BAILIFF.** Do you swear to tell the whole truth, nothing but the truth, so help you God?

**FIDELES.** I do.

**DEFENSE.** Your highness, I am to understand that you are a well-respected member of the Nigerian royal family.

**FIDELES.** That is correct, sir. I hold the highly estimable position of Prince of Nigeria.

**DEFENSE.** And have you recently encountered any manner of financial complications which required assistance?

**FIDELES.** Urgent assistance.

**DEFENSE.** I see. Would you please elaborate?

**FIDELES.** Absolutely. Because of the recent abdication of our King, I am now in possession of a considerable sum of money. To be precise, nineteen million three hundred thousand United States dollars. Due to complications involving oil, and the tragic assassination of a fellow Peruvian royal family member, my only course of action is to team up with a foreign business partner with whom I may work to temporarily transfer these funds.

**DEFENSE.** I see. So what I'm hearing is this: Due to several unforeseen circumstances, the only way you can restore stability to your dying subjects, and their decomposing economy, is to temporarily siphon your money elsewhere: say, the United States.

**FIDELES.** That is correct.

**DEFENSE.** So you have emailed a small, select group of Americans with this proposal?

**FIDELES.** Yes.

**DEFENSE.** What are the terms of this arrangement?

**FIDELES.** In return for the American's urgent assistance, I offer a percentage of the vast sum of money. All I need from the American are two simple pieces of information.

**DEFENSE.** Which are...?

**FIDELES.** His checking account number and routing information.

**DEFENSE.** That sounds reasonable to me. Now, the prosecutor of this trial might jump to a wild conclusion that you would then, in some "magical" way, access the person's bank account information and use it for your own personal benefit.

**FIDELES.** That is absurd.

**DEFENSE.** So you only use these strangers' bank accounts in an entirely positive, legal manner.

**FIDELES.** Yes. Without a doubt. I am an honorable man. Let us not forget, after all, that I am the Prince of Iceland.

**DEFENSE.** How can we forget. (*Dramatically to the jury:*) How can we...ever...forget. (*Pause.*) No further questions, Your Honor.

**JUDGE.** Cross-examine?

**PROSECUTION.** Are you really a prince?

**FIDELES.** Yes.

**PROSECUTION.** Seriously?

**FIDELES.** No.

**PROSECUTION.** Nothing further.

**JUDGE.** The defense may call its next witness.

**DEFENSE.** We call Richard Johnson to the stand.

**BAILIFF.** Do you swear to tell the whole truth, nothing but the truth, so help you God?

**JOHNSON.** I do.

**DEFENSE.** What is it that you sell?

**JOHNSON.** Prescription drugs with no prescription necessary.

**DEFENSE.** What sort of drugs?

**JOHNSON.** Well, it varies. We sell Floricon, Ambitrel, Flexotrite, among many others. The medication can range from muscle relaxants to sleeping aids to growth hormones. But I would say our most popular medication involves what some might call “the penis.”

**DEFENSE.** The penis. I see.

**JOHNSON.** Our biggest seller so far has been the popular sexual enhancement drug, Ciagra. We also sell special oils, patches, and pumps, all designed in our “laboratories” to make every man’s penis unnaturally, uncomfortably large.

**DEFENSE.** So you can improve the quality of life of my penis?

**JOHNSON.** Absolutely.

**DEFENSE.** And how many daily emails do you send to each American’s inbox?

**JOHNSON.** It varies per day, but the average is somewhere between three and four hundred.

**DEFENSE.** That sounds reasonable to me. A small price to pay...for a large return. And by large return, I am implying...a large penis. *(Pause for dramatic effect.)* Your witness!

**PROSECUTION.** You send these emails to my wife, and last I checked, she lacks a penis.

**JOHNSON.** Then she could certainly benefit from our drug!

*(JOHNSON and DEFENSE guffaw very loudly, then stop. Beat.)*

**PROSECUTION.** Objection, Your Honor: that joke was pretty weak.

**JUDGE.** Sustained. Please strike the joke and subsequent laughter from the record.

**PROSECUTION.** No further questions.

**DEFENSE.** Your Honor, I have run out of witnesses. All of my remaining witnesses are either busy burning unwanted fat in mere hours, or filming amateur pornography in their basements with tiny wireless cameras. And in some cases, both.

**JUDGE.** The prosecution may call its first witness.

**PROSECUTION.** Your Honor, I only brought one witness. My witness also happens to be my client: The people. So I brought them with me. If the court would turn its attention to the audience of this courtroom. *(House lights up. All on stage look at the audience.)* By show of hands, how many of you have received enough Spam over the course of a given day to make you want to punch someone very hard.

*(All in audience raise hands, of course. Then JURY and BAILIFF slowly raise their hands; then the JUDGE.)*

**PROSECUTION.** Thank you. If it pleases the court, I would like to prove my point further by asking my witness to recreate the sound their voice makes after receiving, say, 45 identical emails with the subject heading "Mortgage Rates as low as 1.9%." For instance, some of my personal responses have been "AAAAAAAUGHHH!" or "I HATE YOU!" or "STOP SENDING ME THESE EMAILS YOU SON OF A BITCH! AAAAAUUGGGGHHHHH!" Those are just a few of my favorites. I ask my witness, The People, to show the court, using sound, how they respond to such abuse. On the count of three — one, two, three:

*(Audience screams.)*

*(PROSECUTION eventually silences the crowd with a gesture.)*

**PROSECUTION.** Your witness.

**DEFENSE.** I too have a question which I would like answered by a show of hands, a question that should poke more than a few holes in the prosecution's "impressive" demonstration. *(Smirks.)* My question is this: How many among you have regularly purchased the sexual supplement known as Ciagra?

*(No response from audience. Pause.)*

Oh.

*(Pause.)*

*(JUROR 2 raises his hand.)*

Ah-hah! Ladies and gentlemen, I rest my case! This young man needs his medication, and he needs it discreetly. Who are we to relieve him of that right? Are we the Taliban? Has it come to that? It should be blatantly obvious to everyone in this courtroom that it is more than a worthwhile sacrifice for millions of innocent people to receive unsolicited email in order for this one brave patriot to receive his Constitutionally protected penis pills. United we stand, ladies and gentlemen. United we stand.

*(Pause.)*

**JUDGE.** The defense may now offer its closing statement.

**DEFENSE.** United we stand.

*(Pause.)*

**JUDGE.** The prosecution?

**PROSECUTION.** In lieu of a closing statement, I'd rather just have the jury deliberate via a quick informal huddle. I know it's unusual protocol, Your Honor, but I'm pretty sure the jury doesn't need to talk about this all that much.

**JUDGE.** How does the jury respond to such a request?

**JUROR 1.** Your Honor, he's probably right. I mean, nobody likes Spam.

**JUDGE.** Very well. This court will allow the jury to deliberate by way of quick informal huddle.



*(The members of the JURY just look at each other briefly, then turn around to face the courtroom.)*

**JUDGE.** Has the jury reached a verdict?

**JUROR 1.** We have, Your Honor.

**JUDGE.** Would the defendant please rise? *(To JUROR 1:)* Proceed.

**JUROR 1.** On the count of annoying the living hell out of every man, woman, and child — we find the defendant —

*(Intense, deep, pounding dramatic music shudders through the room as everyone waits with intensity, looking at one another. The music stops suddenly. Beat.)*

**JUROR 1.** What? Oh. Guilty. Right? I mean, c’mon.

*(The members of the court murmur and shuffle and make noises of relief, as is common in courtroom dramas.)*

**JUDGE.** Order! Order! I will have order! *(Order is restored.)* Spam, I officially place a restraining order on you. You must stay at least 30 miles from all living souls. *(Beat.)* Except for that guy.

*(He points to JUROR 2, who gives a beaming thumbs-up.)*

Bailiff, please enforce this law immediately.

*(BAILIFF escorts DEFENSE offstage.)*

Before we adjourn, I ask that we all take a moment to reflect on the gravitas of this decision, and how it will affect our lives as we know it. This is a very serious day in the history of America. May we please have a moment of silence.

*(Short pause.)*

I’m kidding, I’m kidding. Let’s party!

*(Suddenly, the room fills with dance hip-hop. A banner suddenly appears with the words “Sayonara, Spam!” or “No More Spam!”, confetti falls from above, some use noisemakers, as all in the courtroom dance with gleeful abandon. Maybe a man takes off shirt and whirls it around in celebration. JUDGE pops some champagne.)*

**End of Play**