

***In Times of War* by David Alan Moore**
Program Notes

In the late spring of 1942, eight German saboteurs, including two men who were American citizens of German descent, landed on the coast of the United States – four men on Long Island and four men in Florida – carrying large amounts of cash and explosives. Their mission: to meet in Cleveland and coordinate their plans to bomb key sections of the U.S. infrastructure, including power plants, factories, and railway stations.

Within days, the leader of the group, George Dasch, turned himself over to U.S. authorities and provided information that helped FBI agents apprehend the rest of the men under his command. Concerned about public reaction to the successful delivery of these soldiers by German U-boats, and fully aware that the attack on Pearl Harbor had happened less than six months before, President Franklin D. Roosevelt immediately claimed unusual wartime privileges and ordered a secret military commission to try these men. Roosevelt is said to have told his Attorney General, Francis Biddle, “I want one thing clearly understood, Francis, I won’t give them up ... I won’t hand them over to any United States marshal armed with a writ of habeas corpus.”

The press was told about the capture of these “Nazi saboteurs,” but not about the fact that the men were caught only because their leader had betrayed them. The U.S. government wanted Hitler to think that his plan was completely unsuccessful so that he would not try sending saboteurs ever again. While public outcry for the immediate condemnation and punishment of the eight men was swift and absolute, the legitimacy of the commission was quickly challenged in the U.S. Supreme Court by the Army officers assigned to represent the prisoners.

And this is the point where the ties of historical fact that bind our play fall away, and the drama of three men and their convictions to their own versions of what America stands for break open to our audience, who will certainly feel the weight of this story in our own time of war.

Sixty years after the time of our staged story, after the terrorist attacks of September 11th, 2001, the Court's decision, known as *Ex Parte Quirin*, and the precedent-setting use of secret tribunals, formed the basis of the Bush Administration's policies in the "war on terror."

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