

Being Had



By Adam Goodman

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Forward

The following is the true story about a year more or less of my life when I was held in Poland for a crime I didn't commit. It's a story about what happened to me and about what life was like for me and is like for the people I was involved with. I think that while I was in the middle of all that was happening around me, it was everything I could do to keep some sense of clarity. But it is obvious to me now, looking back over my notes, the papers I have saved and the almost two thousand E-mails I used as a reference from that time that I was quite affected by all of this. I can see that there were a lot of things I could have done differently. Of course, if there had been more money, anything would have been possible. I am an American you know and don't think for a minute that this is any small matter. And to this end, I am sure that 90 percent of the people who had their hands on me were doing nothing but waiting to be paid. But I think I tried to do the best that I could with what I had to work with, even if ironically enough, this was the thing that was held against me the most.

Over the last couple of years, while thinking about in the eventual writing of this book, I had always thought that I would have liked for it to have it begin on one warm September morning while riding my bike in Manhattan. Eventually though, and this has included three major edits and a lot of water under the bridge, I got to thinking that I was being a little gratuitous in attaching this story to September 11th. But in a lot of ways my experiences in New York had a great effect on me and my feelings about my life and what sorts of things were important. That day was a huge shock and along with the following times of economic struggle that followed that most catastrophic day, I am absolutely sure that a lot of my choices were colored.

But then again, maybe the story really started as I was waiting for the plane to take me to Italy for that promise of a job, that potential romance and all of the other things that never happened. Or perhaps this account could start on the train to Belarus about six weeks later and what I found had become of Belarus in the five years since last I had been there. Perhaps finding Tatyana and riding with the boys at the bike club were really the beginning of the story. None of this was unimportant. But maybe it is all a bit personal.

So let's start this story on May 15th 2002, at the corner of Solidarnosci and Andersa in Warsaw, Poland. Well, actually we'll start the night before, but I think that all things considered, it really was all about the events of that particular day that affected all of us so much, so I think I would like to start there.

Adam Goodman
September 15th, 2003

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Prej-u-dice Pronunciation Key (prj-ds)

n. An adverse judgment or opinion formed beforehand or without knowledge or examination of the facts. A preconceived preference or idea. The act or state of holding unreasonable preconceived judgments or convictions. See Synonyms at predilection. Irrational suspicion or hatred of a particular group, race or religion. Detriment or injury caused to a person by the preconceived, unfavorable conviction of another or others.

Ghet-to Pronunciation Key: 'ge-(")tO

n. A section of a city occupied by a minority group who live there especially because of social, economic, or legal pressure. An often walled quarter in a European city to which Jews were restricted beginning in the middle ages. Something that resembles the restriction or isolation of a city ghetto.

Ex-tor-tion Pronunciation Key (k-stφrshn)

n. The act or an instance of extorting.

Illegal use of one's official position or powers to obtain property, funds, or patronage. The extortion by dishonest officials of fees for performing their sworn duty. The act of extorting; the act or practice of wresting anything from a person by force, by threats, or by any undue exercise of power; undue exaction; overcharge.

Some people see things and ask 'Why?' But I dream things that never were-- and I say: 'Why not?'

George Bernard Shaw

Plead guilty, it's easier, quicker, and cheaper for everyone.

From Brazil, by Terry Gilliam

I think that your attitude was quite strange, your (at the time) approach to poles was quite inappropriate for what you "expected". I don't know Adam, but I think looking at the bright side of things is what ya gotta do, everything happens for a reason...

Maka, a Warsaw bike messenger

Part I

Chapter 1

Warsaw Poland; May 6th through 14th, 2002

To tell the truth, at the time when all of this nonsense started, I was actually wondering about how serious I really was. I say this now not because I regret what I was trying to do but because in any serious endeavor, one has to be absolutely sure about what one is doing if there is to be any hope of success. And as my plan was to try and make a small bicycle business in Belarus, one of the poorest countries in the world and one that was headed by an overtly anti-western president with a reputation for being a totalitarian dictator (Alexander Lukashenka), obviously anyone could see that this would be sort of a steep hill to climb.

How steep? Well, as far as the business was concerned, I knew that there would be a few problems going in. Firstly, simply put, Belarusians do not have any money to pay for anything, much less new bikes. There are lots of real reasons for this. The locals like generally to put the blame directly on their president and his theories of applied economic socialism but there was also seventy-odd years of communism, lack of resources and opportunities- and of course very limited foreign investment. But regardless of what turns out to be the eventual truth behind their poverty, the amount of money that people actually had to live on was so staggeringly little that life there sometimes seemed more like a sadistic comedy than a functioning society. And it's not even like the fallacy that the economy simply adjusted to smaller numbers; normal workers got about sixty to eighty bucks a month from their jobs and the cost of food and clothing was not so different from the west- this wasn't a lifestyle

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thing but an impossible fucking cultural reality. Secondly, Mr. Lukashenka's above mentioned reputation was made by standing firm in his desire to keep the west out. And so because I was an outsider, and an American, in addition to having to pay for visas, there would probably be a lot of "special" attention paid to me and my local partners concerning both how we ran this business and that the profits stayed in the country. So yea, the hill was pretty darned steep.

And yet, there I was, sitting in the internet room in a youth hostel in Warsaw, Poland, stuck between visas and crying my eyes out because no-one would invest a dime in my business plan. I had been in Poland a little more than a week trying unsuccessfully to find some financial support for the shop from people I knew back in the states. I would rather have done all the calling and E-mailing from Belarus, but without a visa I could not stay and whether or not I could return was based more upon my ability to fulfill some promises I had made. It had been a really bad week. Nobody was buying. In fact, nobody even seemed to understand why was I doing it and this was the cause of the tears.

Ok, so why was I doing this?

The best arguments I had for would-be money lenders was that this deal was not really about personal profits, but to invest in Belarus' future. This was idealism. Sure they were broke now but the economy would eventually grow- it would have to because it certainly couldn't fall any farther- and when it did, our deal would grow right along with it. That's opportunism. And, by showing that an American was willing to throw in with them despite and perceived political differences, we would also be contributing to the betterment of local moral, which at the time was hitting what had to be rock bottom by any society's standards. It was an open handed gesture

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of good will, it had to make Americans look good- maybe we could even say it was all for world peace! And that is called altruism. So, it was about helping Belarus.

My friends however were skeptical and were thinking logically enough about what the bottom line would be about getting their money back. And, wanting to be clear right from the start I told them the truth. Our best case suppositions were that we, my partners and myself, could expect perhaps a few hundred dollars a month from dollar and two dollar fixes, selling cheap parts and the occasional bike. This money would of course to be split amongst all of us; most of the income would be in the spring and summer and starvation in the winter- that is if we could get started and if we could find a way to get parts in cheap enough.

Doesn't sound so good does it?

The most common I-won't-give-you-any-money-but-here-is-my-opinion-anyway argument was that obviously this was my personal deal and equally as obviously it had to be about some girl I had found. And really, if this was the case, wouldn't it be smarter to bring whoever she is back to the states and do what you want business-wise there?

OK, of that I was guilty. Of course there was a girl. Her name was Tatyana. I met her at the bookstore on Lenin Square. She was working there. I decided I needed a dictionary one day and she sold me one. Then I took her to dinner. I thought we had a good time but then she flat out rejected me about further meals about five or six times. Very interesting start to a relationship. And then at the end of my visa and just about the time she had me convinced me that she hated me, she simply and wordlessly wouldn't allow me to leave. And she never has. Tatyana is tall, beautiful, funny and caring and yea, she and whatever magic she had over me were why I had gone back

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on a second one-month visa and afterwards why I had begun to think seriously about making this small business. Of course that's what it was about; I was trying to do something to help support her and her family.

But as far as bringing her back to the states was concerned, this was unfortunately not an option. First of all the Belarusian bureaucracy is so thick that it might be years before I could get her a visa. But more to the point, the bureaucracy would never permit Tanya's then six-year-old son to leave because the kid wasn't mine. He would need the real father's consent and that was something that we were never going to get. And of course I was not about to ask Tatyana to go without her son. But then again, this would be the thinking if bringing Tatyana back to the states was what I wanted. I wanted to stay and I wanted to stay because it was not just about Tatyana.

I was also doing it for the bike school. I met these guys, a group of ten to sixteen-year-old riders who were training to be road racers at the sport school. I met them while riding around Pinsk and road with them many times on their 40 and 50 km training rides. They had heart, they were nice kids and they could really ride. But the situation for the club was outrageous. The kids were all riding on these old, heavy, outdated and falling apart bikes but there was absolutely no money for anything for them. The club's shop itself was a joke; old and broken tools and hardly any bikes that could run. They had scavenged parts from what bikes that had so many times that they barely had enough to give the kids. The trainers, Sergei, Nicholi and Victor were to be my partners in the bike business. I loved these guys. They were busting their butts for the kids and for bikes for only about \$45-50 a month. This was for them too.

And then there was the theatre. I wanted to do something for them too. I had started a Russian/Belarusian language play project specifically to try and raise the credibility of that whole group. I mean, why wouldn't a play written by an outsider specifically for the theatre that showed compassion and understanding for the situation be accepted? Why not? The whole town was falling apart and the crap that the theatre was passing out seemed to be doing nothing but contributing to the prevailing feeling of general hopelessness that was everywhere. And so as far as that was concerned, there was Edward and Lena and all of the folks who had gotten involved with that. I mean, it was all breaking my heart. All of it. And it was personal.

Maybe I should back up a bit.

The first time I saw Belarus was in the summer of 1997. I had come the first time because my grandmother was from Pinsk and my grandfather was from Minsk. At the time I thought it was the most beautiful place I had ever seen in the world. I don't think it anything to do with the landscape, which frankly is anything but attractive but more so because of how people interacted with each other. They had endless social graces and openness. Regardless of a ridiculous economic situation, they nevertheless made me feel welcome and relaxed and... good, if this is a good way to describe it. They made me feel as though my soul was clean and that I was needed. They were just so good with each other, they seemed so complete. Actually, if it is possible they made me feel that I was not good enough at being social. It was great and it was endless and beautiful and in the end, I guess kind of broke my heart.

I was proud that I had a connection to them. I mean, Americans are from anywhere but I was from HERE! I swear I could feel something in my DNA humming along in consonance with the land I was standing on. The food tasted right, the air

smelled like it should; I felt comfortable and clean. And what made it all even more amazing, was that nobody had anything.

And I met a girl there. A beautiful, beautiful girl. In fact she was to my eyes so beautiful that she changed my entire idea of what life could be like. I couldn't even understand how it was even possible that such a human being could come to be. Whether it was nature or nurture my thinking was that if the people in this country could make a girl like this, they must have known something.

This was the Belarus that I had found in the summer of 1997. I mean, they were simply the best people I had ever met in all my life. I had seriously considered staying then but didn't, and that choice had haunted me ever since.

And maybe more than anything, this is why I wanted to stay now and help. And really, why exactly does following one's heart automatically mean foolishness? Maybe it was like finding an old friend who had fallen on bad times and I just wanted to be there to help them get back on their feet. For years I had lionized the people of Belarus for their hearts and willingness to give; why not be amongst the first to say that I believed in them during their hard times. And there was Tatyana too...

So this is what I was thinking: Make a small business in my chosen field in a place where I wanted to be and where I felt I was needed. The business would be a way to help finance a new relationship, several in fact, and would stand as a gesture of good will and would give me something to do while I was there. Where is this far fetched? In fact, I thought there were quite a few signs that I was OK in my thinking and even a few signs of potential success.

I sensed that I had struck a chord with people. Everybody seemed to like me. I had no trouble finding people to help with a Russian Language theater project I had started (New ideas, new hope) and my local bike friends were very enthusiastic about the proposed business. I had confidence that my personal style of doing business would work great in Belarus and I had never had a problem making a living by putting the non-monetary aspects of biking (health, ecology, economy and the customer) first. Hell, I was even a genuine New York City bike messenger. I was the real thing in bikes; I was someone who could be believed in and that was my reputation. So between the bikes and the theatre project I figured that what I had to offer would be a perfect balm for a place which had seen better times. I was out riding with the bike club, people knew me and liked that I was fostering ideas of health and optimism- everything I did seemed to be working and getting together with Tatyana seemed to be sort of the icing on the cake. I was thinking that even Lukashenka would love me because if anything, I was an anti-carpetbagger because I was trying to be there, to be local.

Of course I was worrying a little. I mean, how smart could investing so much so quickly in an impoverished country with strong anti-American sentiments be? Not too damn smart I reckon. I was also worried because I simply didn't have all that much money to start with. I had left New York with a few thousand dollars I had saved, but I had not worked since then. The situation was tight no matter what would happen. I was also worrying about investing in such a new relationship and one that involved a kid, no less! And even if things worked out, the three of us would all have to be living on one room of Tatyana's family's two bedroom flat; six of us altogether if you count Tatyana's sister, all jammed in there taking turns using the bathroom and the kitchen. And then there was the language barrier; it was one thing to try and write

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a play in a language you don't speak, that's art, but it is quite a different thing when you are trying to yell at a six year old kid who can't (or won't) understand a word you are saying. An uphill climb? Maybe it was more masochism than heroism. And there in lay the question of seriousness. What a mess...

Nevertheless, I was still trying. I wrote some more letters to some bike part distributors and hit up some people in New York about money. I've never been afraid of a little hard work. The most important thing was that what I was doing felt really right. I wrote and wrote some more. I had confidence; I was willing to make sacrifices. Actually, I felt what I was doing was rather beautiful all in all; a foothold investment in a new market, the money would be minimal and the shop would be shoestring but there was more room for growth than one might think at a first glance and in the end, there was great potential for good. I liked the girl, I liked the place, I liked my new friends- I liked the aesthetic. That's got to count for something too.

But nobody bought. Nothing. The rejections were starting to get to me and my time and money time were running out.

I got to thinking that at least ought to start letting people down easily. I know that a lot of the support that I got from people in Pinsk had come because I had been so serious about doing what I said I would do. I guess I had inspired some hope in a place where it was desperately needed. But in fact I wasn't getting anywhere and now I was in danger of letting people down.

I know I hadn't said anything more to Tatyana and the guys than I would try. But Tatyana working for forty-five cents an hour and the guys at the bike school were making less. But now I had them out hunting places to lease!. Obviously the love that I had received there had come from a feeling of trust. What had I done? I get a bunch

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of people that have absolutely nothing going high by telling them there will be business- that there might be business, that I would try- and then I just drop them on their asses again. I was worse than a drug dealer.

I wrote this letter to Tatyana:

Tatyana,

I am sorry. There was a problem with the money and it is worse then I thought... I am sorry; it looks as though I must do something right now other then to come back to Belarus. I was going to be there tomorrow, but I think that I can not...I am sorry Tatyana, I only wanted to be back with you and now it looks as though I can not...things have happened...I am going to see if I can do something to change things from here in the next day or so, if I can, I will do something, but if I can not, we must try and think of other things that we must do. I do love you Tatyana, but if I do not fix this situation right now, I will have no money. And I know you love me, but I don't think you will love me so much if I am broke...

Tatyana wrote me back. The letter said that she understood what I was saying but wanted to know when I would be coming back home to her. Those were her exact words: When are you coming back home?

That had to be the bottom. Of course it was home. Of course it was not a game and of course it was true that I had meant all of the things I had said. What was taking so long? That's all she wanted to know.

So you now I am a biker and so I have a lot of bike philosophies. One of them says that you never get off the bike while climbing steep hills- no matter how hard it gets, no matter how great the pain, you keep your ass in the saddle and your feet on

the peddles and never, ever quit and walk. And so, rather than stepping off onto the pavement I did something I swore I would never do: I called my folks.

Now this call required a bit more pride swallowing than you might think. I hated writing that first letter. I told them pretty dryly and directly what the situation was and asked if they could help. The response I got was negative but they asked me why I even came to them. So I wrote again and told them about Tatyana and Egor and Pinsk. I told them that I felt I had found a place that felt like home and that I was with a family and about how I felt in Belarus. I told them about the play and about Uladsimir and Victor and the kids in the bike club and about living with Tatyana's family and eating grandma's soup in the morning. Basically, I just told them it was real to me and I that I felt I needed to give it a try.

They wrote back and told me that they were no longer as well off as they used to be, that they were just starting their retirement and that they had gotten themselves into a real estate jam that was sucking them dry. However, they would see what they could do, but all things considered; I really shouldn't count on much.

Well, this was something. It was a long night. I didn't get any sleep and was dressed and on the bike before 5:00am. The internet at the hostel was closed till 8:00 so I rode to the train station to check my e-mail there: Three spams, two bad jokes and a letter from my mom. She had talked to my dad and they would be happy to send what they could if I thought that it would really help. Wow. I was thrilled. It was like dying and then coming back to life. The next day there was an e-mail confirmation for a bank transfer of \$3500- not a lot, but between that and what I had left, there was possibly enough for the basis of a shop, some tools, parts and bikes... and a little

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hope. And if it wasn't enough, well, we are talking about Belarus: We would just have to make do.

Tue, 14 May

Tatyana!

Got paid...be back Wednesday night if I can and certainly by Thursday. I miss you too, too much...Uspakoynye... Lots to do. And only love is what I have for you... I will be with you soon...

No worries and thank you for waiting,

Yours,

Adam

Now, if anyone had told me what was about to happen next... well... shit.

Chapter 2

Warsaw Poland; May 15th 2002

The Incident

I had already been through the routine of getting the necessary documents together several times by now; get the voucher, pay at the bank, turn in the papers- I knew exactly what I had to do. Excited and happy as hell I was up too early and on my bike for the embassy part of the mission. Once a courier, always a courier, I had my rout mapped in my head before I started: First stop was a ticket for the 8:20pm train to Brest. There was an earlier train but I had made a habit of taking that train because it was a sleeper that dropped me in Brest and then into Pinsk at about six in the morning; perfect timing for a breakfast of grandma's soup with Tatyana and Egor. After this I would need my voucher from the Kalinka Tourist Bureau, a receipt from the bank that I had paid my fees and then all that was left was to turn all the

paperwork into the embassy. Four stops to make and just for the sake of professional pride, I decided to make the run as if it was a 5pm double rush.

I threw what papers I needed into my black and white Chrome bike courier bag, got on my homemade Schwinn fixie (no breaks and one fixed rear gear-track style) and I was off. I was at the train station with ticket in hand, at exactly 9:00am and at the tourist bureau offices for my voucher stuff the moment their doors opened at 9:30. The ladies there of course knew me and my numbers and destinations already so I was in and out quickly and through the bank to pay for the visa in record time. After this I rode over the bridge in a sprint and was at the embassy for my visa by 10:30. There was a delay there however when the embassy through me a curveball and asked me for a new photo to go along with the papers. This was new and something I wasn't prepared for. They had always let me go through by just copying the photo from my passport so I hadn't thought to have one taken. So I asked directions to the nearest photo shop but I guess I misunderstood the directions because I made the mistake of choosing to walk the distance and left my bike chained up to the embassy gates. The walk over and back was a lot farther than I thought and to make matters worse, I got caught in cold morning rain along the way. The expression of wet misery on my face in the photo pretty much describes how I felt at that moment. Anyway, I finally got my pictures and returned to the embassy by a little after noon, I turned in all of documents and had my new Belarusian visa in about 40 minutes.

With all of the paperwork completed though, I was now free of responsibility and with nothing to do but to pack my stuff and get to the train by seven or so that evening. I rode slowly back across the bridge and stopped for a kebab from the vendor across the street from the Dome Kultura Building. The clock on the tower said that it

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was about 1:30, about time for a midday matinee, so after I finished eating I rode over towards the two theatres nearby on Soloidarnoci Street that showed foreign (American) films. I rode first to the Murinow and looked at their marquee and then rode over the Femina before making my choice to go back to the Murinow.

I rode slowly, lazily along the sidewalk on the right side of the street. There were no cars. The theatre was on the opposite side and the road was divided by the tramway. Just before the intersection I crossed to the left behind a bus that was stopped there. Ahead of the bus was a pedestrian crosswalk that led straight to the theatre. This was the intersection of Solidarnoci and Andersa. The crosswalk was only fifteen meters ahead, the distance of the bus which was in the center lane. The left lane was open so I slid in tight around the rear corner of the bus and stayed along the white stripe marking the lane between the cars. And then just as I got past the rear corner, I heard someone behind me gun their engine.

I looked over my shoulder and saw a car come storming into the left lane. The car was coming in way, way, way too hot for the distance that was left to the stop. There was a screech of the tires as if maybe he was coming actually from the center lane or that he was trying to make a sharp move but then, just as he was passing me, he suddenly jerked the wheel sharply back to the right, turning his car right into me. I could see his face as made this move; he was looking right at me, right into my eyes and grinning like a madman. I guess he was smiling because the decision to take a shot at me somehow excited him or made him happy.

What the fuck?!

There was no possible time for any reaction; if he made contact that was it. So I just gripped the bars as tight as I could, stared straight ahead, held my course and braced for the hit. The car came within an inch of my left leg and then, just as his

move was finished, he suddenly jammed on the breaks, locking the wheels and sending the rear of the car sliding out at an angle to the left and the front right corner of the car ended up right next to the bus. I wasn't moving that fast but there was no room between the front of the car and the bus to get through. My homemade fixie has no brakes and there was not enough time or room to throw my weight forward and try to lock my rear wheel for a skid. What to do? No room to skid, no room to bail, no way for me to get through... Shit! I tensed my legs, antagonizing the momentum as much as I could and then let go of the bars and made a grab for the top of his car and the bus to avoid a crash. The move worked and there we were; the car stopped at an angle next to the bus and me sitting upright on the saddle, wedged in between him and the bus and holding on for dear life.

At that moment it looked like the sort of move a cop would put on you to intentionally cut you off. For sure that was a cop move. But why were the cops stopping me? I hadn't done anything. I was about even with his front window and I looked in at the guy. He was staring straight ahead now, beating his hands on the wheel screaming *kourva!*¹ The guy had a little girl in the passenger seat with him. The passenger side window was open a little bit. The girl was staring at me. Then the guy stopped yelling and looked like he was thinking really hard. Why did he want to hit me? Was this about being first to the intersection? Why was he coming in so hot in the first place? Had he been asleep? But even so, why did he try and hit me when he went by? Who was this asshole?

He didn't make any move to get out of the car; he didn't seem to be thinking of apologizing or even to try and talk to me, explain what in the hell he had just done. He was just sitting there staring straight ahead. I guessed that he was planning on

¹ The most common Polish curse word.

running. That would make sense; take a shot at killing a biker and when you miss, you just run away. Or maybe he couldn't just drive off because he would need to back away from the bus first. This was probably right; he was trying to figure out his story.

No, that doesn't work for me. This sorry son-of-a-bitch could have could have killed all three of us! There is no way he gets away with this.

I stepped off the back of the bike, lifted it straight over my head and carried it over the front of the car and laid it down on the street in front of him. This is a trick couriers employ to make sure that assholes such as this, drivers who do nefarious deeds and endanger lives, something that almost all urban bikers and certainly all professional couriers unfortunately have experienced, can't drive away.

I then went and knocked on the driver's side window and motioned for him to step outside. He just sat there. I started screaming at him to get out of his car. I was really mad. I was screaming "You wanna kill me, you sick fuck? Come on, get out of your car and kill me face to face! Get out of your car and try again! I'm standing right here! Come on and kill me!" He just sat there staring at me. "Open the fucking door!" I screamed. He didn't move so I grabbed the handle, pulled the door open and hit him right in the mouth. Bam!

I guess he was not expecting that.

"Don't you ever, ever try to hit a biker with your car ever again! Do you understand me?" I was scolding like he was a little kid, waving my finger in his face. But rather than take the scolding, he suddenly he grabbed the finger, and tried to break it. I changed the angle of my hand so he had no leverage on the finger and when I did, he turned sideways in his seat and started kicking at me. This I was not expecting. Why was he fighting me? I only hit him once and he had to have known what that was for. He had to know he had it coming.

He wasn't hurting me with what he was doing but his fighting like this seemed wrong. It was confusing; this guy was somewhere else. And what was worse, though he was not so great at fighting, he was really calm about it like it was normal. This moment was nothing to him. The guy was nuts.

Then I saw him look at his cell phone like he thought he wanted to call somebody? Who was he gonna call? Was he thinking of calling the cops? What are you gonna say? You wanna say that I attacked you? This guy is nuts and a weasel!

This whole situation was absolutely wrong. Maybe it wasn't just arbitrary road rage, or maybe the guy had been following me. Was this about money? Had he recognized me from riding around town and this was his taking his shot at me? Is this why he had hit me with the car? Had he done it on purpose hoping to draw a reaction? Is this why he never got out of the car or apologized?

It was time to get out. He still had my finger and was kicking at me but he wasn't getting much of me. I changed the angle of my right hand again and used the heel of my left for leverage and pulled the scolding finger away. Once the hand was free I drew back and shot him one more right along side his head and this broke the exchange. The hit had a slapping sound to it and he seemed surprised to find out his fighting had not been all he thought it was.

I knew there was a police station just on the far side the theatre so I picked up my bike and road over there. I had obviously been followed by a nut and I needed to get this guy off of me.

“Look at my fucking day!” is basically what I was thinking as I was riding past the theatre. I really didn't want to go through any of this nonsense. Turning this guy in would be an all-day deal. I might even be late for the train. All I wanted was to get back to Tatyana, to be in Belarus and get going on my little bike shop. I didn't

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need the cops. Maybe that guy would just run away and that would be the end of it. . He was probably scared as hell and on his way home. I really didn't give damn about Warsaw's social misfits. I just wanted to go home.

I came up to a cop who was standing at the edge of the parking lot and stared in his face for a second or two. The cop stared back at me. I didn't say anything for about 5 seconds. Maybe I didn't need this. He hit me, I hit him. He was probably on his way home. I made my point; he wouldn't think about doing that again.

The cop asked me what I wanted. I was still thinking when I saw the bike killer's red car pulling into the parking lot ahead of me. He had followed me to the police station.

"Do you speak English?" I asked. The cop shook his head. "Find me a cop who speaks English." I pointed my finger at the car. "That son-of-a-bitch just hit me with his car!"

Chapter 3

Warsaw Poland; May 15th 2002

The Incident, part 2

The guy had driven into the lot with another car right in front of him. I saw him get out of his car and go over to the other. There were two people in that other car and I guess they knew each other because my guy stuck his whole torso in through the driver's side window as if he was reaching for a pack of cigarettes from off the dash. Maybe he did reach for cigarettes, I don't know. The two guys in the other car never got out and I didn't see what happened to them. Another cop came over and pointed to a spot at the back of the lot just past where I was standing, he was telling the driver

where to put his car. The cop I had been talking led me over to another cop who spoke English. We were standing about ten meters away from where the driver eventually parked.

The guy got out and started talking quickly to the cops, pointing at his bumpers and front quarter panel and pulling his lip up showing where I hit him. I was thinking "Here we go! Look at you, you lying bastard." He was politicking hard but he had a real worried look on his face. They had to know he was lying. This dance he was doing made me even madder. I didn't care anymore if I missed my train. I really wanted him now. I would follow this lying son-of-a-bitch all night if I had to.

We all sort of stood around a little while until two more cops showed up a few minutes later. When they did the English speaking cop left with his group to go on duty somewhere. Neither of these two new cops spoke English. I hoped that they had got the gist of my story from the other cop. I was asked for my passport and I gave it to them. They told me that other cop had briefly explained to them what I had told him earlier and that they understood. They asked me what I wanted to do. I clicked my wrists together, indicating I wanted the guy cuffed; I wanted to press charges. They called to the station on the radio and after a few minutes they asked me to put my bike in the back of their car. I suggested I could follow them, but they smiled and said it would be easier if I just loaded it in the back. They still had my passport. I rode with the cops without cuffs to the police station.

When we got there I locked my bike to a pole out front and we all walked in together. The guy who had hit me looked really nervous at the station desk. I was staring straight at him. I was really mad. "Tolko gavarish pravda." I said to him. This is Russian for 'only speak the truth'. I know he heard me. I said it twice. He spoke to the officer at the desk for a moment and then they led him off to another room. They

found an officer who spoke English and through him I told them what had happened. At the end, when they asked me what I wanted to do about it, I told them I wanted to press charges against the guy. Yes, I was willing to sign a complaint. After a few minutes I was asked to follow one of the officers across the hall and was led down a flight of stairs into a room with a cell in the back of it. A cell?!

“You’re arresting me?” I screamed. They urged me to get into the cell calmly. “Are you arresting the other guy too?” Please step into the cell. “I want a lawyer!” I screamed. This drew laughter as they closed the door. “You are not in America. This is Poland.” One of the cops said in English. This made them all laugh some more.

They left me there for about 45 minutes. My bag was still around my neck and I was still not handcuffed. The two arresting officers came downstairs and started to make out a report. While they were writing, they put a prisoner in the cell with me. He was really skinny and I found out his name was Lukasz. Lukasz spoke English really well. He said he was being held because somebody had accused him of grabbing their cell phone. He told me his whole story but I didn’t believe him. After he finished We sat there thinking for a minute and then he tuned into what the cops in the room were talking about. He whispered to me that that the cops were saying that the guy I hit was an off duty cop. What? I started screaming. “Was that bum a cop?” The cops in the cell room just laughed at me. “I want to call the American Embassy right now, immediately”. The cops told me to calm down. “Was that guy a cop?” No, no... No cop. They stopped talking amongst themselves and were quiet. I asked again and again they only asked me to be calm. I asked them to show me their badges. I wanted to know their numbers for later. A few of them smiled at me and flipped their badges backwards into their breast pockets so the number could not be seen. I looked at Lukasz. He shrugged his shoulders.

The two cops who had come to the scene, I guess now we would call them the arresting officers, had been writing their report at the desk next to the cage I was in. They put down their pens and opened the cell door. They wanted my bag. I told them they could go fuck themselves. This seemed to make them happy. After taking a minute to compose themselves, they came into the cell and double teamed me, slamming me up against the wall and pulling my arms up behind my back. They took the bag off me and then cuffed me and locked me back in the cell. They then went through my bag and catalogued what I had. When they were done, they showed me a receipt, took the bag and left.

A few minutes later the guy who hit me came downstairs with a uniformed policeman and the little girl. I guess they were showing the girl that the bad man was safely behind bars. What a bunch of shit. Did the cop understand that this little show was more for him than for the girl? Didn't the guy understand that the girl knew the truth? Wouldn't this little farce make it worse for her? I looked straight into the guy's eyes. He couldn't return the gesture. I think the uniformed cop saw this and shuffled him and the little girl out of the room a little faster. Yea, they all know it was a lie.

After another hour or so they brought my bike down and stuck it inside the cage with me. I guess they found the key in my messenger bag. And after some more waiting around, they took me and the bike outside and stuffed me, still handcuffed into the back of a van and drove somewhere across town. When we got to wherever it was we were going, I was let out of the van and led down a flight of stairs to a locked door. We had to wait for about 10 minutes before they opened the door. Once inside, they took my shoes and my hat. They wanted to take my glasses but agreed to let me keep them when I complained. I was wearing bike shorts, a jersey and socks. I was put in a green 12x12 cell with two concrete sitting/sleeping pedestals. There was

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another guy in there already. He was pretty big. He was pacing back and forth, breathing heavily with a slight wheeze. There was a small window with a grate on it. The room smelled like disinfectant. They closed the door and slid down the lock. I sat down on the left pedestal and watched the big guy pace for a while.

I spent the night in a cell.

Chapter 4

Warsaw; May 16th 2002

Apparently, by the time they had gotten around to locking me up, I had already missed dinner so to add to my anger and paranoia, I was also really hungry. Late in the evenings they give out a vinyl pad with a sheet, a blanket and pillow to put on the concrete pedestals for sleeping. I got to talking with the big wheezing guy I was in the cell with. He didn't know English but had a little Russian and hung in there pretty well with my pigeon dialect. He told me he was caught changing money and had no papers to say that he was allowed to do this. Normally this wasn't such a big deal he said but the passport that held didn't belong to him so his thinking was that he was not going to be home with his wife and kid for a little while. He asked a lot of questions about me and about New York and about money. He wasn't such a bad guy, really. I had an idea to play some checkers to pass the time so we collected concrete chips and paint flecks from the walls for checkers and scratched out a board on one of the pedestals. All in all though; it was a pretty shitty night.

Breakfast was some extremely hot coffee with a lot of sugar served in a metal mug with a couple of pieces of brown bread slathered in pig fat. The cup burned my

mouth. The guy I was in the cell with told me that the maximum time they could hold me without reason was two days. The guards kept saying things like I would be able to go home the next morning and I shouldn't worry too much. But the morning passed without any release and I was starting to feel a little locked in, really. Lunch was large steel bowl of soup and with more fatty bread and coffee. If you had some money they would give a bottle of coke but the bottle had to stay outside the cell and you had to ask for it. I didn't.

Some time after lunch, I was taken from the cell and put in a van and driven across town. I was told I was to have my interview with public prosecutor, Stanislaw Wiesniakowski. I was told I would have a lawyer, an interpreter would be there for me and of course, that everything was going to be OK.

Wiesniakowski wasn't there when we arrived so we had to wait out in the hall in front of his office for a few minutes. The interpreter, an attractive young lady whose name I have forgotten was there when we arrived. While we were sitting there, a policeman by the name of Wojcic, who said he would be observing, handed me a document written in Polish and told me in English that I had to sign it. The translator told me after reading it that there was no attorney available for the meeting and that the paper stated that I would be willing to waive my rights for having an attorney present. I asked why I should sign such a thing. Wojcic, tall and sharply dressed, rolled his eyes and told me in pretty good English that this was simply an interview and that if I didn't sign the document, I would have to go back to the cell and wait for such time as the attorney would be available. I said I was skeptical. Wojcic seemed annoyed. Wiesniakowski a small, round, balding and fidgety man finally showed up and asked if we were ready. Wojcic told him I wasn't signing. Wiesniakowski smilingly advised me through the interpreter that we should just take the interview,

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there was little to worry about, it was only a formality and that it would all be over very soon. I stared at him. He told me straight away that if I didn't sign, there would be no meeting and I would have to go back to my cell. Well you know; it sucks having to sit in a cell. I was just going to tell the truth anyway. So I signed and we went into the office. Wiesniakowski's clock said it was fifteen minutes to five.

The situation was that the prosecutor asks what questions he wants, types what he decides that he hears for an answer on an old electric typewriter, the answers to these questions end up reading like a series of statements and this document is then added to the files of the case. I was asked if I was ready to proceed. I had no idea what the guy in the car had said but I doubted that whatever cock and bull story he had come up with could hold water. My plan was just to say it how it happened. How can you go wrong with the truth, right? And at this moment, I did actually believe that all of this was legitimate and that the hearing genuinely was to determine the truth.

The interview starts out with a few basic statements:

I am not guilty of these crimes.

I want to make an explanation.

...And then pretty reasonably reiterates my story. At about the point when I got around to telling about the specifics of guy's hitting me, the prosecutor told me that the guy had claimed that I had done some 3000 zlotys in damages to his car. This is something close to \$750. I laughed. "Well, that's obviously why he hit me."

"Why do you think he would do this to you?"

"Maybe he knew I was an American." I said "I have been riding around for a few days. I am a big guy with a beard and a bike bag. I don't look like everybody. Maybe he had pegged me as an American."

"But why would he do this?" He asked again.

“Haven’t you ever heard of insurance fraud?” I answered directly. This was in no way making the prosecutor happy. There was a lot of this he didn’t like. I guess I was simply not corroborating the jerk’s story. The report continues on for a while, for the most part pretty accurately portraying what I said, even repeating a bit in reaction to the prosecutor’s questions. He then informed me that the guy had claimed that I had broken his teeth. The obviousness of how false that charge was made me laugh.

“You spoke to him?” I asked.

“Yes.” Replied the prosecutor.

“And he had no problem communicating? No swelling, no blood? Right?”

“No.”

“You ever had oral surgery? You don’t just walk around all calmly. Of course I didn’t break his teeth. He might have had a cut lip. I saw him showing his lips to the cops at the station, but there is no way I broke his teeth. He is just saying this to try and get money from me.”

“But you did hit him.”

“Yes, I hit him, but I didn’t break his teeth and I didn’t cause any 3000 zlotys damage to his car. That’s all bullshit and is only about trying to get some money off me. I mean, if I did hit him the way you are describing it, the guy would have needed an ambulance. And he sure as hell would not have been able to sit here talking to you and the cops at the front desk all normally.” The prosecutor nodded at this.

“Why did you hit him?” He asked.

“Because he hit me with his car!” I went on a bit detailing how heinous what he had done was. The prosecutor acknowledged that he understood this. After being

prompted with a few more questions I then went on with some specifics about the fight itself, about the finger pointing and about riding over to the police station. I was asked if I hit the guy again at the police station and I said no. This seemed really surprising to both him and Wojcic. By their reactions in general, I was getting the feeling that I was making my point and that it was becoming obvious that the other guy had been making up whoppers.

They then started to ask about the damages to the car and specifically, if this was the time when I was “throwing my bike at his car”. Those were the exact words that they used. What does that mean, throwing the bike at the car? I remembered him showing the dents on his front quarter panel to the cops in the parking lot of the police station. Ok, so the guy is claiming that I ran into him with the bike purposely. So that’s how this works! He already had a dented right front quarter panel, he wants some money, he’s seen me around town, knows I am an American, spots me on the street or has been following me, drives quickly in front of me, slides to a stop at a point in front of me where I have to run into him and then turns the story around saying I am to blame for the damages. That had to be it. And he is sitting there in the car banging on the steering wheel and yelling kourva, psyching himself up and getting all into character for the story he s going to tell. I must have really screwed up his plans by smacking him. And that would explain how he was acting during the fight! I was fucking with his story...

But this obviously has to be a little far fetched. I mean, a biker running into cars with his bike? But taking into account all I actually did know about what as happening at the time, this had to be the other guy’s story. However, what was equally as obvious was that regardless of how absurd the idea was, he had been getting away with it. With this thought in mind, this is exactly how I answered:

(The prosecutor asks a question :) I never threw my bike at this car because I would have to have been going very fast to have done this damage to his car because the construction of my handlebars are such that my hands must be on the outside and because of this, I could not hit the car with my handlebar and only with my body. My bike is a sport bike and the tires are very thin, only 20mm wide so hitting a car with a bike would break the wheels.

Now, they just didn't seem to get this answer at all. I mean, it was all logic, but nevertheless they were acting really confused. The prosecutor shook this off however and asked me if I thought that hitting somebody was normal. I replied that it wasn't but neither was being attacked by a car.

There was a change in the mood. I was worried. I didn't see how I had said anything different. I mean, I had never denied that I had hit the guy. But regardless, something had changed and worse, this seemed to be the moment Wiesniakowski had been waiting for. Enunciating his words as he typed them and concluding with a grand theatrical flourish, the prosecutor gleefully made the following statement:

At this time the prosecutor informed Mr. Goodman that the man in the car was a policeman.

“Well.” I said “that explains his driving.” Nobody laughed. I was actually referring to the hook slide. “Ok, so he's a cop; did he have any police business with me?”

“No!” Wiesniakowski said with a laugh.

“Then why was he driving his car into me?” There was no answer. The remark was never written into the report. I then recounted about what happened while I was in the cage and about how Lukasz had translated for me what the police were saying

and that I had already guessed this. So how does his being a cop excuse him from his actions? He asked if I had done anything to draw any police attention to myself and I said no.

Apparently we were at end of the interview now and the mood had definitely changed. Wiesniakowski seemed satisfied for some reason. I guess this business of the guy being a cop was apparently all that was needed to be said. The prosecutor then asked me what turned out to be a trick question. At the time, I was thinking he was simply asking me what my whereabouts would be. I told him the truth: If they let me go, I would be on the 8:20 train back to Belarus and Tatyana and my bike shop and that is all. He asked me a few other loaded questions and when you read the report, the next few statements come off sounding kind of like a veiled confession:

The bike is at the police station and until this moment, I do not understand why they have arrested me and not this man. And now I understand.

I am not guilty of hurting his car and his body, but I don't disagree that I hit him, but it was not a very strong punch. I want to add that he kicked me after I hit him.

(The question comes from the prosecutor) I have little scratches on my body, but it must come from when I was slowing down.

He then had the report read to me through the translator. It sounded kind of like what I had said. He asked if I had anything to add and I talked again about his hitting me with the car and how that is wrong by anybody's standards. This was dutifully typed and I was then asked if I had any last statements. At the moment for some reason, I didn't feel as good as I had earlier. I didn't know why exactly, but it had occurred to me that this issue of the guy being a cop weighed a hell of a lot with

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this prosecutor and I kind of got the point that they were going to protect him. So, I told them if they wanted to call it quits, I would let him go if he would forget what happened. I mean having to sleep in jail was a pretty direct negotiating technique regardless of personal righteousness. This is how that was written:

Because I was informed about the value of the damage to the car and the compensation that the man I hit is asking for. I understand now why this has happened and if I am let go at this time, I will not press charges.

And that was it. The prosecutor typed in these last few statements, ripped the paper from the electric typewriter and asked me to sign the document. He seemed satisfied. I looked at the clock and saw that it was still a quarter to five. Wiesniakowski told me that I shouldn't worry about anything and that it would all be over very soon. He smiled at me, packed up his briefcase and left. Being handcuffed again pretty much told me I was not being let go.

Wojcic drove me back across town to the cell. Realizing that I had again missed dinner, I begged Wojcic to at least spot me a sandwich or something. He acted as though his saying no hurt him deeply and by way of an excuse told me he would be in trouble if he deviated from his mission. I told him I thought that that, along with what he and his people were putting me through, was all just basically bullshit.

My checkers partner was gone when I got back to my cell. I was right about missing dinner but unfortunately, there was nothing left to eat but for an apple and my previous cell mate's bottle of coke.

Chapter 5

Warsaw; May 17th, 2002

As they were locking me up, I asked one of the guards if he knew what my situation was going to be. He was very reassuring and said to me that he thought there was a good chance that the cop was going to change his story and that I would probably be released the next morning at ten. My feelings were at the moment that I had the upper hand in this. I realize I was being held in a green concrete cell, but I honestly thought that the situation simply had to be too obvious that the cop was a liar, was making all kinds of obviously provable fabrications and that his attempt to finagle 3000 zlotys was simply hubris on his part and nothing more. He had to be scared. I mean, when the prosecutor asked me about throwing the bike at the car—what kind of nonsense was that? Who would do that? It simply wasn't logical.

And seriously, look at what the guy was claiming. Is somebody going to believe that I intentionally ran my bike into this cop's car? That's not about who "would" do such a thing, that's more like "who could?" I mean, that has to be easy enough to prove right? If I crashed into him with my bike, my bike would be all mangled and it wasn't. They had the bike; they could see that there was nothing wrong with it. Well, the paint was a little old and flaky. But I kept the thing sharp as a razor. This was nonsense. Of course they could also be beating the shit out of my bike at that moment, couldn't they? That wouldn't be hard to do. If they would do something like that, I would really be screwed. Jesus I was in a bad situation.

And this prosecutor was telling me that the cops win in Warsaw, period. This obviously was pure Mafia shit. Well what was I supposed to do about that? So now I have to be a hero and fight police corruption just to get out of town? I didn't want

anything to do with Warsaw but to get on the train and go. I had no interest in that. That sort of thing takes a lot of time and energy and gets you beat up and killed. And in the end what did you have? No, fighting for your home is one thing, but I didn't live here. All I wanted to do was to get back to Belarus and that is all. If these corrupt judicial system types wanted to play power games with their people, that's Poland's problem and not mine. I told the cop I would let it go and I meant it. Here's your deal dickhead, you win because you're with the cops and that means you can walk away: I'll forget it, you forget it and fuck you very much.

But of course I didn't know what they were going to do. I was in a cell. I had zero control of my life and what was worse, I was really nervous about the time. God, what a crock of shit! Do these people even care who they hurt? I told Tatyana that I would be at the station and I wasn't and I had not even called or written. Every minute they held me it was getting later and later. Tatyana is pretty high strung as it is; she would have to be going out of her mind with worry right now. I'm two days late and she has no way at all of finding out what had happened.

I re-burned my mouth on the coffee the next morning and washed by bike shorts and socks in the sink. Ten o'clock came and went without anything resembling a release. Sitting in a cell is really nerve wracking. There is absolutely nothing to distract you from... whatever it is that you have in your head. There is nothing to hold your interest and you feel all useless and purposeless. Fuck, let me out of here! I have things to do! Belarus was important. Tanya was important. This cop and prosecutor were torturing me. Well there you go, that was what was happening. This was torture. So that's how they handle things here, huh? This was obvious now. This was all so fucked up.

I finally got the call late in the afternoon. I guess my two days were up. I asked the guard if I was being let go and he said that I was not being released, but rather I was being taken to the Solidarnoci court house for a hearing. Court?! Fuck, another waste of time. The guard added that it would not be a big deal and that I would probably be released by the judge. An hour or so later, they put my bike in the back of the van with me, and I saw that nobody had messed with it and it was still in great condition. Thank God for small favors. I was handcuffed again but I thought my bike's going to the court with me was a good sign.

My police escort and I had to sit for almost two hours in a waiting area at the court for my case to be called. I had my bike with me and was still in the bike shorts and jersey. I was feeling a little grubby. There were others also waiting their turn before the judge in the room with us including a group of prostitutes who were talking animatedly amongst themselves. One of my police escorts elbowed me and pointed at the girls. "Those are Belarusian girls" he said in English.

"Go fuck yourself." was my reply. I asked if one of them wasn't his sister. They were Armenian anyway.

Late in the afternoon Judge Agneshka Komorowa and a female assistant came to where we were sitting. She was to be my judge and she wanted to speak to me. Komorowa was young and pretty and she smiled at me, asking me through my police escort if I was going to plead guilty. I said no way. She didn't like this answer. Well, what did she think I was going to do? I am a lifetime biker, a former pro messenger and I am trying to open a bike shop in a foreign country. Why in the hell would I admit to purposely riding my bike into people's cars? I was really hoping that a judge of the court would be able to see beyond whatever was clouding the prosecutor's

vision. With my bike right there with me, I saw my chance to try a little obvious logic. I asked if I could show her something and she agreed.

“Look,” I said “how could there possibly be 3000 zlotys damage to the guy’s car if there was absolutely no damage to the bike? I mean the story had to be that there was a crash and it was my fault right? We were both at the intersection at the same time- he’s saying I hit him with the bike, right? Well look at the bike!” I was getting really animated. I didn’t know if my escort was keeping up or not, but I hoped he was. I showed the Judge the front wheel, spun it a few times to demonstrate to her how it was still dead straight and also that there was no damages anywhere else to the bike. I made a point of also telling them that the bike was sort of home made, and that I had had the thing for years and had ridden it as a courier in New York and eight other countries and how it was my prized possession. She asked me how much money it was worth. That stopped me. I didn’t like the question at all. I told her the value was all in the geometry- this was my prototype and countered that this was not the point. What the point was, was that if the guy was claiming that I ran my bike into his car and caused all of this damage why were there no corresponding damages to my bike? And as the judge could plainly see for herself that there is no such damage, therefore, the cop’s a liar.

She asked me again if I was going to plead guilty. What, didn’t she understand? I asked her how I could ever agree to admit to a traffic accident that never happened. The judge then offered me a rather suggestive look and then giggled girlishly with her female assistant and left. What was that all about? Was she flirting with me? Was this good? I mean, what is she saying: If I agree to love her I can go free? Are guys who allegedly attack cars from their bikes sexy in Poland? Am I sexy?

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I asked the cop what the hell that giggle was all about. He just shrugged that he couldn't say for sure but really I shouldn't worry: Everything was going to be OK.

About forty minutes later we were invited into a courtroom and I was made to stand at a wooden podium. Standing to my left was my translator Jersey Twardowski, well dressed and in his seventies who spoke in an ornate and flowery manor. He also stammered a bit. Across from me was the acting prosecutor, an older woman with dark hair wearing a black robe with a purple sash tie. I was surprised that Wiesniakowski was not there. Komorowa and her assistant sat to my right, the assistant busily writing down the minutes long hand. After the introductions of the case were entered into the record, the prosecutor stood up and read the report from Wiesniakowski's office.

The official claim was that on the 15th of May I assaulted a Mr. Tomas Zaremba, the driver of a red Renault Megan, breaking several of his teeth and causing the cutting and swelling of his lips and gums which caused him the distress of his organism for less than seven days. In addition to this I was being accused of causing 3000 Zlotys damage to his vehicle, damaging the top, the sides, the rear and the front glass.

I was asked if I had anything to say. I repeated what I had said to the prosecutor the day before and reiterated that I had in fact done no damage to the man's car nor did I hurt his teeth. I told them again about Zaremba's trying to hit me with his car and that that was why I hit him.

They informed me that the penalty for these offences carried a maximum penalty of up to six years imprisonment. That made my heart jump. Six years?! I took a breath and I told them that I understood this, but that I had not done anything of the sort damage for which I was accused. I hadn't realized that pretty much all of the

decision had already been made before we ever started. Without missing a beat and reading from another piece of paper Judge Komorowa said that it was the judgment of the state that there was a “high degree of probability” that I had done the crimes described and that the state was asking for a three month temporary arrest while waiting for trial. The Judge stood up. I asked what was meant by a three month temporary arrest and was told that it meant being held in jail. I went cold. I thought I was getting out- and now they were telling me I am gonna be jailed because of this Zaremba guy? I excused myself and asked if I could speak. The judge said she was listening. Wasn't there something like bail that was available rather than sitting in jail? She nodded and I was asked to follow her into the general secretary's offices.

Jesus, three months! OK, now I was sure that this whole thing was a charade being performed to get me to pay the cop off. But I was actually really getting nervous now. These people could really do this? But I was not guilty. And what was this about breaking the glass? What glass did I break? And not just the glass, the front, the back, the sides? This guy was not asking 3000 zlotys for his quarter panel, he was blaming me for every bit of damage he had ever had on his car. But I mean, come on; can't you see that this is bullshit?

In the court secretary's office, I was asked what my address was in Poland and I gave them the address of the youth hostel I was staying at on Karolkova Street. The judge then told me through Twardowski that bail would be set at 4000 zlotys, about a thousand dollars and I was advised to ask the American Embassy to pay this for me.

Ouch. A thousand dollars was a lot of money, but still it was better than three months in a Polish jail. I did the math quickly in my head. If I lost this thousand, this bike shop was going to be on really thin ice. \$3500 was going to be tough enough, but \$2500 might not be enough to even stock the shop properly. However, bail you get

back and payoffs you don't. And not only that, payoffs only beget more payoffs. I felt I was going to be OK. I mean, this was all in an official court now. This was not some sleazy under-the-table meeting. They would have to face the truth in court, right? I would win in the end and that this bail would then have to come back to me and it would be like a reinvestment we would get somewhere down the line. This was definitely going to put a crimp in my plans, but, at least I would not be sitting in the jail.

I told them that it was not necessary to go to the embassy as I had the money myself. For some reason, they didn't seem at first to like this answer. I was asked when I would pay this money. It was Friday evening at the moment, I would need two days to draw that amount from a bank-o-mat; I told them that I could return on Monday. She nodded. I thought I should at least take a shot at bargaining for a lower amount though. I mean, I really did need this money right now. I asked the judge if she could see it in her heart to take only five hundred from me. Komorowa frowned told me to wait a few moments and went to a private room.

I sat with Twardowski and asked him what he thought. He told me he had had a lot of court experience but that you could never tell what a judge was going to do. He was being sympathetic. After a few minutes we were invited into the judge's office. She had put back on the gold metal breastplate that Polish judges wear over their black robes. This was to be an official meeting. She read from a paper that said the decision of the court was that I was to be held for three months temporary arrest but that the arrest would be waived in lieu of a monetary deposit of 4000 zlotys. She looked at me when she read the number. She then asked me how the court would be guaranteed that I would pay this money.

Looking back, I really wish I had been a little less trusting. I mean, I was agreeing to pay bail because at it allowed me to get back to my life and at least there was some hope of getting the money back in the end. I thought that the deal was all pretty much cut and dried. I don't know why I was so trusting or if I was just being all smart and helpful but I said that they could hold my passport as collateral. I mean, they do this at the hotels, it I not that big of a deal. I don't know, perhaps they would have come to the same conclusion without my help, but inevitably, it was me who had the idea. At the time it didn't seem like it would be a problem. How are those for famous last words? Komorowa nodded that this would be fine.

She then sent us back to the secretary's area and told me to make out a written complaint. She explained through Twardowski that this "complaint" was simply a bureaucratic function that would allow the court to complete its documents. I thought that what I was doing was officially protesting the amount of bail. Twardowski was throwing in his two cents worth about this, re-explaining the judge's request and helping me to understand the correct wording of the document that the judge wanted to see. A good lawyer would have been much better. I was starting to really regret letting the chance for one get by simply out of a fear being held longer. This is what they had me write:

It is the complaint against the court decision of 17 May, 2 002 with respect to the payment- This complaint is submitted to the court because I have no one in Poland to pay the bail in my name.

My address in Poland is Karolkova 53a.

We sent the note back to Kamorowa's office and then waited some more. After a few minutes, we were asked to come back in. Reading from the newest edition of the document, the judge said that the three month temporary arrest was waived in favor of

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the payment of 4000 zlotys, an amount that needed to be paid within 10 days and that my passport was to be held until such time that the money was paid. I nodded that this was what we had agreed to. She then asked if this was my real address in Poland. I told her it was a youth hostel but that it was where I was staying. She told me that according to Polish law, any court documents sent to a person's address would be considered as being read regardless of whether or not that person responded. She wanted to be sure that I was giving her the correct address. I needed to understand this. I said I did and told her that this was where I always stayed when I was in Poland and that it would be where I'd be for the weekend. She nodded and asked for my passport, which I handed to the cop who was with me. And with this, I was allowed to be free. Or so I thought.

Chapter 6

Warsaw; May 17th through 19th, 2002

It was getting dark outside when I finally was allowed to leave. I really wanted to get back to the hostel and get a message to Tatyana, but I thought that I had better make the point about the condition of the bike officially before I quit for the night. This had to be my kill shot for this absurd case and I figured that I had better get a report made about the bike immediately while the evidence was still fresh. I asked my escort cop who was escorting cop if he wouldn't mind writing a report about my bike. He asked me why I needed it and I explained that I was obviously being accused of running my bike into this cops car, but that because the bike has no damage the story is obviously crap. And I needed it now because the bike had been locked up with me and therefore it had not been ridden and the evidence was still pure. We had to make the report now before the bike went out on the street. The cop agreed and Twardowski also generously agreed to come with me to the police station as my translator.

I was really tired and really hungry but I was feeling great about having my freedom back. All of us got into the police van- I rode up front this time- and drove to the Wilcza Street police station, which as it turns out, is the place I was brought to after the incident two days earlier. The cop took us up to his third floor office, offered us a couple of chairs, and sat down at a typewriter and wrote out a report. He seemed to make a pretty thorough examination and agreed that there seemed to be no evidence of any dame that would have recently occurred. I asked him if he would include a personal opinion o this effect, something simply stating that there was in fact no damage to the bike. He said that he really didn't want to and that he thought it was unnecessary, but after some arguments about clarity he did. Twardowski put his

stamp on the documents that he has seen and translated them and voila, one official police document stating that there was no new damage done to the bike: Actual physical evidence of innocence, thank you very much.

I thanked the officer, shook his hand gratefully and asked for a photocopy of the report. He told me that a copy was impossible as it was completely against the rules. I argued that a copy was absolutely necessary because if the original was lost for whatever reason, there would be no evidence concerning the bike. He told me he that he promised that he would not lose it and that I should not worry about it. I wanted to tell him that having a Polish cop tell me not to worry about things was exactly what I didn't need, but I didn't. I did though ask him what I was supposed to do if he, or for that matter anybody in the department did in fact accidentally lose the paperwork. He then told me he promised that he would really give the report to the courts.

I mean, come on... I was not happy about this. Twardowski got into it. He tried to assure me that because he had put his stamp on the papers, that they were now official. Right. We went back and forth for a while, even involving another cop in the room with the argument. Just give me a copy of the damned report! It's my report, it's my bike, I need it and as I am obviously the one with the vested interest, I'll bloody well make sure the thing gets to where it is going. However, a few more rounds of flowery repartee got me nowhere and I could see that the cop was simply not going to give in. I mean, if they are not going to give you a copy, they are not going to give you a copy and that's all.

So we left the building together, Twardowski and I. I was feeling a little bitter about not getting a copy, but Twardowski tried his best to put my mind at ease telling me it was just the system, and it was how things were and always had been. He also

hinted that I might have gotten the report if I had been willing to give the cop some money. I told him I appreciated the words but that frankly, I was not feeling at all very generous towards Poland or its judicial system at the moment. He made a face that implied that the payment system applied to him as well. I tried to make mine show that the whole point of this was that I was not going to pay. Period. Point understood all around. Climbing back on my bike felt really, really good.

I was happy to find that all my stuff back at the hostel including my computer was ok. The first thing I did was to try and call Tatyana but for some reason I could not make the call go through. They have some computers at the hostel and I wrote an E-mail to her in the hopes that she would at least check her box in the morning.. This is what I wrote:

Fri, 17 May 2002

Hey,

If I didn't call you last night, I am so sorry. I have been detained here in Poland. It is a terrible situation. I was supposed to be back in Belarus last Thursday. There is nothing I can do until at least next Tuesday. I am sorry and I love you so much. Please don't be sad or angry, I will do all I can and be back with you as soon as I can. I am so sorry if I made you worry. Please, please...I love you and I am trying to come back to you as fast as I can...

I was the first one at the computer on Saturday morning it when they opened the doors. Tatyana would be going to work at ten and if she was going to check her box, it would be at 9:00am Belarus time, 8:00am in Warsaw. I spent the next half hour flipping back and forth between my mails, checking the in box every few minutes. A letter finally came through at about 9:30:

Fri, 17 May 2002

Hello. How are you? How is your work? I think that not so bad .how is your health? My life is as usually. I work every day, only sometimes have days off. I like my work now, because I do not count money and only work with books. Our trade is bad, there are no buyers. And we only smile every day. I have meeting with my old girlfriends, we are go walking together. My son had few days off and I am free, because he play with his friend. The weather is good. I am happy. On the end of May I have vacation on three weeks. But I can not see you. I understand everything, that you have problems, work, you have your life. But I want to have place in your life also. And I shall waiting. But I can not understand why you was in Pinsk two days ago and did not come to me .people saw you. But this is your problems too. The situation in my family is normal. My mother is calm now. My boy likes to do everything himself. He is proud of this. Do not be so promiscuous, Adam, I remember everything, not only your sexual adventures, I understand everything. Maybe I am as a fool but I simply love you.

Tatyana.

Oh shit. Who was talking to her and why the hell would they tell her something like that? This was a nightmare... I sent of a quick note asking if she was still at the computer, but apparently she was gone. I waited a few minutes and tried to call her at her work, but I still could not get the phone calls to go through. What the hell was wrong with the Belarusian phone system? Now it would be another twenty-four hours without knowing what was happening and that is if and only if she agrees to check her box the next day. And if she is really mad, she just won't even look so that is what, two days? Three? And if I just show up in Pinsk next week, she might

not even believe my story. Oh, well, Tatyana... Um, you know, I was riding my bike in Warsaw and this...uh, this off duty cop attacks me with his car and they threw me in jail and I had to give them a thousand dollars of our bike shop money... Slam goes the door! And who is fucking with her telling her I had come back but had not gone to see her? I wrote this letter in the hopes she would check her mail the next day:

Sat, May 18, 2002

No, no, no, no, no, no.....no, Tatyana, I was not back in Pinsk. This is all crazy!!! Tatyana, I love you and this is no joke. I had a terrible setback and I had to fight something very terrible that happened to me. But the whole time, I was only looking for clocks and looking at the sky because the time was always such that if I could just get free, if I could just be let go, I could come back to you...please, don't be this way, I had my ticket and was supposed to be on the train, but I was stopped by something terrible and it took...so much from me. And all I wanted to do was to get back to you...please, Tatyana, do not be so with me. There is no one else in my life but you and all I want is to be with you right now. So, if everything is perfect, on Monday, I can fix all I need to fix and to be on the train from Warsaw at 20:20. This train gets to Brest at just after 0:00 and whatever is the first train back to Pinsk after then is the one I would be on...I was supposed to be there on Thursday, but I never left Warszawa and I simply was not allowed to communicate at all with anybody. This was serious and terrible, but please, all I wanted was to try and get word to you as soon as I could.

So don't listen to anybody say that I was in Belarus and you will see my passport (hopefully soon) so that you will know this is true. And stop with the erotic adventures and such, because yours are the only panties I wish to play

Being Had

Chapter 7

Warsaw; May 20th, 2002

The last four days had felt like a thousand years and when Monday finally came around, I was burnt out from all of the worrying. I had been to the bank-o-mats over the weekend but, in an attempt to try and save some money, I had only taken out five hundred. My thinking was that I would try and negotiate again and maybe save some dollars. If they didn't bite, I could always get the remainder that day and at least I didn't have to walk around with more money than I would be happy losing.

I went to the address that the court had given me to pay the bail money and turned to be Wiesniakowski's office of all places. I felt a little sick even being in the building, but at least I was not in cuffs. I went up in the elevator and found his door open. He was at his desk reading and signing papers. I knocked and he looked up briefly and went back to working on his papers without making any acknowledgments. I stepped into the office and checked the clock on the wall. It was still a quarter to five. After a minute he asked me in Polish without looking up what I wanted. I told him that the courts had given me this address as the place to pay the bail. He didn't understand at first. I was here to pay my bail, I said again slowly, to get my passport back....

He got really angry. "No, no, no!" He said sharply, plucking the phone out of its cradle. I got a little nervous. I stammered something about how the court had told me that I had ten days to post bail of 4000 zlotys and that this is what I was doing. He wasn't listening to me. He dialed and started speaking to somebody, I didn't know who he was speaking to but he was adamant. I was just staring at him and after a minute, he looked at me and covered the mouth piece saying:

“No passport. Your passport is stop.”

“What does that mean, my passport is stopped?”

He ignored me and went back to his phone call, speaking rapidly in Polish. I caught my name and the word passport, and then I heard the word arrest and freaked. I looked at the clock and saw that the time had not changed. It occurred to me that this guy was calling down to the security desk and that I was about to be grabbed and bagged right here. Well, that’s enough for me. I quickly and quietly walked out of his office. Jesus, Jesus, Jesus, what the hell was going on here? I got in the elevator running fight scenarios through my head, trying to think of what I should do if there were any security guards waiting for me when the doors opened. I mean, should I even try to fight my way out? Why in the fuck was my passport being stopped! Does this mean they have cancelled it forever? Can they do that? Can I get another? Am I fugitive now? I’m going to have to hide in the forest from these assholes? They were getting their money and it was a thousand zlotys more than Zaremba wanted anyway, why were they still fucking with me? The elevator going down seemed to take forever. This was a nightmare. I didn’t know what I was going to do, but I was really scared.

I watched the lights on the elevator change from floor to floor and I braced myself when the light for the ground floor lit up. The doors open. Nobody was there. I looked left and saw there wasn’t anybody at the security desk. Had they gone up the stairs to Wiesniakowski’s office? Was I wrong about the situation? I didn’t need to stick around to find out. I walked straight out onto Krucza Street, got on my bike and rode a-way. But where to? I mean, did I just get away? Had I escaped or did they care? I had no idea what was going on or where I was supposed to go now. If I went back to the hostel, were they just going to come and get me in the middle of the night

and drag me back to the jail? Or worse? I mean, am I arrested? I thought I had a deal with the judge, I was supposed to pay bail. Should I go to the court and ask them? Fuck, they would just grab me there! And I didn't speak Polish! I felt a little stupid for only taking out half the money from the bank. But they didn't know that I only took out half. Did they? But the prosecutor didn't even ask for the money! And shit, now I was walking around with a lot more cash on me than I would care to lose in a robbery! Jesus, I'm naked! I was starting to really panic now, scanning the cars, looking for police. What to do?

I decided that my best choice was to ride over to the American Embassy. I was thinking that there is that thing where the embassy is considered to be part of American soil and I would have amnesty from prosecution or persecution or whatever was happening to me. Was this true? I didn't know. And if it did, would it apply for me?

I knew a guy over at the embassy. His name was Foster Stolte and I had met him about a month earlier when I went to the embassy to get a new passport. My old passport, which I really liked because it had all of the stamps from all of the countries I had been to, had become really dog eared and I had had some problems crossing borders with it. Specifically, I had had a problem at the Belarus border the first time I went in two months earlier. I had eventually gotten through but to do so, I had had to go all the way to the Grodno border crossing, and extra day of train travel after the border guards in Brest decided my old passport must have been fake and sent me back to Poland.

The embassy at that time was really cool about everything and I had gotten my new passport in about an hour. Stolte was some executive in the American Services area, and he had taken an interest in talking to me while I was waiting. He had asked

me quite a few questions at the time about myself, about what it was like being in New York on September 11th and why I was vacationing Belarus. I told him what I was thinking. I got the feeling he didn't much appreciate that I said I liked being in Belarus very much. He also didn't like some of my opinions about how life in New York had changed after the attack. I chalked up his attitude to a bureaucrat's personal patriotism and at the time, I really didn't care if he liked me or not. Now though, I was really hoping he had a sympathetic ear for me. This business of telling people what I thought was the truth seemed to be getting me into trouble.

Stolte was there and agreed to see me quickly, directing me to a separate, private room just to the left of the main windows where people talk with the counselors. I only waited a few minutes before he came in on the other side. There was a glass partition between us. He closed the door on his side and we had some privacy. He told me he had heard about what had happened and asked me my side of the story. "Well," I told him "This nut tried to hit me with his car and I hit him in the face. The guy turned out to be an off duty cop and made up some bullshit about how the incident was actually where I crashed into him and made all of this damage with my bike. It's impossible! I mean really, how the hell do you simultaneously hit the front, the back, the sides of a car...?"

"The magic bullet theory?" He chimed in.

"Exactly! They're crazy!" He asked me why I thought they were doing this. I told him it had to be extortion. The cop was asking for three thousand zlotys and the cop was using his badge and getting special favors. I tried to read Stolte's face. He didn't seem entirely happy with me. I got the feeling that either he didn't believe me, or else, maybe he was still pissed off about what I had said to him two months earlier. I mean, all I had said was that I thought that a lot of the recovery activities after the

9/11 attack were motivated not by social consciousness or community but my fear for individual financial welfare. I told him I thought the money was a much more powerful motivator than any patriotism. I had been there, and was actually at work on September 11th, I knew exactly what I saw day in and day out. And my business was pretty much wiped out as a result of the attack.

I sensed that Stolte not only didn't believe me but that he was seeing me as a trouble maker or something. And I was thinking that he absolutely did not like my hanging out in Belarus or even saying nice things about them. Ok, so what if I was planning to do business in a former communist country and wasn't regurgitating the patriotic party line- It was just my opinion. It's a free country, right? His expression was that of disappointment. Or maybe it was disgust. Actually, I couldn't really read his face at all except that I was damned sure he didn't like me. Maybe he thought of me as a defector?

I told him I was really scared. I thought that they were trying to put me in jail and I had not done anything wrong and I had thought that I was supposed to pay bail but now I was thinking that I was going to be busted at any minute.

He said that there wasn't much that the embassy could do for me. That was the last thing I wanted to hear. I asked him if he could at least make a call on my behalf to the courts or the prosecutor's office to find out what was going on. I called it a courtesy call. He agreed and asked me wait in the office proper and had one of the Polish employees make the call. A few minutes later he came over to a window and told me in a bureaucratic tone that the bail had in fact been cancelled. I asked him why and he said that he didn't know. He went on to say that the prosecutor was pressing for a temporary arrest. I asked him what this meant and how they could do this and he just told me to be patient and that he would do his best to try and figure

out what all was going on. He told me it would be in my best interest to find a lawyer and he gave me a stock list of names of lawyers the embassy knew of. He told me then that he had to go back to work. The meeting was over.

This was not looking good.

What was going to happen now? I didn't want to leave the embassy? Would the cops be waiting outside the doors for me? Were they going to come and grab me at any moment? Where could I run? But the embassy wasn't giving me any support either. This was all Wiesniakowski's doing. I knew it! That bastard knew the cop was a liar and just wanted to make all of this as scary as possible so I would agree to just pay him off. I got it now, this was not only extortion, it was also scandal avoidance, damage control! This cop was nuts and they didn't want anybody to know that they had a psycho punk cop out there arbitrarily running down bikers with his car.

But what could I do about any of this? I was stuck in Poland, I didn't speak Polish and I had no passport, my embassy couldn't offer help, my girlfriend has to be thinking I am a liar or worse, I had got partners thinking I am coming back with money to help set up a bike shop and now the Polish police department was hunting me down like a dog! Fuck, what a mess!

Chapter 8

Warsaw and Gdansk; May 21st through June 11th 2002

And then there were my folks. We had been distant for a long time and their coming through for me was a really big deal. It had felt good, like we were connecting again and that after so long a time along with my new friends and Tatyana had had me for the briefest of moments on top of the world. But now, in like one week I was in a jam while holding their money. I decided I had better call them and let them know what had happened.

I was actually kind of shocked at how nice that call was. They didn't seem upset at all. I described what had happened and my current situation and about how I was looking over my shoulders all the time. I told them I at least needed to get out of Warsaw for a while until I could find out exactly what was going on. They asked about Tatyana and I told them I had not even been able to get through to her yet and that I thought she had to be going out of her mind by now. "Why don't you make a vacation out of it and take her with you?" That was what my mom said. Interesting choice of words. I was worried about what she would do if the police were to grab me when we were together. What would she do? How could she get back to her family? However, She did have vacation time coming. We had originally planned on using that time to help set up the business but maybe it would be cool if we could at least be together.

A vacation? I asked about the money. I told her how precious money is in Belarus but she told me not to worry about it and that they would send more when they could.

Wow.

“Are you serious?”

“Go have a honeymoon. When you get back it will all probably have worked itself out.” She was serious. She said take a vacation and not to worry about the money. Amazing...

I still couldn't figure out the phone system, so I wrote to Tatyana and asked her if she wanted to come to Poland and go to Gdansk for a holiday with me. Gdansk is on the Baltic Sea so I was thinking we could lie out on the beach. I actually wrote several E-mails over the next few days as Tatyana either wasn't reading or simply not answering out of anger or distrust. It was three days before she finally she wrote me back. She was into the trip, worried about me and everything else in the world but said that she was happy that we would be getting to see each other. She also explained the phone system. I called and we talked and we both seemed to feel better. I didn't go into so many details about my situation, but I was really happy. I sent enough money for her visa via Western Union and she took care of her visa and everything on her side including speaking to Victor, Sergie and Kolia, my partners at the bike school and explaining that I would be back as soon as I could and that our deal was not yet dead, just on hold for a second while I worked out a small problem.

OK... There was nothing to do but to sit around being paranoid for a few days.

On Monday, May 28th; I went to Terrespole by train. Just making it past the platform and onto the train was a major relief. I spent the night at the hotel near the station. Terrespole is a bleak, crappy little border town with the main activity being the selling of contraband. Belarus is frighteningly poor the contrabandists are a ragtag partisan group of mostly Belarusian ladies who take advantage of the cost differences between Poland and Belarus to try and eke out a living. They spend a day or so on the trains transporting cigarettes and vodka from Belarus, selling them in Poland and

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buying meat and fruit, which are cheaper there, with the money that they make. They then transport this back home and sell what they bring in illegally, or black as they say, at the markets. It can also be a little circus-like to watch, like for example on the five kilometer ride from Terrespole to Brest. This trip normally takes forty-five minutes because of the inspections by the border police. However the moment the trains move between the inspection points, the seating compartments erupt in a flurry of activity as all of the sellers jump up and start jamming packs of cigarettes and plastic bags of vodka down their pants and into their underwear and stuffing them behind the walls and ceiling panels. Within five minutes, everybody settles down and acts normally for when the second group of police comes through to check the train. This is all old news for the cops who for the most part are pretty tolerant. Usually they confiscate only a few items to make it look like they care, those folks who get caught are made to pay a small fine and have to go home empty handed. Contrabandists tend to have a broad, jovial salesman's attitude toward it all and take all this in stride. What's their end from all of this? About five or ten bucks a day if they are lucky.

I was expecting Tatyana at ten the next morning and so I went to the station at 9:30 and found that she had already arrived on the earlier train. She had been sitting sadly on the upper tier contemplating going home for about 45 minutes and was really nervous. That was a nice hug! She was feeling pretty tired from the nightlong train ride so rather than getting right back on the road we kept the room for another night, got a bunch of food and watched TV at the hotel.

We rode up to Gdansk the next day and we found a black room in this couples apartment an apartment with use of a kitchen for about \$10 a night. On the way up, I told her the whole story. I thought she took it pretty good. She asked me if I was

scared and I told her no. She didn't believe me. We watched the scenery go by out of the windows of the train. I could see that she was a little scared too.

She asked me what I wanted to do on our Holliday. I told her I wanted to make love as often as possible, go to the beach a lot, eat really well and work on trying to finish the play. She told me she didn't know anything about playwriting, but would be willing to try.

The idea to work on a Russian Language play after seeing a local theater production at the House of Culture Theater in Pinsk. I have written several plays over the last decade, I like the activity and the ideas and as I am not really very good at sitting around and doing nothing, I do this in my spare time. I guess you could say that writing plays has been a creative outlet. The idea of trying to create a text in a language you don't really know is really interesting. The original plan was to work collectively with locals to create a culturally accurate text directly in Russian language. Friends and I had been working on the text during the two months had been in Pinsk and we had written the dialogue in Russian and English for about a third of the scenes. It was a cool project, I loved doing it and I thought I could make a cultural contribution.

Pod Kablukom, a Russian phrase that means "under the heel" is a story about an American tourist who comes to Belarus and meets a beautiful, young and vibrant girl who happens to already have a steady boyfriend. The resulting love triangle raises important issues because of the staggering differences in economics between Belarus and the states, and also brings a surreal amount of tension to the girl's family. I decided to tell the story as a real-time drama that that takes place on the night when she brings her new American friend home for dinner. The premise was kind of a modern Belarusian "guess who's coming to dinner?" thing and was somewhat taken

from a situation I had when I first visited Pinsk in 1997, though all of the characters were fictitious.

Tatyana and I had a little over two weeks together and followed our plan to the letter. In the mornings we cooked breakfast together and then, when the weather was nice we took the tram out to the beach. We lay out in the sand, me with notebook and pen in hand, bouncing dialogue off each other and waiting to sneak off into the trees behind the beach together. In the evenings, we went to the movies or to the theatre and then made love all night. We went for long walks around Gdansk, touring and sightseeing. After a few days, the work of creating the play's dialogue became entangled with our lovemaking and we would use the one to facilitate taking breaks from the other. Tatyana got really good at calling for breaks. We were living a dream life as artist and muse. I think she was enjoying it all quite a bit.

She also began to contribute more and more to the play and was personally responsible for some of the best dialogue. I think her finest moment was a most remarkable speech about the differences between life in the USSR before the referendum which ended communism there in 1991 and what it was like a decade later. I was looking for a strong emotional moment and without any prompting she went off on the subject for a few minutes while I typed what she was saying as quickly as I could. After editing, it came out like this:

Robert²

...I think so too. And also I see that, you all have each other. I can see this.

This is more of a family than I've ever had. You all are really together...I

mean, nothing works and you got no money, but you really seem to have each other.

² Lines written in italics would be spoken in English, and those represented in standard text would be said in Russian or Belarusian.

Nadia

He says that he sees that we are together. He says that even if nothing is working well and we are poor, we still have each other.

Papa

Tell him he sees only shadows. There is nothing left of what we once made...

Nadia

Papa says that what you see here now are only shadows of what we once were.

Robert

I don't understand.

Nadia

What do you mean by this, Papa?

Papa

(Pours out the glasses again) I mean that this was a great country once. We had everything. It was a great culture: We had technology, we had great factories. Everybody worked for the country and for themselves. We were never afraid of the future...

Mama

We were always a little afraid.

Baba³

Never! We were never afraid!

Mama

And we knew that one day every month there would be money. It wasn't a lot, but it was enough for our lives.

³ The grandmother

Papa

And we always had hope that in the future our children would live better than ourselves. But now, nobody sees a future and we no longer are together.

Mama

Our state gave us a good education and good hospitals and medicine, but now...we must pay for everything and we don't see such good results from the education and the medicine as in the old days.

Baba

And this is true for culture too. We used to live. But now we survive. I remember we used to have music. We don't seem to have music any more.

Mama

We were civilized. Our culture was the center of our lives for all of us. We saw ourselves as a great society and it was. We had art, theatre, ballet and symphony. We had cinema and literature. We had everything that everyone had everywhere, except that here, it was for everybody.

Papa

I don't like what we are now. We forget everything. We are no longer the best. And when we began to forget, since these last few years, when we forgot each other, we lost everything. So now, we really have nothing. We have forgotten everything. We no longer do...anything...and that's all.

It was also Tatyana who suggested Nadia for the name of the lead. The word "nadezhda" in Russian means "Hope" and I thought that that probably summed up everything we were trying to say.

It was beautiful. It was all beautiful. I felt closer to Tatyana than I had felt towards anyone in a long, long time. And when the moment came to type the word “Curtain” on the bottom of the last page of the text, the release of emotion was such that I found myself crying and unable to stop. I asked Edward Ivanov who had worked with me on the play in Pinsk and Lena Yurovskia, a journalist I had met in the town of Lunenits if they would be interested in doing the translating. They both accepted the job without request for payment.

Neither of us wanted it to end. We delayed leaving Gdansk for two days simply because neither of us wanted to go back to the real world. But Tatyana is Belarusian, and there is a harsh reality about the amount of time she was allowed on her visa. She simply had to go back. It was June 11th when we finally took the depressing train ride south back to Warsaw. If by some miracle my mom was right and everything had worked itself out I would be riding with Tatyana back home. If not, well, neither of us wanted to even think about it.

Chapter 9

Warsaw; June 12th through June 21st, 2002

The hostels were full in Warsaw and we were directed to someplace called the “Boatel”, an economy stay on a ship anchored on the river. The room was pretty terrible as was the play we went to that night. Our mood was fowl and there was nothing we could do about it. Coming back to Warsaw was a return to paranoia and misery and in the cramped and too-hot cabin Tatyana and I had a terrible fight over absolutely nothing.

On the morning of the twelfth we went to the US embassy together to find out

what the status of my case had become. Foster Stolte again agreed to have one of his subordinates make a phone call to the prosecutor's office and after a few minutes we were told the bad news: The issue the holding of my passport had been sent to the courts. We were told that this was a normal procedure and that it usually took a couple of weeks. Because of the time when the papers were filed, we would probably have the results in about a week more. And concerning any arrests, as of that moment, according to the prosecutor there was and had been no warrant made out against me and therefore there was no reason to fear the police. Stolte asked if I had found a lawyer as of yet. I told him I had not, he advised me to do so and wished us a good day.

Well, that was something. I was still a prisoner of Poland, but at least there wouldn't be any mad scenes or being dragged off in cuffs. However, what this also meant was that I would have to send Tatyana home alone.

Holidays are great when you can afford them. It would be really great if the good holidays never had to end. I had to take Tatyana to the train on the evening of the 14th. And after I watched her roll away, I was alone in Warsaw again. What a remarkable situation. I felt terrible. The play was on a disc in Tatyana's purse and now there was really nothing to do but to wait.

I hung out with some of the messengers I had met since I had been around. I told them about what had happened but they had already heard. I was news. The general take was that this seemed pretty normal for Warsaw drivers. I was also told that because I was considered a "real" rider and because I had been a New York City messenger, whether or not I broke up the guy's car or not, I was pretty well respected by the bikers either way. This is called having a good face. Having a good face is nice. I thought I had a great face back in Pinsk. This justice department bullshit was

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really fucking with my face.

I was asked to participate in a critical mass ride that had been organized by Maka. Maka is a tall and burly and very much a Warsaw politician. He was making a go at being a leader amongst the bikers and though I guess there were a few others who wanted to be in such a position, Shkoola chief among them, it all always seemed to come around to Maka one way or another. Maka had told me some months before that his ambition was to open a bike shop/bar where “real” bikers could come and hang out. I thought it was a good idea. I mean, we all want to have such a place. Maka was born in Poland but had grown up in Toronto so was both more fluent and more affluent than his compatriots who generally rode for something in the nature of four hundred dollars a month. He was also a fix gear rider such as myself, which I think was what first drew us together two months earlier.

The plan was that we would meet at “Sigmund’s Statue” in Old Town for the Critical Mass at about 6:00pm on the 21st and ride for about an hour. After wards, on Saturday and Sunday, there was to be an “Alley Cat”, a messenger style rally where the bikers race point to point, collecting manifests with their next destination, always without ever knowing where the next segment of the ride would take them. I was into the Critical Mass, but I had no interest in breaking my body or my bike in a race around Warsaw. More danger was the last thing I needed at that moment.

On Wednesday, June 19th I went back to the embassy to ask Foster Stolte about what happened during the court meeting. He asked me to step again into the private room and told me that the courts had decided to continue to keep my passport and that there was nothing I could do at the moment to get it back. He then asked me if I had done anything about getting a lawyer. I told him that I hadn’t. He frowned. He then told me that I should go directly over to the Prosecutor’s offices to get some

documents. I asked him what kind of documents I was supposed to get and he told me only that they were necessary documents for the completion of the case and added that I shouldn't worry and it would all be over very soon.

“Were those the exact words that he used?” I asked.

“Also you need to let the prosecutor know your real permanent address in Poland.”

“He has my address. I told him I was staying at the youth hostel. He has this and the court has it as well.”

“No, I am not talking about the hotel; I am talking about your real permanent address.”

“What real permanent address? I don't live in Warsaw.” He rolled his eyes. I started getting nervous again. I told him that I really did not know what he was talking about because I had only been in the country for about a week to get some money and a new visa and that was all. He grimaced and asked how long I was planning on staying in Poland.

“Well,” I said sarcastically “there's a Critical Mass ride coming up on Thursday. I thought I would like riding in that... Why do you ask? Are you saying someone is going to give me back my passport?”

I thought that part of my problem might be that Stolte thought of me as a low life. At least this is how I felt when I spoke to him. So, in an attempt to bolster my image in his eyes I gave him a copy of the play on a disc. I don't know what I was thinking about but I hoped it would help. It didn't. The meeting was over.

Back out on the street I started getting really weird feelings about all of this. Maybe it was the request for the address or how agreeable to the prosecutor Stolte was. Nothing seemed right. I started to wonder if maybe Stolte was a part of this as

well. Why was that so outrageous? He works for the embassy, he pegs me as anti-American or a defector or something, maybe he sets this whole thing up just to keep me out of the east? Fuck, what did I say to him? I have to learn to keep my big mouth shut!

However, there was another thing- this business of going to Wiesniakowski's office to pick up papers. Why doesn't he just mail them? And what is this permanent address game? This trip to the embassy really got me going again. What if all this pick-up-the-papers crap was just a ruse to cuff and stuff me? None of this is out of the question! This was getting really bad. I couldn't trust anybody now. What to do?

I rode around thinking about things a little. After a while, I saw Piotr Bokowski, one of the messengers I had met and asked him if he would do a run for me. He asked me what I needed him to do and I explained to him about the documents I needed to get from the offices of the prosecutor. I told him I did not want to go myself and why. He said he was free and would love to help. God I love messengers.

We rode together to the street in front of Wiesniakowski's office. I gave Bokowski my old passport as verification that this was a legitimate pick-up and he went upstairs. He was up there about five minutes but came back empty handed. Wiesniakowski had been there but had refused to hand over anything to him. The bastard.

Bokowski said that Wiesniakowski had actually been pretty friendly to him. He said that the guy asked him some questions about being a biker and that he was surprised to hear that I had been a pro in New York. Bokowski then said that the prosecutor told him he had respect for bikers and thought they were brave and that he likes to ride sometimes too.

I laughed and told Bokowski that I didn't believe a word of that last one and

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he said he didn't either. We had a beer together, talked about the upcoming Crit and Alley Cat and then he had to get back to work. Piotr of course refused any money for the run.

So what could I do now? I decided not to go to the prosecutor's office deciding that the man was completely untrustworthy.

On Friday evening, June 21st, I rode over the entrance to Old Town for the critical mass ride. I was early and there were only about twenty or so riders milling about when I got there. I was feeling pretty good all in all and the thought of doing a ride with a bunch of good people made me feel even better. Maka showed up and I could really see that he was a bike big shot in Warsaw. I heard that he rode as courier for a while, but now he was more into building his bike world and trying to get his deal together for his bike bar. He introduced me to another rider named Betty. Maka's got his pot thing going on and has got a goatee and wears dreads but Betty really goes the whole nine miles, even so far as painting his bike to look like a Rastafarian Christmas Tree. The two of these guys have got a partner thing going on. I got to talking with Betty who was of course was quite kind and I was reminded of the Alley Cat the next day. He also told me that on Sunday we would all be going over the velodrome to do some track racing, he like Maka also rides a fixie. It all sounded great.

The amount of people grew steadily until there were about three hundred riders all together. We started off from The Old Town and rode up Nowa Swiat, the big upscale/coffee shop street and toward and the Rondo Charles de Gaulle'a on Jerozolimskie, the main drag of Warsaw.

The main purpose of Critical Mass rides is simply to make a show of solidarity in the name of bike safety and bike/auto relations. It started in San Francisco in the

1980's and has become a world wide bike phenomenon. Basically, the deal is that the riders bunch up into a large group and ride slowly around urban areas during rush hour, clogging traffic for a while. The aim is to get people to think about bikes a little, and perhaps get even for some of the abuses bikers tend to endure from thoughtless motorists. It's a gentle demonstration and of course, I was riding.

The whole of the group started to ride in a circle around one of the roundabouts. The people in their cars, now gridlocked and made to wait for the bikes, responded by honking their horns, some of them yelling obscenities. This of course brought cheers from the riders. We held the intersection for maybe three turns around the roundabout and then rode off as a group to a different traffic circle and made the loop again.

At about this time, I noticed that we were being followed by a few motorcycle cops, who were riding along side us on the tramway. The tramway has a raised curb and the cops were weaving on and off the tramway causing problems with the riders in the group. What were they doing? We made a turn down Krucza Street and found there was another group of cops up ahead, standing in the middle of the street with their cars stopped diagonally across the street, blocking the road in front of the riders. Were they waiting for us? The cops had clubs. The group I was riding in simply rode through them without problem. Maybe they weren't waiting for us. But then, when this first group was about fifty meters down the road, we heard shouting from behind us. I guess one of the riders had said something to the cops and the cop had reacted by clubbing him. Their were howls of protest from the group and in that moment, as if right on cue I could see that police vans and cops decked out in full riot gear were flooding into the scene. It occurred to me that we had ridden into an ambush and that the cycle cops that were weaving in and out on us along the tramway were taunting

us, trying to get a reaction. When that rider objected to being poked and prodded, this must have been all the cops were waiting for. Why had that rider accepted the provocation? Couldn't he see what they were doing? The cops started moving into the crowd of bikers who were around them, grabbing at shirts or handlebars, trying to pull the riders down off their bikes. They wanted to start making arrests. Somebody was screaming through a bullhorn. Maka was at the front of the group where I was, and turned and rode back into the crowd yelling at people to be calm.

Betty, in what appeared to be an amazing show of bravado walked over to the cops and asked that they arrest him. He even led a cheer with the help of a police bullhorn. After this, several others thought that they wanted to be arrested as well. They were publicly surrendering to the cops. This was probably a very good political move, but I had zero interest in making any such demonstrations at this moment myself. Call me a coward? I'm a coward; I had no interest in furthering any political causes in Poland. You know why? Because I did not want to be there! I wanted to be back in Belarus, Goddamnit!

But Betty's display of passivism didn't make any difference. The cops continued to grab at arrest the bikers. One rider, right at the center of the roadblock pulled his arm away from a cop and showed him his middle finger. The cop immediately clubbed him unconscious and two other cops dragged his body into a van. I thought they might have killed him. So did everyone else. The bikers erupted into shouts and protests. There was never a plan for any violence on this ride but the tension at scene was escalating rapidly to insanity, which seemed to be exactly what the cops wanted. But the police had provoked it. Why had they started with us? The riders were not armed. But regardless, this must have been the cue they were waiting for because right then all hell broke loose. One of the cops drew a shotgun and trained

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it on the crowd and everybody scattered. The barrel swung around directly at me and I turned and headed off away from the crowd along with a dozen or so others. Was he going to pull the trigger? Are they going to start murdering people here? Fuck me sweet Jesus, what in the hell is up with this town?!

Moving on cue en mass, lines of cops decked out in full riot gear began a direct assault on anybody riding a bike. They were making their way into the crowd and grabbing, clubbing and tackling every biker they could get their hands on. I saw a line of fifteen cops tackle to the ground a girl of no more than one hundred pounds. Motorcycle cops were riding directly into groups of bikers, knocking people to the pavement and I saw some cars doing the same. Sirens were going off all over town. It was not a riot, it was a massacre. It was a slaughter house. It was bloody, it was violent and you could hear the shouts and sirens for hours afterward. I had been with the first group and had been ahead of blockade and we were able to shoot down a side street and rode away.

I don't know how many arrests were made or how many bikers were hurt but I did know goddamned well who was to blame. They had been told that a biker had beaten up a cop and his car. This was payback time for the police and they were making sure they got their money's worth. The cops were getting even with the bikers because of the lies told of what happened at that intersection by that fucking punk Zaremba!

Chapter 10

Warsaw; June 22nd, 2002

I thought that the cop's parking their cars in front of us diagonally as a provocation was a little too personal for me. Obviously they were trying to make point that there was a connection between the Zaremba incident and our being punished. But why would they be doing the same sort of provocation game against all of the bikers? Why was I so important? I was not from Poland, I was not a local rider, and though I knew some of the guys, I wasn't "in" with anybody; I had only been in Warsaw for a week. I guess I just didn't understand what the point was? Were they defending their rights to abuse privilege and hurt people? I thought my enforced stay was already proof enough of that. Was it just a show of force, reminding us how the police were in charge of the city? It was peaceful ride. The whole point of Critical Mass is to highlight the equation "car plus rider plus collision means dead or injured rider". It was not about violence, it was a call for calm and peace on the roadways. How had turning it into a massacre helped anything?

I went to an internet café that night and wrote a letter to everybody on my mailing list about what had happened. It started out:

Tonight I have seen the single stupidest and most pointless societal event of my life. On this night, the police of the city of Warsaw, Poland have opened hunting season on bicyclists...

and went on about what I had seen. It's hard to describe what I was feeling there in the Internet. I could hear the sirens going off all around town as I was typing. I was really scared and confused but more so, I felt I was in the middle of something that was a lot bigger than I had thought it was when all of this started. This wasn't just

Zaremba and me; people were treating this as if it was some part of a war. I mean, as far as my case was concerned, I could see that the local legals were dragging their heels and I guess I knew that it was pretty stupid of me to even believe for a moment that there might be even the slightest portion of fairness to all of this. But in my mind I had been thinking that it was still just a matter of time before the right person read the papers with at least a modicum of critical thinking. I don't know why I felt I had to trust the justice department. Maybe it had to do with some deep need to feel there was something real that could be respected in the world around me. There had to be some social order in Poland. I mean, everything here couldn't be broken and filthy was it? It couldn't be completely corrupt.

But look at what they did? How many people had been hurt? Had anyone died? How could the police have allowed themselves to be so worked up over what had to be a bullshit tail? And what exactly had Zaremba told them? To my mind there was no possible way for him to have concocted anything that could possibly be seen as the truth because the situation was just too simple. Or did the truth even matter? Maybe the cops were just looking for the chance to smack down the bikers anyway. Could the whole of the riot just have been smoke screen to divert interest away from what Zaremba had done? Who was this guy? And, putting my paranoia aside for a moment, had they done all of this just for me? That couldn't be.

Maybe all of this was just being taken as a bike politics deal and Zaremba's story, no matter how unlikely it had been, had struck some kind of emotional chord with how people feel about sharing the road with bikes in the first place. That was possible. Warsaw was certainly not as progressive as the large European cities with their extensive bike lanes. Bikes here were not only not the social norm but Warsaw traffic was a free-for-all and the locals drove like psychos. Everybody knew that. But

still, they were ready to kill us...

I went the next day to what was being called the “Car Killers” party and Alley Cat race. I didn’t ride in the race but I did go to the party. The not riding was partly vehicle preservation. I was already starting to understand that every day here was costing me money and I didn’t need to add broken bike parts to my expense list if I could help it. I don’t know who came up with the name “car killers”, but it sure didn’t help the paranoia any. The party was one of Maka’s inventions. He was always in the middle of something. The whole day was set up as a really cool sponsored event at the bar located under the Poniatowski Bridge which was the finish line of the messenger race. The last item on every rider’s manifest was to take a beer from the bar. There was music and balloons and Maka had even arranged an old wrecked car to be towed to the party as the object of some sort of a tribal sacrifice. Maka invited me to break something on it if I felt the urge. I tried to kick in a window but only succeeded in spraining my knee.

Regardless of my not riding, I was made to feel quite welcome by the messenger crowd. They were hitting me with something that felt kind of like hero worship. I was New York City messenger, I knew some of the guys that they had met or heard about who rode in the city. They treated me like I was some kind of celebrity. I suppose the story of my attacking a cop in his car probably didn’t hurt the rep any. Feeling like being at the center of yet more attention was exactly what I didn’t need though. I guess I had gotten enough of that from the justice department.

There was a lot of drinking and laughter at the party. There were match sprints and challenge races. I met most of the riders in town at that party. One guy named Macek, asked for a reference in New York. He had acquired a three month visa to go to the states and he wanted to ride for a courier company there. I agreed to write him a

letter. It was also at this party that I met Marcin Drazkiewicz, an employee of a help organization in Warsaw who was to become my best friend in Poland.

There wasn't as much talk about what had happened the previous night as you would think. The papers the next day split in their opinions about who was guilty in the event. The *Gazzeta* read in favor of the bikers and said that the police used unnecessary force and brutality while the *Reszpublica* wrote that the bikers were a menace and had unlawfully convened for an unnecessary cause. The riders however seemed to have taken the events of the previous day in stride. Perhaps this largess could be attributed to simple messenger inured-ness to stimuli but I was thinking that more likely it was a symptom of the same disease that had infected me with a severe case of the "*we-have-your-passport-so-you-ain't-fucking-leaving-Poland*"s. Maybe they all just wanted to relax and forget it.

I found Betty sitting quietly under a tree. I hugged him and told him I thought what he had done had been one of the coolest things I had ever seen. He told me he had been fined 200 zlotys and let go and that that was pretty much the standard penalty for anybody who the cops had taken in. He told me the guy who I had seen beaten unconscious was Ok, but they had kept his bike. Betty hadn't ridden in the race either because he was one of the organizers.

Messenger riding is a pretty dangerous and difficult job anywhere but if you are good at it, and can handle it, for the short time that you actually do the job (the average career is less than two years) it is possible to make a living. I mean, it doesn't pay all that great, but it's not bad. In New York I made between four hundred and something near a thousand a week during my career. This was fine for me. I had enough to reinvest, built up my personal shop, had spare parts, wheels and frames- I did Ok. But here the riders were getting maybe \$400 a month (!) And this is if they

were good. How can you even keep a bike running and pay for your life on only about a hundred bucks a week? And the bike parts cost exactly the same. To my mind was a physical impossibility. You do the math.

I think the Warsaw guys had kind of an inferiority complex. They take a lot of pride in being bikers and they do certainly dress the part. But I got the feeling they saw themselves as being sort of in the minor leagues and they really wanted to be seen as being “real” by the riders from other cities. Their image was really important to them. Maybe this had something to do with Poland’s preparing to join the European Union. They were a great group of people and they all just really believed that it was very, very cool to be a biker.

I started fishing around for a connection for a lawyer. In the states, finding a lawyer would be as easy as, well, as easy as riding a bike. I would think that you couldn’t throw a rock without hitting some young wannabe, who would love to try and make their reputation on a slander/abuse/corruption/brutality case. But according to the riders, having legal representation in Poland, was beyond dreams. Lawyers were for rich people and these guys barely had enough to keep themselves in tires and derailleurs. Face after face told me that the idea of a Warsaw bike lawyer was some kind of fantasy land, or in the words of a few of the more road warrior-esque riders, just simply pussy. I talked to a few people about perhaps getting together as a group and hiring somebody to represent all of us. Why not just create a bicycle law specialist of our own. I didn’t make much headway.

I just didn’t get this. How one was supposed to live in a place where the police had the right to both arbitrarily wreck someone’s life with lies- as with my situation with Zaremba- and also to get their workouts clubbing people on the streets. These guys were treating it as just another day at the office. Why so blasé? To my thinking

this kind of corruption and abuse at least had to be as worthy of the same bravado that allows oneself to be arrested at a police gang rape. But for some reason, my host's thoughts of the previous night's shenanigans were that they were nothing more than that. And in fact, kind of par for the course. I probably wouldn't be going too far if I said that they even kind of enjoyed it. Betty gave me the best quote about this:

Polacks are very quick to say that there are differences in the system and that they are not Americans. And, to be honest, we take a lot of pride in the toughness of our cops.

Anyway, after a while the focus of the party turned towards the car. There were two trials riders there, mountain bikers who specialized in especially difficult drops and maneuvers. These two guys were really good and took turns riding onto and over the top of the car, bouncing on the roof and such. I guess it was possible for a bike to break the front, the back, the roof and the sides of a car with a bike. After the demonstration all of the bikers took turns humiliating and destroying the car with their bare hands. They did a pretty good job of it. The peak moment of the party was when perhaps twenty riders were all standing on top of the now upside-down wreck, dancing and jumping up and down on the undercarriage while the music roared in the background.

It was a really good party but my heart just wasn't in it. Everyone had been really cool with me, and I could see that they were wanting me to relax and mix in more than I did. But I was beginning to feel a real lack of energy creeping over me. There were a lot of reasons for this. The most obvious was being away from Tatyana or thinking about how my friends in Belarus were doing and what they were thinking

about me... and just not wanting to be there in general.

I think the end for me was when I noticed that a rather attractive girl had her eye on me. I could see that she was working her way around the crowd. A lot of other people were watching this as well. It was a really nice gesture but also an odd moment. I thought she was quite attractive, tall, blond, and someone told me she was even an English teacher. But I couldn't even bring myself to try to get into it.

The truth of it was that I wasn't really up for making friends. As far as the girl was concerned, I didn't want to start anything here, not with Tatyana sitting alone in Belarus. I just didn't feel like I wanted to party in Warsaw at all. Maybe it was a symptom of the depression that I could feel creeping all over me: I just didn't even want to start anything. Actually, I didn't want to be doing any of this.

By the time my English teacher had made her way around to me, I was sure that she could feel that nothing was going to happen. And also, I realized that by rejecting her, I had also rejected all of the bikers as well. I could feel the disappointment all around me. I felt horrible but I really didn't know what else I was supposed to do. I hate to sound redundant, but I simply did not wish to be there. Not at the moment anyway.

Right after that I started feeling kind of dizzy and empty. I hadn't smoked anything nor had I drunk all that much. I guess I simply just wasn't handling any of this very well. I was sinking really fast into some kind of deep and devastating depression. I felt unclean and unhealthy and my mind simply didn't want to focus. I was a mess and my knee was killing me.

I said goodnight and went back to the hostel. Perhaps it would have been smarter to smoke and drink and bond more with these people. I know that that would have made me personally feel a little better. But I felt I was carrying a burden of

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responsibility on my shoulders. This wasn't only about me. I left early, alone, with an aching head, a bum knee and a complete lack of desire to go on.

Chapter 11

June 23rd through 26th, 2002

Over the weekend, I had started to become really kind of worried about what the prosecutor's game was. I was scared shitless of the man to be honest. He had sort of a sickly feeling about him. Sort of vampirish I guess is a good way to describe it. I really wished there was some way to deal with the situation without having to deal with that prosecutor at all. I called the embassy on Monday and asked Stolte if there was any change in my status. He asked me if I had gone to the prosecutor's office the previous week. I told him no and about getting Bokowski to go up for me. I told him I thought I was being set up and therefore refused to go. Stolte then got really pissed off. He put me on hold for a while. I supposed he was calling the prosecutor's office.

A few minutes later he came back on and told me I had better get my ass over there and pick up my papers that day by four or there would be an arrest warrant made out in my name. I asked him which side he was on. Stolte made a noise. I was wasting his valuable time. "Mr. Goodman, why don't you just pay the cop what he wants and be on your way?" Pay him? You pay him. Why should I pay some asshole for trying to kill me? I started going on about my rights and about paying extortion and about how little money I had to work with. Stolte put me back on hold. After a minute he came back on and reminded me to go to Wiesniakowski's office. Obviously the phone call was over.

"Look, I am innocent." I said. "I have committed no crime. This is purely an

extortion, and as it was propagated by an intentional act of violence, that makes it terrorism. I thought George Bush told us that Americans don't negotiate with terrorists."

"I don't need to hear any shit like that." He said. I guess he had no interest in any ironical comments. "You have till four O'clock to get your ass over to the prosecutor's office and pick up your documents. And, I would advise you to give him your real address in Poland."

What the hell was with this "real address" nonsense? I still didn't know what this about and I also didn't understand why Stolte was so deep in with the prosecutor's wishes. Or why he was breaking my balls and talking at me like I was an out-of-line sixteen-year-old.

"What do you want from me? I told you I am staying at the damned youth hostel!"

"I am not talking about the hotel. The prosecutor needs to know your real address in Poland."

"There is no real address Goddamnit! I don't fucking live here, get it? And you know this because you were the guy who gave me my new passport, remember?"

"Mr. Goodman, I have no time or desire to argue with you."

"Look, I just don't understand what it going on and I don't trust the prosecutor at all."

"Fine. You must go to the prosecutor's where you will receive a pair of summonses that refer to two meetings you are obligated to go to. The first one is for a psychiatric exam and the other is for a meeting with an attorney to close your file. They will both take place within a few days. After that, you will be finished." He told me to write this all down and took pains in telling me the correct way to say and

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pronounce Wiesniakowski's name. He also told me he had sent the following E-mail to me that day because he didn't have my phone number:

-----Original Message-----

From: Stolte, Robert F

Sent: Monday, June 24, 2002 1:12 PM

To: Adam Goodman

Cc: Kirby, Michael D; Hancon, Peter G; Rykowska, Anna; Stolte, Robert F

Subject: Adam Goodman case

Dear Mr. Goodman: We telephoned the prosecutor's office today per your request since you hadn't understood the statements that they made to the courier whom you sent to them. The clarifications are as follows:

1) You, personally, need to appear today at the prosecutor's office before 4 pm, so that he can serve you with the summons. The case is not being dropped by the prosecutor's office.

2) You have a psychiatric evaluation scheduled for tomorrow, at Nowowiejska 27, 10 am. There will be a sworn interpreter there. The summons needs to be served first.

3) If you appear today, the next hearing at the prosecutor's office will be in approximately 2 weeks time at which time you will be represented by court-appointed counsel.

4) If you do not appear today at the prosecutor's offices to receive the summons, the prosecutor can ask the court to suspend the proceedings and can ask for an arrest warrant from the court.

Since we have no valid phone number for you, the situation is very difficult. I tried to reach you at the Youth Hostel, but they didn't have a forwarding telephone number for you. So I left a message. It has been your choice not to provide us with a current telephone number where you can actually be reached. Therefore, I hope that you are reading your e-mail this afternoon. It is urgent that you go to the prosecutor's office today by 4 pm.

Mr. Stolte

Nothing like getting it in writing, that's what I always say. Now I was really starting to believe that the embassy was somehow involved in all of this. Doesn't anybody in Poland ever say anything to put a guy's mind at ease? I still had no concrete proof, but I know what I had been hearing and I sure knew what I felt. Obviously I was dealing with some pretty black hearted people but for the life of me, I really couldn't figure out why they were going through all of this trouble just to keep me in Poland. Who am I that I am so goddamned important anyway? And for that matter, who in hell was this Zaremba character that he could inspire so much fucked-upness all around him? And you know; it is really something when you start getting

threatened by your own embassy.

I really did not want to go to the prosecutor's office. I was sort of riding around in circles, not really knowing what I wanted to do. I couldn't run, but if I went in, they were probably going to throw me in jail and start taking more rights away from me. Well, that would be true if I had any rights in Poland. Then I spotted Marcin Drazkiewicz riding on his bike. This was the guy from the help organization. I called to him and he was glad to see me. I told him what was going on and asked if he could come along to the prosecutor's office with me as a translator and a backup just in case. He agreed and after detailing where my shit was and how to contact Tatyana by e-mail, we went over together.

When we walked into Wiesniakowski's office, the first thing he did was to throw Drazek⁴ directly out into the hall. I asked him what he had done that for. Wiesniakowski told me in English that I needed to see a psychiatrist and he asked me again what my real address was. I asked if Drazek could come back in and translate for me and Wiesniakowski grudgingly agreed. According to the clock on the wall, it was still a quarter to five.

I told him again that I was staying at the hostel and that I had never had any such thing as anything even resembling a permanent address in Poland because I had never lived in Poland. Wiesniakowski told me through Drazek that all he wanted the information for what was to be an inspection of my place of residence. This was needed as a part of the process. An officer of the court needed to come and to see how I lived and to interview any people around me as to what their opinion of my character was. I told him this was all well and good, but I had already told him the truth and had no interest in lying to him.

⁴ His common nickname

He handed me a document and asked me to sign it. Drazek told me it was the order for a psychiatric exam and I signed this. I told him that Stolte had told me there was also supposed to be a meeting with an attorney in a few days as well.

Wiesniakowski sat still for a moment, picked up a scrap of paper from the table, excused himself, left the office and then returned a few moments later with a second order, similar to the first. This document was the order for a meeting at this office. It was dated for four weeks in the future. He smiled and wished us a good day.

Four weeks?

I am sure every body likes the thought of being ordered to have their head examined. And at that point however, I was thinking that in fact I might just have actually gone crazy if for no other reason, than I seemed to have just thrown away several peoples lives over the belief that a guy riding a bike should not be openly assaulted by assholes driving cars. In the university I learned that a good definition of crazy is simply that one is against the societal norm. Obviously then I must be a mental deviant by Polish standards because the people who were holding my leash seemed to believe that it was their God given right to put bikers under the tank treads. I mean, tell me if I am wrong, but doesn't relegating condoned violence into the category of the cost-of-doing-business eventually sort of demean the concept of quality of life? And of course complaining apparently was also against the common social mores. This they were making a rather large demonstrative point of this. These Warshavians might not have been willing to fight for their rights, but they for sure were willing to fight to the death for their stupidity.

These are of course great arguments, but obviously no one was listening to them, or to me, or to their conscience for that matter. I myself was still clinging in my

mind to some ethos that said the truth is the truth is the truth and my job was simply to tell it. Who knows, maybe I did need a shrink.

Anyway, with or without trepidation for having my brain probed, the next morning, Tuesday June 25, I went over to the Public Psychiatric hospital and a meeting with doctor Kuligelski.

We had to wait about 40 minutes for the translator, a rather fat, repugnant and distracted little worm whose name I am happy to forget. Eventually we were all assembled on the stage of an auditorium-like room for our evaluation with Bozena Jarnuszewicz, my gentle and smiling court appointed psychiatrist. The questions she asked were innocuous enough: How old am I? Where did I grow up? Was my family normal...? I was asked to tell what had happened on May 15th and I told the story again. The meeting was only about 10 minutes and at the end of which I asked what the opinion was and I was told that I was normal. I asked how this applied to the case and Ms. Jarnuszewicz looked at me smilingly and told me that she thought I was probably angry at being hit by a car. Well there you go. The translator, probably looking for a tip, chirped in a hardy agreement that the worst part was that I was attacked from behind. He then related to me that he himself had been rather tough when he was younger and that he had had a similar event and had really given a guy a beating for having come up from behind him. I didn't believe a word of it.

So now what? Thanks to the prosecutor, I now had four weeks to kill without anything particular to do. I still had never spoken to a lawyer, had never heard what Zaremba had said about me and had never been told once by the courts why they had changed their mind and decided to keep my passport without telling me. I still had not the slightest clue what this "real address" nonsense was about. About the only thing I did know was that I was more than a month late for being with my friends and making

our bike shop and that I was bleeding money. And that this whole process was nothing but pure extortion.

But what could I do? If I agreed to pay this cop true, they might let me go, but also several really bad things would happen. First of all, I would no longer have enough money for the bike shop and if that happened it meant that I would have effectively lied to the Belarusians from whom I had just honestly asked for trust. But also, if I agreed to lie for the Polish, I would be guilty not just of a rather crazy act, but a felony and this would have influence on my passport permanently. But also, because I was riding when it happened, agreeing therefore meant the ruination my name and credibility with bikes. Of course being made to sit in Poland and pay for every day of my stay was also fucking me over financially. The state was giving me a lawyer, but if I actually wanted to see an attorney or get legal advice, I had to pay for my own. Making me stay was basically torture but I guess I could understand why Wiesniakowski could feel so free about holding me. Everything here was going to cost money and all the money came to Poland one way or another. Pretty shrewd deal if you ask me.

I thought about all I had been through in New York, of the miles I had ridden in Pinsk with the kids from the bike school. I thought of the plays I had written- all in the name of making a good face for myself. And now one swift stroke had started a chain reaction in which everything was slowly being taken away from me and there didn't seem to be a damned thing I could do about it. What to do?

When I was a boy, I read a book on casino Gambling. The book said that because the odds are never in your favor, eventually you will lose and the house is in business to be there to take your money. The book's solution to the problem was to be a "grinder", someone who makes the house work for their money. The idea is to be

patient, take one's real opportunities when they arise and never, ever give anything away easily. So I decided on this as my strategy. I had a lot at stake here. I decided that my name was simply far too expensive a thing to give a way so cheaply. I decided I didn't want to give these extortionists a penny without a fight no matter how much pain they put me in. And at the least I would make sure they wouldn't like it: If they wanted me so bad, they were just going to have to just choke on me.

Chapter 12

Warsaw, Poland; June 27th through July 21st, 2002

So there I was. Four weeks. Four weeks of what? Four weeks of... well, four weeks of boredom and despair. Basically.

I was pretty wound up but unfortunately had no real outlet to let it go. Of course it was torture, but what could I do? I was in a no win situation. I couldn't work legally and I had no energy for being social. So I waited it out. And I wrote about it. Why not try and make something out of this? I mean, what was happening to me really obviously was happening to a lot of others as well. It was wrong. They had taken away my choices; I might as well do some social good with the experience. I wrote letter and sent it to a lot of people who were on my e-mail list. I asked them for letters of recommendation in the hopes that this would suffice Wiesniakowski's line about the permanent address. I asked Tanya to talk to the guys at the bike school s well s several other whom I had been associated with to write for me as well. All in all I got back about forty responses altogether. It was nice to be reminded that I was at least at one time worthy of having my own life.

⁵*Date: Wed, 10 Jul 2002*

...What this guy did, was to simply say that his life was more important than mine. This hitting me with his car and the extorting of money from me is a statement. But what is this statement really? Is he saying that he can do this simply because he is a cop? Or because the pain of his Polish poverty is making him crazy? Is he saying that I, as an American should be brought down, because I am an icon of my system and because he blames the west's intrusions into Poland for his grief? Maybe he thought it was Ok to run me down because I was fat or maybe because I was a Jew... or because I was on a bike? Maybe, as a cop, he kind of gets off on the power of such situations. Maybe he was having a bad day and needed his ego stroked a little bit by beating someone down... but for whatever reason this slimy, chicken shit loser decided he could, he simply walked in and fucked my word. And what is worse, his system has backed him up and mine as of yet has not. And, this is wrong and this is not acceptable...

...By the way, did you know that the place where I stay in is basically about 50 meters from one of the Jewish Ghetto walls? I haven't been to Auschwitz yet. But I am going to go, either with, or after Tatyana leaves. My thinking is that the manner in which I am being held, the contrived reasoning, the misuse of systemic power and the eventual goal of simply beating be down and looting me is absolutely no

⁵ an excerpt from that letter.

different from Nazi tactics. And the geography is so relevant: These are the same people, this is the exact same place...

My living situation at the hostel was that I bunked in a fourteen bed dormitory. We had the usual cacophony of world travelers but in general the hostel's main business was from out of town student groups so there were always a lot of Polish youngsters milling about. I was paying about eight bucks a night plus food. I could cook there so that was helpful.

Aside from myself, we had a few regulars. There was Bruce, an American retiree who liked to play solitaire a lot. He spent summers in Poland and winters in South America avoiding bad weather and trying to get his money's worth out of his pension. Bruce professed to liking his solitude, but I think he liked the attention from the students who would pester him while he laid out his cards. Later on, he turned out to become one of my best friends.

And then there was Lukasz⁶. Extremely soft spoken and genial, Lukasz was from another city in Poland and told me his father had his own company and his family had money, but he himself wasn't working and was trying to find an apartment in Warsaw. I bought this story for a while but after a few weeks I realized that he was never making any progress on his deal. Lukasz really seemed to like me a lot. Though at first, I was actually kind of happy to have someone listen to my redundant dissertations on the inadequacies of the Polish correctional system, after a while his incessant questions and desire for my companionship began to get on my nerves. I tried making polite excuses, but he seemed kind of glued to me. Maybe the situation as a whole was getting to me to, but he made me more edgy than I already was and I

⁶ pronounced Wu-kash

just wanted to get him off of me. I mean, he was living so close to me I was even half-thinking he was with the cops. It all came to a head one night. I was writing at the computer and he just sat on my bed and looked over my shoulder. I closed the computer and I told him to fuck off and leave me alone. He just smiled at me.

“Listen Lukasz, the general purpose of a hostel is as an inexpensive alternative to regular hotels for travelers. It’s a three day stay. I have to be here. This weasel prosecutor is demanding to know my address and I have told him that this is it. So, for reasons of sheer spite and anger I will not come up with anything that even resembled a real Polish address until I know the truth about why this address business is so fucking important. And so, in general, regardless of your desire to bond, I would prefer be to be left alone in my misery.”

“But I prefer your company to that of the other tourists”

“Well, that’s fine, Lukasz, but neither you nor I are really a tourists. And you’re Polish. I gotta tell ya, there is something wrong with someone who stays at a youth hostel all the time and doesn’t even try to pick up on the girls.”

“You don’t try to pick up on the girls.”

“That’s different.”

“It’s different for me too.”

“Look, I have a good reason to be here. You don’t. Get lost!”

“You are interesting conversationalist.” is what he said. I wanted to strangle him.

“Lukasz, you are a cop aren’t you?” He smiled and began telling me that he was having dreams about me, that I had appeared as Stevie Wonder to him one night and then went on to describe them in detail. I don't know if it was my paranoia about the whole of this fiasco or what, but that pretty much snapped my rope. I started to

insult him directly; ripping up his life, begging him to find another room and telling him outright what horrible things I thought of him. Through the whole tirade he never lost his temper and in fact seemed to enjoy the abuse.

"Listen," I said, "What the hell is going on here? I am not enjoying this at all." He smiled at this and lay down to make himself more comfortable. "Do you like this? Is there was nothing better for you to do then to listen to the sound of my voice?" He smiled.

"Lukasz," I asked him, "are you gay?"

"Yes I am." He said dryly, "And that is my problem. This is why I can't live at home." Well... I couldn't argue with that kind of logic.

After that, we got along pretty good only now I started to feel like the two of us were Raul Julia and William Hurt stuck in a cell together in the movie "Kiss of the Spider Woman". Lukasz had never seen the movie and so he didn't get the analogy. I started describing the film to him scene by scene but then the thought struck me that this was the same thing that they did in the movie. I stopped and blinked a few times and then got up and then got up and left the room. I really needed a break from the whole affair.

I think the biggest problem for me at the time was there I really had nothing to do, at least nothing of relevance or importance. Well that's not entirely true; I did feel as though I was acting for the benefit of a greater social good by standing up to Zaremba and Wiesniakowski. But personally without a job or even an income, I was feeling exceptionally useless. I went to the movies a lot and went for long rides on my bike. I hung out with the bikers sometimes, but was basically I was just doing what I could put Band-Aids on my relentless depression. Maka asked me one time why I

didn't just go and speak to the prosecutor. But what was the point? There was no deal that could be made. Zaremba was guilty as hell and anyone who even reasonably looked at what files were there could see this. I wasn't about to pay Zaremba and I sure as hell wasn't going to pay off the prosecutor.

The situation did though inspire me finally to check out the list of lawyers the Embassy had given me. The list consisted of about twenty lawyers and listed their specialties and whether or not they spoke English. I picked a couple who seemed to fit and wandered around town making appointments.

My first meeting was with Malgorzata Trzebska. I had to wait two days for our appointment but I had told basically my story to her secretary so I assumed that she would know what was going on. What I really wanted more than anything was an attorney who would lead the way towards getting some compensation for me and my family and friends for all I had been through. Having to sit in Poland for two months because of what had to be obvious lies was strictly abuse of office. I felt the original charge had to be a marginal issue at best and so for me, it was the situation as a whole that needed to be addressed; I needed my money back and I felt I had a good case.

Her offices were at Plac Konstytucji on the third floor. Ms. Trzebska had just come in and was still wearing her coat when I was finally invited to sit with her. Apparently she was a very busy woman. She was in her mid to late forties, tall, blond and energetic. She motioned for me to sit and asked what she could do for me. Her secretary had not passed the story on to her so I made a brief explanation of what happened, pointed out that I had been prohibited from pressing charges and said that I was interested not only in my own defense but also in suing the guy who hit me. She was somewhat distracted while I was speaking but nodded occasionally indicating she was catching the drift of my tale. She was sifting through files on her desk. A little

before I had finished she interrupted and began to say things such as everything would be alright and how I should trust her. She told me that the first thing she had to do was to read the case and that she needed to know the case number to continue. She spoke English very well.

I asked her if there was a fee for this and she smiled at me and said that there was and added that her time had some value and that she was entitled to be paid for her work. I told her that I completely agreed and ironically enough thought that this was exactly my own point as well. However, I was not a rich man and being here without an income had me on an extremely tight budget and that that was my point as well. I asked her if she had any opinions on our chances, especially about the suit, before we got started. She said that she couldn't say more without reading the case.

I had the feeling she understood what I was saying but was deliberately moving past me. I didn't like this. There had been nothing, anywhere during my experience here in Poland to suggest that anyone here was worthy of even simple trust, much less blind trust that one must pay for with money one doesn't have. I should have simply stated my fears concretely but frankly. I assumed that the point was obvious; this was our first consolation and I had to at least know if she wanted the case and what would her plan be if she did before I asked her to do any real work.

"Well," I said "I appreciated your willingness to jump right in and all, but I wanted to be at least a little reassured that what we are doing has at least some sense of success."

"Without reading the case," she said "I could not know for sure."

"I understand this, but what I need to know *before* I hire any attorney, is what there actually is that could be done."

"There is nothing I could say until I read the papers."

“Well, let’s suppose that in anticipation of your having to actually do some work we made the supposition that all I am saying is true. If so, would it then be possible to reverse the situation, see the guilty punished and eventually receive compensation?”

She told me there was nothing that she could say until she read the papers. I tried again to make the point that I wasn’t paying anyone until I was sure I would receive some value for my money. I didn’t know her or her work and she wasn’t giving me anything. I mean, I felt that my whole stay was extortion. Her lack of sympathy for this was a least discouraging if not telling.

Ms. Trzebska seemed to quickly lose interest in the situation and suddenly asked me if I had paid the 200 zlotys it cost to speak to her. I had to pay just to speak to her? Nobody told me this. Wasn’t the first consultation free?

“Well,” she said “this is not the USA.” I had been hearing this phrase a lot lately. She picked up the phone and called in her secretary. She was angry. I understood the words money, first and clients. I was nervous again. I looked at my lawyers list.

“So, what you are saying is, is that you would not even speak to me if I don’t pay you for the privilege?”

“No. please pay, or leave. I am a very busy woman”

“But that’s crazy! I can’t even speak to you? What if we don’t like each other? How do I know what you are doing? I don’t even know you?” She eyed the phone again and I had a flashback of my fight with Zaremba. I left quickly and without paying the money.

So there you have it folks. They had me no matter which way I turned. The Polaks had to be laughing their asses off over this one. Christ, for all knew, this cop’s

job was to go out and pick fights just to drag people who might have money in...

Wow, there's a statement worth some thought, isn't it? I kept at it over the next few weeks but found I that it was not only the same deal in every place I went to, but also now they were all acting as if they had heard about me. Jesus, where was the end?

Well, there was always the court-appointed lawyer to fall back on. I went back to my real Polish address, the hostel and played "free cell" on the computer.

Tatyana (Thank god) got a few days off and agreed to come to Warsaw for a visit. Lukasz pouted when I arranged a private room for us. I was so happy she was coming. We had written more than one hundred e-mails to each other but it just wasn't the same as being together. She was due in Saturday morning, on the 12th of July.

However, my bad luck streak was showing no signs of letting up and on the day before she arrived, my computer started to fail. There was some sort of short in the keypad and the track ball mouse stopped working. I tried to fiddle with it a bit and found that aside from the mouse, the computer in general still worked but it was also having a hard time restarting. It had to be just a short. I had hoped Tanya and I could recreate our Gdansk experience and work on the play together. The computer breaking was not good.

I found a repair place only a few blocks from the hostel. The guy working there told me that the problem was very small and that he would have no problem fixing it. I asked him how much it would cost and he told me it would be between \$40 and \$100 and that I could come and get it the next day. Great.

The next morning when I picked Tatyana up at the train station the rush I felt when saw her there was like an explosion. I think that you never realize how bad off you are until you get some relief from whatever it is that is keeping you down. She

was nervous but she was there. The room that we were going to take at the hostel would not be ready until at least noon, and because it was on the way and as she didn't have so many things with her, I suggested that we take in a movie to kill the few hours until we could land at the hostel. I got us two tickets for "It's About a Boy" at the Femina. We were the only ones in the theatre but for an old lady at the early show. It felt so good to be with her again. I guess we had built up quite a hunger for each other because pretty much the moment the lights went out we moved to the back row and made love all morning under the flickering light of the projector.

It kept up like this all day and I think we made an impression on the other guests after we finally got our room at the hostel. The shared wall of our private room was thin and thumping of the head-board all afternoon at first brought some giggles from a group of three English girls next door but later on in the day, they were answering with some banging of their own and also begun walking around the halls semi naked. I guess we started a fad. All in all, I think that this one of the better days I remember from the hostel.

The next morning, I went to collect the computer. The guy who I had spoken to the day before was not there but I saw my computer sitting unplugged on the workbench. I asked if everything came out ok. The guy looked at me as if there was something he didn't like about the situation as a whole. He told me in a stern voice that no, unfortunately the computer was still not working and there was no way that his shop could do the repairs. He said he was sorry about the misunderstanding, but the only people who could fix this computer was IBM. He had found the address for me and wrote it on a scrap of paper. I took the computer back to the hostel. Well, I was disappointed about the mouse not working but it at least we could still work. I borrowed a mouse from the internet room and plugged it in. Nothing happened. I tried

five or six times, still nothing. What had the guy done to it? I rode back to the shop and told him what had happened. He shrugged and told me I had to go to IBM.

“Yea, I remember you telling me this. But when I brought it here the first time it wasn’t working so well but at least it was working. Can’t you at least put it back the way it was?”

“No.”

“No? What did you do to it?”

“Nothing.”

“What does that mean?”

“It means that I didn’t work on it.”

“So, the other guy did, right?”

“Yes.”

“Well, he broke it.”

“Please don’t say that. I think you brought it in that way.”

“I didn’t bring it in this way. When I brought it in you could still open the computer. Only the mouse wasn’t working. Just fix it so I can open it up again.”

“I can’t do that.”

“Why not?”

“We are not authorized to do this work.”

“Yes you were: I authorized you to do the work and you said you would do it but then you made it worse then it was.”

“I am sorry. We can’t help you. Only IBM is authorized to do work on IBM computers.”

“Well, what am I supposed to do now?” He gave me another piece of paper.

“Take it to IBM.” He smiled at me.

Right: OK, so we don't have a computer- we work on paper. I copied the text of the play from the internet and took Tatyana to Mercer's coffee shop on Nowa Swiat that evening. Mercer's is kind of up-scaly and I thought Tatyana would like it but it only made her angry. She told me I was nuts to pay such money for a cup of coffee. I told her it was good coffee. She frowned at me.

We read over the text together for several hours. I think she ended up enjoying the cappuccino/ice cream concoction. We worked well together. She would read along, then look up and think for a moment and then say "Yes this is possible" or "No, we don't say it this way." And I would make notes on the changes. We were getting along great until we got caught up with one line and had a little disagreement over it. There is a moment in the beginning of act two when the men come back from playing billiards together. Nadia's boyfriend is quite drunk and when she asks her brother what has happened, he replies: "He made four balls in a row, missed and never stopped drinking after that." The line is simple enough, but I thought because the brother was supposed to be a gangster that it would be cool if we could use a really good Russian billiard slang expression. Tatyana didn't have a clue what it could be or for that matter didn't understand why it was important.

"It's a language thing." I said. "It shows his character and makes the moment both funnier and more real."

"Our people just say things how they are. Concrete."

"That's not true. Everybody's different. People have personalities."

"He's normal Belarusian man. He would just say what happened."

"OK... But there are lots of ways to say this." I explained "He nailed four shots in a row or he dropped four, blew the fifth and drank himself into a stupor..." She stare at me so I went on. "He sank four, lipped the fifth and then hit the bottle like

he lived there...

“He wrung up four in a row, clanged the fifth, than drank like a fish until he drowned...

“He iced four straight, choked on five and then tied one on and left it there till we had to drag him home... he drilled them, sank them, lost them, pocketed them... something.” She was still staring at me.

“Our people are very simple.” She said “We don’t speak this way.”

“Do you know this?”

“Yes.”

“No, I mean about the billiards. Do you know there is no such phrase?”

“No.”

“Then how do you know I’m not right?”

“I don’t know.”

“Well, then lets find out.”

“Please, go and find out.”

“No, I can’t do this. I need your help. How do we do this?”

“I don’t know. But I don’t think it matters.”

“It matters.”

“OK, it matters but I don’t care.”

“You have to care.”

“Ok, I care, but I don’t understand why.”

“Because it’s a language thing and it shows character.”

“You said that already.”

“So?”

“It doesn’t matter.”

“It matters.”

“Ok, it matter but I don’t care.”

“But we have to care.”

“OK, I care, but I won’t worry about it...” We went on like this for half an hour. He sank four, missed the fifth; I think it was the coffee. Or maybe four weeks of boredom. In the end, I let it go for the moment and asked if she could at least find out for me when she went back to Belarus. She grimaced.

On Monday morning, July 15th I went across the river from downtown to the IBM service center on Jagallonska Street. I met several of the techs there and was introduced to the guy that would do the repair. He told me that IBM didn’t repair broken parts but only replaced them. The track ball was a part of the keyboard and so the whole keyboard had to be replaced. As I had no warrantee, a new keyboard would cost about a hundred dollars installed. I said that that would be fine and asked him if it was possible to get a keyboard with both Cyrillic as well as Romantic figures. This would not be a problem he said. The computer would be ready in about a week. Great. I gave them my computer, signed my agreement and rode back to the hostel.

I took Tatyana to the movies that afternoon and tried to see “It’s About a Boy” again, but we didn’t get through it this time either. But the moment we left the theatre I started to get sinking hollow feeling in my stomach. Her visit was going to be over much too soon and I desperately wanted to go back with her. I found I was seriously missing being at home with her in Pinsk. I missed the kid and the bike school. I tried to say something that would allow for some hope and told her that I had a meeting with the state appointed attorney coming up and everybody was telling me that it would all be over soon. I told her that if what the embassy had told me was the truth,

Being Had

it could possible be only two weeks or so and I would be back. I actually believed that when I said it. She smiled and said it would be nice to have me back home again.

Unfortunately, we had only had four days together. I took her back to the station on the morning of the 17th. We both cried on the platform when her train came. I hadn't realized how empty I had been feeling until she was with there with me. And now, as I was watching her train roll away, I immediately felt the emptiness return. I was not happy to have to pull my things out of the private room and put them back in the dorm. Lukasz was lying on his bunk reading a magazine when I came in. He seemed happy to have me back. I am sure that must have meant something.

Well, for whatever it was worth, there was only three more days to kill before the big meeting.

Chapter 13

Warsaw Poland; July 22nd and 23rd, 2002

From a letter to a friend, 21 July 2002

...And about the case, as far as I can see, all I am doing is hanging around; however, I have a funny feeling that I am going to be free soon. It is all starting to feel like a hoax with all of the guys on the other side trying to save face. And, unfortunately, some of the guys on the other side include the American embassy. I don't know when we all got so... embarrassing to know. But we did.

On Monday, July 22, I went to IBM to get my computer back. The techs were happy to see me. My guy went in the back and returned with my computer, now newly equipped with a brand spanking new keyboard, although one unfortunately

without Russian figures. Everybody smiled. They apologized about the keyboard but said that they simply didn't have the model that I wanted. I asked them if I could try it out and they set the computer on a carpeted pedestal and plugged it in. Nothing happened. They tried several variations of jacks and plugs trying to get it started but the computer would not open.

“I think that light there means that it is drawing electricity.” I said.

“Yes...” the tech replied.

“So I don't think it is electrical...”

“No. No...” He was pressing buttons and tapping keys.

“Um... do you understand the problem?”

“Just a second.” They quickly took the computer into the back room. I sat down and thumbed through a computer magazine. After a few minutes my tech came back out and told me that apparently something had happened to the main board. The computer had worked just fine that morning when they installed the new keyboard. Something must have happened between that morning when they did the work and now. His thinking was that this new keyboard must have been bad and that this is what caused the problem. I said that I understood and asked what needed to be done. I was told that they would require another week. I asked them what I was supposed to do about not having a computer and they agreed to give me a loaner to use, which was nice. They pulled the memory from my computer and stuck it the loaner, I signed their loaner document and told them I would be back in a week. We all shook hands and I rode back across the bridge.

Unfortunately however, upon returning to the hostel I found that the unit they had given me was in fact mildly inferior to my own. I say this because it was too slow to play CD's and also had no working connection to either the internet or to the floppy

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disc drive. This of course made editing or writing impossible as the computer had no ability to send or receive information. On the bright side, it was only another week and I did find that the game of “Free Cell” worked pretty well, so I took some solace from this.

On Tuesday the 23rd, after four weeks of... whatever, I headed off to the prosecutors office for my big meeting with the state appointed attorney. Any trepidation I may have had was now in my mind as meaningless as what my life had become. I was numb as a mouthful of Novocain and couldn't have cared less if they jailed me. I was however there at the appointed hour but found the corridor empty and Wiesniakowski's door closed. Nobody knew where he was so I sat down and waited in a chair in the hall occasionally asking people who came through the corridor if they were either the attorney or a translator. After about a half hour Wiesniakowski showed up holding a sheaf of papers. He gave me a stern look before bustling past me into his office and closing the door behind him without a word. I waited a few minutes more before knocking on his door. He told me to come in. I asked him if this wasn't the right time and place for my meeting with the state appointed attorney. He told me that the meeting had been changed to Thursday and that I would have to come back then. I noticed it was still a quarter to five on his clock.

I asked if there was some reason I had not been informed of the change of time. He said that it had been my lawyer's request to change the time because he had gone on vacation and would not be able to attend. He had only called a few days ago and so there had been no time to inform me. However, as I now knew about it, I should come back then. I wondered how a guy could come to work every day and have a non-moving clock directly in his field of vision. Didn't the thought of either

removing it or having it fixed ever occur to him?

I asked if I could have a minute with him, that is, as long as I was here. He invited me to sit. “What you did in four weeks?” He asked me. He had never tried to speak directly to me without a translator before. Evidently he knew some English and seemed to take some pride in this though he wasn’t nearly as good at it as he thought. Almost any of the couriers I knew could have talked circles around him. I told him the truth, that I had basically done nothing. He laughed at this as if it was a joke. I personally didn’t find any humor in it so I just stared at him. When he finished his chuckle I asked him if he wouldn’t mind telling me exactly what this guy Zaremba had said about me. Wiesniakowski said that I could make copies of the file if I wanted. Really?

“Has this always been the case?” I asked.

“Yes, of course, you always been free to look at your files.” Really?

“Was there some reason why nobody had informed me of this?”

“It is not my job to say this,” he said “you should have spoken with your attorney.”

“But I haven’t had an attorney to speak to. The embassy told me that this was the meeting where I got to speak to him.”

“No, this is the meeting to close the files.”

“What does this mean ‘close the files’.”

“Everyone must receive a chance to read the files before we can close the case. It’s the law here in Poland.”

“I see. May I speak to my attorney before this meeting then?”

“Of course...” He laughed.

“May I know who he is?” The public prosecutor smiled, opened my case

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folder and removed a crumpled card with the name Wojciech Tomczyk on it. I looked at it. It had been stapled to some other papers. “How long has this Tomczyk officially been my lawyer?”

“Perhaps four weeks, since our last meeting.” Is what he said.

“Why didn’t you give it to me then?”

“You didn’t ask for it.” He said. I blinked a few times.

“How was I supposed to know that it was available to me if you don’t let me know?”

“That’s not my job. I am the public prosecutor. You should have asked your attorney.” I felt some urge to point out the catch 22 but I was sure Wiesniakowski was enjoying his little game too much so I just went on.

“Could I have these files now?”

“No.” he said and smiled again. There was a pause. I didn’t leap over the desk and punch him in the mouth. He read my face and after a moment he went on. “You must to wait until after lunch.” I looked slowly over at the clock as if to check the time and then asked Wiesniakowski if he knew about what time I would have to return. He told me to come back in about two hours.

As I stood up to leave he asked me to please tell him for his files what my real address in Poland was. I asked him if he wouldn’t be kind enough to explain this “real Polish address” business to me once and for all. He told me that in Polish law, everybody must be registered as living someplace; everyone needed to have an address. It was also Polish law that only people whose addresses were known could be released during the process of prosecution. Because I was claiming to live at a hotel, this was why they were holding my passport. Really? I thanked him, told him I would think about it. But in the meantime, both he and the courts had the hostel’s

address. I would be back after lunch.

My head was spinning. It was too much of an understatement to say that something was fishy; to me it was only a matter of exactly how crooked these guys were. Obviously they all wanted money so even asking why would be a stupid question. But you would think that these guys would have at least some official checks and balances; didn't they ever have to answer to anybody for their actions? And why hadn't this Tomczyk called me even once? And for that matter, why hadn't the courts notified me that he was my attorney? Can this public prosecutor really bend and twist things as he likes? How much leeway does this evil little bastard have?

I rode over to Marcin Drazkiewicz's office and asked if he wouldn't mind coming with me to help figure out which documents would be the best to take. While we were waiting I asked him what he thought about Wiesniakowski's explanation of the address thing. Drazek told me that he believed that this was true for Poland and might be the truth for my situation. I was however still skeptical. I mean, having a permanent Polish address simply made no sense because I was not a Polish citizen, my passport clearly showed I had never spent a lot of time there and though this argument might have been true in the beginning, the court had already decided not to put me in jail. Why was this still an issue? Drazek only shrugged and reminded me that we were not in America.

When Drazek and I returned to Wiesniakowski's office, Drazek was immediately again sent back out into the hall. Drazek looked hurt.

"Cut the crap, Wiesniakowski." I said sharply. He gave me a surprised look. "You have no right to push around a friend who's helping me out. I brought the guy with me to translate and read the papers. He is on his own time and acting for the purposes of clarity. You have no right to abuse us." The prosecutor nodded and

agreed that he could stay and I asked again to see the files. He told me that they were not available. Right. “Did you or did you not just inform me that I could have access to the files for the purposes of making copies only about two hours ago?”

“That is possible.” What, was it the wording?

“Well,” I continued “you have eaten your lunch; it’s time to hand them over. What I wish to see are the pages where Zaremba speaks. I want to read what he has said about me.” He nodded and started thumbing through the pages of my file and showed me the pages where Zaremba had given statements. “May I have copies made please?”

“First,” he told me “there must to be a written request made for these pages. I can not give you the papers without this. You cannot make copies because you have not given me a request.”

“I see. Was there some reason you hadn’t told me about the request needing to be made in advance when I was here two hours ago?”

“You did not ask.” He then smiling added that I had to pay for these pages as well. Each copy would cost one zloty. I reached into my pocket and put a twenty zloty note on the table.

“Oh, no, no, no,” he waved me off “You must pay at the bank downstairs and receive from them a receipt in the form of stamps. When you have the stamps, I can put them on the request for copies and then I can arrange to have the copies made.”

“I see. Could you at least be kind enough to tell me how many pages I would need to copy?” He not only counted, but also amazingly also gave us a small scrap of paper with the pages written on it. These pages also needed to be added to the written request. I thanked him for his gesture of generosity. He shrugged and said it had been nothing and added that he would only be in the office until five that evening.

“Very well. May I have a piece of paper to write this request on?”

“No.”

“No?”

“No, I cannot give you any paper because I have none I can spare. This is a very poor office. We have no extra paper.” I looked at Drazek but he only shrugged. I nodded at the prosecutor and left.

I absolutely thought Wiesniakowski was an ass, but Drazek told me later when we were outside that in his opinion, the man was being pretty smart. Drazek thought that his job was to put people in jail and that he was simply doing all he could to win. I countered that in my opinion, his job was not to simply fill the jails but protect the public trust and serve justice fairly; this was something he was definitely not doing. And what was worse, he was not only really abusing his office but the son-of-a bitch was actually enjoying this.

“What is the point of even having an office if you can’t abuse it?” Drazek asked dryly. He then asked where we were supposed to find some paper. I looked at him for a moment to find out if he was kidding or not then walked into the first store I saw, a bakery, and asked for a scrap of paper. I came out and handed it to him. While he was writing out the request letter, Marcin told me that what I had just done was completely abnormal for Poland. What, asking for a piece of paper? He said it was embarrassing. Drazek was angry. He wished me good luck with the rest of it, told me he didn’t like my attitude and went back to his office. I watched him ride off then went to the bank to buy my “stamps”.

I was back in Wiesniakowski’s office in about 40 minutes but when I asked for the copies, he told me I should come back tomorrow as it was too late in the day for the secretaries to do the work.

“Look Mr. Wiesniakowski, if this meeting is supposed to be on Thursday, I would surly like to have a chance to read these papers before then. And, as I still have to find a translator, it would be more than helpful of I could get these today. Now, if you don't think you've had enough sport at my expense, I would really appreciate it if we could just get going.” He smiled and nodded at me. He affixed the stamps to our request, stamped it and told me he would ask the secretaries if they would be willing to do this work. I sat staring at the clock for a little while. At a little before five (of course,) the secretary returned with the requested copies. I thanked her and left to go back to the hostel.

Chapter 14

Warsaw, July 24th and 25th, 2002

Lukasz was unfortunately not at the hostel when I got there so I asked Simon another one of our regulars if he would read for me. Knowing that I would at least have the information in my computer's memory I set up next to a large window and furiously typed whatever Simon said as fast as I could. I had to stop him from time to time to make sure that what I was hearing was correct. They had to have been kidding. There was no way that anyone could have held me in Poland for all of this time because of this story.

Zaremba I found out had in fact given two statements up to that time, one to the police desk on May 15th and the other to Wiesniakowski which was dated a day later.

According to Zaremba, I had attacked him without any provocation on his part and broken up his car with my bare hands and thrown my bike at it as well. Also, he had not done anything by the way of hitting me with his car but rather was

claiming that there was an incident some distance before the crossroads where I had ridden my bike in front of his car and he was forced to avoid a collision by braking and honking his horn. How far this was from the stop was not detailed in the story. He was well ahead of me at the crossing and already stopped first at the lights with several cars behind him when I approached. According to his story I could in fact pass him without problem, but was nevertheless angered by an inability to get through the cars. And it was only after passing that I inexplicably flew into a rage and then returned and began beating his car with my fists, threw my bike at his car several times and then pummeled his person relentlessly, breaking in the process either two or four of his teeth. Apparently he had tried to call the police during all of this, but had the great misfortune of getting an answering machine. After this I ran from the scene and at this point he, after consulting with a police radio car which was allegedly somewhere behind him at the stop, followed me to the KSP police station. Once there and in response to his command, the police present there apprehended me. However, in a remarkable display of strength, I was somehow able to break free of their grasp and managed to strike him yet again. This is the text of the first description:

I have been told about my responsibility in regards to the law about making this report. Article 233 1st paragraph...

On this day on the 15th of May in Warszawa I was driving with my daughter Katarzyna on Solidarnosci Street towards the Praga district in my Renault Megan serial no...

Which is my own car. I was coming to the crossroads with Andersa Street; I was driving in the left lane. There was no car in back of me and in the middle lane, there was a city bus. And the biker was heading to the bus. He quickly

changed lanes a few meters in front of me. I made a signal so that I wouldn't hit him. The biker then changed back into the middle lane and I came to the crossroads before the lights. I saw in the rear view mirror that the biker was approaching between the bus and the cars that were in back of me in the left lane. When he passed my car, he threw away his bike and came to my right side and punched three times in my hood with his fist. He was screaming something in English and I think he was using vulgarities. He punched a few times into the roof; he kicked the backside of the car. He punched his fist in to the front window, then he took the bike threw it several times into the front of my car. Then he took it to my left and he threw it between my car and the divider (tramway) and was punching the side window with his fist and the roof. He opened my doors and punched me a few times into my face and I was trying to protect myself with my hands but I got a few punches into my mouth, my upper lip and chipped four of my teeth. And two of them were a little broken and he cut my upper lip. During this I was calling from my cell phone to number 112 and I heard an answering machine... but during this fight, this man tried to grab my phone so I put it down. One moment later this man left the car taking his bike. He got on the bike and began to ride on the sidewalk on Andersa Street toward Nowoliepia Street. In this moment some man said to me loudly that there was a police car two cars in back of me.

I went to the patrol car and I asked them to go and stop this biker. I drove in my car to Andersa Street and I saw this biker riding on the sidewalk between Solidarnosci and the building Nowalipie 2. I came to the KSP and I asked the police that were standing there to stop this biker and they did it. The biker saw me and started to scream and came at me and, I thought they were holding

him back; he managed to punch me in the face. When I explained the situation they told me to go to KP Srodmieste and the biker went there too. That's all I want to say about this. But, I want to say that before it came to the confrontation, nothing happened (I didn't do anything)

How could the cops have bought this story? Now my supposition was that this car I saw Zaremba leaning into might be a fellow cop and in his story, he mentions there being another police car there but the car I saw him lean into was certainly not a radio car. Neither Zaremba nor I was asked to take a drug or alcohol test at the time. Under the circumstances, and with such an amazing tale coming from a fellow cop and one with a little girl in the car no less, I guess I could understand them disregarding this procedure and putting me in the cage. But did the arresting police officer's decision not to ask even one person at the scene for a statement strike anybody as odd? Or perhaps they were a little too emotionally blinded to ask how such an amazing attack could have occurred without provocation. But why had there been no statement from the little girl? And how could he expect to corroborate the story about his teeth or about my hitting him at the station? And, where was the statement from this radio car?

Ok, so obviously he was being backed because he was a cop. But reading the second statement made the situation even more perverse. This second account was made with Wiesniakowski and I knew by then how tricky he was. You can see the prosecutor's hand all over this account. But what is amazing however is that Wiesniakowski not only allows the cop to change his story (Amongst other things in this second account, he admits to blocking my way), but allows him to build an even less reputable story than the first one. In this second account Zaremba several times forgets the order of attack, has me landing punches to his car that would require

seven-foot long arms, using rather articulately my bike as a weapon against his bumper(?), expressing a rage similar to that of a rabid dog, complete with froth coming out of my mouth, and completely blows the story about the cell phone. In fact, he not only blows the telling of the phone story, he makes a point of displaying the time of the call to the prosecutor even though that phone call would have been made ten full minutes after the incident according to the Police report and call log. But what is perhaps the most bothersome for me is that it's not just the story that changes, but the perspective. In this second account, he is speaking not as the victim, but as a policeman recounting his experiences with an especially undesirable perp who he personally and heroically brought in.

Here's the interview with Wiesniakowski.

What I said before I still believe is true, but I want to say something more: this man was riding (his bike) in the right lane and he was in front of my car to my right. When I was approaching him in my lane, he quickly changed his lane without signal coming into my lane.

Not seeing the possibility to stop (avoid him) I used signals that made this biker change back to his lane and we continued (on our way).

When we came to the crosswalk, I stopped on the signal and to my right; the bus had stopped there. This was the same bus that was the one the biker was behind.

Normally, a bike should wait in a cue (wait in line) with the others (cars) but he was riding between the cars. And after I arrived at the crosswalk he came to me and without warning punched with his hand the side of the car while

passing me. He did this because he didn't have enough room between my car and the bus.

Next (he) put down the bike in front of my car and punched with his hands into the hood, the roof and the quarter panel of my car while screaming in English with spit (frothing?) coming out of his mouth.

And I want to say that my eleven-year-old child was with me in the car and she became hysterical. Because of his behavior and my daughter's reaction, I decided not to go out of the car. The man then picked up his bicycle and began to use it to hit the bumper of my car. Then he threw his bike to my left between my car and the (tramway) barrier.

He approached my car from my left and began punching my car with his hands on the door, the roof and the window... and I want to say, that before he came to my left he punched the front window and broke it...

When he was on my left side he was trying to open the door and punching the door and the roof until he opened the door and was punching my face and my body with his fists. I was protecting myself with my hands and trying to call the police with my cell phone. But when I checked the number, he tried to take the phone away.

(And now the witness shows me the telephone and on the screen of the telephone I can see the connection number 112, the date 15.05.02 and the hour 14:00 and 30 seconds.) I don't remember if I put away the phone or if the phone fell out of my hands. He was spitting all the time on my car, he was angry and he looked like a crazy man.

When he saw the telephone he seemed to understand that I was calling and it made him have a cooler head.

After this, he went back to the front of the car and punched the hood and then he took his bike and rode on the sidewalk in the direction of the KSP (the main police station) between Andersa Street and the Muranow cinema.

I decided to call the police and a man standing nearby told me that there was a police radio car behind me.

And I called them and asked them if they would stop this biker which I could see the whole time.

I rode down Andersa Street and the police went there as well.

When I came to the KSP the biker was riding on the sidewalk.

Then the police came and took control

I add two reports about the damages.

What's interesting is that this man was trying to grab me although the policemen were there and trying to stop him and one time he was lucky enough to punch me. And this is all.

So this was the story that had kept me in Poland for more than two months. It all just kept getting more and more surreal every day. Simon asked if this was the truth. I asked him what he thought. He told me that it seemed as though they were playing games and that this was pretty normal for Poland. He also said that he could see that the cop's attitude was much braver when he gave the second statement to the prosecutor. I thought the addition of the law breaking (riding between the cars) was

ridiculous. Was he justifying his actions? At that moment I was sure that Wiesniakowski was either a crook or an imbecile. Drazek agreed to transcribe these documents and some others which I would get at the time of the meeting the next day so I could have a record that could be used on line.

When I showed up at the prosecutor's office on the 25th, I learned that Wojciech Tomczyk would not be there. The prosecutor told me through the translator not to worry though, everything would be over shortly and that the attorney had already been there that morning and had seen the files. Didn't I get to speak with him? I could call him later if I liked, but for the purposes of this meeting there was no need. This meeting was simply to allow me to become familiar with the case, a necessity before the file would be closed. I was told that at this meeting, I would have a chance to read the whole of the file and to make any comments I thought necessary. The young lady there who was acting as translator was very sharp and was doing a very professional job. He smiled at me again. It was of course, a quarter to five.

The process took the best part of the day because I insisted that everything be read. I think I did this just to make the rotten bastard work a little. From time to time he looked at some paperwork, and on two occasions someone came into his office, but basically, he didn't seem to have a whole hell of a lot to do. At about one o'clock, I suppose, he took out a paper bag with a sandwich and an apple in it and ate his lunch while looking out of the window. I thought that this was a rather humble lunch for a man of civic position, but figured he probably brought it that day specifically for sympathy.

I missed a lot of what was said by not having my computer with me and really regretted not being thorough enough with some documents. At the moment I felt that I already understood what they were about but later realized what a mistake it had been.

Of course, this could have been solved if my attorney had been there, but than again, that was probably why he hadn't showed up. I also for that matter couldn't help the feeling that IBM's failures with my computer weren't a part of this as well. What was the reason for my attorney's not being there?

It was a long day. At one point during the reading, when the translator mentioned about spit coming out of my mouth, the prosecutor started laughing out loud and turned to us and said; "I wrote that..." Apparently he was having a hard time taking the story seriously too.

"Where is this a joke?" I asked. "I have been sitting here for over two months because of this bullshit and even you think Zaremba is a joke." He stopped laughing. "Why am I still in Poland?" He went back to eating his sandwich and advised me that he was not free to continue the meeting the next day, so I would be best to finish with what I was doing.

There were several photos of the car in the file that Zaremba had taken in the parking lot outside the Wilcza Street police station on the 15th. I could see on one of them that there were two or three one centimeter scratches on the bumper, but no other metal to metal marks of any kind. I asked him where the damages were to the car if I was supposedly throwing my bike at the bumper many times. He shrugged at this. Then something in the picture caught my eye.

"Um, isn't it obvious that there are water-marks already on the hood?" He looked at the pictures again. "Can't you see that the damages have to be old? Why aren't you considering this?"

"I am not an auto expert. I am not permitted to make such analyses."

"OK... So how about that the guy basically changed his story from one day to the next- or this nonsense about the phone; I mean, the time on the phone call was 10

minutes off- and this is according to your police report.”

“I believe the policeman.” He told me smilingly.

“But... just, why?”

“I am a public prosecutor. This is my job.”

“But it isn’t right.”

“You should know that the policeman was very angry with you. In fact, Zaremba had told me during the interview that he wanted to get a gun and to shoot you with it.” I looked at my translator. I knew she had heard what he said as well because she had translated it for me.

“Doesn’t at least that strike you as being rather crazy?”

“The policeman said that you were crazy.”

“I think you are crazy.” This angered him. He told me that it was technically against the law to call someone crazy. “Ok, I’m crazy, you’re crazy, we are all crazy... This cop is obviously lying and you should be ashamed of yourself.”

“All I know about this case is right here in front of me. If you can bring me some evidence to the contrary, I would consider it.”

“I have to provide evidence that I didn’t do anything? What, I am not innocent until proven guilty?”

“Perhaps, but we are not in America.” Again with this. I asked him if he didn’t think that the document made by the police about the condition of my bike didn’t constitute proper physical evidence. He told me he knew of no such document. I told him when and where I had had it made and by who. He made a show of looking through the files. “I have no such file here and I don’t remember ever having seen such a document. However, I will certainly agree to write an official request concerning the apparent lack of one document regarding the bicycle. Are you sure

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such a document exists?" That was obviously the end of it.

I asked for six documents to be given to me as copies. In addition to the two Zaremba statements, I took copies of initial police report, the report of the damages to the car as well as the medical report of Zaremba's teeth and my own statement to the prosecutor for Marcin to transcribe. Lukasz would help me translate what was left. I also asked for a copy of the pictures and was told that they would be mailed to me by the secretary.

As it was late, he agreed to make the copies if I agreed to return with the money the next day. He smiled at me once again and asked for the list that I wanted. The translator wrote this for me as the prosecutor packed his things. As he was walking out the door he told me I would have my copies in a few minutes from his secretary, thanked me for my time and told me that they would be in touch.

Chapter 15

Warsaw, Poland; July 26th through August 1st, 2002

So the bike document had disappeared. The bike document disappeared, the prosecutor was blind, the cops were dishonest, my lawyer would not contact me or show up for meetings, nobody would tell me anything about the case, the embassy guys were in on it, IBM was holding out on me about my computer, the bikers knew more about what is going on than I did; I was guilty until proven innocent according to the prosecutor, the police had refused to take even one statement from anyone present, I was sure my gay roommate was with the cops, I was running out of money, I missed my girlfriend... Welcome to Poland.

And I had no idea how long any of this was supposed to continue.

The first thing I did was to write a letter to my attorney in the hopes at least making my point that I wanted to base my defense on the fact that Zaremba was a liar. I thought it obvious that there was enough evidence in the statements and the medical report to prove this outright and I wanted this made clear. I also added an additional point to this letter about how provably false Zaremba's story was:

...In both the testimonies of the policeman and from myself, there has never been a question that at the beginning of the incident, I was on my bike and was passing the bus which was to my right. So, it is logical to assume that when the policeman's car and my bike were next to each other (all accounts having him pass me one way or another), we were all three of us; myself, the car and the bus all abreast, side to side to side, for at least an instant...However, city busses are perhaps ten meters long, so, it is reasonable to assume that the policeman, to be able to both pass me AND stop in front of me in a distance of something less than ten meters, he would have to be both moving quickly and stopping quickly. And, as the policeman admits to closing off my way past the bus as well as passing me, one can assume that the action to PUT HIMSELF INTO THE POSITION OF BEING IN FRONT OF ME WOULD BE A SOMEWHAT VIOLENT ONE...

...All of this must happen within a distance of less than ten meters. Or, in other words, this was a direct, violent assault with a car on a man riding a bicycle...

There was no response to this letter.

The second thing I did was to try for some press. I mean, how else was I supposed to fight this? My thinking was that whoever was behind this was free to operate because everything was taking place in the shadows. Turn on the lights, and the scurrying of the rats stop. And in the end I had nothing to lose and everything to

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gain including some peripheral attention for my play and for Belarus, which of course was my original idea anyway. All press is good press, right? Jakob Karp of The Gazetta had written a positive article about the bikers after the Critical Mass debacle and so I wrote him via Drazek asking if he wanted to hear my story. I also wrote Maka and asked for some help with some of his “media connections”, though his return letter...

Jo, I can't get in touch with any of these media people. I think it's a media vacation, I'm trying. Let yas know when something pops up. How's the case anyways?

...was about as helpful as I have ever found him to be. But I mean, why not? Maybe I could even do Poland some good while I was at it.

On Friday morning I went over to Drazek's office and he read the new documents for me and then made a phone call to the attorney's office to ask why Wojciech Tomczyk had not attended the meeting. Tomczyk's secretary told us that the attorney had just gone on vacation, but that he was familiar with the case and would prepare a complaint about what he had seen in the files. She told me that the case should not go to trial at this time and that this complaint would outline the reasons why. This complaint had to be submitted to the Prosecutor's offices within three days according to Polish Law. I asked if she would send me a copy of this complaint via Drazek's E-mail and the secretary agreed. I also asked her if she had received the letter I had written about the case. She said that she hadn't. I told her I would send it along again immediately. She said thank you and then hung up.

Their e-mail came in the next day. The basic premise of the complaint was that the crime was in and of itself not proven, that the monetary claims were a civil suit

and not criminal and that he wanted a chance to interview Zaremba again. The e-mail also included a request to bring all of the papers I had from the case to the attorney's offices.

I rode over there early in that afternoon with copies of my papers. Tomczyk was not there of course but I did have the chance to speak to one of his apprentices, Michael Zak. Zak told me that in his opinion, there was not much of a case, and I shouldn't worry too much as it would all be over shortly. I flinched when he said this. Well, if it was such an open and shut case, why was I still there? He then added that in Polish civil procedure, at this time the prosecutor was the most important man in our little world; whatever he said would be what was going to happen. If I was still in Poland, it was because this is what the prosecutor wanted. I didn't like the sound of that much. I absolutely knew that Wiesniakowski was not to be trusted and to be told by my own lawyer that he was systemically more powerful than I thought worried the hell out of me. I asked him what he thought about my letter and about how Zaremba's story was a simply an attempt to veil the truth of what he had done. He told me that I should take this to the prosecutor. I asked if he would do this, he after all being the lawyer. He said that he could, but that it wouldn't do any good. Well, he could try. Yes, he could try, but it wouldn't do any good. What about my passport, was there any chance of getting that back. This again was up to the prosecutor, but it may be simply a matter that I had never asked for it. I wondered if he was joking. He wasn't. Could it really be that simple? The guy was so straight forward I was almost believing him. But then Zak asked me what my real address was and I gave up on any of this trusting nonsense. I craned my neck a little to see if there wasn't any attached strings I could actually see.

I asked him if he wouldn't explain to me once and for all the significance of

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this Polish address and why no one seemed to want to believe that I did not live in Poland. He told me that the prosecutor needed to know that I was a stable person and could be trusted. Aha, so what he was saying was that having a Polish address would prove that I was an OK guy, right? I pulled from my bag the list of letters I had gotten from friends over the web in support of me. I asked if forty positive letters shouldn't clarify any doubts about my civility. He cocked an eyebrow and then told me that the Prosecutor probably wouldn't read them. I asked how this was possible and he told me that that was just the way it was. Aha...

I still needed to pay for those copies so I rode over to the prosecutor's. I paid for the stamps at the bank and brought them upstairs to Wiesniakowski's office. The door was open. Wiesniakowski was looking over some papers from a case folder. I handed him the stamps and he quickly affixed them to our request document and stamped it. He then asked if I had any other business to discuss.

I handed him the letters I had received. He looked at them briefly. "You told me this address issue was about character and how I live. Well, here are forty people from five or six countries who think pretty well of me. Do you think that this would suffice?" He handed them back to me and told me there was no need for them.

Michael Zak had told me that this would happen.

On Sunday I got an interesting forwarded letter from a biker named Szula. Szula was a very nice guy and a good biker and was constantly involved in fighting with Maka to be the number one Warsaw bike politician. I guess he had had the idea to start an official BMA (bicycle messenger association) chapter in Warsaw and install himself as the president, this as a way to one-up his dread-locked rival. So he wrote the following letter and sent a copy to me because I was mentioned in it:

From: Szula

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Date: Sun, 28 Jul 2002

Subject: FWD: Re: [messengers]

Hi there. My nick name is Szula (or Shoola) and I'm a messenger for three-and-half year now in Warsaw, Poland. My problem is how to organize an official local BMA in my city. I found out that Warsaw Car Killers association (cool and good, but non-official) is no more respected by the police and even particular citizens since this year's June "Alleycat". There were 30 bikers were arrested, paid some fees and anyone seen on the street with Warsaw Car Killer t-shirt is potential criminal. Also one of the NYC couriers, called Adam who visited (his family) here got in trouble with the secret police. They took him as an illegal courier who destroys cars in Warsaw. They took his passport and wanted to put him to jail and (other) stories...

I don't actually remember when I had ridden as a messenger in Poland even once. I also had no idea I was so "in" with Maka's group but I guess I was. Apparently I was also setting a poor example. This had to help the old reputation back home. So now along with everything else, I also got to be a political football. So much for any press is good press...

I amused myself on Sunday by taking a long solo ride out of Warsaw and then taking the train back. I was doing a lot of riding those days. On Monday morning I received a letter from Marcin. Apparently Tomczyk had spoken to Zak and had written to me via Drazek hoping to make his position a little clearer. Marcin was sure it was good news.

From: "Marcin Drazkiewicz"

To: "Adam Goodman"

Date: Mon, 29 Jul 2002

I've just get this email.

So: do you know what is going on?

Mr. Tomczyk wrote, that you are innocent about hitting this guy. And that if he have problem with that, he can go to do civil court and that hitting him is not a crime.

Second thing: he wants to ask the court to give you back the passport, but:

- court needs to know, that you'll stay in Poland, so they need yours permanent address in Poland and a promises from other people in Poland that you'll come to the court.

So... If you have any idea....

I rode over to Drazek's office to talk about this. I told him what had happened with Zak and asked if he didn't think we all might just be a little better off if I would agree to this address business. I didn't like it, but this apprentice shyster's telling me how important the prosecutor was had me scared. I mean, if my own lawyer wasn't interested in my side of things, how could I possibly win anything? Maybe I should make the concession. Marcin wholeheartedly agreed; if I gave them what they wanted, they would give me back my passport. I told him also about the Szula letter and about how my reputation was being damaged by this. He told me I should just do whatever I had to do to get my passport back and go. I wanted to win and to clear my name, but this lawyer was obviously not working for me, I was also almost broke and was starting to believe there was no way out. I didn't feel very good about this. But

maybe I would be better off if I gave them what they wanted. I asked Drazek to come with me when I did it.

Wiesniakowski was at his desk with the door open. He asked what was on my mind. Drazek made a gesture that I should go ahead and do it. I looked at the clock. I wonder if Foust had felt like this when he made his deal with the devil. When I told him I was registering a change of address, Wiesniakowski's eyes widened. He quickly went into his desk, drew out a piece of paper and told me that the document had to be in writing.

"I thought that you didn't have any paper." He smiled at me. We told him that Drazek had agreed to let me move in with him and that I would be at his address. The prosecutor said that this would be fine. Drazek wrote what he was told; the prosecutor stamped it, and asked if there was any more business. There wasn't.

Marcin had to go back to work, so I was on my own. It was late afternoon. I went to a movie that night and then went back to the hostel. I really felt terrible. While it was true I was losing everything I had in this, I had at least felt that I was keeping some dignity by never having lied about anything. I don't think I held any illusions any more as to the honesty of the process, and I could see that they were using the bureaucracy as a weapon against me but still up until that time, I had never lied.

And then a thought occurred to me. Though it was nice to know that this Tomczyk fellow at least read his e-mails, it also occurred to me that while he had refused to even speak to me once about my defense, he had twice found the time to contact me in regards to doing something that the prosecutor wanted. And that letter he sent to Marcin was obviously a carrot on a stick:

court needs to know, that you'll stay in Poland, so they

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need yours permanent address in Poland and a promises from other people in Poland that you'll come to the court.

How stupid did he think I am? Why would they give me back my passport if they didn't want me to leave Poland? And again, the original bail was more than the cop's claims of damages. This reasoning made no sense. And then it hit me: The reason they wanted me to have a "real address" in Poland was that it would alleviate the burden of damages from their side insofar as their holding me in Poland was concerned. If I was a Polish resident, their keeping me was meaningless because I was here anyway. If I was not, they would be liable for my time. They needed a permanent Polish address to prove they were not torturing me by holding me here! I cursed myself for not having thought of it before.

I went to Wiesniakowski's on Tuesday but he wasn't in. I finally found him on Wednesday afternoon. I walked in and lay on his desk a paper, written in Polish by Lukasz, verifying that I was returning my address to the hostel. The prosecutor didn't like this very much at all. I told him that my friend had tried to help me but that I didn't really want to lie about anything in this case. I was not a resident of Poland and had never been. Regardless of the games that were being played around me, I had a reputation for honesty and I was not interested in giving any information that was not provable and true. If you need proof about my character, here again are forty people willing to vouch for me including six handwritten letters from Belarus- including one from my business partners there confirming our plans to do a bike business.

Wiesniakowski just smiled and shook his head.

He asked me to sit down for a minute. He said he wanted to talk about things. This was the first time the prosecutor had tried to speak with me about the case without the help of a translator. Wiesniakowski didn't speak English all that well, but

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I could understand him and he acted as though he could understand me. He asked what my thoughts on the case were. I used a piece of paper on his desk to make a picture about the length of the city busses and how Zaremba's story was provably false. I reiterated about the pictures of the hood and the water damage. I wished Tomczyk was doing this. The prosecutor told me he would think about these things.

He then asked me what a bottle of Coca Cola costs in the United States. I thought this an odd question. "I don't know, about the same as anywhere." I replied.

"Do you know how much a public prosecutor makes in Poland?" He asked.

"Not a lot, right?" He asked me how much a public prosecutor made in the states. I thought about this for a little bit and then told him it was probably something like about \$40,000 in a small rural area in the deep south to maybe \$200,000 a year in New York. He paused and looked for a reaction in my face. I didn't give him one. He asked me if I liked guns and I said no, I had no interest in them.

"I like guns." He said. "How much does a gun cost in America?"

"I really have no idea."

"I like to collect them." He said. I told him the only gun I ever bought was a .22 rifle I got from K-mart." He didn't know what K-mart was, so I tried to explain it to him. We went on a bit more but the point was made.

I asked him when he was planning on letting me go and he told me I would be finished very soon. I asked him for my passport and he told me that was for the court to decide. Well, so much for that idea. Wiesniakowski had been pretty charming in this meeting. I guess it had something to do with his ability to talk about money with me. It is kind of a freeing feeling to know that we all understand each other. I felt better for not lying about the address but I felt bad for not having brought a recorder to tape the slimy motherfucker explaining to me how he was using his office to wreck

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my life so he could afford to buy a new gun for his collection. Or maybe he just wanted me to buy a gun so he could have me arrested for attempted murder when I brought it to him. He can be pretty charming when he wants to be. I am sure there is bureaucracy in hell. Wiesniakowski is going to feel right at home there.

Chapter 16

August 2nd through August 4th 2002

After all that happened over the last few days, I decided it was about time to take a trip to go see Auschwitz. I had never been there before. I suppose I had been avoiding it for a long time. I don't know if I would be one of those who say that it is every Jew's obligation to go there. I am Jewish although I can only say that I am a Jew by heritage; my immediate family was never serious about their faith and this is probably the main cause of my agnosticism -if not my being altogether without. I don't practice, can hardly remember any Hebrew and haven't even attended synagogue but for a few rare occasions since my bar mitzvah. But nevertheless, I am Jewish. I am because I am. And what is more, I never remember even one time denying this fact to anyone for any reason. Actually, I was thinking that what was happening to me was at least bureaucratically a lot like what happened right here in Warsaw when the Nazis first invaded, segregated, ghettoized and eventually slaughtered almost all of the Jews in the region. In any case, I felt it was time to go.

My first understanding of the holocaust came when I was about ten from an aunt who, while we were sitting in her kitchen described to me some of the horrors that the Jewish people had experienced in the late thirties and forties. My family, as with I suppose every Jewish family, lost a significant number of members at the

camps or the ghettos. I didn't know how I would react or what I would feel. But I knew that it was time, and that it was something that I had to do.

I rode the early train to Krakow and found the bus to the camp near the station. I met an Australian Hasidic named Shmuli Raitman and talked with him on the way to the museum and park. He was working for his sect in Poland and was offering assistance in performing orthodox rights with Jews who wanted to commune with their faith at the front gates. I liked him very much and thought he was quite intelligent. He asked me to L'ait Tfilum with him, an act of devotion in which one wraps leather bindings around one's wrists and ties a small box to the forehead before offering prayers, but I didn't accept. Shmuli called it a Mitzvah, a good act and I suppose it was but I couldn't bring myself to do it. I don't know why not. Maybe it was because I never had.

The park is everything you think it is going to be and worse. Yes the sign, "work will make you free" is right there over the entrance. I wandered around and got a feeling for the layout. The camp is very clean and smaller than you would think. I had a bit of breakdown near the execution wall. This was where they took people naked from the holding cell and shot them once in the head for any particular crime or rule infraction. I took a small stone from near the wall and put it in my bag. I still carry this with me.

I didn't follow any tours, but wandered alone from barracks to barracks. After a while I wandered into the SS area at the far end of the camp. I guess I wasn't thinking for a moment, but suddenly I found myself in bare concrete room. Through a door was a retort and I realized I was standing in a gas chamber. I was alone in the room and started to see faces and hear voices-screams of panic. I saw people clawing at each other trying to get out. And then after, more Jews in groups of two, their blue

and white striped pajamas filthy, a cloth wrapped around their heads to protect against pockets of gas trapped between the dead, dragging the now lifeless bodies across the hall and setting them on the slab in front of the ovens. I felt sick. I left the room and walked out into the sunshine and found myself crying and couldn't stop. There was a large group that had come from Israel and they were listening to a rabbi speak to them on the grass just outside. I sat with them for a while.

Afterwards, I took a cab over to Birchenow. If Auschwitz is smaller than you think, Birchenow is an assault on one's senses for how huge it is. It's a massive camp, twenty times the size of Auschwitz. It's an open field with row upon row upon row of wooden barracks. Auschwitz was built first; it was the model for the extermination camps. Birchenow took the idea out to practicable levels. I saw Dr. Mengele's hospital and the monument where the four giant gas chambers had been at the end of the railway line.

I was walking back along the tracks when I ran into a couple of Australian girls who were staying at our hostel. One of them had picked up a tall fellow from Californian along the way. He seemed rather bright and cheerful and the one of the two girls whom he was wooing was laughing and enjoying herself quite a bit. They were flirting together, enjoying a moment in their travels. We shook hands and the Californian asked me if I had taken the tour.

"No, I have been walking around by myself."

"Oh, you really need to take the tours. The tours are really terrific; they are so good. Didn't you think so?" He smilingly asked his new girl.

"Oh, yea," She said "you just don't know what is going on at all if you don't do the tours."

"This is such a great experience. I am so glad I came." He said.

“Really, it’s such a great show the way they have done it all up.” She added happily. “I had a great time. Didn’t you?”

“Absolutely...” Said the Californian.

Just outside the park, erected in the yard of a private house is a giant cross. The implication is obvious. I also noticed that the town of Auschwitz is decidedly more modern and built up than the neighboring communities. This obviously is a result of the tourism that the park and museum bring.

A few days later, my friend Uladsimir was in Poland. The reason for Uladsimir’s visit was simply desperation for funds. His “Viasna” organization, whose purpose is to monitor human rights abuses in Belarus and offer help for people who felt they had been mistreated by the system, was so out of money that he feared that they might have to close soon. He told me he was going to pursue a teaching job in Poland to help make a little extra money. The wage for a teacher here was something like three hundred dollars a month, about four or five times what could be made in Belarus. He was in town to apply for his work permit.

The first time I met Uladsimir was on the train between Baranovichi and Brest on the day I had first come back into Belarus back in February. He had invited me to come and see the Viasna office while I was between trains on my way to Pinsk.

I guess you could say that Uladsimir is a political oppositionist. He showed me an English language version of a book they produce yearly which is basically a catalogue of events such as political arrests and disappearances which have taken place. They also monitor and document the courts decisions as well. I asked if things like political suppressions and disappearances still happen. He told me that in Belarus, the state was almost omnipotent in its power.

“The state controls 80% of the countries trade. They control the factories, the distribution and the stores where the goods are sold. Mr. Alexander Lukashenka holds us very tightly.” I asked if this was, in his opinion, why people made so little money.

“Of course, how can you make money if you cannot do business?”

“How can they justify their actions?”

“They say that the problem is that there is no one who can manage an independent business because we have no experience.”

“I don’t think that is true.” I said.

“Prove them wrong.”

“Well, then how do you get experience if you never get the chance to try?”

“Well, that’s the problem. We do what we can.” He showed me pictures of the organization’s protests and explained to me their activities. He himself had been “repressed” for these activities on several occasions. He told me had had been arrested several times, had his personal bank account removed from the bank and had been fined several thousand “minimum salaries”.

“How are you able to pay this?” I asked.

“I can’t. If I was fined 10 or twenty minimum salaries, I would feel pain. But a thousand is such a ridiculous number, that there is simply nothing to think about.” He told me that there were many rules about how his group could operate within the state’s structure. It was all very complicated but the simplest restriction was that Viasna could not officially accept any money nor could they even have a bank account.

“Why don’t you protest?”

“I am protesting.”

“I mean publicly...”

“It is also illegal to speak out publicly against the government.”

“But how is any organization supposed to exist without funding?”

“It can’t.” He smiled “That’s the problem.”

That was back in February. I put Uladsimir up at the hostel for the next couple of days as he dealt with the bureaucratic problems associated with becoming a Polish teacher of English. While we were tracking down his paperwork, he introduced me to the Helsinki foundation. The Helsinki foundation is basically the same as Marcin’s NGO, though its sponsorship comes from outside of Poland. They are a help organization that deals specifically with judicial abuses in Poland.

We took a meeting with a very nice lady who said she was willing to help and asked to see the court files. I asked her what her status was in Poland. She said that she was an apprentice lawyer. I flinched. “So there is really nothing you can do?” I offered.

“I can read the documents and perhaps find some mistakes in the procedure and ask for a dismissal.”

“But you can’t actually argue the case or any ideas about its validity...”

“No, that is only for an attorney to do.” I thanked her for her time. Uladsimir thought I was a little short and perhaps I should let her do her work. I explained to him that I had already had a meeting with another apprentice lawyer, a guy named Radek at Drazek’s NGO. Apprentice lawyers had no power whatsoever in Poland. Perhaps it was the day in and day out tension but just felt I couldn’t take any more false roads. Without a real attorney, it would be the same rollercoaster ride I was on now. He said he understood. We decided to go to the river and get drunk.

We bought two bottles of what we hoped was vodka from a couple of Belarusian vendors at the stadium market and sat next to the river and ate and drank

together. One of the bottles was actually “vodka” but the second was some kind of home made spirit that tasted sort of like kerosene. I refused to drink more of it after fighting down half of my second glass but Uladsimir, an ex-soldier was offended by this.

“We have drunk much worse than this I assure you.”

We spent our two nights talking politics in the dorm with Lukasz, this being the cheapest possible thing we could think of doing. Uladsimir got his work permit and would start some time in September though he didn’t know where. “This red tape was the hard part.” he said “Finding a school and students was as easy as opening a map.”

When I returned to the hostel from seeing Uladsimir off at the train station, and just when I thought life at the hostel couldn’t get any worse or weirder, I found two rather enormous Dutch skinheads had been placed in our dorm room. They were on the way out as I was coming in but I could see that they had everybody really nervous. Why had they put them in our room? Or for that matter, why had they put them in a public dorm and not given them a private room? They were out for several hours and returned to the hostel a little drunk and with a Polish flag they had appropriated from somewhere. They were feeling a little talkative. They spoke English well and told those of us who were still there in the dorm, half had run away, that they had just spent the day at Treblinka, another concentration camp about a hundred kilometers away. They talked of the *awesome* nature of the place and about all the terrible things human beings could, can and will do to each other. They told us that they would be going to Vienna the next day. Apparently they were on the Adolph Hitler historical tour, trying to find, I suppose their own style of nostalgia. They had only come back to the hostel to change and were going to go out and party some

more. Their plan was to return at about six o'clock in the morning when the hostel's doors were reopened. We never learned where the flag came from and there was an audible sigh of relief from everybody when they left.

The next morning they came in loudly and everybody got woken up from the singing. I went to pee. The bigger, more calm and thoughtful of the two, was pacing furiously outside the room, smoking cigarette after cigarette. I caught the face of the girl behind the desk and I could see she was out of her head with fear. I went back and got into my bunk. The smaller of the two- and when I say smaller it is only a comparison because the guy pacing the halls was maybe 6'4" and 300 pounds; the guy in the room with us looked like a photo negative of Mike Tyson- this smaller skinhead after a minute got up and came over to my bunk in a drunken haze, jostling me and slurring in his Dutch accent:

"Hey American! You are pretty schmart! You are a real thinker! You are a funny guy! Wanna hear some Dutch comedy? Here is some Dutch comedy..." He pointed two fingers as if they were a gun to my head, "I am gonna give you pain! I am gonna make you haff pain and screaming... You gonna be screaming vis the pain..."

I pushed his hand away and told him I didn't understand his comedy. Lukasz' eyes were wide as saucers. The guy blinked at me a few times.

"Go to bed. You're drunk." I said. His face looked like a kid about to cry over a lamp he had broken. He mumbled an apology and stumbled back to his own cot and went to sleep.

I got up and went downstairs to the hostel kitchen to make some breakfast. I was shaking. Lukasz was following right behind me.

"How did you know he would listen to you?"

"I didn't"

“Weren’t you scared?”

“Are you joking?”

“Do you think we could lock ourselves in the computer room?”

“Maybe. If we did, I think that the girl at the desk would like to come with us.” Who knows, maybe there really is a skinhead comic in Holland who does this shit as his routine. Maybe he really expected me to laugh...

I told my aunt back when I was ten that I thought that the Jews went to the ovens like sheep and that they should have fought back. She told me that there were fights but that the Nazi’s were very thorough, brutal and organized. “They tortured people’s families if we didn’t comply. What could we do? And then it was too late.”

“I would be different” I told her “If I were in the camps, I would take a gun away from one of the guards and make sure I took at least one of them with me.”

“You could do this maybe because of your stature. You are very big and brave.” That’s what she had said to me. I guess this was also something I was thinking about lately.

Chapter 17

Warsaw, Poland; August 5th through 12th 2002

⁷ tomorrow.

at 11am.

at Czerska 8/10

at Gazzeta Wyborcza office

meeting with Piotr Molga

You and me

take all your papers.

in polish and in English.

so, come to my office at 10.40 and we'll ride to them.

This guy is from Warsaw section of Wyborcza.

Wow, press. This was a very cool thing. We had a meeting with a reporter from the Gazzetta! This was in response to the letter I had written to Jacob Karp and I think was the first response of any kind by anyone about my situation that seemed even remotely positive. But this interview was for tomorrow. For today, it was time to try again with IBM. Not having a working computer of my own was killing me insofar as writing all of these letters and documents went.

I had gone over to the service center the previous Monday only to be told that they had not received the part as of yet. I had been nice about it and they had told me it should only be another couple of days. It had been another week; certainly they would have the machine ready by now. Or so you would have thought. This time, I

⁷ From a letter from Drazek dated August 5th

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was told that they couldn't even find the correct part in Amsterdam and that they would be needing an additional week. I decided that that being nice about all of this was not helping anything.

"Look," I told them, "it has been three weeks to do a simple keyboard replacement. The first time you did the work, the thing was worse than before I brought it here. Your replacement computer can't move information in or out and now you tell me that you can't even get parts you order. I think this is nonsense and I think that you can't fix this computer. And you know what else? I think that because you were the ones that broke the computers main board, you really ought to replace the whole thing." They didn't like this but it did seem to get their attention. They told me "for sure" that they would have the computer for me in only this one more week.

"I don't think you are hearing me." I went on "I don't want the computer any more because your ineptitude had taken from me all of the confidence I ever had in your product. I think you have broken it, you cannot fix it and I want the unit replaced." This caused a little meeting between techies. After a minute, they told me that they needed to call the boss. I said thank you.

Bogdan Jarczek was the president of the local service company. He told me over the phone that he would personally see to it that the work was completed quickly.

"I appreciate that sir, but you see the problem for me is that IBM has broken the computer once, has failed to fix either what they broke or what went wrong in the first place, you gave me a loaner that does not work properly and I simply do not believe a word you are saying." He asked me what I wanted. "I want the computer replaced."

"And if I can't do that?"

“If you can’t do this, I need for you to guarantee your work, or I won’t take it.”

He told me that all of the new parts had warranties on them. I said I wanted a warranty on the whole thing because to my mind the failures were going to start going around and around and I was not going to pay them over and over for faulty work. I told him I wanted IBM to guarantee the unit for at least a year, or replace it as he liked, but that there was no more trust one way or another.

He asked to speak to his people. For some reason, they agreed rather quickly to this and to be honest, though I had a feeling I was being brushed aside, I didn’t see where I had any choice but to let them finish their work. I mean after all, this was IBM. I was told, of course, to come back in a week.

The next morning, Marcin and I rode in the rain to the offices of the newspaper. I was excited and more than a little nervous. Now I had arranged all of this through Drazek and to be sure, he had helped to translate with Wiesniakowski, but he also had a way of taking over situations rather than simply translating. I had asked him in the hallway of his office to let me do my own talking to the paper. I was told that Molga spoke English and I wanted to make sure that what was said was exactly what I wanted to say. Drazek agreed.

Molga was not in the building at the time we arrived and we were asked by a security guard to wait in the cavernous entrance foyer of the Gazzetta. We drank cokes and chatted nervously. It was about 40 minutes when Piotr Molga, a stout, blond fellow in his late twenties finally came and sat with us. Marcin had patience for our plan for about 2 minutes before taking over the interview and telling the story in rapid Polish. Molga had a little English but seemed much happier talking to Drazek than to me. I just sat there and tried to listen and hoped that Drazek got it right. I gave Molga copies of all of the documents I had as well as the two essays I had written. He

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told me I had “good stuff”,

He asked at the end what I really wanted from this. I thought about it and then told him I just wanted to leave. He said he would get right on it. I could only hope that he would.

It was about at this time that I realized that Marcin had begun to get a little disenchanted with being my go-to man. And he wasn't the only one to begin to distance themselves from me. In all honesty I can't really say that I could blame them. I wasn't being very nice to anyone anymore. I think for Drazek that it was a combination of how much time he had to spend on my case, how little results we were getting and how miserable to be with I was getting to be. Maka told me while I was hanging out that the thinking was that I was about to crack and I think he was right. I know I was snapping at people, my tossing the Helsinki foundation being one example and probably my even considering playing with my address being another. I think that the biggest problem was that, aside from the fear and pressure, I simply had nothing to do and no one I could really trust. Neither my lawyer nor the prosecutor was really speaking to me, I had no access to the courts nor was I working and, for what it is worth, I lived in a place with no privacy and was practicing a forced celibacy. I just wasn't thinking straight.

So when I decided that the reason that Tomczyk had not taken either of my letters seriously was that they weren't in Polish Drazek refused to do any more translating for me. He told me I was wasting my time. He did however introduce me to Kasia Nguyen, a very, very attractive Vietnamese/ Polish girl who agreed to help translate documents.

We met for the first time at the internet café on Nowa Swiat and it was a little

awkward. Kasia was really beautiful and to be honest, I didn't know whether or not I was writing a serious document or just trying to rub my lawyer's nose in his corruption. Kasia told me she was very into helping me. She said that Marcin had told her all about me and she thought I was great for doing what I was doing. God she was sexy. She has also just broken up with her boyfriend and I got the feeling this was more of a set-up than a working partnership. I showed her the letter that I had written to my counselor and she translated this for me, spoiling me with her speed and accurateness.

However, after, when I walked her to the metro, even though I felt like every muscle in my body was being pulled in two directions at the same time, I didn't do anything. I really wanted to kiss her, but, and you must understand that all of this was killing me, I absolutely wouldn't allow myself to. This made for a more than awkward moment at the metro station. I don't think Kasia liked my thinking one bit. Jesus Christ, what a miserable life I was having.

After a few days I realized that even the translated letter to my attorney had been completely ignored and this made me even angrier. My reaction to being ignored, and this idea was greeted in general with rolled eyes and sighs, was to write a second, much longer letter. Kasia understandably enough was not available this time, ostensibly because she was starting again at her university. Drazek hooked me up with Macik and Kasia, a young couple who were willing to help. This second paper concerned specifically my charges that the prosecutor was personally backing Zaremba and even coaching him with his testimony. The first part of the article was a line by line accounting for the differences in the story and also pointed out specific instances, such as the prosecutor omitting the phrase "in answer to a question from the

prosecutor” where an improper and biased relationship seemed evident. My point was that the documents seemed to show that the two of them had worked together to create a believable story rather than conducting a proper interview. The second part was an account of what my time had been like up to that point.

Kasia and Marcin tried really hard and were very nice. They also however worked at about half the speed of Kasia Nguyen. And while we were going through the amazingly tedious process of trying to get the essay into Polish, I started to realize that nobody was going to read it anyway and this made me even angrier.

I went with copies of both of these essays to Tomczyk’s offices. Tomczyk was of course not in and I took another meeting with Michal Zak. I tried to get the point across that I was sick and tired of this nonsense and all of the games that were being played with me.

“What have you actually done to get my passport back?” I asked.

“There’s nothing really that can be done.” I didn’t believe that this was true and handed him a pep talk worthy of high school football coach.

“How many meetings has this office had with Wiesniakowski to try to find a quick solution?”

“None.”

“Well, there’s one problem right there.”

“All we can do is follow the rules.”

“Well, have you sent any of the papers I wrote to the prosecutor?”

“No.”

“Why the hell not?”

“Because it wouldn’t do any good.”

“Well, at least we would be making a point.”

“He won’t accept the documents.”

“What does that mean?”

“If he doesn’t agree with something, he won’t add it to the file.”

“Well, let’s go over the crooked bastards head! By my thinking, the guy is either criminal or crazy- let’s move on this! Let’s do something!” He told me if I insisted, that that he would phone on my behalf. I insisted.

“He’s not going to listen.” Zak said.

“Well by God, let’s just try anyway.” I asked him to let me know what happened via E-mail and to confirm that we had had the meeting. He made the call and I got the confirmation. I also got my response from Mr. Wiesniakowski three days later by normal mail in the form of an undated letter asking for a second psych exam.

⁸*Date: Tue, 13 Aug*

Hello Adam,

Forgive me all mistakes in writing, I’m not used to write in English. I wasn’t in Warsaw couple days and now I have got a lot of work, but I don’t forget about You. I start writing an article about your case and like I said it will last a little .

Thank You for photos. I will be in touch .

Peter

I gave copies of everything from the case and from Tomczyk to the American Embassy. However, I found that Foster Stolte was no longer working at the post. I was told that he had been moved to India. The new guy was on the way.

⁸ A letter from Piotr Molga

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I got a bit more money from my family and this helped a little, though they made a great point of telling me that their financial troubles were real and that I really shouldn't count on too much more of their support. All of the original Belarusian money was gone, and what was sent would not be enough for bikes. The money may have helped make me feel at least a little more stable, but it wasn't enough to change anything and I wasn't even given a legitimate time frame to either budget my funds or to make any preparations. I no longer had even the slightest clue what was happening. My essays were being ignored and nobody, not my so called attorney, not the prosecutor, not even the United States Embassy seemed to want to give me any information about what was going on. And, to make matters worse, because I had gone public with my information, I honestly thought that I was a target for a hit and now spent most of my days waiting to get "accidentally" shot by some cop. And I was starting to become aware that everybody was seeming to be a little more shifty eyed around town.

There was only one more thing I could think of doing...

I wrote the Daily News:

Webmaster@web.nydailynews.com

Sirs,

My name is Adam Goodman and I am a former resident of New York City where I was a bike messenger there for two years. I am currently in a situation in Warszawa Poland that I think your paper might find interesting. About three months ago I was attacked by an off duty cop in his private car while riding my bike here in Warsaw.

I suppose the reason he did this was to extort money from me because I am an

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American citizen. However, I did not capitulate. But because of his status as a policeman, my road here has been hard; I was arrested, jailed for a short time, held without bail and my passport taken from me. For the last three months I have been held prisoner in Poland...

Chapter 18

Warsaw, August 13th through 28th 2002

On Monday August 13th, I went to IBM in the afternoon to get my computer and by God it was fixed and it was working. The techs were happy about this and I was told that this was some sort of a record for them for ineptitude as far as finishing work to be done. Any anger I had at the last meeting was forgotten and really, I was happy to finally sign off on the work. I sat at the desk with Dariusz Madej, who I guess was an office manager, and started to fill out the paper work. I put the money to pay for the repair, about \$100, on the desk and made it all the way to my signature before stopping and asking to see the new warrantee they had promised. Dariusz told me that it would be sent to me in a few days and this made me smile. I told him that I very much trusted him, but that I would prefer to have this now, in writing and before I left today. Dariusz was a little confused as to what to do and finally decided that he had to call Bogdan Jarczek.

Jarczek, by way of an excuse, told me that the reason he had not sent me the warrantee was that he did not have my address. I asked him if he was referring to the address of the hostel, which was right there in front of me on the original paperwork. Or perhaps he was referring to an E-mail address. There was a pause after which he

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said it was e-mail. I told him to look at his computer screen. I moved over to Dariusz Madej's side of the desk and sent this to him in about one minute:

Tue, 13 Aug 2002

From: "adam goodman"

To: bogdan jarczek

Here is my address and I am here at the service center.

Thank you.

Adam Goodman

The phone rang and Madej spoke for a few minutes. After a second he cupped the mouth piece and told me it was Jarczek. I made a concerned face and nodded. He wrote a quick e-mail from his computer and after pressing send, he handed me the telephone to speak with Jarczek myself. Jarczek asked in a friendly voice if I wouldn't mind, just for the sake of easier paperwork, to accept the warrantee date as ending July 13th of 2003. I asked him why he was offering only an 11 month warrantee when I asked for and he had agreed to a year. He made a sound as if I was too stupid to understand his point of view. He told me that he wanted to make the warrantee out from the original service date. I said no. He made another sound, hung up and sent this back to my E-mail in about ten minutes:

Subject: IBM 2645 S/N 976940L

To: Adam Goodman

CC: "Bogdan Jarczak"

From: "Ireneusz Baczewski"

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Date: Tue, 13 Aug 2002

Dear Mr Goodman,

Hereby I can confirm that warranty expiration date of your IBM ThinkPad 2645, serial number 976940L is 2003-08-13.

Pozdrawiam / Best regards

Ireneusz (Reniek) Baczewski

Country Warranty Owner for High Volume Products

IBM Poland

I told them I was almost happy and that all I needed was the fine print for this. I was told that the fine print was only on warrantee cards and that these had to be mailed to me because they didn't have them there. I don't know why I bought that, but I did, signed, put the computer in my courier bag and rode back to the hostel.

And it was at the hostel, while working on my play, exactly 24 hours after signing off on the work, that I found that the computer wasn't right. The computer had developed a line that sputtered vertically and occasionally blacked out 25% of the screen. This was not good. And then one of the speakers decided to die as well. I would like to sit here and say that I knew all this was going to happen, so I will: I knew this was going to happen. But, by this time I also knew that IBM was going to be a dog about things and of course I still hadn't got that damned warrantee card.

I wrote to Jarczak about the card hoping to get it before I went back to ask them to fix it I knew I sounded snide when I wrote the letter, but snide was how I felt about things. I of course got no response and had to send it again two days later. And, as I was already writing lots of letters to people who don't listen to me, I also wrote

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another letter to Tomczyk asking why I had not heard anything about the essays I had sent to him. Checking the mail the next day, all I got was this from IBM:

Dear Mr Goodman,

Thank you for your mail.

Please be informed that Mr Bogdan Jarczak is out of office and will return on Wednesday 2002-08-21.

He will contact you as soon as possible.

Thank you for your time and patience.

Great. And equally as helpful was another letter from Peter Molga:

Hello Adam,

I'm waiting for your play. After last shooting (to the bandits) I've got more work, but I remember about You. I do my best .

Peter

It began to dawn on me that I was no more than a weekly reminder on Molga's things-to-do list. I also thought it strange that he never once contacted me about anything. Now, in Poland, I could see that there might be a problem speaking about a police corruption issue, but so far, the New York Daily News, the Times and the Post had ignored me too. This was not good. I did get a letter from the embassy telling me that one Mr. James Halmo had replaced Foster Stolte. Halmo wrote in acknowledgment of the essays and the papers I had sent over there and requested that I come to the embassy to meet with him on Thursday the 22nd.

Bogdan Jarczak from IBM finally wrote to me the next day and asked for a

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phone number for his files. He also asked to know what it was that I wanted. I told him that I just wanted what he had promised me and that I was waiting for the full details of the new warrantee. He didn't write me back the next day and at that point I decided I would rather at least have the computer getting fixed. I rode over to IBM and showed them what was wrong with the unit. They didn't seem very happy to see me and I wasn't happy to be there. They told me that they would check out the problem and that it would be fixed in (of course) about a week. They didn't even offer a loaner this time. I reminded them that I was now under warrantee and they told me not to worry and that everything was going to be Ok.

My situation with Tanya at the time was not so good. Both of us were really lonely for each other but her work schedule had not permitted any new visits. But more so than this, I found out that her connection to me had created some problems for her back in Pinsk. How little money there is in Belarus creates a lot of tension around any situation that generates money, so consequently, there is a lot of office politics and power plays in any workplace. One example of this in the bookstore where she works is that the employees get charged back for theft that takes place in the store. The thinking of the state commission that runs the bookstore is that because they paid for the books that are on the shelf that they are entitled to their full profits. If there has been theft, it becomes the employee's responsibility to make up the difference. If the employees don't like this, they can just be tougher on theft or of course, find a new job. Or better, first pay and then find a new job. During that summer they did the normal accounting and after, all the workers were told they would be responsible to pay back some money. Tatyana however found that she was being charged double in theft money. When she asked why, she was told that it was

because she had an American boyfriend and therefore could obviously afford it.

I had finally gotten back the edits from Belarus on the play *Pod Kablukom* and I could see that the work had finally started to come along. The initial translations had come in very quickly, but the Russian edits and clean up work were taking a long time. I could see now that Baba, the grandmother was finally speaking in Belarusian and not Russian and that this worked really well for the story. I had originally wanted the whole of the play to be in Belarusian but had been talked out of it by everybody. Belarusian dialect, sort of a Polish/Slavic/Russian mix is only spoken in the villages and only Russian is spoken in Pinsk as with all the cities in Belarus. I really liked the idea though of allowing the Belarusian language to be heard in the play, so I fought for it and the compromise we came up with was that the grandmother could live in the village and therefore would speak in dialect. Though Lena Yurovskaya was not happy about the extra work, after she finally did it, everyone could see that this change made the play special. By the time the edits came back to me this time, there was only a problem as far as perhaps 10 words were concerned where there was interactive dialogue between Baba and the family. I was still a little disconcerted as to how come it had required three months to do this work, but all in all I was thrilled.

About the only thing that still bothered me, was that we still could not get that pesky billiard thing right. I got into it over the phone with Tatyana about it. She told me the play was fine and that I shouldn't worry about the line. I told her that to me it was important and asked her if she had at least tried to find out what might be a better way to say: He made four balls in a row, etc... and she said that she hadn't.

"Why don't you just go over to Club Nymph and ask somebody?" I asked.
Club Nymph was the town billiard hall.

"I have no time." She replied.

“What do you mean you have no time?”

“I am very busy.”

“Where are you now?” I asked.

“At the telephone office.”

“Isn’t that right next to the internet club?”

“Yes.”

“Right: And what is the building, next to the post office about 50 meters up the street from the internet club?”

“Club Nymph.”

“Right: And isn’t that very building directly on the way to work when you leave the internet?”

“Yes, but I can’t do this...”

“Just ask someone...”

“I can’t.”

“Why can’t you? It’s easy: There is always someone just standing on the steps, smoking or whatever. Why can’t you just stop and ask them?”

“And what will happen when I do this? I will go to him and ask him how to say this stupid line and he will say me that he will tell but first he must know how many times he may fuck me for this information.” Good point.

Dariusz Madej wrote me from IBM telling me that he had some bad news. Bogdan Jarczuk himself wanted to see the computer and that I would have to wait a little longer. Jarczuk apparently had become angry with me because of how I had handled things- whatever that meant. I thought this was about par for the course and asked Madej to send along the message that I was ready to take the lot of them to

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court and that their lack of professionalism and ineptitude was messing with my life. And, because I knew that both Bogdan Jarczuk and Dariusz Madej spoke English, I put both of them as well as Piotr Molga and my attorney onto my mailing list and included them when I sent out the English version of Pod Kablukom to my friends and family. It was the least I could do.

My meeting with James Halmo from the Embassy wasn't very exciting. Halmo said he wanted to know my attorney's phone number and said that the embassy was interested but that he personally couldn't do much because he was not going to be the permanent man. He did however give me some good advice. I had told him about how the prosecutor had been refusing information and about their losing the bike document and he suggested that all I had to do was to insist that any documents be stamped and that the prosecutor couldn't legally refuse. He also told me I was free to press charges at any time. Really?

With this thought in mind, I took copies of some of the essays, though not the one that implied the prosecutor's involvement, and put them on the prosecutor's desk. Wiesniakowski was non-committal and seemed more interested in telling me that I was worrying too much about things. I took this to mean that he was not going to help much.

I asked him about making a complaint against Zaremba. He laughed at me and reminded me that Zaremba was a cop. I asked him what difference it made he laughed at me at again. Seeing that it was still a quarter to five, I asked him if it was possible to go ahead and file the charges anyway. He said that yes, I was free to try if I so desired.

“And what would happen then?” I asked.

“The police will make a report.” He said.

“And then?”

“And that report would come directly to my desk.”

“Only to you?”

“Of course; this is my case.”

“Oh...” I said.

“Precisely.”

“And you would of course never prosecute him...”

“Of course not.” He said brightly.

And then on August 27, along with Piotr Molga’s weekly bullshit:

Adam,

I know that situation isn't good, more its terrible. I work on your case, but I ve got also another „up to date” things to do qickly. Till end of this week, I think I will have something . Be patient. Im waiting for this document in polish.

Peter

...I received two interesting things: Firstly, IBM wrote me that it was, of course, not going to honor the warrantee (which was not even remotely unexpected) and secondly I got via normal mail a notice that a hearing was to take place at the prosecutor’s offices on the 30th. The letter, which Lukasz translated to me, told me that the reason for the hearing was to hear reports from an expert witness concerning the damages to the car and whether or not those damages *could have been caused by a hand*. Interesting.

I spent some time writing letters about both of the situations. To Jarczuk, I wrote a detailed version of the history of my dealings with IBM and demanded that

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they simply, for once and for all, either do the job they said they could do or replace the computer they broke. And to my attorney I wrote a letter demanding that he, for once and for all, stopped allowing the prosecutor to play with me like a fool and to demand some reality from this case. I also demanded that

- ⁹1. *My passport be returned at the time of this meeting....*
2. *That Mr. Zareba is taken into custody pending charges for assault, extortion, perjury, reckless driving and reckless endangerment of a minor, false arrest and false imprisonment.*

But I mean, what was this “could have been made by a hand” nonsense? And why hadn’t my attorney told me about this meeting in advance? Or about anything for that matter? I sent copies of this second letter to a quite a few people who I felt had an interest in this thing including Piotr Molga and the Embassy.

I was... dubious. But, at least I finally had my play!

Chapter 19

Warsaw, Poland; August 29th 2002

On the day before the meeting, I went to Tomczyk’s office and was shocked when the general secretary told me that he was actually in. If I could wait a moment, he would be happy to see me. According to Wiesniakowski, Tomczyk had known about my case for two months and I had known his name for one, but until this moment we had never met. Wow.

I was invited into a huge, elegantly appointed office trimmed in oak and green

⁹ From the letter

velvet. Tomczyk himself was a thin, well tanned man of perhaps 60 years of age who dressed as though he had been playing golf that morning. He was relaxed and cordial. He asked me to sit at a small round table across the room from his rather large oak desk. He spoke English very well and asked me what was on my mind. I showed him the letter I had got from the courts and asked him what it was all about. He told me that Zaremba had introduced to the files an opinion from an official car expert and that in that opinion, the expert has stated that it was possible for the damages to the car to have been caused by a hand.

“And what?”

“And this is what the meeting is about. You will have a chance to read this opinion.”

“But is this about whether or not it was my hand that caused the damages or is it just that any hand could have done this?” He looked at the letter and then told me that he thought that the prosecutor had taken the wrong tactic in all of this. Hitting the cop was not a crime and he should have pursued a civil case.

“So this is a game?”

“Basically.”

“Well that’s all grand for you, but I have been here for three and a half months now.”

“Yes, this is true.” I showed him the letter I had written. He put it back on the table and said that he had seen it. “This is your opinion. I understand that.”

“Well, I think I should be allowed to express this opinion.”

“Perhaps, but unfortunately, things do not work in such a fashion here. Perhaps in America...” His phone rang. The phone conversation was in Polish but I overheard my name and the words police and scandal. I was thinking that he was

speaking about my case from the other side, from the point of view of how damaging this would be for the police, but I was not sure. I hoped so anyway.

When he came back to the table, he told me that the meeting the next day was a mere formality and had to do with the prosecutor's ability to close the files. I didn't understand what "close the files" meant. He told me that the case cannot continue or end without the files being closed. This meeting was therefore important and a necessary part of the case.

"So, it is a big deal..."

"Not really. As I said, it is more a formality and not so important to the case as a whole."

"Maybe I don't really need to go then."

"Oh no, you should go," he advised "Something very interesting is going to happen."

"And what would that be?" I asked.

"I can't say, but you really should go." I tried to pry this delightful little secret from my capricious counselor, but he was enjoying not sharing the information too much to let anything go.

I asked him about suing Zaremba or at least about pressing charges against him and told him about my meeting with Wiesniakowski. I asked if he would do this for me as he was, after all, my attorney. He told me that his job in defending me was absolutely only in the determination of my guilt or innocence and had nothing to do at all with Mr. Zaremba. He said that this was his only obligation as a public attorney and that he had no interest in doing anything else. I didn't understand the reasoning. I argued with him that Zaremba must absolutely be involved in this because the case against me is true, if and only if the statements he has made are true. Anything the

court wishes to say about my guilt or innocence in this case is specifically and explicitly based on Mr. Zaremba's testimonies. To ignore the validity of these statements is absolutely wrong. If Mr. Zaremba has made false statements, I am innocent. If I am innocent, then Mr. Zaremba is guilty, plain and simple. To divorce him from this case is to say that he never had a part in this and this would go against the primary ideology of what constitutes a crime in the first place. This case is absolutely not only about me, it is about a situation and the truth of that situation is the key to the whole case.

At about that time he took another phone call. For this one he went into another room. When he came back, he reiterated that his only obligation to this case was to defend me in the determination of my guilt or innocence and nothing more and that he was following "the letter of the law" insofar as his obligations to this case are concerned. He would however only work within what the prosecution has stated. He also told me that he had run out of time. I asked him what his opinion was about things and he told me that he felt everything would be fine and that I shouldn't worry. Was he going to be at the meeting? No, he would not attend, but one of his assistants would be there to help. What was this special occurrence? He would not say but I would find out. In the last, I insisted that he stamp all of the papers I had sent to him and grudgingly he did this. And just before I left, I asked him again what would happen at the meeting but he only smiled at me and told me it would be very special.

I had been told that Tomczyk's specialty was political law.

I rode up the hill from his offices feeling completely bewildered. I couldn't even record the meeting on my computer because IBM was still playing with it. I went to the internet café to make my notes and also wrote a note to Halmo at the embassy complaining of how I could not even seem to get any representation in this

godforsaken city.

I was the first to arrive at the meeting the next day and waited in the corridor next to Wiesniakowski's office. I nodded a greeting to one of his secretaries who looked at me with a look that had what seemed to me to be a lot of sympathy mixed with some fear. I was hoping that the fear was for her own job security.

The representative from Tomczyk's office came next and seemed to still be asleep. He was followed by the same corpulent translator from the psych exam. I did not like this man before and after having to deal with him this day, I would like him even less. The three of us stood together and chatted.

And then Zaremba arrived.

I recognized him at once and pointed him out to the others. Zaremba is a small, thin, balding, hawk nosed man. He seemed rather nervous. I stared at him but he refused to meet my gaze. This must obviously have been Tomczyk's secret. I asked the attorney why he hadn't told me that Zaremba would be at this meeting. The guy shrugged, looked at his watch and excused himself; he had to go and put money in the parking meter.

I had forgotten that one of the elements of Tomczyk's complaint was that he wanted to interview Zaremba again. I was completely unprepared. I also had not been able to study the texts of Zaremba's testimonies recently because my computer was always at IBM and the originals of course were in Polish. I didn't even have time to analyze the situation because Wiesniakowski showed up a minute or two later, carrying a large bunch of files and papers, moving quickly, and was shuffling everyone along. He handed me several pieces of paper written in Polish and then led me and my group and one of his own apprentices up one flight of stairs to a

conference room and left us there. Zaremba was not with us.

Wiesniakowski's assistant told me that they had received new documents from Zaremba which would be entered into the files of this case. The purpose of this meeting was to allow me to read these papers and to make any comments I felt necessary. The interpreter was pretty slow, but I could see that the document was an estimate for damages to the car. The date of the estimate was August 21st and at the bottom line was the dollar amount of the estimate: 4225.29 zlotys. My own assistant lawyer told me he had already read the document that was in front of me and that I should concentrate on the places he had highlighted. I told him I wanted to hear all of it. He sighed, but we started at the beginning anyway. The interpreter was very, very slow and he was a hard time dealing with the car estimate and had to stop and check an automotive dictionary for terms several times. My council wanted me to move along.

Wiesniakowski's assistant pointed out that Zaremba had sold the car. This seemed to be an important fact for everybody, but I didn't understand its significance. My lawyer chimed in to only pay attention to the official opinion; he leaned over and put his finger on the yellow highlighter marks. My translator gave up on the estimate and started to translate the page where my attorney had pointed.

"Why are we accepting an estimate of damages from more than three months after our incident?" I asked?

"We know this." my attorney angrily said "The important part is the opinion!" This "opinion" was the cover sheet of the estimate and was written by a Robert Kalinowski, who I was told was an "official" car expert. He had written this opinion after viewing the car at the time of this estimate and the pictures that Zaremba had taken of his car on the 15th of May. The interpreter did a miserable job of going

through the text and my attorney was quick to push him to the parts that contained the phrase “could possibly be caused by a hand”. This specifically was referring to the sides of the car and the glass. I tried to listen as the rest was translated, but my lawyer was getting really angry and pointed ahead to the phrase “could not have been caused by a hand”, this referring to something about the hood of the car, though I never heard what.

“All right, I get it.” I started. I looked at Wiesniakowski’s man “Is this all you have?” The apprentice prosecutor agreed that this was all. “Well, if that’s all you got, then I’d appreciate it if you would please give me my passport back because this is bullshit.” He said in English that that was up to the prosecutor.

I then asked for all of it to be translated again and my apprentice attorney threw up his hands as if to say I was ruining his afternoon. I apologized and asked my interpreter to go ahead and do his job. He went back to the first page but was translating very, very slowly and his speed was making everyone including me angry. I was trying to take notes but I spent more time trying to help the translator figure out the correct names of the car parts. And then someone said it was time to go to Wiesniakowski’s office so we all got up went downstairs.

When we got there Zaremba was already seated in a chair in center of the room. He seemed much more composed than he had earlier. We were all asked to find seats; Zaremba would now give further interview. I asked my attorney if he knew about this and he nodded yes. I asked him again why he hadn’t told me so I could prepare. He just shushed me and urged me to listen. Zaremba started speaking. The translator was terrible. The interview was conducted in the same fashion as mine was with the prosecutor typing statements on his electric typewriter. Wiesniakowski got an acknowledgment that all were ready and then handed Zaremba a book of statutes and

asked him to read the section about giving false testimonies. And then, after receiving a nod, Zaremba was handed a copy of his own reports which he also made a show of reading. We then began...

¹⁰I have been informed about my responsibilities and now I testify.

I completely confirm what I had given before.

Today I have been given the documents in my case as a victim and I am aware of what I have said.

There might be some small differences but that they have no influence over the whole situation.

There might be some differences in the order of the events about bumping into the car.

Today I remember that on the car there was a mark on the right side which goes from the back of the car to the mat protector on the rear door, a little under the window or the glass.

This scratch was in black color, probably coming from the driver of the bike or one of the grips that were on the handlebar.

The amount of 3000 zlotys is a minimal amount, but I will let this stay. And this is all.

At this point the Prosecutor told us that we could then ask any questions we would like but that first we would take a five minute break. My attorney got up and went to put more money in the parking meter. I went with him.

“Why didn’t you tell me that Zaremba was going to be here?”

“Don’t worry about that, just think of the questions you want to ask him.”

¹⁰ All italics are directly from the translation of the report.

“Don’t you think it would have been better if you had given me a little more than five minutes to prepare for this?”

“It doesn’t matter.”

“What do you mean, it doesn’t matter?”

“We know he’s lying Ok?”

“So what does this mean?”

“It means that this is just a formality; just think of your questions.”

“Listen man, this is not some game to me; this is my life! Why didn’t you tell me?”

“I have to put money for the parking.”

I really didn’t understand. I took out a scrap of paper and started to write down some questions. All I could think about was to try and catch the guy in a lie, but I really had no idea how I was supposed to do this. What was this business about a black mark being on the car? This wasn’t in the inspection report, I knew that. But Ok, so my lawyer says that everybody knows the guy is lying? So what, what happens?

When we were going back upstairs I asked my council why Zaremba was able to change his story like this and I was told simply that he can’t. “Just listen,” he said again “It is only a formality.” I grabbed his arm.

“Do you personally believed in any way that I am innocent?”

“Honestly?” He countered.

“Yea.”

“Honestly, I really don’t care one way or another.” And with that he went back into the office and we resumed the show.

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Chapter 20

Warsaw August 30th through September 2nd 2002

The prosecutor asked Zaremba a question about the condition of the car prior to May 15th.

From the question of the prosecutor: My car, before the day that I met Mr.

Goodman, had one dent on the running board on the right side.

All of the described damages I have told about have come about as a result of Mr. Goodman's actions, specifically by throwing the bike or by action with his hands.

The prosecutor then asked if we had any questions. My attorney asked why Zaremba hadn't reported the damages to the insurance company.

I had bought insurance but I didn't report the damages.

I didn't report this because in my opinion, as far as I know, insurance doesn't cover...

The firm that makes insurance doesn't cover losses if the person who has done the harm is known.

The translator had a small chart in front of him with a lot of numbers on it. I guessed that this was his pay chart because he was constantly matching this against his watch, the clock on the wall of course only showing a quarter to five. I asked him several times to translate more accurately and quickly and after the third time, he

complained to the prosecutor that I was bothering him and preventing him from doing his job. It was a mad house. I was asked not to bother the translator in his work.

Zaremba began again to get into his story.

While I was getting to the junction, my car didn't have any contact with Mr.

Goodman's bike, (adds) Before the described incident, while I was driving on

the left lane I saw the bus which was getting to the crossing in the middle lane.

I had to brake, so I would not have a collision with the biker, who was earlier

cycling on the right lane, then on the middle lane and then almost

perpendicular, he came into the left lane.

During this time there was no contact between our vehicles because I slowed

down and I signaled with sound which made the biker to go from the left lane

into the middle one.

He was behind me when I got to the junction.

Behind me, there were other cars, at least three which were standing behind

me and only in that moment did he come between the cars and between the bus

which was standing on the middle lane, he came to the front of the junction

He had problems with fitting between the vehicles and the bus and it seems

that this made him angry.

When he was passing my car, he was rocking on his bike

He hit into the roof several times with his fist and after driving in front of my

car, he threw his bike down on the ground... and his following behavior I

described in my previous testimony.

Being Had

There was a pause because Zaremba took a cue from Wiesniakowski and stopped the story before going into the details again. Wiesniakowski asked him again about this “black mark” he had mentioned.

If we are talking about the damages on the right of my car that hadn't been noticed during the inspection; the inspection was made during the rain and my car was wet and those marks that were made on the right side weren't deep. (He adds) I didn't notice this for a few days and they are not on the list of damages.

The prosecutor asked him why he had sold the car...

I sold my car because my wife found it to be bad luck and my daughter, after this incident with Mr. Goodman felt some aversion to this car.

It was now my turn to ask questions. Did you say that I passed you?

(From the question from the accused) I state as I testified on the junction, there was not enough room to make it possible for the bike to go between them.

Were you the closest to the bus?

I state that my car was the closest to the bus.

Being Had

And where was I?

The biker was riding towards junction between the vehicles standing in their lanes of movement.

The next questions were written by the prosecutor:

(Question) why did the witness pull the car so close that the accused could not go between the vehicles?

(Answer) Because I was surprised by the decision of the cyclist to go between the standing vehicles. The cyclist shouldn't have been riding between the vehicles. The law does not allow him to do this.

Now I did catch this. Though not specifically agreeing with my account of what happened, it was in fact not only an admission of guilt-he said he did it because he was surprised at my decision to go between the cars, but also physically impossible because he was saying that he took action against something I had not yet as of that moment done! I looked at my attorney; did he hear that too? He nodded he had. I asked him:

(Question) Was this a form of punishment?

(Answer) No. because I hadn't seen the reason in punishing a cyclist.

Did he even understand what he had just said? I asked him why, if I was breaking the law, he didn't simply show his police ID?

I hadn't shown my police identification because it wouldn't do anything... and

I didn't have time and I didn't have time for it because of what he did later.

(Question) Why did he get in my way that there wasn't room enough for me?

(Answer) I hadn't stood in his way? If he couldn't fit, if he didn't have enough room, he shouldn't go through this space.

This last statement drew laughs. It was obviously a joke about my weight. I realized that no one saw anything wrong in Zaremba's inability to get this story straight. I looked hard at his face. He had red circles under his eyes. He had to be high as a kite. I was getting mad. Why did you do this?

(Answer) I didn't bar Mr. Goodman's way, I was just driving on my lane and I was driving as the rules allow.

My attorney woke up long enough to ask a question:

(Question from the attorney) I confirm that Mr. Goodman was throwing his bike into my car.

I asked him to be specific about how I was doing this.

He did it in such a way, that he picked his bike up and threw it on the front of the car, on the bumper of my car.

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How many times?

It was once from the front.

I asked him again to be specific and he stood up and made a motion as if he was throwing a paper airplane

He precisely threw his bike, allowing the bike to leave his hands and then from the left side of the car.

I am not sure if this was throwing or just pushing the “car” (this is a typo in Wiesniakowski’s report.) between the fence and the car...

I tried to point out that in the photos taken; there was what appeared to be rust on the bumper.

(In this place the witness was shown a photo of #2 of the pictures taken that day. And he showed the damages of the photo which are upon his opinion on the bumper on which there is scratches to the paint.)

We brought out these pictures and Zaremba looked and said simply that the bumper was plastic. This got a laugh as well. I guess the prosecutor decided not to write anything there. I tried to ask another question about the distances between the car and the bus in his story and the prosecutor said that that question had already been asked. I told them that I was asking a different question and was asking for specific distances and asked it again. Zaremba this time chimed in that this was the same

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question. I told them that if the translator could not differentiate between subtleties of questions, he was a crap translator and asked the question again, more slowly, at which point the prosecutor asked if there was any more questions.

The attorney has no questions.

I had more: How could there have been no damage to the bike if I was supposedly throwing it at your car?

I don't know if the perpetrator damaged his bike.

Why did you say the first time that I had thrown the bike at the car many times?

I don't see a difference in the times of throwing the bike in my testimony.

The prosecutor declared that this was enough. He read back the interview that he had typed. He began in the hopes of having the translator translate every sentence, but after sitting through three inept and slowly translated sentences he quit, read the whole of the thing through in Polish and tossed the paper to the translator to read to me. After listening for a while, we all were asked to sign the document. I refused telling them outright that it was all a farce. Wiesniakowski shrugged, stamped it and stuck it in the file.

My so-called attorney told me as he was rushing out the door to come to his office on Monday to talk about the meeting. I tried to ask him again about why Tomczyk wouldn't tell me what was going on but he just waived me off and was

gone. I went back in to the prosecutor's office and demanded a copy and copies of the car documents as well. I was given these without the necessity of buying stamps. When I got them, I asked Wiesniakowski how he could back such a crap story. Zaremba was already gone as well. It was just he and I and his assistant. The prosecutor shrugged and mugged for his assistant telling me not to worry and it will all be finished very soon. I started at him hard for a second and his eyes hardened in return. I went over to the clock and made a show of looking behind it and seeing where the battery went.

“Your clock doesn't work.” I said.

“I know.” He laughed.

“Well, why don't you just fix the goddamned thing?” I asked. He grinned.

“This is the clock of the Polish Bureaucracy and it works in a similar manner.” He said. I suppose he wanted a laugh. I didn't give him one. “We are a very poor country and we have too little money to pay for such a thing as fixing a clock.”

“Didn't you think your sanity was worth the single zloty you'd have paid for a pair of new AA batteries?” Is what I said. He acted as though this was the most amazing remark he had heard in a long time. I left. And as I walked towards the elevator, I heard Wiesniakowski begin laughing. He was laughing, both for me and for the audience of his assistant whose apologetic eyes met mine as I left the room, just a little bit too loudly.

I wrote a lot of letters to friends that weekend, complaining and telling people what had happened. Nobody could believe that they would hold me this long on a changing story, outright lies and a damage report dated two months after the supposed incident. It was all crazy but nobody knew what to do.

The following Monday morning I rode my bike to the attorney's offices and we had quite a row. The aspiring attorney who had been at the meeting was there and also was Michael Zac. The two of them were busy producing a paper of some sort. They told me they were preparing my complaint.

Now, this was important. Nobody had ever properly explained to me what this "complaint" business was all about or what purpose it served. Tomczyk had filed one of these for me without telling me what he was doing back in late July and about the only result that I could see was that I had to spend yet another month in Poland. I asked them for an explanation but they wouldn't tell me anything other than that they had three days to file the compliant and that they were pressed for time. They were both scurrying around hysterically. I thought that they were just playing me with the same rush-rush game as when we were in the prosecutor's office. I told them there would be no complaint if I didn't agree to one. This stopped them.

"Will you agree to give us that in writing?" Zac asked.

"I won't give you a fucking thing if you don't explain to me what the hell is going on."

"Look, you are guilty, Ok? You should not have been riding your bike there in the first place."

"I am not guilty of anything!" I grabbed a piece of paper and made another of those quick road diagrams. He looked at me as if I was a fool.

He left the room and the other guy came in and I made the diagram again. They weren't listening and they sure weren't talking. I went on about his changing the stories to accommodate the water damages to his car. They didn't care. I asked how, in all good conscience he could sit here with all of this crap and that even he himself had said that Zaremba was a liar and say that I was guilty of anything. Zac told me

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that he was in the process of writing a complaint about the case and that he had three days to send this to the prosecutor.

“What is the purpose of the complaint?” He only told that it must be filed or the case would go to the courts. “Would not filing the complaint stop the proceedings?”

“Probably not.”

“What would happen if you didn’t send it?”

“The prosecutor would have a week to file or not file the case with the courts. If he did, the courts would then have a few weeks to get everything ready.”

“And if we complain?”

“Then the prosecutor must consider the complaint.”

“Well, the last time we complained, all that happened is that I got to sit on my ass for another month waiting for an interview you wouldn’t tell me anything about. I don’t see how complaining again will do anything other than extend my stay some more.” The other guy rolled his eyes. “Don’t do anything.” is what I said.

“What?”

“I do not agree that you should send any paper until you hear from me.”

“If we don’t send the paper, the prosecutor will send the case to the courts.”

“There is no case! There is no evidence! Zaremba’s story is crap! I don’t want to sit here and be humiliated any more, I want to leave Poland! Understand?” They had stopped scurrying. “What do you want us to do?” He asked again.

“Nothing...” I said. “Do nothing. It is what you do best.” I asked them for names of people to complain to about this case and about the prosecution. I was told that there was an ombudsman or the equivalent of this here in Warsaw and that there

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was also a head prosecutor that I could speak to. They told me that they would e-mail me these names the next day. I left and rode back into the middle of Warsaw.

Chapter 21

Warsaw, Poland September 2nd through 5th 2002

The next day was Thursday the 5th. I had not yet received the E-mail information about to whom I could complain about the prosecutor so I rode over there to check out what was going on. Isabella, the office manager greeted me at the door and handed me a plastic covered piece of paper with the names I had requested. I asked her what Wiesniakowski had done about our not responding with a complaint and she said that she knew nothing, but that she would let me know what was happening.

Checking my E-mails the next morning I opened a letter from Wojciech Tomczyk's office that said the following in English and Polish:

Mr. Adam Goodman

I would like to inform you, that on the 2nd of September 2002 we sent the application to complete legal proceedings. Mr. Tomczyk decided that this application is necessary and indispensable. Please find enclosed a copy of application.

Yours sincerely

Izabela Sawa

Assistant.

When I checked the actual document I saw that it was headed in bold faced type not with the word “application” but rather with the polish word for **COMPLAINT!** I was at his office in about 20 minutes. Isabella greeted me at the door.

“Why in the hell had you made that complaint when I specifically told you not to?” She repeated what the letter had stated.

“It was not me. Mr. Tomczyk feels that it is an important part of the case and he feels that it is his decision to make”

“This is my case, not his. I am the one facing trial here. His job is not to do whatever the hell he feels like; his job is to council and represent me.”

“Mr. Tomczyk said that it was vital for the case... “

“I don’t give a fuck what Tomczyk wants; I want it stopped and I want it stopped now!” All she said was that she was sorry. I sprinted to the internet café, wrote a note in English and had one of the guys there translate it into Polish:

My attorney against my will sent the following document. Following a meeting with my attorney last Monday, it was explained to me that if we answered this complaint with the document I am showing you, it would both extend the case and prevent the case from being sent to the courts. I specifically told him in no uncertain terms not to send this letter without my permission...

I then took it back to the attorney’s office and had this stamped along with a copy of the complaint with a disqualifying note written directly on it. I then went over to the Embassy to show them copies of everything and to complain to them about how the Polish system was railroading me. The embassy however, seemed to be a little bit

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head of me and told me that the prosecutor had already called. Apparently he had decided negatively about the complaint anyway and would be filing an indictment within fourteen days.

That meeting on the second was not the only one I had that Monday. Earlier in the day, I had also made an appointment to go over Bogdan Jarczek's head. Actually, I had gone to this one first before getting into it with Tomczyk's office staff.

The ride over to IBM's campus, located at the opposite end of Warsaw from their repair division, was longer than I thought it was going to be. I spoke with a secretary there and told her the person I wanted to speak to was Mr. Roman Malinowski. I had gotten his name from Dariusz Madej. She had me take a seat, brought me some tea, and told me Malinowski would be down to speak with me after only a few minutes.

Roman Malinowski makes a great entrance. He is well tailored and mannered and every bit an upper class European gentleman. He led me to a small conference area on the other side of a partition and sat across a large table from me. He quietly asked me to explain to him the situation. I told him the whole story and all that I had gone through. I told him that not only had the repair company not done its job, but they were playing games with me about the warranties they had promised. I explained about how the main board was broken somehow during the repair, that the screen had died only a day after I had gotten it back and that I no longer had faith in either the old computer or IBM's ability to fix it. I said that I wanted to tell everyone in the world about how badly I had been treated and how rotten their service was. I wanted the computer replaced.

Malinowski was extremely calming and gracious. He told me there was no need to engage in negative advertising against his firm and that that IBM was completely willing to back up both their service and their product. He told me that he would be perfectly willing to replace the unit if indeed the story was as I had related it. He explained to me the process needed to procure a replacement computer and said that he was indeed such a person who could recommend this action. That process would however take some time though, and he suggested that I might be better off accepting my old unit. I suggested that if getting a new computer would be such a long process, perhaps we should start the ball rolling at once. I asked him to go ahead and start the process.

He told me he would have to look into the matter and to speak with Bogdan Jarczek first. I agreed that this was reasonable, but asked him if he would, as he had apparently just promised, start the procedure for requesting a replacement the moment he found out that all I had told him was the truth.

He would not promise this, but only assured me that the company would do all that it could to satisfy me as a customer. I asked how lying to me, breaking the computer and having me make eight extra trips to the service center was customer satisfaction. He apologized and told me things would be completed quite quickly from here. He acknowledged that Bogdan Jarczek didn't think much of me, but told me not to worry about anything, that he would send notice that we had spoken directly to Jarczek and that things would be finished very soon. I told him that I had heard that phrase a lot in Poland.

We went back and forth for a while about this but in the end I think we both made our points; I made it clear that I wanted a new computer and he made it clear that there was no way I was getting one.

On Tuesday, September 3rd I received two letters from IBM. The first letter, from Bogdan Jarczek, came in the morning and told me that he was preparing to write a second letter concerning the status of my computer. That second letter came later in the day. And, it was a good one.

subject: machine service TP 600 serial number 976940,

status of the subject machine: out of warranty - four years old

(warranty expire date is 2001 05 27)

Dear Mr Adam Goodman,

I have reviewed again service reports of our Authorized Service Provider, checked the reports of our second level IBM HW technical support and presented this files to the service delivery manager.

Let me summarize the following facts:

15 July, 2002 - You , Mr Adam Goodman, brought the subject computer unit, without power supply and FDD (floppy disk drive), to the IBM Authorized Service Provider, for fee based repair.

Your request was to fix the track point /keyboard problem.

19 July, 2002 - the keyboard was exchanged to a new one within the following four working days. On the standard test which used to be presented everytime to the customer at the moment the machine is being picked up, a responsible service engineer identified an additional problems pointing out HW failure of the mainboard.

The Service Company decided to take full responsibility for this occurrence and repair the computer on its own cost.

22 July, 2002 - to minimize Your inconveniences another ThinkPad (same machine type) with CD ROM was lent to You at no charge .

In addition, the service has installed, from Your computer, HDD and RAM memory. Power supply and FDD were not lent .

13 August, 2002 - due to some problems with spare parts, the computer was repaired within the following seventeen working days.

One year new warranty for both the exchanged mainboard and keyboard was given.

You returned the borrowed computer to service company and had been charged only for the replaced keyboard.

You picked Your computer up , in good working order, without any reservations.

22 August, 2002 - You returned your computer to the service company and demanded to repair LCD screen , FDD and a left speaker at no charge or machine replacement for a new one with the full new warranty.

On a request from the service company, second level IBM HW technical support checked the computer with all attached features. As a result of the check performed by IBM HW technical support

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a summary of the computer status was sent to you pointing out that the LCD screen had a visible defect on the screen, as a consequence of natural used up or mechanical damage and the head of FDD was damaged mechanically. And the speaker was out of order as well, but because of a contact missing it was fixed by correct plug in.

29 August, 2002 - IBM service returned the computer to the service company. Mr Adam Goodman , having in mind all the given facts above we would like You to accept our appologize for unpredicted technology defect of Your computer , but we are not in position to approve the machine replacement for a new one or proceed with futher repairs at no charge.

Best regards,

Bogdan Jarczak

Well, there you go. With the exception of forgetting about the promises, the condition of the loaner or how many trips I had had to make over there, it was pretty accurate. I wrote to Malinowski explaining to him the differences in opinion and my side of the situation concerning what had happened and told him I was ready to sue the lot of them. I went to IBM the next day in the hopes of settling up once and for all. All the techs were watching.

The first thing we did was to get Malinowski on the phone. Though still retaining his smooth, Malinowski had now taken the side of Jarczak and was being a little dry with me. IBM was not going to accept this new work as being on warrantee.

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I guess he felt I was powerless to stop him, which seems at the root of all Polish dealings.

I told Malinowski that I was shocked and offended. I went thought the whole of our previous conversation, speaking extra loud so that all the techs could hear it. I then told Malinowski that he was a pretty shrewd negotiator, a compliment he returned, but then added that that frankly he was full of shit because, and this was in case he really had forgotten that I had told him about this the previous Monday, I did in fact have the agreement in writing.

The techs liked that one. It was quiet on the other end of the phone for a minute. Malinowski asked to see it. I took his E-mail, again took over Dariusz Madej's desk and sent him a copy of the note from *Ireneusz Baczewski from August 13*.

Hereby I can confirm that warranty expiration date of your IBM ThinkPad 2645, serial number 976940L is 2003-08-13.

There was a little pause and everybody sort of stood around looking at each other. After about 10 minutes we got a phone call from Malinowski and he told me he agreed. I said thank you and asked that he please give that to me as well in writing. Within say five minutes we got this...

Subject: Re:

To: "adam goodman"

From: "Roman Malinowski"

Date: Wed, 4 Sep 2002

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Thank you, Mr. Adam Goodman. I do believe we have sorted out all of the open items on our today's tel call. , including machine warranty.

I wish you a nice day.

Sincerely Yours,

Roman Malinowski

They told me (of course) that the notebook would not ready for a few more days, but before I left, there was not one person in the office that was not smiling at me. Everyone was relaxed. One of the techs told me that IBM plays these games all the time and that he was happy to see someone get something from the “suits”.

Dariusz Madej, a great man for the truth, told me that this was normal for IBM; they could get away with it because they were the only one's who could do the work.

I thanked him and accepted the congrats of the techs, told them for a laugh that I'd believe it when I saw the computer and rode away. It was a great show all around. I knew though that it really wasn't much of a victory. I had gained nothing but the right to some free repairs and I had lost a lot of computer time to them when I really needed it. I couldn't say for sure if they had held back on me because of my personal situation or if their behavior wasn't naturally indicative of where they were from. Or maybe it was a combination of both. I did however know for sure as I was riding home that I really should tell people all about it anyway. I mean, even if they could so easily forget their bargains, I could certainly remember mine.

Chapter 22

Warsaw, Poland; September 6th through 17th 2002

Anyway, at least as far as the case was concerned, I found I was feeling kind of happy in that for the first time since all of this began, I actually knew what was happening. And even better, I also know that I no longer had to deal with Wiesniakowski. At least not in his office.

The problem now though, was how to get the point across to the Polish justice system that they had just ruined my life, the lives of my Belarusian friends, my family and probably, at least according to Szula's letter, about 30-odd bikers all in the name of supporting some lying asshole who drives like fool and likes to run over people who ride bicycles.

Drazek had come back from a bike trip to Germany with a renewed feeling for our friendship. He had kind of screwed me a few weeks earlier when he blew off an interview we had had with the Respublika, the other major Warsaw newspaper, to go on a group road ride with a bunch of messengers- he also blew off a girlfriend for that ride, but that's another story. I guess he came back feeling kind of guilty, or had been smoking too much pot, and met me for lunch with an amazingly well rehearsed speech:

"I've been thinking about your problem" he said "and what you need is some money and a place to stay. So, I want to loan you some money and I want to invite you to come and live at my flat." Nice. Now, I did take the money but I declined the invitation to live at his house for several reasons, the biggest of which being that pesky permanent address in Poland nonsense. I asked him if he had a thousand dollars. I could see the pain on his face when I asked, but he agreed that this would

not be an unreasonable amount. And in addition to this, he had also convinced our friend Radek to add some of his expertise to the new situation. Radek said he would be glad to write a letter to the courts on my behalf and asked me to send him any questions I had about the upcoming trial and he would do his best to answer them. We wouldn't know who the judge would be for several weeks, so I had some time to think about what I wanted to do. He also told me that if I wished to send any information to the judge's office, any new evidences or anything that I felt I needed to say to them, I could do so and the prosecutor could not do anything to stop it

Now, Radek's telling me that I could speak to the judge without interference really set me off. I had not found one single uncorrupted person of any stature anywhere in Poland so far and though logic would seem to dictate that there was not much chance of our soon-to-be-named judge not following suit, still, I had to keep hope that at least the court proper was above this petty criminal shit. I mean, they couldn't all be bad, could they? So I got the idea to put together sort of an all encompassing essay to put on the judges desk. This essay would be sort of like the two smaller essays I had written before, but would be much bigger, more grand and would really make the points I wanted to make.

I got together with Drazek and we talked about what sorts of things that we might be able to do to make some sort of conclusive evidence. The first idea we came up with was to try and find the driver of the bus who was stopped there at the crossing. He would have been an eyewitness or at least would remember the angle of the car and, as all the busses had to be charted and all the routs logged, finding the guy couldn't be all that hard.

We started with a map and found all of the bus routs that move along Solidarnoci on the right side of the street. There were about ten rout numbers to start

with. We figured that there were probably five busses on each line, so in the end, as we knew the date and basically the time of day, we figured that we had it narrowed down to about 50 guys. We went to the bus company but found that they not only had no computerized records of who the drivers were, they also basically didn't take too much trouble to even log in who was driving which bus. We were told that all we could do was leave a note asking if the drivers wanted to help. The thought of dealing with a bunch of bus drivers with their hands out seemed a little soft for my taste. And as standing out at the intersection handing out leaflets some four months later was equally as unproductive, I decided to go back into the texts to see if I couldn't find any more case crackers in there.

I went to Kasia Nguyen first but she declined saying she had just begun at the university again- though she did say that she would be there if I really needed her. Drazek, especially after the bus debacle, had very little time or interest for translating work but he did manage to hook me up with his sister Ella, a very pretty and soft spoken girl who really loves bikes and biking and decided she wanted to help.

I had first briefly met Ella back at the Car Killer Alley Cat. She was one of the riders and we had talked a bit at one of the stops. We got together the first time at their family's home just outside Warsaw. I think that first meeting was more a get-to-know-each-other than work and I ran into a similar problem as I had with Kasia. Luckily though Ella is a lot more low key so I managed to get through the session without too much relationship fallout. We weren't however very productive as far as dealing with any translating, so I asked her if she would basically just write a letter on my behalf and say whatever she felt would be good. We also agreed to meet again over at the internet café when I got my computer back to go over the court documents. So, it was slow, but we were in motion.

My living situation at the time was not good. My dwindling funds had made me move from the dormitory room at the hostel to a mattress on the floor of the downstairs dining room. This was originally a practice reserved for times when the hostel was full but as it would only cost \$4 a night, both Bruce Gaskins and I made it a permanent move. Hanging out with Bruce in fact pretty much was my social life at the time. Drazek's loan could not have come at a better moment.

I think I had been trying to write something about my situation, but I found that my head simply wasn't working for me. I tried to sketch out some ideas for corrupt cop tales, or stories of captivity, but I just never had any energy anymore. It had been months since I had seen Tatyana and these non-relationships with Drazek's attractive translators mixed with the lack of response to my letters from my so-called attorney, or for that matter the lack of anything from Piotr Molga or the US press weren't helping my feelings of impending redundancy. I felt like everything I had worked for was gone and the feeling that everything was so inevitably hopeless had started me thinking like ending it all might not be such a bad idea. Bruce was a real help at around this time and he and I spent a lot of evenings talking down in the dining room. His main suggestion was that I simply needed to keep doing things. I took his advise and putting aside at least the details of my Polish problems I went to work on another play.

The play was called "Ownership" and is a nightmare about child and relationship abuse and how the cruelties that we practice on each other affect our lives. I finished the initial sketches in one night and wrote out the first draft in longhand over the course of three days. All of the typing for the subsequent three edits were done out of necessity in the internet room of the hostel. The story concerns a

man (Adrian) who has become completely disconnected from his world after a rather difficult divorce was made even more difficult because of heavy handed interventions from his parents. He has stopped working and is looking for something to salve his soul out on the road where his loneliness inspires a series of flashback memories of childhood abuse. An invitation to a family wedding for both he and his ex at first creates a reconciliation of sorts as well as an opportunity to piece together the fragments of his life but eventually becomes the engine of the final division between himself and those he loves. I think *Ownership* was born out of the frustration of my situation and was as indicative of my mood as anything else. The play got good reviews from friends and even though I thought the subject matter of the play was as hard to deal with as anything I had ever written, I was sorry when the work was over. There was just so little else to do.

On Thursday, September 12th, some 58 days, 15 trips and about \$100 after asking them to reattach the loose wire that had messed up my mouse, I finally got my computer back from IBM. The screen looked good and everything worked fine but for a problem with the speaker on the left side, but this was simply a technical adjustment. There was no charge for the work and everyone at IBM was on their best behavior. I asked for copies of all of the paperwork and they gave this to me without problem. I was happily back in business and immediately downloaded everything I had saved from the files of the case.

I re-read Zaremba's testimonies and by way of trying to make the statements more clear to myself, I used the PowerPoint program to draw up some pictures illustrating the situation. A few of these looked so good, I thought I should go and show them to Drazek. Actually, I was more hoping that he might make good on his

promise for a loan. His first opinion when he saw the PowerPoint was that the pictures looked like something out of “The Matrix”. And, he gave me a \$250 first installment- I thought he should be considered for sainthood.

While I was there, Drazek also told me that about the meeting that would be held at his office the next day between the cops and the bikers concerning an upcoming Friday the 27th Critical Mass ride. Drazek said that the police had demanded the meeting and that if the bikers did not show up, there would be another mass arrest. I guess this is how they saw what happened during the last Critical Mass. Drazek said that I should come and put my two cents in. Looking back, I probably should have gone, but I didn't. I don't know why I wouldn't participate. Maybe it had something to do with my refusing outright the “celebrity status” that had been conferred upon me. Or maybe I thought it was bullshit or perhaps I just didn't want to be involved. I mean if I went, I would just be that guy who beats up cars and would probably be a distraction. Maybe it would have been better if I had gone and stood up and told them that all of this was a bunch of crap as there never was any car beating and that it was all Zaremba's lies that had started all of this. Actually it would have been a good opportunity to do so, but I didn't. I offered some opinions but declined to go. Marcin was pretty broken up about this decision.

That weekend Drazek won an Alley Cat. He had caught a flat and ran the last ten kilometers on a rim in order to win. Also, the Roman Polanski movie “The Pianist” (Pianista in Polish) opened in Warsaw and was pretty much the cultural event of the year. Bruce and I went on a Sunday morning together to see it and the story of the Warsaw Ghetto had the whole of the theatre stilled with shock. The Polish word for bicycle is “rover” and later that day, I got an reminder of that celebrity status while I was riding my bike around Warsaw. I was passing an antique market and a

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rather fat vendor came to attention and saluted me as I rode by, yelling after me that I was the “Roverista”.

I went to my attorney’s office on the 17th and of course Tomczyk wasn’t there. I was told that the case was not yet filed. Michael Zak agreed to sit down with me but I was feeling anything but social. I asked them why they had told me at first that the prosecutor would have a week to file his case. The embassy was now telling me he had two.

He told he did not remember saying that.

I asked them what I could expect to happen next.

He had no answer.

I asked him if the prosecutor had filed the case.

As far as he knew he had not.

I asked them why they had filed the complaint when I directly told them not to.

He gave me no answer and would not even sign a document acknowledging that they had done this.

I told him to his face that both he and his boss were full of shit and that I would never, ever forgive any of them for stabbing me in the back.. I wrote a document stating that the attorney had no further rights to pass any paper without my written permission to do so. I had him make copies and stamp them and then left swearing I would never set foot in that office again.

Later, on the 27th, I received an English language copy of Wiesniakowski’s indictment. It was dated as being filed on September 4th. I didn’t think it would ever be possible to hear anything that was the truth from anybody in Warsaw.

Chapter 23

Warsaw, Poland; September 18th through 23rd 2002

So it was time to get serious about this case. Computers are wonderful tools. Having the ability to move the information around and place things side by side made it possible to find quite a few flaws in Zaremba's story. I don't mean to come across like a shiftless lawyer looking for a loophole, but really what did I have other than how flimsy and easy to break Zaremba's story was? I mean I knew that no one was supporting my side, but if it was possible to make the truth so loud that it made listening to the lies impossible, this had to be my best road. And besides, nobody else was reading the court documents apparently, why let such great material go to waste? So I went to work on this big, all encompassing essay intended for the desk of whichever judge they eventually gave me.

The missing document about the bike was still bothering me. I knew I had a witness for the making of this document in Mr. Jersey Twarowski, the guy who had been my translator at the courts on the 17th and so when Kasia Nguyen found some time, we made some phone calls trying to find him. Unfortunately though, we had no luck. So, without any alternatives, and without any faith or trust that the cops would be helpful, on Thursday, September 19th, I went back to the Wilcza street police station to try and find it myself.

It was very strange walking into the police station where I was caged again. The desk man didn't speak English so he called for one sergeant Abramski, who invited me to his office to sit and talk. Abramski knew who I was and seemed mildly sympathetic but led me on a long conversation about Poland and its penal system. The gist of his conversation, though he did speak in a round about fashion and I really

couldn't say for sure, seemed to be saying that I had in some way been rehabilitated by the experience and should be grateful for all that the police had done for me.

Abramski even went so far as to tell me that they had capital punishment in Poland and that they liked to hang people when it came to that. It occurred to me that I was not only pegged for the crimes Zaremba had described, but was seen as a potential psychopathic murderer. If this was the case though, I wonder why they had let me out on the streets or had not even insisted that I leave Poland immediately, a punishment I would have happily endured.

Be that as it may, I tried to steer the conversation back in the direction of the cop who was both my escort to the courts on the 17th and the author of the bike document. I had forgotten his name and simply wanted to find him and find out what he had done with my bike document. Abramski explained how the shift system works for the cops at that station and said that that the guy I needed to talk to was an officer Wojcik from section III. Wojcik would be working again on Monday and, in my best Arnold Swarzenegger, I thanked him and told him I'd be back.

The next day Ella and I got together again at the internet café on Nowe Swiat. Knowing someone is a liar and proving it are two different things. But having to prove lies for people who will not listen to you is even harder. Ella said she was ready to go to work so I tried to make the best use of her time that I could. We opened the case files and the first thing we went after was Zaremba's "black mark".

This black mark was brought up by Zaremba during his interview on August the 30th, the day he turned in his estimate of damages (Made almost two months after the incident) and the "could-have-been-made-by-a-hand" document. His claim was that there was a black mark on his passenger side door that was caused by my

handlebar banging into his door and that the reason that this was not mentioned in the original police inspection of his car was that the inspection had taken place in the rain.

My take was that Zaremba had two reasons for making this statement. Firstly, inventing this “black mark” gave him a chance to incorporate something from my story into his own, this adding plausibility and making it appear that my story was an attempt at denying my guilt. I had originally believed that his story was that I had intentionally run into him with my bike and had pointed out how impossible this was to the prosecutor. Zaremba’s original statements however had me beating his car with my hands. His adding this black mark sort of retrofits his story to my own and goes directly against my impossibility statement. He says I did one thing, I denied doing something completely different and he turns around and accuses me of doing that as well. I was never told what Zaremba had said but Wiesniakowski had obviously given Zaremba the luxury of reading my statements and probably advised him as well as to what to say. All of this is of course illegal but that had never stopped anyone here as far as I could see. The second and bigger reason for his adding this alleged mark into his story was that it gave him a chance to break my theory about the water marks on the hood by adding into his general statement that the police inspection of his car on the 15th had been made in the rain. The whole thing had to be Wiesniakowski’s idea because you could see in the text that Zaremba began his statement bringing up this story with great authority but apparently forgot the punch line about the car being examined in the rain and had to be reminded of this later by the prosecutor.

Nevertheless disproving the allegation of the mark itself should have been handled easily enough by that police inspection document I had been trying to track down as the cop who wrote it clearly stated that there had been no damage to the handlebar tape. Of course, this was exactly why that document had most mysteriously

disappeared. So this made proving that the whole of the statement was a confabulation a little tougher. Luckily for me though, the prosecutor had not listened very closely when I had explained my theory to him in his office. What I had tried to point out to him was that there were streaks of dirt streaming backwards from the tiny dents that were on his hood and that you could see these marks quite clearly in the pictures. What causes water and dirt to flow backwards up the hood of a car is driving it in the rain. Because the streaks originated specifically from the tiny indentations on the hood, this meant that the dents had to have been there long enough to accumulate dirt. Zaremba was claiming I was responsible for everything but the streaking on the hood plainly showed that the damage was old. Ergo, he was lying.

However, as we were dealing with a couple of slicksters, there were still a few potential holes. Ella and I started taking apart the texts to see if we couldn't bomb proof the point and make it extra clear for soon-to-be-named jurist.

Knocking out Zaremba's overly simplistic "the report was made in the rain" remark was accomplished very quickly. Ella read to me the text of the original inspection report and interestingly enough the very first sentence of the report was this:

This report about the inspection of this car was made in natural light and good conditions. The temperature was 18 deg Celsius without rain.

And the last sentence was this:

The protocol was concluded the in the same atmospheric conditions

So that was easy: The report was not made in the rain. But I was dealing with a couple of "artists" here, and they could also change the story again and say it had rained only during the report and not at the beginning or the end. So I checked this out

too. The first thing I needed to know is exactly what was the weather like that day. To find this, I looked on the web and found at www.wunderground.com a chart for every 24 hour period in almost every major city in the world. I looked up my date and saw that in Warsaw that day, it had rained once in the morning from about 12:30 to 1:30 pm and again somewhere between 3:30 and 4:00. I remembered this first rain because I had to walk in it when I had to buy that photo for my visa at the Belarusian embassy. So this fit what I was saying perfectly: The car was stopped completely for our confrontation and after, he had only driven it to the parking lot of the first police station and then across town to the other station where we made our reports. There was no rain during either of these two rides so, as for these marks on the hood, at the minimum they would have to have been created before 1:30 that day, some twenty minutes before our incident according to the police report, or 30 minutes if you want to believe Zaremba's telephone story- though probably they were from incident long before I had anything to do with him.

This was good, but there could still be some argument if Zaremba wanted to claim that he was driving the car in the second rain, perhaps to move it around in the police station parking lot. This one had us worried for a second but ironically enough, it was actually Zaremba's own lying that proved it false in the end. All police reports have to be marked for both the time the report was started and when it was completed. We knew that Zaremba had to be in the police station at about the time of the second rain so the first thing we did was recheck the time on inspection document. According to the inspector, the car was examined from 5:10 to 5:30 so it was still plausible for Zaremba to claim he had moved the car during that second rain. However, when we checked the times of the first two statements that Zaremba had given to the police on the 15th; the first was a short report given to the front desk and the second was the one

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I listed earlier- right there at the top of these pages were the times: 3:20 to 3:35 for the first and 3:40 to 4:10 for the second. That second rain took place at 3:30 to 4:00, exactly the same time that Zaremba had been too busy lying about what I had done to have ever left the building to move his car.

So like, you know, I didn't do it, man.

This was turning out to be a pretty good day. We finished our session by translating Zaremba's dental reports, this along with the car inspection were the two reports he turned in to the prosecutor on the 16th of May. It did sort of add insult to injury but the report from a group of dentists confirmed that there were no broken teeth as well; the doctor even adding that he was not really hit very hard. The case was not only a lie, but at least as far as the two main issues concerning money were concerned, we could prove it. It also unfortunately made the point about the prosecutor being part of the situation rather clear as well. All I had to do now was to get this information to the courts and hope that we were lucky enough to catch a judge who was actually in the justice business. Who knows, maybe there could be some hope in this yet.

Ella had to go, so we broke off and agreed to meet again about a week later. As she was leaving, she told me she was going to ride in the critical mass and asked if I was as well. I told her no, under the circumstances, I would not ride with the cops. She said I one of the smartest people she had ever met but that I had a bad attitude. No argument there.

So what to do next? Feeling loaded for bear I went again to the embassy in order to talk about this new evidence. What I really wanted from them was some support, either political or financial or at least some help in getting a lawyer who

might possibly work for me. I was still an American after all. However, Halmo was gone by this time and the man I was introduced to as the new head of American Services, a beefy Polish American named John Grondelski, returned me to my previous state of depression. Grondelski greeted me without a touch of warmth and indicated that he had heard about me and read the information I had sent to the embassy. He then said that he wanted to make a few things clear to me right from the start: He was fully in charge of his office, he knew that the prosecutor would never play fair with anyone and I had been foolish every to have believed otherwise (Grondelski understood the language) and that neither he nor the embassy had any personal interest in my life or my case. Grondelski played hardball and that was that. I got the feeling that he didn't like me very much.

Nevertheless I felt I needed the embassy's support and so I told him about proving Zaremba to have lied in all of his statements. He told me it was a matter of opinion. I told him of the problems I had been having with my attorney and about my preparations for trial. He told me to find another lawyer and handed me another copy of the embassy lawyers list and asked if that was all. I told him about my experiences with Polish lawyers and explained that I was almost tapped out. He nodded, told me the embassy would offer no legal assistance and again asked if this was all. I then asked if there is any chance of gaining at least some financial support from the embassy or at least a loan to cover living expenses. He told me that the embassy was not in the business of supplying loans and could supply only emergency funds to travel back to the states and asked again if that was all. I asked him about applying for welfare or SSI for depression over my situation or some other sort of benefit. He frowned at me and turned me over to a staff member who handed me some papers to fill out. The guy in charge of this told me all about the doctors I would need to speak

to and the translations of the reports that would need to be made. He told me about the bureaucracy of such situations and then, after checking my social security number, told me that I was in fact eligible for such benefits, but that the wait for an answer about this would be about eight months. Right...

I was in a very foul mood. That trip to the embassy really knocked me down at the moment I was finally feeling up again. I was sick of everything and every one. There was just so much filthiness about my situation and meeting Grondelski just seemed to make it all worse. I went back at work on the essay. Both Kasia and Ella were unavailable and so Drazek asked Kat Kanarchek to meet me over at the Internet café to help with some more translating. Kat was associated with Amnesty International came with a friend named Alek Tarkowski, who was on crutches with a foot injury. Alek said that Kat was the one who would be doing most of the work and at he was only there supporting her, though he could also do some translating if I needed it. They said they had heard about my situation and wanted to help. They seemed nice enough.

I started to tell them about the essay I was writing and parts I needed to have translated. Kat asked the usual questions about the situation and about how far I had gotten into the process. I backtracked and retold the story for about the thousandth time and then, as always, she started in asking why I wouldn't just pay him and telling me about how Warsaw cops are untouchable and about how it didn't matter how right I was, he was a cop and this was all anyone needed to know. I had been in a really bad mood for a while now and I don't know why, maybe I had simply had enough but I just didn't feel like having to have this argument all over again. Why couldn't they just agree to do the work without harassing me with the same redundant bullshit? I

was thinking that all of this would have been so much easier if I had had the money to simply hire a translation service but I didn't. I did feel very bad about all of the "free" work I was getting and also for that matter resented all of the debt I was accumulating but really, the situation was out there and all I wanted was to just get on with it. I lost my temper and barked at her. Everybody was saying what she was saying, but Goddamnit, what I was doing was making a fight against that very thing, that complacency, that acceptance of an unfair status quo and I didn't understand why the idea was so hard to understand. This was an important fight, both for me and for everyone who had to live under such a corrupt system so let's just cut all this what-is-obvious bullshit and either agree to work at it or not. I was tired of hearing it. Just tell me how much money you want for the work and if you are you in or out? That's what I want to know. So, what's it going to be? Will you do it or won't you?

Everyone at the internet was staring at me. Kat had turned completely red and started to cry. I guess I was a little hard on her. I shouldn't have been. She was there to help. I was the one being hammered on, not her. It wasn't her fault that nothing ever worked and nobody ever listened and my life was falling apart. Crutches and all, Alek Tarkowski, stood up to defend her. Kat ran out the door crying. Tarkowski said he thought I was an asshole but that he would agree to help anyway. I could send him what I thought I needed translated and he would do it and send it back but he didn't want to meet with me any more. And then he added that Kat wasn't asking for any money and that I had been very rude to her. And with that, he hobbled off after her. I e-mail an apology to her and amazingly enough she agreed to do the translations. In fact, she turned out to be the best of all of them.

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The following Monday, September 23rd, I returned to the Wilcza Street police station and found Officer Wojcic. Wojcic it turns out was the same officer who had been in the room with Wiesniakowski when I was interviewed on the 16th of May. I should have quit right then. He claimed that he did not know the people I described as being the ones that accompanied me and Twardowski to the police station. He told me that the officers did not generally sign any register while on duties, that officers were borrowed for details all the time without any corresponding paperwork and so there would be no signatures to be found. And, he added, if the document was not in the court protocol then he had no way to find it. I asked him how we would find such a document and he advised me to go and find one of the cops that I had just described. I asked him how I could do that and he said that he might in fact know who one of these guys could possibly be. He told me that he thought that the guy was at a demonstration at a different part of town. He told me where to go and where the cop would be. I went to where he told me and was not at all surprised to find that not only wasn't the cop there, but there wasn't even a demonstration.

Chapter 24

Warsaw Poland; September 24th through 27th 2002

I received an E-mail from John Grondelski telling me that he has sent a letter to the courts requesting a speedy trial and offering advice that I should consult the document listing potential lawyers that I had been given by his predecessor. This didn't exactly make me happy. I wrote to him asking why he was sending letters on my behalf without my requesting it or even telling me he was going to do so. Grondelski had told me he had had some legal training and that he thought he had

done the right thing. Thanks. The problem was that, while it might have been true that the court could take up to a year to begin a trial, my current situation was that I had no attorney I could trust and therefore was completely unprepared. Speeding things up only added to the pressure. And though he outright refused to offer any advice himself, I was sure that Grondelski had understood this as well.

On Tuesday, September 24th, Ella and I met to go over the early documents again. I was editing my essay and she was reading papers when suddenly she asked me why I had not gone to the meeting at the courts about their holding my passport. I told her I didn't understand. She said she was reading from a document she had found about a hearing about my passport back on June 13th. I took a look and my first thought was that it was simply the judge's decision to keep my passport rather than allow me to pay bail. I told her I knew about this and that the embassy had told me all about it; they had revoked the bail, the courts had had two weeks to make decision and that they had decided against it. She said this wasn't the case at all and according to the document, there was a meeting scheduled for June 13th and that the court had waited for me for several hours but that I had not attended. The document said that the meeting was started in the morning and was held open until about noon and because the written notice of this meeting was returned by the post office as unsigned for, they had to assume by Polish law that I had received it and went ahead with the decision.

What was that? I remembered that I had been told about this "receiving documents" thing by the judge on May 17th, but I didn't know anything about any hearing. Why hadn't I gotten the notice? This was about the time that I had gone to Gdansk with Tatyana. That would account for my not being at the hostel to get any mail. And of course as I was afraid of being busted at the time so I never gave any forwarding address. OK, all this is fair enough because they had told me about it. But

I had come back, I thought before the thirteenth. In fact I was sure of it. And not only that, the embassy had told me that the situation was that I had no say in what the court was going to decide and that there was nothing to do but wait. Well, now this was really fucked up because the information about the situation had come from the embassy after they supposedly called the prosecutor at my request. Had the meeting already taken place? I needed to check this out.

Early the next morning I went over to the “Botel” and asked the desk clerk to check the register for me. Sure enough, the dates that I had stayed there were the 11th, 12th and 13th of June and they gave me a receipt for this. So that meant that the day I went to the embassy with Tatyana to check on my status would have been the 12th, the day before the meeting was to take place. Somebody had lied. Either the prosecutor or Foster Stolte had passed on to me bad information. If it was the prosecutor lying about it, this was further proof that the investigation against me was both illegal and unfair. And if it wasn't the prosecutor but the embassy's choice to withhold the information, this meant that they were in on it from the start. I needed to know which and I needed it in writing. I headed back to the Embassy.

I recognized a Polish woman at the embassy as being the same woman who had always been the one who actually made the courtesy calls to the prosecutor and the courts for me. Foster Stolte did not speak Polish. I smiled and greeted her warmly and she obviously remembered me. I tried to be nonchalant about it and asked her about the phone call she had made to the prosecutor about my passport back in June. I reminded her of the day and what Stolte had told me. She said she remembered it clearly. That was great. I told her what I was getting all of my papers straight and asked if she wouldn't mind giving me a statement agreeing with what she had just said. She said that she would have to go and speak to Grondelski.

I waited a few minutes. I could see the two of them talking in the back office through the glass partition. Her body language seemed to be agreeing that what I was asking her for was indeed true. And she also looked a little worried. After about 10 more minutes, Grondelski came to the window and said that the embassy would issue no such papers for me.

Excuse me? I asked Grondelski if he understood what the situation was about. He said that he understood but the Polish employees of the embassy were anonymous, he himself was not, but he could not allow any statements from her because he could not break this security measure. Well, all that is fine, but somebody in fact had intentionally passed me bad information that had cost me a chance to leave Poland. His anonymous employee remembered damned well what had happened. If he was refusing to give me a statement to this effect, the implication was that the embassy had the correct knowledge but had knowingly lied to me. It's simply a matter of denying or admitting complicity. And, I had a witness. I told him it would be of great comfort for me to believe that my own country had not stabbed me in the back.

Grondelski returned to the back of the office and had another brief talk with the woman. I could see clearly that she was nodding her head a lot and agreeing to what was being said. When Grondelski returned, he was much calmer and agreed to give me a letter but not the lady's name. After a few minutes, Grondelski handed me this:

September 25, 2002

To whom it may concern:

This is to confirm that Mr. Adam Goodman appeared in the U.S.

Embassy several times in early June, 2002 with regard to his criminal case in

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Poland, speaking with a polish employee of the American Citizens Services Unit; that he was accompanied on one occasion by a woman he identified as his girlfriend; and that the Embassy contacted the Polish prosecutor on his behalf to determine the status of his case and the retention of his passport. This letter is issued at Mr. Goodman's personal request on this date.

Sincerely, John M. Grondelski

Chief, American Citizen Services

I told him that this did not exactly set the record straight. He dismissed me telling me that he would do no better. I explained to him that if I had any suspicions about the embassy's complicity before, he had just done a good job of proving it. He wished me a good day.

Now I was really down. That Friday I was sitting with Ella in the Warsaw University library. She had just hooked me up with a library card. I felt like such a bum. So what was going on? This woman at the embassy knew she remembered exactly what had happened, and Grondelski knew it too. My guess was, at least from how she talked to me before I asked her for her story in writing, was that it had been the prosecutor's lies that held me out of that meeting. However, Grondelski's being a dick meant to me that also at the least, the embassy was condoning police corruption and siding with the Polish side against me. It also left open the possibilities that the American side knew that all of this was bullshit from the beginning or had even possibly asked the Polish to keep me in Poland. But why would they do that? I wasn't political. I wasn't defecting. I was just trying to take care of my girlfriend and see if I

couldn't make a place for myself in my grandma's home town. This wasn't the October Revolution; it was a crummy little bike shop.

Ella was trying hard to make me feel better. I had become her project. Or maybe it was because her brother had liked me. But either way, I wasn't having any of it. I knew what the problem was. I didn't want to cheat on Tatyana. Oh, go ahead, say what you want about us all being adults or about how things are different in times of war and such, but it is something either you do or you don't. No, that's not it at all, I am not that disciplined. The problem wasn't about sex per se, it was about regular sex and the relationships that you make that allow for such circumstance. Ella was really sexy and she was laying it on thick. Yea, I needed to get laid. But no, I absolutely did not want a Polish girlfriend. Ella got the message and became really mad. Did this decision cost me? Hell yes it did. And what was worse was I really wanted to. Ella was nice, very nice and that was all what had made me snap at her after a few minutes. Ok, I knew it was grade school stuff, but YOU endure a kidnapping for a couple of months and then talk to me about proper etiquette.

Anyway, we were sitting bored at the library and, I guess she was finally getting the feeling that I wasn't going to advance any further and she started in on the I-know-you-are-right-but-the-cops-are-untouchable-in-Warsaw-why-don't-you-just-pay-him line. And of course I shouted back at her just like I had with Kat. She probably knew I would and that's why she did it. After I snapped at her she walked away from me at the library but I didn't lift a finger to stop her.

Now, this was the night of the "police escorted" critical mass. I rode over to Marcin's office and I told him what had happened between his sister and I. He just shook his head. He asked if I was coming to the ride later that night. I still was not

going to ride, but I did give him a one page document I had written that asked him to translate it and make at least twenty copies.

The document was to be a handout for the riders before the ride. It was very poorly written and wasn't very clear as to my point of view. Looking back, I really wish I had handled the whole of this situation better than I did. The note spoke about the Polish attitude of allowing the police an extensive bit of extra leeway in their lives. I said that perhaps the police were allowed this because they do a difficult and dangerous job (Though I did not say it was because of people's general fear of them or knowledge of how corrupt they were). And then I went on to say that this "extra" should be reserved for cops that actually do that dangerous work. Bad cops were doing more harm by being bad because they were breaking the trust of the people whom they were supposed to be protecting. Therefore bad cops were not simply criminals, but double criminals because they were abusing both the property and the trust of the citizenry. I said that bad cops should receive "extra punishment" and that people should be aware that they pay for police protection with their hard earned money and deserved value and not just corruption in return. And that this agreement was at the heart of any functioning society.

There was a lot of media there at the starting point of that night's Critical Mass. The cops were talking to the local TV press explaining how the police were joining with the bikers and were riding with them to promote bike safety. There wouldn't be another scandal like the last ride/riot and the police would see to that. I was walking around passing out my leaflets to the riders. Some of the cops were smiling at me. Obviously they had created the story that worked for them and had rewritten their history in such a way that it made them look good on TV- and fuck me if I had to be swept away. Maka and Betty were posturing underneath Zigmund's statue at the

entrance to Old Town. They were on the topmost steps of the pedestal and Maka was in fine form making both his presence and his status known. At least now I knew why he wouldn't help with getting any press. He wanted to cultivate his agreement with the cops and the bureaucracy and had no interest in causing himself problems; he had his own deal to worry about. I could see now that any bones he had been happy to throw me had come because I was a biker, and probably specifically that I was a former New York courier. I was a good association in that regard. But that had been all show because he had already decided that his future and the future of this shop/bar idea lay with the powers that be regardless of who got hurt by them. He wanted no part in a fight for biker rights or against police corruption; he was already corrupt himself. If the cops wanted to use me as a political object, who was he to stand in their way? Betty was standing right next to him, his now completely Rasta green, yellow and red track bike just beside him. This was also business for the both of them. Welcome to Warsaw.

I handed out my leaflets, made sure everybody understood what I was saying and that I was refusing to ride with the cops, and then rode off. Some riders told me afterward that the ride was bad and the cops had made them look and feel like fools. I went back to the hostel, sat down at the table in the downstairs dining room, opened my computer and wrote about the case. I wrote about what had happened at the embassy and about the lies. I wrote about catching Zaremba and Wiesniakowski. I wrote about what was happening to me as a result of the months of being held; to my mind, my body, my friends and my family. I wrote about Tatyana and how she was suffering because of her connection to me and how her family was suffering too. I wrote about Victor and Sergei and Kolia at the bike club back in Pinsk and about how happy they were to be going into business. They had so little money to do what they

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did and yet they were there at work every day, keeping those incredibly old bikes running for the kids. I wrote about my folks and about what they must be going through. I wrote about Piotr Molga, and how he had done nothing but bullshit me about making my case public. And about Marcin and Ella and Kat Kanarchek and hobbling Alek Tarkowski. I wrote about Kasia Nguyen and Maka and Betty and Szula and Bokowski and Maczek, who had gone to America and had found a messenger job there. And then I wrote about Bruce and Lukasz at the hostel, and that got me to thinking about why I was there, so I started to think about Wiesniakowski and Zaremba and Wojcic and the judge and Twardowski and the cop who wrote the bike paper and Tomczyk and Isabella and Michael Zak. I wrote late into the night there at the table of the downstairs dining room as Bruce snored on his mattress on the floor to my left.

I didn't get to sleep until about 3:00 am. My eyes opened at six and saw that someone had ripped out the mouse and taken the computer from where it lay about two feet from where I had gone to sleep on my mattress on the floor.

I called the police from the hostel but when they heard my name, they refused to come to the scene.

Chapter 25

Warsaw, Poland; September 28th through October 7th 2002

Sometimes one thinks that one really has nothing. But other times you find that there is indeed farther to fall. I like to say that luckily, I had saved all of my plays and all of the important court documents on the internet and so I was able to continue with my report for the courts. I like to say that I understood that I was in a war and

that I understood that there were always casualties of war and that it was just a black box and the thinking and work that went into it was from me and was therefore still around. Really though, the theft of that computer devastated me. Of course, that would be bullshit. I hate to come off as sounding like a geek, but really, that computer was all I had. I had come to hate any social contacts because of the sick feeling in the pit of my stomach that always came along with getting together. And I knew what caused it too: No matter what the purpose of the meeting, no matter who it was, I could never ever forget even for one moment that I was a prisoner of Poland, that all I wanted to do was get away from there and therefore I was not free to engage freely with anybody. If I wasn't free, the whole conversation was a lie. And because it was always a lie, it always made me sick.

In my isolation, I had come to rely on that computer for my sanity. I had nothing else to do and none of the things that like had to offer was there for me in any meaningful way. Having it stolen was like having the last pinions holding my sanity aloft getting torn away. How much worse could this get? My mind was racing. Who was responsible? Of course, I blamed the police. It had to be the police. This was all a great conspiracy. They got someone to come in and take the computer away because they didn't want me having any way to organize my information. And they didn't want any more essays. And the worst part was this thinking wasn't even paranoia. You didn't need to be paranoid to feel that the world was against you in Poland. Life was general proof of that. Was I scared? You bet I was scared. They had guns. But what could I do? I mean, really: What could I do?

Well, for me at least the answer was simple. Biking and especially bike messengering will teach you some really good lessons about maintaining pace regardless of obstacles and working through pain and fatigue. You learn resilience.

So, after a morning of staking out the front door of the hostel and interrogating a few shifty eyed hostel guests as they tried to go past me (Are you a cop? No, I am a bicyclist!) at about 11:00 that morning I gave up on finding the laptop and rode over to the internet café and went back to work. I mean, of course I had saved all of the important documents on the web. I am not stupid. There was nothing else to do but to go back to work. Pulling the information off the web and reformatting the report wasn't such a big deal. I had pretty much everything put back together by a little before 4:00 that afternoon. Can't hurt me. So really, there was nothing so horrible in all of this. I mean, all I really lost was the box, right? So what the hell: Whimpering about shit never won any races.

The final version of the report was made up of four sections. Section one was the PowerPoint pictures outlining the fact that Zaremba had lied about the damages to his car, his teeth and the whole of the situation in general. Several pictures illustrated how unlikely some of the elements of his story were such as his description of the fight, the ridiculous phone story and about how the alleged radio car would have had to see this event. Also that the cops from that vehicle were not even involved obviously was evidence that the story in general was clearly a fabrication. Kat Kanarchek translated the texts for the thirty or so pictures I had made. Part two was a time line detailing the events until that point and illustrated the damages I had incurred as a result of being held, which Alek Tarkowski translated. Part three was yet another essay describing how outrageous the whole of this had been and how my life had been affected. Kasia Nguyen translated this. And part four consisted of copies of all of the documents referenced in the essays, Ella's essay and all the letters of recommendation the prosecutor refused to accept. The whole report eventually came out to 92 pages and I sincerely hoped it would be enough.

It had been my plan to have the report complete, in Polish and on the judge's desk on the day he or she was announced. And this was something I really wanted. I had hoped that having the report there on the judge's desk would make a statement as well about how stupid and insulting having to sit through this whole procedure was to me. But even with all of the extra anxiety I was throwing around, my translators still insisted that they had their own lives to contend with and simply didn't have the time to finish right away. I would get the translations; I just had to wait a few more days.

So, this was understood, but because my part of the making of the report was over, during the week between the announcement of the trial date and my delivering the report, I began to notice that I had become even more paranoid than usual if that would be possible. Specifically I was scared to death to have the completed report with me. I started seeing shadows everywhere. When was it going to come? How were they going to do it? If they could come into the dining room to steal a computer they could also just as easily slit my throat. What could stop them? They were already hiding evidences. The case would probably go straight to Wiesniakowski's desk- "Oh, I can't see any merit here" he would cackle "it must have been a foreigner from the hostel but I am sure that the killer is long gone by now... Goodman was simply unlucky. Perhaps he should have found an address as I had advised. Case closed."

I stopped going out of the hostel when I could help it. When I did need to go somewhere, I would first check out the area on the security television behind the front desk. My eyes were flying everywhere looking for the assassin I was sure was coming. It was like this for me all over town no matter where I went. Was it going to be a shot in the head? Or another staged car accident? Or would something I was touching just suddenly blow up?

In a fit of Logic, I invited both Drazek and Piotr Molga to come to the courts when I turned in the report on October 7th. At least if they were going to kill me, I would have two witnesses wouldn't I? And one was a reporter. Neither one of them seemed to think that their participation would be necessary but after several minutes of my arguing with them, they both agreed to come. Great. At least I have that.

That whole week my mind would never stop running. Assuming I wasn't gunned down, I had a lot to think about. I had all kinds of problems. Firstly, there was the court problem. I no idea if my attorney was even going to show up. Actually, it was worse than that because I was more afraid of what would happen if he did. Tomczik had proven that he had told the truth when he told me that he had absolutely no interest in helping me. I looked at the report I held in my hands. Yes, I was prepared to defend myself but didn't know a damned thing about Polish civil procedure or anything about this court worked. This case carried a maximum sentence of six years. Of course any lawyer who defends himself has a fool for a client. This was very bad indeed.

Then there was my man John Grondelski of the US embassy. Why had Grondelski sent that letter to the courts asking for a speedy trial? He knew I was being hammered and that my lawyers were not defending me. I had sent copies of all of the documents, essays and letters to the embassy. Everything was right there in front of them. Why were they backing this farce? If Grondelski knew that the courts would listen to him, why the hell didn't he just back me or at least offer some advice about local court procedure? No, I really had problems. Any foreigner entering a courtroom situation would at least need a good lawyer and aid from his country. Apparently, I had neither.

Then I only had to worry about Tatyana. I wanted her to come both for support and because she was a witness to even when the embassy or the prosecutor had intentionally kept me away from that meeting concerning my passport. And about the deal for the bike shop in Belarus. But what the hell was I doing inviting her to come get killed with me?

Actually, that situation was even worse. I was dead broke right now. I mean seriously broke. I had seen this money problem coming on for quite some time. The actual moment of discovery came when I tried to withdraw money from an ATM and found that it would only give me ten bucks. I thought I had had at least a hundred more but found out over the internet that the \$3 service charges you had to pay whenever you took money out of an ATM had siphoned that amount off.

I had no idea how Tatyana was going to react to seeing my mattress on the floor of the downstairs dining room. Or how she was going to react to my asking her to pay her own way to Poland. What was I supposed to do about this?

I finally got the last of the translations in on the night of October 6th. I made Kasia Nguyen break a date that night convincing her that this would be the last possible moment to do the work. She did it, but was not ashamed to show me how angry this made her. In any case, at least I had my report, and it was in Polish and it was ready to knock this corrupt system on its ass. Now all I had to do was turn it in. Well, I also had to try and not get killed before I did.

I didn't sleep more than five minutes that night. If it was going to happen, if they were going to try to kill me, it was going to happen tomorrow. If they were going to try to take me out, I had to be prepared. But what the hell does that mean: Be prepared? What could I do to prepare? I haven't got a gun. Was I supposed to deflect the bullets with the frame of my bike?

It seemed like it took years for the dawn to come but I saw it when it finally did. I ate breakfast twice waiting for the time I had asked Drazek and Piotr Molga to meet me. We were all supposed to meet at the Internet Café and then walk over together. Actually leaving the hostel was the scariest moment. It was all I could do to make myself put my bag over my shoulder and walk out the front door. This must be what a foot soldier feels when the call comes to leave the trench and make a charge.

But I did it. Still not convinced I would live through the day, I road my bike across town listening the whole time for the sound of an engine gunning or the pop from a pistol. No one was there when I showed up so I went inside and waited. And waited. After about an hour I called Molga but he wasn't in his office. I asked his secretary where he was and she said that this was his day off. Then I called Drazek at work and he acted as though he had forgotten and then added that he didn't have any time at the moment anyway. Jesus, I was alone.

Well, one thing at a time. There was no question about what I was going to do. The report was going into the courts. They were going to hear the truth. And if my idiot friends were afraid of taking a bullet for me well... well, that would be reasonable but I still thought that they were shit. I took a deep breath, put the report into my bag, got on my bike and rode over to the courthouse alone. Once a courier always a courier. Outside of the courthouse, I locked up the Schwinn, took a quick look around and went inside.

The woman who stamped in the court documents smiled at me when I handed her the report. She looked over the report and then nodded that all seemed to be in order. She snuck a glance at me just before she affixed the stamp of the courts to the report. She seemed to be proud to be doing it. She then stamped my copy, which was to be my receipt. She then tapped all of the papers on her desk to make them straight.

“Thank you Mr. Goodman” she said to me in English as she handed my copies back through the window to me. I nodded thanks for the support.

Ok, so they weren't going to shoot me. Or at least they hadn't so far. Ok. Moreover, with the trial within the month, this meant that it would all be over soon. This is good. And this report would certainly change things. I had this case nailed. Walking outside into the dull gray, overcast morning I almost felt better. And, I realized, there was one more real thing to be afraid of: If this judge turned out to be as corrupt as the prosecutor seemed to be, I was screwed.

Chapter 26

Warsaw, Poland; October 8th through the 29th, 2002

What was the situation? Well, it is always good to be calm, to be organized and to be ready whenever one is supposed to be going into a court of law. Too bad I wasn't. Not even close. Well that is not entirely true. I was lucid and I was awake; that was not the problem. The problem was that I was in Poland without a passport or a friend in the world I could turn to. There was nobody I could trust. I was broke, counting out the last few coins I had and living on soup, bread and what food I could swipe from the refrigerators at the hostel. I hadn't even paid them in over a month. I had a court date coming up but had no idea what my lawyer would be doing nor did I have any faith that he was even on my side. I had Tatyana coming in on the 24th and she was already angry that she had to lay out the money for her ticket. God only knows how she would react to my mattress on the floor of the hostel's dining room.

That is, if *that* situation would even be available for her. And of course, I was still half-expecting the Polish cops to make a hit on me...

But once the report was turned in, there really was nothing to do but wait it out. And so that's what I did. I hung around the hostel with Bruce and Lukasz. There was one bright moment when my friend Rudi in the Netherlands took pity on me and offered to send 500 Euros. Unfortunately, in my excitement over the news, I gave him the wrong bank account number and the money ended up going back to him. I didn't even notice the mistake for 10 days. Luckily, he agreed to resend the money and it would show up at about the same time as Tatyana- hopefully.

However, waiting leads to worrying and worrying leads back to paranoia. So on Tuesday, October 15th, with the court date only two weeks away, I thought it prudent to at least check so I went to the courts to have a look at my files and see what was going on with the case. It was a good thing I did. Right there in the front of the file was a letter from Tomczyk asking to be relieved from his duty. His claim was that *he* couldn't continue to defend me because I refused to trust him. The letter was dated a few weeks earlier and he used the notes I had written him as evidences of said mistrust. You would suppose he would have informed me of this decision somewhere along the way, wouldn't you? But then again, he didn't even tell me about Zaremba's second interview, so I guess this should have been expected.

"Excuse me..." This was me talking to the court clerk. "Why hadn't the court notified me that my court appointed attorney had asked to be relieved?"

"The request has not yet been honored."

"What does this mean?"

"It means he is, as of this moment still your lawyer."

“How can he be my lawyer if he openly states that he doesn’t want to do the job?”

“That’s for the judge to decide.”

“Ok, fine. But why didn’t someone call me or send me a letter or something?”

“You don’t have a Polish address.”

“I have an address. I live at the hostel. I have lived at the hostel for four months and you people have had that address every day of that four months.”

“I am just a clerk. I don’t make the decisions.” Right.

“Well, what am I supposed to do? I have a court date in two weeks.”

“If you agree that he doesn’t have to be your lawyer, we can assign you a new one.”

“When was the question supposed to come up? In Court?”

“Yes.” Ok, I got it. If they waited until court to do this I would be in the position of either having to agree to let Tomczyk do whatever he wanted with me, or I would have to a postponement of the whole trial while they found a new lawyer. Good work Tomczyk. You and Wiesniakowski should share an office in hell.

“Alright...” this wasn’t over yet. “Would it be possible to please agree with the letter here today and to go ahead and get another attorney?” This was possible. They told me I needed simply to write a letter to the affect that I agreed that he did not need to be my lawyer any more. The clerk offered what to write, translated the note into Polish for me and then took the note over to a judge for a signature.

While I was waiting for Tomczyk’s dismissal to be signed, another young judge sat down with me. I do not recall his name. I had seen him around the court and had assumed he was a lawyer; actually I was surprised to find he was a judge because he looked to be only about 30 or so. He sat down across the desk from me, shook my

hand and asked me if I had come to pick up my passport. I looked at him for a moment. What did he just say to me? Had there been a mistake? Did someone agree to give me my passport back but simply had not told me about this either? “Do mean that you would *actually give me* my passport today?” This is what I said. Did I sound sarcastic? He said nothing. I thought for a second not sure if it was the situation or the language that was not understood. And then I thought of that scene in Ghost Busters where Bill Murray advises Rick Moranis on how properly to respond when one is asked if one is a God. “Yes,” I said, “I’m sorry. Yes, I would like to get my passport back. I would like that very much, thank you. Please, may I have my passport back?” He looked at me for a second and then asked me if I would go back to Belarus if he were to give it to me. I thought about this for a moment. This was the same as what happened with Wiesniakowski. I knew that this was the trick question. But really, why lie? I told him that I had a girlfriend there and that I wanted to do business there and that the forced stay in Poland was killing me but that I was very interested in winning the case and would definitely come back to defend myself. I pointed out to him the report I had turned in, which was right there in front of us. I explained to him about the whole case was based on lies and the false claims. I knew I was right and would certainly be in court to prove it. But yes, absolutely yes, I want my passport back so I could get back to my life. He smiled at me. He didn’t say anything for a moment and then got up.

“Would you actually give me my passport back?” I asked. He just laughed at me and walked away. At about that time the clerk returned with the release. She told me that a new attorney would be assigned to me within a few days. I was free to come and get the name on the 24th.

Well, there would still be a week or so for the new guy, whoever he might be, to familiarize himself with the whole of the case, size up Zaremba for the liar he is and come up with some brilliant and devastating tactical maneuvers that will crush the prosecution and send me back to Belarus with a huge pile of money in my pocket. Right? Well, it could happen.

The name the court's secretary gave me on the 24th was Sylwester Pieckowski, representing the firm of Altheimer & Gray. I rode straight over to their offices. Pieckowski is a tall, direct man who wears glasses and has a mustache. I learned from his office literature had studied at the University of Michigan and his manners and English when we shook hands seemed to agree with this. He invited me into a small conference room to sit and talk.

“Why did your other attorney quit?” Was the first thing he asked.

“He didn't want to take my case.”

“I don't want to take your case.” I was not expecting this. I had a copy of the report under my arm as well as all of the documents from the case. I think I was expecting him to be a bit more impressed.

“No, I mean he never did anything to defend me. He didn't give a damn what happened to me and wouldn't lift a finger to do anything to antagonize the prosecutor's assault on me.”

“What did you want?” he asked, “Nobody cares about these pro bono cases. We do these things for a pittance. We only take them because it is our obligation by law to do so. It is simply not worth my time to become involved.”

“Listen, I am not guilty of doing what they say I did and there is nothing anywhere real that says that I did. I have been sitting here since May waiting for

somebody to do something to stop this insanity. This is torture for me to be here and I just want some support.” And other such sentiments. He rolled his eyes a few times but I sensed that I had gotten through to him. He agreed that his firm would do what it could for me and I pushed the files across the table. He himself would not be defending me but he would have one of his associates do the work. He would send me the guys name when I sent him my real Polish address. I really did not like hearing that phrase, but I told him I would send him something by e-mail.

Tatyana’s being on that 10:00 train was everything in the world. We had not seen each other in months and even though you could see the anxiety on her face, just holding her there on the platform was like a breath of fresh air.

I tried to make the most of our situation as I could but not having a penny in my pocket was killing me. She asked me if I was joking when she saw that we would be sleeping in the big public room next to the kitchen. I had made a raised bed out of my mattress and some of the benches from the dining room so we would at least not have to be on the floor. She wasn’t amused. I told her that this was all we could do for the moment but that I was expecting some money from my friend in the Netherlands in a day or two. She nodded and went upstairs to take a shower. She was crying a little, but she was staying.

We had lunch with Uladsimir on Saturday. He had come to Warsaw to pick up his working paper for a teaching job he had found in a town called Ostrow Mieзовиска. He was in Poland for the year and would be moving there this coming Sunday. Tatyana had never actually met Uladsimir before and was a little shocked by his directness and aggressive politics. The first thing he asked her was if she understood Belarusian. She said that she remembered it from school and then he

demanded that the conversation be held in Belarusian. Tanya looked at me as if he was kidding. He wasn't. Uladsimir then went on to point out flaws in her grammar and the foolishness of her political naiveté. She told me later that she was angrier at my eating while he was interrogating her. What did she want? I was hungry.

But I could see he was a bit nervous about everything. He told me that if I wanted to I could stay with him at the Internat where he would be living. He described the dormitory flat they had given him as a cave with a light bulb but I was welcome to come and keep him company. He said he would know more in a few days when the teaching job started but as his natural feelings for Poland were equal to mine, maybe the situation would work out for the both of us. I was actually thinking that come next Monday I would either be in jail or in Belarus. But he insisted that I was welcome. Either way, he said, the door is open.

On, Monday, October 28th Tatyana and I went to our first meeting with Pieckowski's associate, Marcin Boruc. I actually had to insist several times that we should have a meeting because Boruc originally had wanted to just meet at the court. Eventually though he agreed that there might be some merit in speaking a bit about the case before hand. Marcin Boruc stands about 5'7", has dark hair and eyes, a hard, compact body, is well groomed and likes to wear black suits. He speaks relatively flawless English, has some Russian as well and is a self-proclaimed addict for mountain biking with a love for down hilling. This last bit of information did a lot for me and also that this was a bike case seemed to do something for him as well. Boris greeted Tatyana and myself with smiles and enthusiasm. He told me he was very interested in this case, that it would be his first trial case, that he loved that it was a 'bike case and that he thought of the situation as some sort of parable. "You see," he

said “The name Zaremba in Polish means axe man. So this case is the axe man vs. the ‘good’ man. It’s beautiful don’t you think?” I nodded. Looked at Tanya. She smiled and nodded back. Ok, let’s go to work.

He returned my copy of the report and took a moment to point out that he understood the main points about the most obvious lies. Boruc said I was the most prepared client he had ever met. He told me that on the first day we would pretty much only be hearing from me. He made some suggestions about what sorts of things I should say and that I should try and leave Zaremba out of things. The most important thing he wanted was to focus on getting my passport back. As for filing charges against Zaremba, I probably would have to wait until the case was concluded.

The meeting went several hours though, for some reason, I never could get Boruc to describe for me the format of the case. I mean, he would talk about the judge’s prejudices and how we should concentrate on what I was going to say on the stand, but no matter how many different ways I asked, he simply wouldn’t or couldn’t give me a real overview or to talk about any sort of strategy for the case. I should be ready to tell my story, I should dress nicely and that is about all.

At the end of the meeting, Tatyana said that she had confidence in him that he would do a good job but I was a little worried. I mean, he talked a good game and he certainly seemed to be enthused, but I still felt I was in the dark. But I will also admit that at the moment, I did like him. And that counts too.

That night on the hostel computers Tatyana and I put the finishing touches on the Russian version of Pod Kablukom. I still as of yet didn’t have the bandit slang for the billiard sentence, but what the hell. We went over the whole of the text together, making small cuts, adding a few words and adjusting a few grammatical errors. And then it was done. The last edit was rewriting Edwards’s last line about his only having

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wanted to bring Nadia flowers on the last page. And with that change, after seven months Pod Kablukom was finally ready. It was the longest play writing project I had ever been involved in by far. But strangely, also the most satisfying. I copied the last change as a part of the dedication:

For Tatyana: "All I wanted was to bring you flowers"

If there were a God, I would be delivering it to the Theater myself early the next week.

So we had a new lawyer, I had finally finished my play, we would be finished with this courtroom bullshit within the week and my girlfriend loves me. Even Rudi's money had come in. What else could you say? We were winners. We had made the grade and had stuck by each other. We made love all night on our mattress in the dining room and the next morning went over to the bank to pick up Rudy's money. I gave Tatyana back what she had spent on the train and the money that she had had to spend since she was here. I told her that I would pay for the train back as well and would also add some money for her house when she went home- when we went home and I even had a little left for when I was there. We were discussing our plans as we waked back to the hostel.

Now, this might have been a really touching moment except that the folks upstairs in the administration had a clear view of the bank from the office window and had watched us go over to get the money. The director of the hostel was waiting for us at the door when we came back.

"You must pay your bill right now." This is what she said.

"Now wait a minute, didn't we just talk about this yesterday?" I had spoken to them about Tatyana and they had agreed that I would include her bill in my debt.

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“Will you pay your bill, yes or no?”

“I told you I would pay you after the 31st. “We had a deal that I could stay here until my trial date...”

“So, you will not pay your bill?” Now, this was a tricky situation for me because if I paid them for everything I owed them at this moment, I wouldn’t have enough to get back to Belarus myself. Don’t get me wrong, I had every intention of paying them, but I had hoped that I would be able to do it after the trial when things were a bit more stable for me.

“We had a deal...”

“You have fifteen minutes to get out.”

“Fifteen minutes? I have been here for four and a half months! It will take more than fifteen minutes to get my things.”

“Then take twenty.” She said and then went upstairs and called the cops.

Well, that happened quick! We gathered all of our bags and loaded up the bike and were at the front door when the cops arrived. I recognized one of them to be one of the two arresting officers from May 15th. “Yucha!?” The guy looked hard at me for a second. “You are Yucha, right?” I knew the name Tomas Yucha from my court papers because he was supposed to be one of Zaremba’s two witnesses. This wasn’t him though, but was the other guy.

“Kourva Match!¹¹” He said, rubbing his eyes with his hands.

“What’s going on here?” asked the administrator.

“I know this guy.” I said.

¹¹ ‘Match’ in this context means mother.

“What is the problem?” he asked the director in Polish. She explained to him that she was throwing me out for not paying the bill. “So what do you want from him?” He asked.

“To pay.”

“Are you going to pay?” he asked me.

“I have no money now. I can’t work in Poland and you have my passport. Get it?” He rubbed his eyes and cursed again. “She told me to pay or leave.” I looked around at the loaded bike and all our bags. “So, as you can see, we are leaving.”

“Kourva match!” Again, he rubbed his eyes. The administrator started talking to him rapidly, but after listening patiently, and completely in character for the Polish police, he explained to the director of the hostel that he could do nothing about the situation. I was obviously already leaving and there was nothing more that he could do. Any claim she had against me would be a civil complaint. Also of course, if I had no money now after what Poland had done, this would end up as part of the deal against Zaremba. “I am sorry Panne.” he said, “There is nothing we can do.”

“My dear,” I said to Tatyana “welcome to Poland.”

Of course it started to rain as we made our way across town with all of our bags slung over my bike like a couple of street people. I knew that Drazek was pretty much sick of me, but I didn’t know where else to turn.

“You got a minute?”

“I am really busy.”

“It’s important.”

“I said I am busy.”

“It will really only take a second.”

“Fine, what do you need?”

“Come downstairs with me.”

“Look, I really do not have time for this.”

“It will only take a minute. Just come with me.”

“Ok...” I say give credit where credit is due. When Drazek saw Tatyana standing there next to an overloaded track bike looking like a half drowned cat he stopped. “You need a place to stay, right?”

“Right.”

“Right... Meet me at Zigmund’s statue in old town after 6:00 when I get off from work.” I wanted to kiss him. “You can stay as you need to.” What a guy!

The house was comfortable and far more normal than the floor of the hostel.

The next day, the day before the trial, we went to the Belarusian Embassy and asked about the rules for getting married and what sorts of paperwork we would need. The people at the embassy remembered me and were pleased to meet the woman for whom all of this trouble was about. However, when we asked for the information the woman half smiled and half frowned.

“What do you need from Belarus?” I was not expecting this. “The rules are changing. Belarus is like a prison now and it will only get worse. Perhaps it would be better to take your friend here home with you to the US.” I looked at Tanya. She was looking at her shoes. I got the hint.

I told her that I understood but I was still, nevertheless interested in knowing what sorts of paperwork would be necessary. She smiled and explained everything to Tatyana.

All the way back to Marcin’s apartment, I felt like I was in a daze. This meeting had me thinking that really, everything that I had wanted and started in

Being Had

Belarus was gone now, stolen by the off duty cop and his corrupt legal system. Even the embassy seemed to be admitting defeat. I had no idea what was going to happen in the courts and now I did not even have the hostel to go back to. We still had a long way to go but at least I was still in it. I knew that. All it took was a glance to my right to see that Tatyana was still right there next to me. And that was all I needed to know.

Part II: Ostrow Mazowieski and the Trial.

Chapter 27

Warsaw, October 30th and 31st, 2002

The First Day of the Trial

In American jurisprudence, they say you are innocent until proven guilty. If this was the case, I couldn't lose. Unfortunately, it appeared that in Polish jurisprudence everyone is guilty right from the start, nobody cares particularly of what and unless you have some amazing, high-up connection you are pretty much screwed and obligated to make whatever payments they say. They were good at this 'ruining people' deal and in my case, they even seemed to be taking some pride in their work; pride in the craftsmanship. I had always thought that Wiesniakowski saw himself as some kind of a legal bureaucracy, manipulation artist. Obviously now I had come to see that it was not just him; they were all enjoying the charade.

But why was Zaremba worth this? Nobody on either side seemed to want to hear that the man was a liar regardless of how ridiculous his stories were. Who could he possibly be connected to? Was it drugs? Maka seemed to always be in the know. Was Zaremba backed by drug money? Or was it political? Had he been assigned to run me into the bus? And if so, who had put him up to it? Was it the Belarusians? The

Being Had

Americans? It couldn't just be that he was cop, could it? Was the system that closed? Or was it just that Poland enjoyed being able to take a crack at America? Boris had hinted that there was some drama in all of this when he told me that the case had 'marquee' value. Did they see me as some sort of American hero come specifically to do battle with the heavy-as-a-lead-weight, endless and corrupt Polish Judicial system? If this was true, than their attitudes towards Zaremba's side of the case was simply establishing territorial rights. Perhaps this was not court case but a public demonstration. I was not in America, this was Poland, this was their turf and by the way, what was that Polish address again?

In any case, I was still there and I was committed to my path and therefore needed to give Marcin Boruc the benefit of the doubt even if he was being paid for by the other side. Just after our meeting, I wrote Boruc a letter about what I wanted my strategy to be. In my opinion, the main thing was to turn the whole thing around and get the pressure on to Tomas Zaremba. The truth was that Zaremba was in fact a liar and therefore the best and easiest way to handle the situation would simply be to make this clear. If we concentrate on the fact that he had lied so many times and about so many different things the case against me would have to come to an end, finally, simply because there wasn't anything real holding it up. And of course with Zaremba's downfall, the process of cleaning up the mess that had been handed me could begin. And so, in addition to the lies I had pointed out in the 92 page report, I also included a list of the questions I wanted to know about Zaremba such as about drinking and money problems. Obviously the man had a bit too much on his mind; I was thinking that a little Perry Mason was in order.

Boruc answered me pretty quickly:

Wed, 30 Oct 2002

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Hi,

I suggest that you drop most of your questions to Zaremba. We will discuss it later as I believe that tomorrow you will be the only person to be heard.

Enclosed please find the basic list of questions I am going to ask you.

I have talked to Mr. Skuczycski.

See you tomorrow at 10.50 a.m. at the entrance to the Court. MB

Skuczycski was the owner of a bike shop near the hostel who knew me pretty well. I had done some bike work there, building wheels and such, and he had seen that I had the sorts of skills that people who have been around bikes need to have. He knew I was for real, and therefore I thought that he would make a good character reference for me as a biker. I had also suggested Drazek and his sister as well for witnesses simply because we had been riding often together and therefore they could also attest to my having professional level skills. I also asked for Jersey Twardowski, the translator from the May 17th court meeting to be a witness because he was with me when I had the police inspection report of my bike made- this was the document that the police had, of course, subsequently lost. I had never actually been able to find Twardowski myself but had mentioned him to Boruc in the hope that he could be located through the court register because he was one of their official translators. I was also planning on using my bike as evidence as well. I had mentioned all of this in my letter.

The list of questions Boris sent concerned myself and the incident and was all pretty basic; for the most part repeating the same questions I had heard from the prosecutor since the beginning. I still wished that I had better knowledge of the process though, at least procedure. Not knowing simple things such as knowing when

one is to speak and what sorts of forms are acceptable can mean so much. Why couldn't he have at least just taken a moment to simply let me know how things were done? I felt so blind and out of control in all of this. I was sure that this was a normal part of how the Polish system treated everybody, but nevertheless, it all did seem to get in the way of getting to the truth of the matter. But now we only had this one day left to prepare. I really had no choice but to trust Mr. Marcin Boruc.

On Thursday morning October 31st at a little before eleven in the morning, Tatyana and I were at the courthouse at 127 Solidarnosci just as instructed. Boruc was waiting for us outside smiling confidently, carrying his briefcase and dressed in a black overcoat. We shook hands and he led us in.

He read the docket and found our case and we followed him upstairs to our appointed courtroom. In the corridor outside the courtroom, we saw Zaremba standing with two other men. He looked up at us but made no acknowledgment towards myself or Boruc. He was huddling with his friends, heads close together. Zaremba seemed to be reaffirming his strategy. He looked like a quarterback describing his idea for a play in a pick-up touch football game. I recognized one of the other two as the second cop from May 15th, so obviously this was Yucha. The cop who had come to the hostel on the day we got tossed was not here though. I didn't recognize the other guy. I asked Boris if these were Zaremba's witnesses but he said he didn't know. I offered that maybe the second guy was perhaps the cop who's car Zaremba had leaned into at the KSP parking lot on the 15th. In Zaremba's statements he had always claimed that there was that police radio car which was supposedly behind us. This second fellow was a big burly man with a round, red face and mustache. He could be a cop. But then again, that car that Zaremba had leaned into was definitely not a radio car and this guy

was way too fat to be on patrol. If he was a cop, whatever his story was it would have to be whopper. Boris said he didn't know who he was but that we would soon find out.

And then Jersey Twardowski showed up. Yes! Maybe Boruc was a better lawyer than I thought. I grabbed Twardowski's hand. I was grinning ear to ear. Had he come to be a witness about that bike document? Had Boruc called or did he come by himself? Did he know that they *still* had never found that damned bike document?

In fact it had been the court who had called him. No, it was not in reference to the bike document but rather that he had been assigned to be my interpreter during the trial. Really? Well that's cool. But would he please be willing to speak about that bike document as well? Of course, he would be glad to tell the court what he knew. We had gone to the police station together. The policeman inspected the bike. The bike had no new damages or even any marks on the handlebar grips. The policeman made the report and signed it and even added the addendum that I asked for stating that in his opinion there had been no damage to the bike at all and certainly nothing that would show that the bike had been in any kind of accident. And of course, the policeman had refused to make for us a Xerox of the report. Beautiful! We got it. Of course he would say what he saw, it was the truth! You gotta like this guy.

And then Izabela Zurawska, a thirtyish, thin lady with bobbed hair approached Boris, Twardowski and me. Boruc introduced us and explained that Zurawska would be the head judge for the case. She didn't seem happy. She asked me, through Twardowski, if in fact all of this had really been necessary. I thought for a second and then answered that I was in complete agreement with her and that it had all been a great waste of time and money. Why didn't anybody ever call Zaremba for being a liar? Why didn't it stop when I made the report? Please let it end. She rolled her eyes

at me, nodded, and advised us that if it would be at all possible she would like to finish this up today. Would I be agreeable to that? Completely, I said. Please let this come to an end today. She nodded at that remark, turned and went inside the courtroom.

As she walked away Boruc immediately told me that he wanted to drop a lot of his questions for the purposes of making things go faster. There was not much chance of finishing the case today, but if we at least tried, it might go better for us. I didn't see what the big deal was: If we didn't finish today, we could always finish tomorrow. I understood what he was saying about trying to play towards the judge's sympathy but really, I thought we should make our best case regardless. He shook his head at me. Didn't I hear what she said? I heard, but how could we make our case without bringing in any of the witnesses? And what about my report? When did we get talk about that? And what about taking the court to the scene of the incident so that they could see for themselves how foolish this all was? Weren't these all part of our strategy for winning? He wasn't listening but I went on anyway. "Of course, if Zurawska would agree that the man was lying, I would agree to stand on my head. Please, let's finish this today. Can I leave now?" Boruc just walked away. "What? What did I say? The truth is the truth..." I followed him into the courtroom.

We were directed to a bench with a desk in front of and to the left of the judges' bench. Sitting to my left would be Jersey Twardowski and on my right would be Boris. Boris unpacked his yellow legal pad and began taking notes immediately. The prosecution would be to the judge's right. Wiesniakowski though was not there. This I had not expected and had really hoped to be able to have a crack at him as well. Instead his place was taken by a male prosecutor whose name I forget who seemed throughout the day to be completely without interest in the case. He sat directly across

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from us and for the most part, did nothing but lean his head on his hand and thumb through a magazine. To his right sat Zaremba.

The court secretary announced that we should all rise as the proceedings were to begin. Zurawska and two other women entered the courtroom as a group, all dressed in formal purple robes. They all took seats at the head of the court with Zurawska at the center. The two other women, Barbara Teliga and Wanda Ostrzeniewska were both much older. Zurawska then donned a thick gold chain around her neck signifying that she was in charge of the court and allowed us all to be seated.

Zurawska spoke first, introduced the case and gave it its number, mentioned the names of all of the principles for the record and said that the proceedings would be written and introduced the transcriber. Then she made an explanation that normally in such cases an accuser could not have an official title, but in this case, in lieu of his position as a police officer, Tomas Zaremba would also play the role of auxiliary prosecutor for the duration of the trial.

I asked Boruc what this meant but he shushed me and told me he would explain later. Did you know about this? I was shushed again.

Zurawska then went on to say that this particular case should not normally even be considered for this sort of trial because the claims against the accused were of a civil nature rather than criminal and were made by a party from outside of the court. However, it is allowed in Polish law that a prosecutor has the right to introduce such cases should he decide that there is sufficient merit to do so. Therefore, under the circumstances, this case would be allowed to proceed because it would be seen as being taken over by the prosecutor.

What the hell does that mean? Boruc said nothing, but he gestured with his head that I should listen. The judge was speaking to me.

Would the defendant please rise.

Boris gestured at me that I should stand. Zurawska asked me if I understood the charges that had been made against me. Twardowski translated this and I answered that I did. She then asked if I would like to change my plea at this time. After the translation, I told her I would not. I was not guilty of the crimes I have been accused of and I wished to defend myself. Zurawska then repeated what I had said to the court secretary, who then wrote the judge's statement down in long hand. I was told that I could sit.

Zurawska then nodded toward Zaremba who stood up and started passing out documents. As he was doing so Zurawska explained that in addition to the criminal case, Zaremba wished to include a civil suit against me as well, a copy of which was what he was handing out. The document was written in Polish and Twardowski was asked to read it to me. The suit was for 12,000 zlotys, about \$3000. This amount was broken down as 5000 plz for real damages and 7000 for punitive damages, the justification being that the money was compensatory for the pain, suffering and stress that my actions had so far inflicted upon Zaremba his family.

As Zaremba was returning to his seat, he gave me a Cheshire Cat smile. You scum. I wondered at first how exactly my being held without a passport with an obligation to sit through a trumped up court process could be construed as having any effect on him. But then I decided that my thought probably had too much logic to be of any use here. I asked Boris if he had known about this. He shook his head without looking up. He was still taking notes. He said he was also hearing about this for the

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first time. I thought about asking Boris if he had even read the case but decided against it.

After Twardowski finished translating for me the text of the suit the judge asked me if I had anything to say about this. I stood up, held the papers out at arms length and with as much indignation as I could put into the words said: “This finally is proof of extortion!”

Twardowski translation carried an equally emphatic flourish and the judge nodded at me and advised me that my remark had been noted. She went on to say that Zaremba’s claim would not be ruled upon at this time but would be taken under advisement and that the court would rule on whether or not it would be allowed at a future date. I was told that I could sit down.

Tatyana, Yucha and whoever the other guy was, were then all asked to remove themselves from the courtroom. The reasoning for this was that as witnesses, it was not in the court’s best interest for them to remain in the courtroom while other testimony was given because hearing what other’s may say could have an influence over their own stories. They were all told to go sit on the benches just outside of the courtroom and wait for such time as they would be called. All three stood up. I caught Tatyana’s eye as she was going and offered her a shrug at her being removed. She offered in return a smile and a silent “good luck”. As they were leaving I asked Boris if this business of not being able to listen to other people’s testimonies shouldn’t apply to Zaremba as well, but he didn’t even look up from his scribbling. When the door was closed, Zurawska then told us that we were ready to proceed.

Chapter 28

Warsaw, October 31st, 2002

The First Day of the Trial, part 2

And now it was time for me to tell my story.

Judge Zurawska however, just before I was to begin informed me emphatically that there were to be conditions placed on how I was to tell this story. Firstly, I was to be very concrete and to the point. And I should go very quickly, because again, she was concerned about time; she very much wished to finish today if it would be at all possible. And secondly, I was to confine my remarks solely to the actions of my encounter at the Solidarnici and Andersa crossing on May 15th. There was to be no talk of any other testimonies given by any one else, there was to be no referencing any outside material; I was to stick only to the moment when I had my encounter with Mr. Zaremba and nothing more. Did I understand what she had just said? I glanced over to Boruc and he nodded that I should agree.

Did you ever get the feeling you had been had?

I agreed. Well, you know, when telling a story, you have got to start somewhere. And my thinking was that I should start it at about the same pace I started this book, at the Belarusian embassy getting my visa to go back to Tatyana...

“My Goodman,” Zurawska interrupted through Twardowski “Would you please confine your remarks to the time of the incident.”

“I am. I was on my bike and this is what I was doing.”

“Mr. Goodman, the court is not interested in the events of your day. We wish only to hear about the events at the crossing.”

“I am trying to tell you about those events. But I was on my bike and I was riding and if you are on your bike and riding you have to be coming from somewhere...”

“Mr. Goodman...”

“And of course going to somewhere...”

“Mr. Goodman...”

“All right, I will get to the point.”

“Please do.”

“Right. Anyway, I had just gotten my visa and was on the way to see a movie when all of this happened.”

“Mr. Goodman, the court is having a problem understanding why you cannot follow its instructions as to how to tell your story.”

“I understood what you said, and I am trying to be brief, but I simply do not understand how I can even get to my story if you keep interrupting me.”

“Please confine yourself to the situation at the crossings...”

“Fine... whatever.” Boruc gave me a hard look. “Well what the hell am I supposed to do if the woman will not let me speak?”

“Mr. Goodman, will you please...”

“Alright, alright...”

“I believe she simply wants you to be as simple as possible” This was Twardowski chiming in.

“I understand already. I am trying to be as quick as possible. Why does she have to keep interrupting me?”

“She is speaking Polish. There is a cultural difference.”

“Right...” I had no idea what I was doing wrong. Anyway, I finally got into it.

Now, the court’s process was being held entirely in Polish and I was completely reliant on Twardowski for what all was being said, but Twardowski speaks very slowly and in a somewhat flowery fashion. He has a great desire to be very accurate, which is good, but he was also about 70 years old, not very healthy, and aside from having a bit of a stammer, also tended to clarify his translations by adding in phrases like ‘this is to say that...’ or ‘In some respects I believe that the proper translation would be...’ and things like this. He did this in both Polish and English by the way. So consequently, not only did my own phrasing end up being much slower than I would have liked, but also I needed to wait endlessly for Twardowski to finish translating what was being said in the court. After a while the pauses started getting to everyone. Boruc took up the habit of tapping his pencil while waiting. Zurawska was of course blaming me for all of this. I slogged on anyway, trying to get the details right but it was taking forever. Everybody was getting tense.

However, Twardowski did have one great moment that came at the point during my testimony when Zurawska asked for a clarification as to whether or not I was throwing my bike at Zaremba’s car. I of course had told her that this was all nonsense and added that I had asked the police to make a document attesting to the condition of the bike at the police station on the 17th of May, just after I was released from the jail. This document had been made directly after the incident and was therefore completely uncorrupted by further time on the streets, unlike some other estimates of damages the court seems to have accepted, and was therefore proof that Zaremba’s story was a perjury.

“Where is this document?” Zurawska asked. Boruc stood up.

“We have petitioned the police for a copy of this document, your honor.” But as of the moment, they have been unable to locate it.” There was some conferring between the judges.

“However,” I said, “I have a witness who was there with me when the document was made.”

“This is true!” Twardowski got to his feet. He was speaking in Polish but I got the gist of it. “I was there when the document... that is to say the official document... a police report... was made. And what Mr. Goodman said was the truth. The bike had no such marks on it that would imply... or perhaps indicate, that it had been in an accident... Or perhaps collision is a better word, of any kind...” This seemed to catch the courts attention. “I was his translator on that day. We went there together. I was with Mr. Goodman for an extra three hours... Without pay I might add...” He was really getting excited.

“Tell him about the wheels...”

“And the wheels were completely straight!”

“...completely true!” I added. “Like a razor. You could cut paper with them.”

“There were no damages to the bike that, which were...that is to say might be... the word is... inflicted... after the contact that would be made... in a matter of speaking... with another vehicle or something very hard... like car.” His chest was puffed out. He was very proud if this. I was too. Then we both nodded at each other and stared at the judges waiting for a response. There was some more conferring. After a moment, Twardowski was asked to sit down. Boruc was called to speak privately to the judges. When he returned, he told me that we had a problem and that he would speak to me about it later. What was the problem? We would speak about it later. I was then asked to continue with my story.

Altogether I spoke for about two and a half hours. I believe I did a fair enough job of explaining the situation pretty clearly. At times I used the benches and chairs to illustrate the relationships of the bike to the car and to the bus. I used some body language. I stated some things emphatically, such as that this sort of situation, actually having a car try to run you down purposely was an exceptional and outrageous act. It was some hard going what with the interruptions and all, but I felt I did a reasonable enough job and Boruc seemed to second this. After I concluded, Zurawska called for a break.

Out in the corridor, Tatyana asked how we were doing. Boruc said that all was fine but that he was worried about time.

“Ok, so tell me what was that business with Twardowski about?”

“I had not included Twardowski on the list of potential witnesses.” Boruc said.

“Why not?”

“Because he is your interpreter and because of this, it sets up a conflict of interest. This could lead to a mistrial.”

“What are you talking about? He is on my side. He would be my witness. Where is there is a conflict of interest.”

“One simply cannot be an official court representative and a witness at the same time.”

“Zaremba is.”

“That is a different situation. I think that you should reconsider having Twardowski as your witness, that is of course if you do not wish there to be a mistrial.”

“What would happen in the case of a mistrial?” I knew the answer before I asked.

“We would of course have to begin again. And, with the courts being as backed up as they are this might require...”

“...Another endless period of time in Poland, right?”

“I think for the moment we should focus on the upcoming questions. Did you read what I had sent you?”

“Of course, but why is Zaremba an auxiliary prosecutor now? And hat does this mean anyway?”

“It means that the court does not wish for you to focus on him, but rather your own actions at the crossing.”

“But my actions were connected to his actions.”

“Let me ask you about a more important point.” Boruc asked. “Do you want me to try and get your passport back?”

“Is that a trick question?” I really had no idea what this meant.

“I intend to make a motion and I need to know that you will agree with me when I do it.”

“So, you are telling me that they will give me my passport back today?”

“There is every possibility that they will. You have come to the court; you have been here through the whole of the situation. You would of course agree to come back and deal with any further court business regarding the situation...”

“Of course...”

“Good. But in the next section, you really must try to be more concrete.”

“Are you saying that I am being oblique? Or that I am evading anything? I thought I was telling what happened as well as possible.” He raised his eyebrows at me.

“Just stick to the point.” I still didn’t get it but I shrugged and told him I wouldn’t be rushed but I would do my best.

When we returned, it was time to ask questions. The acting prosecutor had been acting as if he was bored senseless by the whole of the procedure all day. When asked if he had any questions of me, he looked up laconically, frowned and then lifting his eyes from his magazine for a moment asked his only question: Why did you hit him?

“Because he hit me with his car!” I said this to him as if it was the most obvious thing in the world though I didn’t sense that the statement generated any drama. Boruc looked at me as though this was a bad answer. I started up again, sort of restating what I had just said and repeating something I had said during my testimony about this being an outrageous and impossible act on Zaremba’s part. But during one of Twardowski’s translations, the prosecutor nodded and said that he was satisfied with the answer. I was told that I had answered the question and that this was fine. The questioning was then turned over to the council for the defense.

Boruc asked me his questions about the incident and my life. He asked about my biking career and about my life in New York. Along the way he asked a few questions about my playwriting and after I gave my answer the judge asked me if I intended to publish these plays. I told her that I already had and that they were available to any theatre who wanted to play them. She raised her eyebrows as if this was foolish. But then Boruc asked me to tell them about my conversation with Wiesniakowski, specifically the moment when I was told about Zaremba’s desire to get a gun and shoot me with it. There was a huge audible gasp from the court and all three judges instantly put their heads together in conference.

“What is happening?” I asked Boruc.

“You have said something shocking.”

“Oh...”

“In what context was this conversation taking place?” This was Zurawska.

I thought that they already knew about this from my report.

“We were speaking at his office on the day that I first had a chance to read my court files.”

“Was this statement written into the record?”

“No, but I have a witness. I had an interpreter there with me at the time. I have her number.” There was another gasp and more conferring.

“Thank you Mr. Goodman.” There was a pause and some more conferring.

“The guy also asked me about money...”

“Thank you. That will be all. Does the council for the defense have any further questions?”

“Not at the moment.” Zurawska turned toward Zaremba. “Does the auxiliary prosecutor have any questions of the defendant?”

“Yes, I do.” Zaremba stood up and stepped up to the podium in the center of the court and squared away his notes. He was affecting a businesslike attitude. He looked at me squarely with just the slightest hint of disdain written on his face. He was ready. Here is the complete word for word transcription of this moment:

ZAREMBA: “Czy pana rower uderzył mój samochód?”

TWARDOWSKI: (translating) “Did your bike hit my car?”

ME: “Do you mean when you drove your car in front of me?”

TWARDOWSKI: “Czy ma pan na myśli kiedy wjechał pan przede mnie samochodem?”

ZAREMBA: “Tak.”

TWARDOWSKI: "Yes."

ME: "No, I think I made a clean stop."

TWARDOWSKI: "Nie, myślę, że to było czyste zatrzymanie."

ZAREMBA: ("To the court) "Czy mógłbym wykonać pięciominutowy telefon?"

At which point the judge said something agreeable to him and he ran from the courtroom.

"What just happened?" I look at Twardowski but he only shrugged. I looked over at Boruc who was still taking notes.

"He just asked the court if he could be excused for five minutes to make a phone call."

"Are you joking?"

"No." Boruc went back to taking notes. I looked around the courtroom.

"Um, listen: Did anybody else just see that Zaremba had a nervous breakdown because I reversed a question on him?"

"Yes." said Boruc without looking up. Twardowski nodded as well. The judges were conferring again.

"Do you think that this will mean something?"

"Probably not."

"Doesn't anybody think that what just happened was a little weird?" I was blinking a lot. What a complete fucking idiot Zaremba was. Nobody said anything. When I pressed, Boruc told me it was not important. "It's not important? How is it not important? The guy just cracked. I made him admit he drove in front of me and he got so nervous he ran from the courtroom to call Wiesniakowski or whoever the hell is representing him. Come on already, can we go home now?"

Tatyana told me later that she had seen Zaremba run from the court. She said that he looked really nervous and that he and his two friends huddled together while he made his call. She could hear who he was talking to.

When Zaremba returned, he had no further questions.

Zurawska then said that we were at the end of the day's procedures and asked if there were any motions to be considered. Boruc stood up and asked for the return of my passport. He noted that I had no way to earn a living in Poland and that I had people in Belarus who needed me. The judge made some face as if she was considering the thought, shifted some papers on her desk and then declined the motion declaring that "...as of this moment, the court refuses the defendants request to receive back his passport as there exists a very high probability that he is guilty of having done this crime..." Twardowski's translation was off and I thought I was being declared guilty on the spot. When I started to get a little frantic Boruc cut in and translated what she had said a bit more clearly. When I was back in focus the judge went on: "...That because there exists a high degree of probability that the defendant had in fact committed this crime, there is also a great chance that he would flee if his passport was given back. The defendant has the right to appeal this decision to the higher court and has twenty days to do so.

"What did she say about an appeal?"

"She said we had the right to appeal the decision."

"There was a decision?"

"About your passport?..."

"She just said that I couldn't have it."

"Yes, but we have the right to appeal this decision to the higher court. We have 20 days to make this appeal. I will begin working on it in the morning"

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“Great. So what is going to happen tomorrow?” Boruc said he would explain all to me in a minute.

The judge then told us that this would conclude this session and, after conferring with her calendar and with the other two judges, declared that the next available date for all three judges to be together would be on December 5th.

“December fifth!” I looked at Boruc who was of course making a note of the date on his yellow legal pad. “Why didn’t you tell me that we would only have one day a month?”

“You didn’t ask.”

Chapter 29

Warsaw and Ostrow, November 1st through November 3rd, 2002

I was so despondent I couldn’t move. And so was Tatyana. What the hell had happened? And why was it that no one could have at least mentioned that they only do these things once a month? Or were they just doing this for me? And what else? They had given me a situation where I either had to agree to a mistrial or to give up my only witness who could testify that the lost bike document actually existed. Then they go and make that lying bastard Zaremba an official court officer, they wouldn’t let me introduce evidence about his lying or to speak freely and they never let me know anything about the case. They won’t let me live, they won’t let me go and my own attorney is either the biggest idiot I have ever seen or he is flat out working for the other side. I thought I would at least be going home with Tatyana. Or if not, at least I would be in jail which certainly would have to be better than this. And now I

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had to stay in Poland even longer and, after waiting for me forever to come back, Tatyana would be going home alone again.

My emotions were such that even crying about it didn't seem to be enough.

I wrote Uladsimir on Thursday night and asked him if the offer to stay with him was still available. At the moment, it seemed my only option. Drazek left us his apartment for the next two nights. It was like a wake. Tanya was pretty good about things but I could feel that she was broken inside. The next day was her last in Poland and we spent it roaming around the Old Town. If there was an upbeat moment it was an ironic one: We went in to the Old Town Museum and found that it was set up in such a way that you were confined absolutely to the tour and required to see each and every exhibit, climbing stairs all of the time. There simply were never any opportunities to go back or to quit and leave; we were prisoners of the museum. Perhaps the effect was intended to be a political or artistic statement about life under communism but for me it all seemed pretty familiar.

“Look at this map Tanya, my youth hostel is located right at the edge of the Jewish Ghetto.”

“Where is the end, Adam? Where is the end?”

On Saturday, Nov 2nd Tatyana went home. I don't think I was ever as sad as I was on that day. I was now looking forward to at least another month of this and probably more. After giving Tatyana enough money to get home and a little extra for the house I only had about \$300 left and I really had no idea what I was supposed to do.

Drazek came back on Saturday night and we hung out together. There wasn't much life between us. He spent most of the evening running over pedestrians and destroying property with his new favorite toy, the video game Grand Theft Auto. I

thought it was the most depressing thing I had ever seen. Then I watched his Simms build up a city for a while. And then I went to sleep.

The next morning I checked my E-mail on Drazek's computer and found that Uladsimir had written me saying that yes, I was welcome and that he would be at the bus station near the Stadium market at about noon on Sunday. The school he would be teaching at was about 100 kilometers from Warsaw, his "cave" had two beds and of course, I was welcome to bring my bike and my guitar and join him. Well, that solves the problem of where I would be sleeping at least. I packed up my stuff; left a couple of bags at Drazek's and rode over to the bus station. Uladsimir was happy to see me. I felt like a soldier going off to war.

We rode together quietly; the most interesting moment of the trip was seeing some prostitutes on the road along the way. This got Uladsimir pretty excited and he spent about a half hour analyzing the whole of the operation for me; explaining to me about the territories the girls worked, about the guy who drove the car and about the color-coded jackets the girls had to wear so the driver's could distinguish which girls belonged to which cars. Uladzimire had gone through a divorce recently and I think he was even more lonely and miserable than I was.

We got to Ostrow Mazowieski at about five o'clock in the evening. On the map Ostrow looks like a crossroads town for six highways, the main one being Highway 8 which goes from Warsaw to Bialistok. The town seemed so quiet to me after six months of Warsaw, I actually started feeling better at once. Uladsimir though reminded me to remain calm: It was still Poland. I understood what he meant. We would be staying at an Internat, whatever that was. Uladsimir would begin teaching English at one of the schools there Monday morning. All we had to do was be calm; everything was going to be ok.

The town seemed to be rolling up its streets already so we decided that we had better get something to eat now, before it was too late. We found a store and bought some sausages and bread, some coffee and sugar and the least expensive apples we could find. I also bought a coffee pot for two dollars, though I had to argue with Uladsimir to do so. “Don’t spend so much money.” He said biting into one of those rather drab looking apples, “I have a wonderful instrument for boiling a single cup of water. This is all a man needs!” I told him it was a house-warming gift and bought the pot anyway.

We found the Internat, a big, square concrete apartment house across the street from where he would be teaching pretty quickly. Uladsimir’s ‘cave’ was on the third floor and that description was pretty accurate; the room was a rectangular concrete box, painted green and had a grimy bathroom/toilet on the other side of a partition. The window overlooked the courtyard to the rear. I didn’t really have anything to unpack so I sat on the bed and watched Uladsimir. He was very particular about where things needed to be. I guess he really enjoys keeping things in order. I grabbed a piece of bread but he told me that I should wait and we would prepare a proper meal. I put the bread back. Then, he opened one of his bags and pulled out a pile of red material. “What is that?” He smiled at me and unfolded a set of blood red drapes. He then happily removed the ones that were in place and began to hang his. “You travel with drapes?” I asked.

“Of course! Red and white is the color of the ethnic Belarusian flag. I want everybody to know that I am here and what it is that I stand for.” I decided that I needed to have a look around. “Don’t be long.” he said as I was leaving. “I am making coffee.”

I went downstairs and out to the street. The front door locked behind me after I had gone through. I stood outside and looked around. It had gotten dark already. I could see the silhouette of Uladsimir's school against the dark blue of the evening sky. The night air was cool. There were many lights on at the Internat now. I stood outside for a few minutes waiting for someone to come out so I could go back inside.

There were now lots of students milling around now in the corridors. Mostly females it seemed. On the third floor, across the hall from Uladsimir's room, two young girls were talking in the doorway. One of them was wearing a blue silk teddy and was hanging onto the door while speaking to her friend. She smiled at me when she caught me looking. "Are you one of our English teachers?" she asked in English. She had long dark hair and smooth long legs. I ran through a series of potential things to say and then admitted that I was only here with a friend. She smiled again and I asked her how she knew I spoke English. She said that this was the normal place for the Belarusian teachers of English to live. There were several others living here as well. "Maybe you should teach here." I couldn't help my eyes from wandering. "We need good teachers."

"Maybe." I said

"My teacher from last year is gone now. I don't know who will be teaching me for this year." I found I was now leaning on the wall. God, she was beautiful. She was still smiling at me. Her name was Anita and she had been sixteen for three weeks now. I decided that I really needed to talk to Tatyana. I excused myself and went back into Uladsimir's room. He was taking a bath. There was a cup of coffee on the table.

"Hey Uladsimir..."

"Oh, you're back," he said through the door, "the coffee is on the table. I felt I needed to clean myself."

“Are you sure I’ll be Ok sleeping here?”

“Why not?”

“Well, this is a student’s dormitory. Are you sure they might not think an outsider wouldn’t be a problem?”

“Don’t worry. We’ll talk to the administrator in the morning.”

“You didn’t speak to her already?”

“You’ll be fine. The worst thing would be that they will ask you to pay.”

“How much would that be?”

“Maybe fifty bucks for the month.”

Well, this was certainly an interesting situation. My first thought was that I wanted to talk to Tatyana and tell her what was going on. Looking back, that was absolutely the right thing to do, calling her. But almost everything else that immediately followed was absolutely wrong.

I grabbed my phone card and went downstairs to the lobby where I thought I had seen a pay phone. I guess I must have been a little rattled because the idea simply would not come into my head that the phone only took coins and not phone cards. There was a tall, dark haired woman watching. After a moment, she said to me in Polish that the phone did not take cards. I smiled, nodded and responded in my broken Russian that I understood this but my hands were nevertheless refusing to believe it. She laughed and said to me in Russian that there was another phone that took cards just a block or two away and she started to explain the directions to me. She must have seen it in my eyes that I couldn't understand a thing she was saying because suddenly she stopped and asked if it would better if we spoke in English. I admitted that that yes, this would probably be easier.

Her name was Julia and she was from Ukraine. She had come to teach English here just as Uladzimir had. She guessed from my accent that I was American and told me I was only the second American she had ever met in her life. “How was the first one?”

“He was awful.”

She offered to show me where the phone was and we talked as we were walking. She had worked for a private school for the past few years and said that it had been terrible. But this year she had been hired by one of the regular schools and she hoped that this would be better for her. She was single and liked teaching but admitted that even though she felt a bit alone here in Poland, for her this was a much better deal than any she could have back home.

Tatyana said she was fine, everything was normal. She missed me, she was angry about Poland, she thought that I should trust Boruc and though she loved me she probably would not be coming for the next trial date because there was simply not enough money. And then the phone call ended when the card ran out.

Julia had been waiting for me a little ways away, specifically not listening. While we walked back to the Internat she seemed a little tense. I guessed that she understood that I was calling a woman but she didn't ask about it. After a minute she asked if I wanted to teach English here in Ostrow.

“What do you mean?”

“The company I worked for last year needs somebody. They are a private school though, so you may not like it. They are a little...” She made a motion with her hand.

“Do you think that they would hire me?”

“You may not like it. Like I said, they are a little...”

“No, I would love it. I would love to teach. And I need the money. But...”

“But what?”

“But I am not a teacher.”

“I don’t think that they would care. They love native speakers.”

“Really?”

“Yes. But you know, you really might not like it.” And she invited me to come to her room for tea.

Her room was identical to Uladsimir’s but for a crowded desk and several pictures of Jesus. She served me herbal tea complete with the leaves and some bread and cheese. She told me that there were other teachers living at the Internat from Belarus and Ukraine and that I could meet all of them, if I liked. She very much liked Poland and wanted to stay. Ideally she hoped to find someone and get married and make her life here. This is what she wanted because the political and economic situation in Ukraine was terrible. I saw that she liked to eat those tea leaves which I guess was why she left them in the tea. She had dark, bobbed hair and round eye and smiled a lot at me when she talked. I am not sure if I was attracted to her but the thought occurred to me that she was flirting pretty hard. I knew that I liked being with her though. It was nice company and easily she was easier to look at than Uladzimir. When I finished my tea, but for the leaves which I wouldn’t eat, I stood up and said that I thought it was probably time to go. She offered another cup of tea and I agreed.

"Would you call the school for me?" Why should she do that? "Because it's just the way the world is. If I go in and say 'Hi, I want a job with you', they will just answer that they are fine and don't need anything because they don't know me. This is just the way it is. But if you were to call and say "Hey, we have this American here in town who wants to be a teacher and he is really great and smart and saves orphans

from burning buildings, well, I'd probably get the job." She thought about it for a minute. "It is always better to be referred than to walk in somewhere cold."

I thought at first that she didn't understand this, but after a minute she explained that actually, she was afraid to make contact with them. There had been some arguments about money. Apparently, they were a little...

We talked a little more about. I was really interested in doing this. She understood but it would be very difficult to have to talk to them. But in the end she agreed to call the next day. I could see that this didn't make her happy but she agreed that she agreed and would call. I stood up to leave and she stood as well. What an amazing encounter. Here I am; just moments ago I am homeless in Poland and now I not only have a place to live but I also maybe have a job. And here was this terrific girl who I just met and she was going to help me get that job. It was all so amazing. My first thought was to shake hands but then that seemed rather stupid. So I leaned over to kiss her on the cheek and when I did she turned her head and opened her mouth. Well...

I would like to say that it was all passion and animal and wild, but it wasn't. I was actually a bit confused and to why she had kissed me. Was she lonely? Is this what I needed to do to get the teaching job? I agreed, that if this was the case that it was not a horrible way to pay. I had managed to make it all the way to here without cheating on Tatyana, but the truth be told, life without at least an occasional bed partner is more than torture. I had turned down Ella and Kasia in Warsaw. And I guess I turned down that English teacher at the car-breaking party after the critical mass ride turned into a riot. There had been lots of chances for some affection but I hadn't moved on any of them. Why now? And yet, here I was kissing this tall Ukrainian on the mouth, fumbling with her onto the bed and the floor. It wasn't

passion though. Why was I doing this? She took down her pants and happily showed me how she had trimmed her pubic hair. I took the invitation. After a couple of minutes I broke the embrace, excused myself and went into her bathroom. I took off all my clothes and got in the shower. I felt filthy and needed to wash. What the hell was I doing? I had done all of this for Tatyana since the beginning. I had never laid a hand on anybody since all of this started. Not Ella or Kasia. I hadn't gone with anybody. I didn't even go with Agneshka and she was all but throwing herself at me. But Bruce had said she was crazy. Maybe she was. But still, I never went with her. There had been a lot of chances but I had stayed clean of any entanglements all along. Why was I folding now? The hot water felt really good. That bus ride was pretty grimy too.

I decided I was living my life. That's what I was doing. I was having sex. That's all this was/ It was just sex. Sex is a perfectly normal and natural thing, something that people did. And I was sick and tired of being tortured and alone in fucking corrupt Poland and living as though I was out of my mind. This girl was not so bad to look at. She was being so nice to me. She gave me tea. She's lonely. Why was I doing this? That's a stupid question. Why shouldn't I? I wanted to. Didn't I? I looked down at my penis. Well, it didn't seem all that interested but obviously I needed to. And really, why couldn't I have some life in my life? Why did I have to suffer every damned day? I wasn't in Warsaw any more; I was in Ostrow. Why not? Why in the hell not?

I came out of the bathroom naked. She had already put her clothes back on.

“I thought you had decided you didn't want to...”

“No. I decided I did.”

Chapter 30

Ostrow; November 3rd through the 6th, 2002.

“What happened to you?” Uladsimir asked me from his bed when I got back.

He was smiling at me.

“I met one of the other English teachers.”

“Yes, I heard.”

“You heard? What did you hear?”

“You found the Ukrainian girl.”

“Where did you hear about this?”

“From Andrew, one of our fellow teachers of English. He is from Grodno. A good man. A patriot. He said that he saw you with the Ukrainian girl.”

“Yea... and what?”

“Nothing.” He was still smiling. He rolled over and tuned out the light.

“Look, we didn’t really do anything. We started but then we stopped. She is nice, I like her and I think that she might help me hook up with a teaching job here. That’s all.”

“And...”

And what?”

And you fucked her.”

“No, actually, I didn’t.”

“You didn’t?”

“No. I am with Tatyana. I didn’t.”

He snorted a small laugh. “Americans...”

Actually, the whole situation became a little uncomfortable. While it is true that we did make sort of go at it, the energy from that first moment went away pretty quickly and we stopped short of having sex. I think I was grateful that we did. This was the first woman I had even kissed since I had met Tatyana and I felt terrible for having done it. And at the end, though we didn't hesitate about the kiss this time, it was a lot more like the friendship kiss I had in mind the first time.

The next day was Monday morning and it felt like a Monday. Uladsimir had classes from 8:00 until 2:00. We made a date to get some lunch together after his classes and I the morning I rode around and checked out Ostrow on my bike. I found the outdoor market where there were lots of Belarusians selling both legal and illegal things. I bought a bottle of homemade vodka from a guy from Grodno who lifted his coat to show it to me. It came in an Absolute bottle. When I asked someone nearby if it was any good the reply came back as Absolutely! After, I hunted down and found the lone internet café in town. It was run by a truly nice guy named Merik, who spoke halting English and knew all of the game players in town. Checking my e-mail I saw that I had gotten a note from Boruc.

Mon, 04 Nov 2002

I filed the complaint with the Court. Yesterday I have talked to the friend of mine who conducts the leading bike firm in the city. I mentioned him that I deal with the case involving an American bike man who stuck in Poland with no financial means. The question is if you would be interested in getting a job from him.

Regards, MB

The complaint was of course the appeal of the decision not to return my passport. I wrote back saying that I would be willing to speak to his friend, though truthfully, I had no interest in going back to Warsaw if I didn't have to. I also did not mention that I had left but then again, something told me that he already knew.

At about noon I found Julia in her room working on her lesson plans. She had not made the call to the English school yet.

“You are not uncomfortable about last night, are you?”

“No, it was fine.”

“Will you call for me? I really like this idea. I really want to teach here.” She was not looking at me and was pretending to stay focused on her work. “I don't know why you just don't call them yourself?”

“Well, I can. But it is just that if somebody refers you than you have a better chance of being received well, that's all. If I just go in cold, he doesn't know me from Adam...”

“I like that phrase.”

“I do too. Now, I know that we just met...”

“It's not that. I just don't want to call them.”

“Why?”

“You might not like working for them anyway. They are a little...” She made that gesture with her hand again.

“What did they do to you?”

“I just don't want to do it...”

“Please...”

“Don't ask me...”

“Please, oh please, oh please, oh please...” I started rubbing her shoulders.

“No.” I kissed her neck.

“I’ll be your best friend.”

“You probably won’t even like it...”

“In know they are like...” I made the hand gesture.

“That’s right.”

“If you don’t I will molest and rape you right here.”

“No.”

“If you do I will rape and molest you right here!” She laughed. I thought about it for a moment and then knelt beside her. “Look, I understand that you are scared of them. I do not know what they did to you but I am in a really fucked up situation and I could really use the job right now. If you simply call them and say that you have an American who is here, they will probably agree to give me a look. But I know that if I go in cold, they won’t. Please Julia, you have to know how serious I am. I would so love to teach English here. I need your help. Really. Would you help me? Please?”

We went down to the pay phone together and she tried to call but there was no one no the office. She told me that she would call again the next day. After having made the call though, she was clearly unhappy. She left to go upstairs saying that she had a lot of work to do and that I should leave her alone. She reiterated that I might not like working for them and that they are not a normal firm. I told her not to worry about it, I could handle myself and I was just really grateful that she had agreed to call for me. I was sure that it would help.

That evening I met the others. Uladsimir had already found his way back to Andrew’s room and Julia and I joined them there. I brought along my new bottle and we all had a few glasses of this plus some beer that Andrew had. Andrew is small and

thin, he had just been married to a very beautiful woman who was unfortunately still living back in Grodno. By the time we got there, he and Uladsimir had already started in on Belarusian Patriotism and after a few shots of he was in fine form. I followed as best as I could but my Russian was really not good enough to hang with them. Julia though jumped right in but rather than agreeing, made the mistake of offering an alternative position to Uladsimir's. I don't think anyone was prepared for how voracious his counter attack would be. About 10 minutes into the ensuing battle George, another Grodnoite with curly hair, a beard and glasses stuck his head in to say hello. He listened in for about a minute and then ran away. Uladsimir was telling her about her low family background and how she was a peasant and a slut for running away from her homeland and sucking up to the Polaks. The rest of us were stunned but Julia stayed right there with it, screaming at him for his narrow minded views and going on about how stupid and corrupt everything was and how there were no jobs or social structures left from all of the theft and banditry. I didn't know how Julia could sit there and take it but in the end, and this was when the vodka was finally finished, all she did was calmly point out that he himself was also sitting in Poland and begging for Polish money like a dog. I sided with Julia on that one, probably for the job and for sleeping with me as for anything. Uladsimir then spat that I was only an American and therefore could never understand such things. Julia told him that she had met his kind before and the he was one of the reasons she was glad that she had left her country. "You are nothing but a common field girl." he said as he packed up to leave, "I am sure no one was sorry that you left." I was just happy we were all getting along so well.

I stayed and had a beer with Andrew and a little while later George returned and brought with him Olga and Sasha, a married couple from Ukraine. She was here

teaching and he was hunting a computer job here in Ostrow. After another while Vitali who was also from Ukraine stopped in. Vitali was already drunk but aside from slobbering all over Julia, who pushed him off with total disdain, mixed in really well too. We were all together. We sat and ate and drank and talked and fought and laughed. It was really a fine evening. They were all English teachers and they all came here to try and make some money because there was none of it to be made back home. I thought that all of this would make for a really interesting play.

After, Julia invited me back to her room for some more tea. Now, I did go with her but I decided that I needed to come clean with her about my situation, about Tatyana and about what I was doing in Poland. I may have been a little drunk and this might have affected my thinking but I really did feel quite bad about the previous night. I mean, it was nice being with her and I thought she was a fine person and all, but I just wasn't sure that we had done the right thing. The first and most important thing though was that we needed to be friends and that there shouldn't be any problems with that. This was for sure. And especially sure as she had not called the school as of yet. I also hoped that her not having called was somehow tied to the invitation for tea.

She changed out of her clothes and put on a tea shirt over a pair of panties. We sat on the floor together and I showed her pictures from Pinsk. I explained to her that I was devoted to Tatyana and that she had been so good to me for so long and through all of what had happened since May and that the most important thing was that I didn't want to do anything to hurt her. Julia said nothing except that she liked the pictures. I told her that I found her attractive and that I was honored that she found me so as well, but that I simply didn't feel right about things between us but that I wanted to remain friends and that if we could be friends that this would make me very happy

and in fact I was already very, very happy to have found such a nice, intelligent girl as she but that we had kissed was a mistake...

She had gotten up during my speech and got some of her own pictures of her family in Ukraine. She told me I was ‘babbling’ and that she liked that word particularly. I looked at her photos and she sat there silently next to me drinking her tea. She had drawn her legs up, balancing the cup on her knees. I found I was looking between her legs at the outline her sex made in the panties. I also realized in the quiet of that moment, that I could feel that she was on fire...

At about 4:30 Julia woke me and told me to go because she didn’t want the students to see me leaving her room. I got my clothes and kissed her goodbye and went back to Uladsimir’s room. He woke up when I came in.

“So?”

“So what?”

“She is a peasant.”

“Yes, but she is a very nice peasant.”

“And so you took your peasant girl and fucked her all night.”

“And what?” He rolled over.

“Maybe you do have some Belarusian in you after all.”

The next afternoon I went with Uladsimir to talk to the director of the Internat about my staying there. The woman was very nice. She told me that staying there would be no problem. If my stay would be only for a few weeks, I was welcome as a guest. And, if I wished to stay permanently, I would only need to pay the same \$50 a month as Uladsimir was paying. Wonderful. Julia just then returned from her classes

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and told me that she had spoken to Mariusz Baginski, the president of Language Education Limited for me. She did not seem happy. She handed me his number and said he was waiting for my call. Really? The director asked what was happening and George translated that I might be teaching English here as well and that this was what this number was all about. The director then offered me her phone if I wished to call. Thank you.

Baginski, who speaks English very well but in a somewhat distracted manner, asked me why I was in Ostrow. I told him I was with a friend who was working there as a teacher and that I was looking for something to do. He asked me if I had a teaching credential or the standard certificate. I told him no. He asked if I had any experience as a teacher. I told him that I hadn't but that I was very enthused about working. He asked me why I thought I wanted to work as a teacher and I said that I was a writer and a college graduate, that I have a reasonable knowledge of English grammar and that I was very interested in working in Ostrow. I thought I would be ok at it. He told me that my not having a certificate made things difficult. I said that I understood. He said a few things about the school such as how long they had been in business and how many students they had. And then he told me he would think about it and that he would let me know. I thanked him for his time and we hung up. And of course, I assumed that that was that.

George and Andrew had just finished lunch and were standing in the corridor when I came out of the office. We started in talking about the night before, agreeing that it was a fine time and that we should get together again that evening. George smiled at me and asked if I had seen Julia. I said that she had just come and gone. They laughed like a couple of kids. News certainly did travel fast here at the Internat. And then the director of the school came out of her office and began speaking in very

rapid Polish to George. I couldn't follow it and they talked about whatever it was for quite some time. She really seemed to need him for something. Finally, George turned to me and said that Baginski was on the phone again and that he wanted to talk to me again. This was for me? The director was all excited. Go! Go take the call!

“Hello?”

“Yes, Mr. Goodman, I have thought about it and if you want to work here in Ostrow I have a job for you over at the school.”

“Really?”

“Yes, one of my other teachers has some problems and if you can be there to replace her you can take over her job.”

“What, do you mean today?”

“Can you start today? This would be fine.”

“I wasn't expecting this...”

“You don't wan the job?”

“No, I do. It is just that in English when someone says that they are going to think about something, basically it means no. I thought that you had said no or at least that you would have just thrown my name into a file.”

“Well, this is Poland and I thought about it and I want to give you the job. Julia said you were good and I trust her word. So, can you begin today?” I guess I must have thought about it for about as long as he did. Once a courier, always a courier.

“Yes, I can.”

“Good, there is a class starting in fifteen minutes. Let me give you directions to the school. It is only a few blocks from where you are standing.”

“Ok... Sure, let me find a pencil...”

I walked out of the director's office in a daze.

"What happened?"

"I am a teacher."

"That's great. When do you start?"

"Now."

"Now?"

"Now." There was a pause.

"Great!"

"Yea... Do you know where this school is?" They repeated the directions for me again. The school was in fact only just around the corner. I jogged there and found the classroom number Baginski had told me. There was a woman in their already writing something on the chalkboard. Her name was Victoria. She was very pretty, had recently been married, was also from Belarus and was very happy that I had come. She had been substituting for Patrick, a Canadian who had left only a month before and the commute from Womzha, where she was now living was killing her. She was moving while she was talking and had begun already to pack her things. She showed me the basic paperwork that she filled out for each of her classes; the attendance cards and the basic outline for her teaching plans. She showed me the books that they used and gave me a schedule of the classes. She told me not to worry about money because there was another who handled that. She said that she really couldn't today but that she would be happy to show me the apartment tomorrow if that would be ok.

"The apartment?"

“Yes. Didn’t Mariusz tell you? The job comes with an apartment. It is very nice and is very close to here. You will like it. I’ll give you the keys tomorrow if that would be ok. I still have some things there.”

“No, I guess that would be fine...”

Good. Are you ready to go?” I blinked a few times.

“Sure, why not?”

“Good. I’ll meet you here at 10 am tomorrow. Ah, look: Here they come.” The room then began filling with a group of Polish 15-year-olds. “This is your C group. Good luck.” And with that she was gone.

I felt somewhat underdressed in my running sweats and blue pullover. The kids stared at me. I wished I had trimmed my beard. And then, after a second or so I nodded, took out a piece of chalk and wrote my name on the chalkboard.

Hello. My name is Adam Goodman and I am your new teacher.

Chapter 31

Ostrow Mazowieski; November 7th through November 22, 2002

Well that was certainly interesting. I went from homeless, penniless, unemployed, celibate and alone to a purposeful, respected professional with a group of intelligent friends and a (possibly) discrete lover. Not bad for three day's work.

The teaching job was to pay about \$350 a month but it came with an apartment for which I was only obligated to pay for the phone and the gas; the electricity and water were on the house. The flat had three rooms and a kitchen, wood floors, a bed, a couch, a color TV and pretty much all of the kitchen instruments one would need. I was needed to teach only for about four hours a day in the afternoons; that was all they asked of me.

For the next few weeks I spent pretty much all of my evenings over at the Internat. The get-togethers were all pretty much the same; Uladsimir pontificated about Belarusian politics with Andrew and Vitali bitching about how horrible their situations were. George and Julia tended to group together and liked to discuss issues of spirituality; George had recently discovered Zen Buddhism. Olga and Sasha, the only married couple and therefore the most emotionally stable were always our host and hostess. The others at the Internat seemed to like me alright though having to be in English whenever I was around was a bit of a burden and also there was a bit of resentment because of the money I was making and the nicer apartment. Actually that's not true; there was a lot of resentment there. The deal that was handed me was head and shoulders above what anybody else had gotten; I was making more money, preparing for the lessons was literally nothing because, unlike the others, you know, I actually spoke English. I also worked less hours, didn't have to pay the \$50 they did

for a living space and actually had privacy... and what else? Oh yea, unlike everyone other than Olga and Sasha who were married, I was also getting sex. And all this of course was only because I was an American.

For my part though I don't think I ever believed in any of it.. Of course having a town basically, throw itself at you may seem to be wonderful on the outside, I understood that they were starving for English; this along with all other preparation for their joining the European Union. But at the same time I could not ever forget why I was there in Poland and how I had come to be in Ostrow. But yes, I took the keys to the apartment. You bet I did. And I also did my very best for my students. This I a fact. I had no interest in laying the blame for a corrupt system on a bunch of fifteen-year-olds. But at the same time, I was completely aware that I was lying. I was also terrified that something would go wrong in the case and most of all, that I may have done something that might endanger my relationship with Tatyana; No matter how friendly it all was, I never for a single moment forgot that I was a prisoner there. Because of the case, it was a bad deal no matter how many fringe benefits they were willing to throw at me and so I the end, I was absolutely only doing what I needed to do to get by. I am sure that this little piece I was holding back was eventually part of the downfall which always comes, or so it seems. No matter how nice this town was to me, I knew I would leave if I ever got my passport back.

But if I had the best situation in Ostrow, Vitali had it the worst. I know it is redundant to say something like “sex is important” and everyone always tried to be so cool about the human need for physical intimacy, but the fact remains that having at least some physical contact is about as necessary to one’s mental and physical health as eating or sleeping and if it is not available, well, I am sorry folks but you can only saddle you own stallion so often before, pardon the pun, you find yourself beating a

dead horse. And this, plus of course the low pay, was at the root of the problem for all of the teachers in Ostrow. Everyone had it pretty bad but the guy who had it the worst, was Vitali.

Actually though, Vitali's problems ran much deeper than simple fears of becoming redundant. All of the Belarusians and Ukrainians had come to Poland because the money they could earn here was three to five times as much as could be earned back on the other side. But a couple hundred bucks a month was all anybody was getting and in the end this is such small money that nobody was really making any headway. It was slavery for everybody but Vitali's deal was simply torture. He went over his numbers with me several times in those first few weeks. His contract was one of the worst possible: He was only making perhaps \$220 a month in total, perhaps \$80 less than the others, but for Julia who was only getting about \$250 herself. But along with this he had been handed the youngest group of kids from the lowest school to teach. The children were not sharp or respectful and to Vitali, this meant that he couldn't even find satisfaction from his work. And on top of all of this, the distance he had to travel to get back home for visits was both further and more expensive than any of the others which meant that he could not even go home very often. The poor bastard would spend his days counting and recounting the numbers; \$50 for the cave, maybe a dollar a day for incidentals like soap and tooth paste, a new shirt occasionally or perhaps a beer and of course he had to pay for food. It would be another \$35 there and \$35 back to go home which meant that even if he did try and see his wife, even once a month, he would be hard pressed to even put \$40 on the table. Why should he put up with this? "I was a real man when I was at home." He would tell me again and again over shots of vodka. "I went jogging in the morning. I had my health. I went to meetings and people respected me. I was a teacher and I had

a home and a family. Not like this shit with these imbecile children and this shitty, stinking box I must live in. As a teacher in Ukraine, perhaps I would have the same forty to fifty bucks a month, but at least I would be at home. At least I could sleep with my wife; I could see my child...”

The others had it bad too though not as drastically hard. Grodno was George and Andrew’s home and the ticket to and from were much cheaper and the travel time much less. They could make the trip home perhaps once every couple of weeks and therefore could remain reasonably normal. Only Olga and Sasha lived something close to a normal life which inevitably was why they were always our hosts. But even this luxury did not come without its price. This was Olga’s third year in Poland but it was only the first where Sasha had been with her. For the previous two years, she had been alone like the others, and the first year she was not even in a town as big as Ostrow, but rather at one of the village schools where her life was so isolated, was so assaulingly boring, that she came very close to having a breakdown.

And in fact, along with the physical discomfort, isolation and loneliness were the biggest problems for all of the teachers. After a few weeks I came to understand just how difficult it was for everyone. Nobody was happy, nobody felt as though they had a life, and nobody saw anything that even remotely looked a like a future. Nevertheless, they all carried themselves as though they had made the best choices that were available to them in coming here. You must live. You gotta do what you gotta do. Andrew was our rock of strength in that regard. He was always speaking up about Belarusian discipline and how all of life’s adversities were just simply stones on the road to be passed over. This was probably why Uladsimir and he got along so well.

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And of course this “dealing with it no matter what” philosophy was also applicable to Julia. She had come out of a relationship with a married man some time earlier. She liked her friends at the Internat but she was absolutely alone inside her little cave. In her mind, she was completely committed to being in Poland and to make her own way in the world. But in her iron fisted approach, she would not even allow herself to see that Poland was not really taking her in. She was, regardless of her outward desire to be there, regarded by Poland as being nothing but a scab, a pig from the days of the USSR, a necessary evil because of Poland’s desire to join the EU. She could be a whore maybe, or a contrabandist or a seller of cigarettes and vodka perhaps but a respected human being: Never. And as much as Ostrow was kissing my ass because I was from the west, they were equally disdainful of the teachers for being from where they were from. And so she huddled with the others in their little Internat ghetto, making parties and endlessly preparing for her lessons. Of course she knew how insulting it was and that there was so little hope. But she just went on and did it, every day, no matter what. And because of all of this, it was killing me that I didn’t love her.

Date: Sun, 10 Nov 2002

To: Marcin Boruc

Hey,

I am sorry for the delay. The last few days have been very busy for me and I have had no time to find an Internet café...

The reason for this letter is to talk to you about the situation involving the using of Zareba's daughter as a witness. Now, I understand what you have said to me regarding this and really, you must understand that I am in full agreement as to the pitfalls "strategically" with using this 11-year-old girl. But there are some things about this situation that I have been thinking a lot about and I wanted to share some of these thoughts with you and to hear what your response to this would be.

This letter went on to talk about how if we were to call Zaremba's daughter as a witness, she would obviously be prepared by the father. But that she would actually be prepared would make the situation even more clear. The reason for this is because an 11-year-old, no matter how smart, would still not have the sorts of complexity to make untruthful statements believable. The truth therefore, even if she did lie, would have to come out. And this situation would also be obvious to Zaremba as well as the fact that asking your own daughter to lie in court would be a massive corruption to her life. It would be the lowest thing a man could do. It would be a pure humiliation. Maybe this was simply naiveté on my part, but I thought it was a situation Zaremba would not like to enter into.

However, what I did not expect (more naiveté?) was Boruc' response:

Date: Tue, 12 Nov 2002

Hello, thanks for your e-mail. So it is decided that we will call Zaremba's daughter to give her testimony. I will apply for this before the next hearing but after the court's decision referring to your passport. I fully agree with you that

having an audience, especially the one consisting of the bikers, would be a good thing. Take care,

Marcin Boruc

That happened way too fast. The audience he mentions was from my telling him about writing to Piotr Molga, the reporter from the Gazzeta, about coming to the next court session on the 5th. Zaremba would be speaking there and if Molga ever had any doubts about my case, surely they would be wiped away if he were to come and examine the vermin with his own eyes. I also told him about Zaremba's running from the court room and about the bullshit with my not being able to call Twardowski as a witness. He had already written me back telling me that he would try to be there. I hoped this might be a wake up for everybody.

But Boruc' acting as though we had actually come to an agreement about Zaremba's daughter had me a bit nervous. The letter I wrote stated clearly that this was something I was thinking of, but not necessarily something I wanted. My hesitation though was not because the gambit would backfire, but simply because I didn't want to be responsible starting the ball rolling in the corruption of an eleven-year-old. I mean, I was seeing the situation through the girl's eyes. What would she think if "daddy" came into her room, sat down on her bed and said something like: "Do you remember when I had that incident where the man hit me? Well, you are going to have to go to the court and say what happened. Only, you can't say everything what happened, only about what the man did. Do you understand? You can't say that I drove into him, do you understand, because it was he who went in front of my car, and what I did was to try and go around him. He made me slide my

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car, do you understand this? And then he came to me and hit me. He was crazy and a bad man. Do you understand?”

“But daddy, you did try to hit him...”

“No sweetheart, it was him. He is a bad man. He is a scary man and he has to pay for what he did.”

“But he was angry that you hit him...”

“No sweetheart, you can’t say this. He made daddy do what he did, do you understand? He made daddy do it because he is a bad man. Daddy is a policeman right? Don’t you think he knows who the bad men are and who are the good ones?”

I couldn’t do it. But then, maybe the thought of having to do something this slimy would be a healthful shock to Zaremba.

In any case, I felt quite ugly in even bringing it up and that “*So it is decided*” remark bit me rather hard. Was I wrong about that there might be some sanctity here? Was the whole ethos of Poland that there shouldn’t be even a single clean spot anywhere in the world?

Date: Tue, 19 Nov 2002

From: Marcin Boruc

Today I have called the Circuit Court (the court of 2nd instance) to check the status of our complaint. I received an answer that it will be returned to the District Court (1st instance) for the formal reasons. They were not able to specify this reasons. I will check it but anyway - there is no chance that the Circuit Court makes its merital decision before Dec. 5.

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If we want to keep this date (the District Court will not proceed without the files) I have to withdraw our complaint and try to regain you passport on the 5th.

So I am going to prepare a letter to the Court on withdrawal of the complaint and on our proposals as to the evidence (ex. Zarkba's daughter).

Let me know what is your position. Regards,

Date: Wed, 20 Nov 2002

I think I understand this... I guess you mean that the second court is the higher court that our judge sent this complaint to. Now, did this higher court refuse our request, or are they simply doing nothing about it? I guess I do not understand what you mean by "the formal reasons"... do you mean the former reasons, as in, preventative measures, or is it that they want this lower court to decide?

But to me, it sounds more like a game than a decision about letting me get on with my life, specifically as, as you say, there would be no chance to have this same court date as well as getting a response to our request.

So, is there a way to speak to the judge ahead of time and find out what their position is? If they are inclined to give me back my passport but make me wait for court, I have some new business to attend to as my play is currently on the

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desk of the theatre in Belarus. I think my being there would greatly help to get that deal done, whereas, if I am relying on other people to speak for me, the theatre will believe that I do not care to participate in this production, which is the farthest thing from the truth... so, I want to leave Poland, but I do also wish to fight this thing to its end. And by this I mean that I am willing to do whatever I have to do to get the truth out of these rather filthy people (and their kids...).

Date: Fri, 22 Nov 2002

I determined the status of the case. The higher court refused to examine the case due to the fact that the lower court's decision was signed only by one judge instead of three and returned the files for this reason. Then the lower court completed the missing signatures and today was to send it again to the higher court. I still hope that the higher court will manage to make its decision at the latest on Dec. 2nd. If not - I will withdraw our complaint. I am going to monitor the situation in this higher court (I have already drawn their attention to the fact that they have to proceed quickly). In the meantime (on coming Monday/Tuesday) I will file with the lower court our application for taking evidence. I will forward it to you, of course. Today I am going to the mountain downhill. It will be helpful in preparing a good evidence motion.

Regards,

Chapter 32

Ostrow and Warsaw; November 23rd to December 4th, 2002

Friday the 22nd of November was also Tatyana's birthday. I mention this here because I didn't call her at all on that day, an absolutely enormous mistake. The mistake though was only in part caused by Julia though but there were also a lot of things going on now locally with the teaching and with the case. That day turned out to be simply very stressful and I spaced it. I managed a call the following day and in the end, though she did find it in her heart to forgive me, it had taken three phone cards to get her to forgive me and regardless of the fact that she did, it didn't really change the fact that as of the moment I had started up with Julia, I was lying.

In the end though there was nothing to do about any of this except to carry it along with all of my other problems. Teaching school had actually turned out to be much harder than I thought it would be. Don't get me wrong; I absolutely enjoyed the job. Yes, it was something to do other than sitting around being paranoid but the activity I also rather rewarding. Dealing with young people gives you hope. But in the end, though I understood easily the material I had to teach, because I had never received any real training other than in grammar I really had no idea how to handle the students who didn't know what they were doing. Any teacher is a genius when he has aggressive, thoughtful and intuitive students but what the hell are you supposed to do with the students who either don't care or simply don't know how to learn? How exactly do you make a lesson plans that deals with the students who have already fallen behind?

I found that perhaps the greatest trait any teacher needs to have must be patience. I had already lost mine several times and ended up railing at two of my

classes for neglecting their responsibilities to do the work offered. As a punishment, I asked them to write an essay about the word “responsibility”. One of my students wrote back to me of this.

I want to talk about your speech to us. Well I want you to know that it is pointless. However it was good speech but people that want to learn English will learn it without that and those who don't want to, well they won't.

But it isn't the only point of view. I must say that if I was on your place I wouldn't know what to do. Probably I will do what other teachers do. I was thinking that you will also abandon your way of teaching us, but you haven't so far. I think there is not perfect way to solve this problem. Your speeches may have result on some of yours pupils. But I think that the problem is lying inside of this school.

This is a third time when I'm starting education at this school. To be truth it's the best. Now don't get those good words as some kind of (I don't know how to write it but isn't a Vaseline stuff)... I just don't like wasting money especially money that are not my own. Coming back from those lessons my parents asked me with a smile on their faces "How was it?!" and they were saying things like "Aaa! Our little boy is learning English!" It was nice but I didn't learn too much at these classes. There is so much noise and everybody throwing something. But the teacher still stands beside the blackboard and shows something for the two or three students who were paying attention.

I think that what he had said was a compliment, but a more normal response from a different student was this:

Responsibility is not funny. It is a horrifying thing. We can't do anything what we want. We must to be seriously and carefully, because it is responsibility. I can't explain what is responsibility, because I don't know what's this. I don't give my test on time, because I'm not responsible.

Can I please for different subject?

So, anyway, that was school.

A few days later Boruc wrote me that the papers would be sent to the courts in time for our session on the fifth and that there would be a hearing on the 19th of November regarding my passport. Not a word about preparations or strategy. And apparently he still didn't know who the second witness was supposed to be. So this was no help. Drazek told me his apartment would not be available because he had guests and so this meant that I would have to be on the 5am bus to Warsaw for the second day of the trial rather than sleeping in town. Tatyana wrote me that her work had let her have the week off and that she would be coming. She also told me not to send any money and that all was Ok. She concluded her message to me with a nice bit of philosophy:

Be calm.

Everything what happened was not the end of the world.

Tatyana.

I had no idea what I was supposed to do about her coming though. Uladsimir told me I had nothing to worry about because none of the others wished to make a scandal for me. They all understood that the situation was what it was and everything

would be fine. But still, he wasn't the one who had to go walking in that particular mine field.

Tanya came in on Saturday morning the 2nd. I met her in Seidlce and road back with her on the bus to Ostrow. Tatyana loved the apartment and immediately went to work cleaning and rearranging things; making it her own. I guess I never realized that we had never, except for our time in Gdansk had time to really be together. Tatyana unloaded all of her pent up frustrations from her work and her life and from me. I think she was still trying to prove to me that she was a good woman. That first evening we went over to the Internat to meet everybody. Everyone was nice and Julia put in the briefest of appearances to say hello before disappearing into the woodwork. We had Olga and Sasha to dinner on Sunday which turned out to be one of the nicest evenings we ever had. Everything seemed to be very calm and mature and really, there never were any problems anywhere except for one brief moment late on Sunday night when Tatyana asked me if I had ever thought about being with other women. There it was. Did she know or was she just thinking about it? I kept as still as I could and told her that I had. I hated how I had been forced to live. Living at the hostel had been torture and our situation of being apart and then needing three days just to remember each other was no good. She became really thoughtful for a moment. I thought she was going to flip out but she didn't. all she did was to roll over and say to me in as calm a voice as a lake on a windless day:

“You can do what you need to do: But only care about me.”

After Tanya went home everything became different with Julia. I began to understand how sorry I was for even having started with Julia. Probably she felt the same way but loneliness be damned all of this was just too painful. But in any case, I appreciated the sentiment from Tatyana, even if I didn't believe a word of it.

Chapter 33

Warsaw, November 5th, 2002

Zaremba's testimony to the courts.

On the morning of the 5th I had a copy of the report with me and had also made copies of all of Zaremba's previous testimonies and color coded them for easy reference. He had his two guys with him again. Yucha smiled at me in the hallway. We still didn't know anything about the other guy. Piotr Molga showed up and I introduced him to Boruc and the two shared a few words. I had mentioned to some of the bikers that this would be the day to show up, but none of them did.

The day started with a brief review of the motions and the court reiterated what Boruc had told me and said that the higher court would hear the appeal concerning the return of my passport on the 19th. There were no other motions. And then it was time for Zaremba to take the stand.

He was dressed in jeans and a jacket and tie. I noted to Boruc that his eyes looked a lot clearer than they did when he gave his testimony in late August. I had mentioned to Wiesniakowski that Zaremba looked at that time as if he was on drugs. I guessed that they had passed the word along to him that he at least needed to show up clean.

He spoke from the podium in the center of the room in a slow and measured way. Twardowski was in rare form, though and was translating perhaps 30% of what was being said. All of what is listed here comes directly from the court reporter and though I am printing it here, I did not get a chance to read this until perhaps three months later. This is how he began:

On May 15th, at about 2:00 pm I was driving in my Renault Megan which was my personal car. This was in Warsaw, on Solidarnoci and we were going towards the Praga district. My daughter was in the car with me, 11 year old Katarzyna who I had taken from school and was heading home with. (I was) riding towards Bankove Place, at a distance of about 150 meters from the crossroads of Andersa.

I was riding in the left lane in the middle lane was a city bus, which was slowing down because there was a red light. On the right side of the road I saw the biker who was riding very slowly and swerving. In one moment he drove left, almost perpendicular to the left lane-in which I was driving-from one lane to another.

In that place there are three lanes of traffic in one street. In that time when the biker rode into my lane, I had to hit the brakes quickly so that he wouldn't hit me. I used my horn, because I was afraid of contact because he was so close to my car. The biker reacted to the horn and went into the (left?) lane.

After slowing to a quick hard stop, I continued driving in the left lane. I went to the crossing. I stopped first at the lights. Behind me, there were a few cars which had stopped on the left lane After stopping, I saw in the right rear view mirror, I saw the biker riding between the cars which were standing behind me on the left lane and the bus standing on the middle lane. I saw that he had troubles fitting between the cars; especially that he had the bus on the right which was taking up almost the entire lane. During this ride, he was kicking his feet along the ground, rocking back and forth on the bike.

This part was translated clearly and I asked Zaremba to clarify that he had in fact said that I was “walking the bike”. The reason I stopped him was because I thought I had caught him again. My bike had a fixed wheel, there was no “freewheel” in the rear hub and so both peddles always turned along with the wheel. This of course makes “walking the bike, especially in close quarters pretty much impossible.

When he was riding next to my car, he put his right hand on the bus and the left side of his handlebars into my car. When he was in the middle of my car, he punched the roof three times and kicked the front mirror, he lifted his bike up in front of him, then he lifted it and threw it in front of the Renault, the bike hit the front bumper.

That man, yelling something in English, was acting like he was crazy. He hit several times in the front on the hood of the car on the right side and he was kicking the right front mud guard, he hit the front glass a few times with his fist, but not the knuckles, only the heel of his hand, hit two or three times with his fist.

Then he pushed the car, rocking it. He was still yelling. He stopped for a moment next to the right front doors.

In this moment when that situation began, my daughter started to cry and started to become hysterical and she was trying to hug me. I think that the look of this child, made that man calm down for a moment. But, after a few seconds, he went to the front, he picked up the bike and threw it between the barrier and the left side and my car. The bike hit some parts into my car.

The accused then went over his bike, I mean I am not sure if he was standing on his bike, but he appeared on the left side of my car. He punched several times to the glass of my left front door and to the roof also a few times. He opened my door and punched me into my face.

I protected myself with my hands, the accused blocked the door with his straight leg and his body and he didn't let me shut the door. He punched a few times into one side of my car and as I think that he grabbed the antenna. I didn't see that, but I heard the knocking of something metal into the roof. Then he was trying to get me out of the car and he sent me a few punches more. He was punched into my face three times, two times into my jaw and a few times into my shoulders, my sides and my hands, which I was defending myself.

I leaned back into the chair and I tried to push him with my legs out of the car. With my right hand, I took my mobile phone and I chose the numbers 112, after hearing the voice of the answering machine, I was listening to the recording for a few seconds, but I had to defend myself... Only the look of the phone and that in was trying to use it, unbelievably calmed down the accused. I think he realized that I was calling for help, because I heard from his yelling the words, "from to police"¹².

He shouted a few more sentences, but a lot quieter, he left my door, he went in front of the car and on his way. He pushed the rear view mirror and standing in front of the Renault, he leaned with all his body, like he was throwing himself on the front of my car, directly on the hood.

¹² Not a typo, these were his exact words.

Then he picked up his bike, he sat on it and rode towards to Solidarnoci Street and on the passage, which is next to the Mironow cinema and Andersa Street. At this moment he was riding away, he came to me and said and he said that behind me there is a police car. I looked at what the accused was doing.

He was riding forward and backward through the passage and looking at me. I ran to the police car a few meters behind me and I asked for help. I asked for them to stop the accused. They used the siren and they went to the left and to Andersa Street and I did the same with my car. The police car was blocked by another car and so he left behind and I drove Andersa Street and then we went to the parking lot next to the KSP.

In the parking there were several cop cars there, there were a few uniformed policemen who were standing next to the cars. I asked them for a reaction in the accused case, who was still riding in the passage. After a few minutes, sorry, I don't know how much time did it take, a few policemen went in the direction of the accused and he stood up from the bike and he went in my direction yelling something and again he was trying to hit me. The policeman split us up.

After telling the story, they took out documents, mine and the accused and then after using the radio, they sent us to the police station. There they checked the car and photos were taken. I told the story the story.

And for now this is all that I have to say.

There was some grumbling in the courtroom. It was now time for Boruc to ask questions of him and Zaremba was asked to read through his previous statements that had been made to the prosecutor. He made a show of reading it for about half a minute before continuing.

AFTER READING:

Agrees. I noticed certain differences in some evidence I ascertained, that the accused more than 2 times threw the bike. In some moments, there are places where there are differences in the order of chronology.

Boruc was asking questions and Zaremba was answering, but just as it had happened with the prosecutor, only the answers from Zaremba were added into the case. Who is asking the questions is explained in the text and where it might not be obvious, I am adding in the questions.

In all that caused this, this event lasted 2-3 minutes and it is was necessary to specify many facts. Certain things I do not remember and I did not witness in first evidence. As I now return to some details, I see I am more specific about some but that I forgot about others.

At this point Judge Zurawska asked him some questions directly

ON QUESTION FROM THE LADY PRESIDENT:

I confirm my testimony made in preparatory conduct. In preparatory conduct I said that accused after being stopped by the police struck me in the face. Today I testify that this was only an attempt to hit me. I want to correct this and to say that the accused tried to strike me in face...

Zurawska asked him how he avoided the punch and mimicking a boxer bobbing and weaving. Everybody including the judge rolled their eyes at this.

... But he did not strike because I avoided this by dodging and protecting with my hands.

ON QUESTIONS FROM THE PUBLIC PROSECUTOR:

The windshield of the car remained in place and did not come out and had starry cracks. I did not replace the glass after the event. I sold the car with this with damage after a month and a half. I did not notify the insurance company of the damage

My daughter was locked in on my right side, on the front seat with shoulder safety belts. In the matter of establishing damages, I consulted with a familiar auto painter.

In preparatory conduct, I thought that the sum given by the expert, does not embrace all of costs.

ON QUESTIONS FROM THE DEFENSE ATTORNEY:

The car before the sale was not repaired. I sold the car to Wiesławie Jabłońskiej.

The car was insured by Cigna Company S.

Boruc than asked him to tell again the story of the moment of contact.

When accused got to my car along the boundary stripe with vehicles and was locked up by bus and sat on the cycle. I saw this in right rear-view mirror and through the side glass. Being in half or nearer the front of my car, he got off his bike and took several steps and being in front of my car, threw cycle on street and on car. All of the cycle did not fall on the car. Some elements fell on the street and struck the bumper.

I stopped nearest of bus from regard on Wyprofilowanie Street because the lanes in this to place passing in crossing of lane.

Are you an enemy of cyclists?

I am not an enemy of cyclists and rather suppose that for Mr. Goodman, drivers of cars are enemies. It does not hinder me that cyclists will enter the car lanes, but this was not in agreement with the rules. But cyclists should pay attention not to crash with cars because they could perhaps have an accident.

What happened to the radio car that you mentioned in your previous testimonies?

This radio car, which was found behind me at the crossing probably went on command, but I am not have certain. I am not in a position to say how many times the lights changed at the crossing. They surely changed, because the bus which stood behind me and the cars went ahead. The radio car stood in the right lane made a turn on Marszalkowska Street. I do not know whether I asked policemen from this of radio car whether saw this event. I went before everyone to try and make the arrest of the accused.

By Claiming that the radio car turned right on Marszalkowska, he was saying that the car was turning away from the incident. It is not even a slip of the tongue because the street called Andersa is to the left of the intersection and therefore would require that the car go with him, which was part of an earlier version. This variant therefore was yet another contradiction.

The question that followed about whether or not the police could see was directly related to an element from my large report where I made a point that this alleged radio car would have had to have been a direct witness to the event. I think that Zaremba was getting flustered at this point. His next statements were in answer to a question about why he had no eye witnesses and why he left the scene.

If this would have been a conflict or a quiet conversation between participants I suppose that it would not be a problem finding a witness. But from the regard

Being Had

that he was acting like a raving madman, I rate that this was why nobody hurried with giving help. I do not know whether it was right to leave then, but most important for me was to arrest the accused.

I was afraid that the accused would escape from the place of the event, I saw him 200-300 meters away and I drove after and covered the way. I do not remember if during incidents I said something to the accused.

I never heard this previous statement about why he had no witnesses. Twardowski didn't translate it well and the point was missed. The Judge asked him if he had in fact tried to break my finger during our altercation. During my testimony, I had mentioned that I was pointing my finger at him.

I was at such a moment in defending myself and blocking punches that I seized finger of accused. It was while protecting myself. I do not remember whether this was before I was pushing the accused with my legs or after. I held this finger and I tried to twist it off him.

Were you hurt during this conflict?

During this incident, I experienced disturbing of teeth on the left side of my face. Two of them became crumbled and I had a hemotoma (a cut) on my upper lip on the left side The bones in my cheek ached and all the left side of my face. I had difficulty speaking; I felt pain at touching and turning with head.

Where were you going that day?

I planned to take Solidarności over the Śląsko-Dąbrowski Bridge to Radzymińska.

As a policeman I work for the Department Of road traffic KSP

The next two questions concerned Wiesniakowski's telling me that Zaremba wanted to shoot me.

Being Had

I have the right to bear weapons just like every policeman. On this of day I did not have any weapons with me. I absolutely did not say in presences of the public prosecutor that I had intention to use weapons in relation to the accused.

At this point it was my turn to ask questions. I thought I wanted to hear more specifics from him, still figuring his story could be proved false.

ON QUESTIONS FROM THE ACCUSED:

Did I make my alleged cut in front of you before or after Orla Street? (Orla Street is about 250 meters from the stop by my measurement.)

Exactly I will not be able to qualify when I most likely passed Orla Street

How far from me were you when you first saw me?

I do not know in which one distances I was found from the stop when I first saw accused.

When I made my alleged move in front of you, what was the distance between you and the bus?

Distance between my car and the bus was a good 5 meters. I was going about 40-50km/h.

Do you know the speed limit there?

Limitation speeds in this to place 50km/h.

On the left lane in front of me there was no car.

I speak about section of crossing Al. Solidarności and Andersa.

I was going slower than the limitation of speed, because I was getting to crossings.

Was the bus stopped?

The bus was not stopped.

When was the first time you saw me?

I do not know exactly when was the first time I saw the accused but taking under consideration my distance to the crossing with Andersa it would be about 200 meters before. Mr. Goodman went slowly and Zigzagged into the right lane. I did not pass the accused when he came around the bus because the bus was in front of the cyclist. I do not know whether I went the same speed as the bus, I did not measure the speed of the bus. The bus was nearer the crossing and had to stop at the signal. The cyclist surely moved slower than bus. When cyclist wanted to cut in front of my way I was about 120 meters from the crossing. I am not however sure exactly.

Of course I braked, especially in the moment when I noticed that the cyclist came into on my lane. From moment of noticing the accused to the moment of getting close by the bus at the crossing, I saw accused almost the whole time.

When I passed the accused I remember that I did not see him (in the moment).

I asked him again to describe the angle. It was the same problem of translations as had been in the prosecutor's office and both Zaremba and the Judge jumped on me about repeating questions. I argued that I was not repeating the questions, but they now stopped me from asking more.

I already said in previous testimony, that the cyclist entered my lane in almost a straight angle to my lane I feel that the accused did not occupy completely the left lane. He made his cut into the left lane and after I applied the brake and used a sound signal, (he) rode down center lane.

How far was my bike ahead of you when this happened?

In this time when accused, making an almost straight line, (he) entered my lane about 5-7 of meters (ahead of me).

Were there any cars behind you?

Being Had

Behind me was one car. On the center lane was a city bus.

I did not see how many cars were in the lane. The most important thing for me was the situation with the cyclist.

How many cars were behind you?

When I stopped before the crossing behind me there were at least 3 cars.

Exactly I do not remember. I am not in a position to describe the relationship to the wheel of this cycle.

I received for the car exactly 17,000 zlotys.

I couldn't think of any more questions. I said I was finished and so did Boruc.

THE ACCUSED AND HIS DEFENDER HAVE NO MORE QUESTIONS TO THE WITNESS.

And at this time we took a break for lunch.

It is hard to say if I could have been more effective or not in my questioning because really, I was not receiving every word. It was not until months later that I finally got the chance to read in any detail what Zaremba said. At the time, Twardowski's stammering and worrying over what might be the proper words had made it almost impossible to hear anything specific. We were always one or two sentences behind and so it was next to impossible to be sharp about things. And certainly the court seemed to take the stance that I had not been. But ironically, when I did finally get the chance to look at the transcripts, I found that my line of questioning had in fact exposed Zaremba as a liar. I actually wrote a couple of essays about it and submitted them into the court records. Those essays, of course were officially ignored, but I think you'll be able to see the point clearly for yourself.

In the testimony, Zaremba states that his car was only five meters behind the bus and that the bus was moving when I made the supposed move of cutting in front of

him. He actually named this distance twice. And then he also placed my bike the same distance away. Now, this is all fine and well if the bus is in fact stopped at the crossing, which, of course it was, and obviously this is why Zaremba's visual memory of the instance puts us in this position. But of course having us at the stop is exactly what he does not want his story to be because allowing such a fact would implicate him for having done what I had said he had done all along. He absolutely does not want to admit this and therefore his story demands that we be some 120 meters from the stop and all of us in motion at something close to the 50km an hour speed limit. Fine. However, the problem lies in the fact that what he is asking us to believe is frankly, not from reality: 50 km per hour is 13.88 meters a second. A car traveling at 50km an hour travels a distance of five meters in approximately a third of a second, about the amount of time it takes to say the "a" and the "th" in the phrase "*a third of a second*". His breaking and stopping therefore are a physical impossibility, especially as he has me "coming from around the bus". Neither he nor any human being could have quick enough reflexes to make such a move. And even if he could, the mass of the car would never allow it to respond in time. These numbers by the way still work if he had substantially slowed down, which he hadn't because this is simply not what is done at the stop. This particular point was actually one of the main reasons I had wanted to take the court out to the site. Anyone standing at the corner would see that cars generally do not begin to slow down until about 80 meters from the stop, about the place that the tramway divider starts. You can see this because this is where break lights generally come on. And of course, a heavy former courier, laconically riding to the movies on a fixed wheel bike couldn't have gotten into that five meter slot between a moving car and a bus in this time either. It just can't happen.

So, his story was simply not true and the way he told it also removes the possibility of his having “seen” me 100 meters before because he would, of course, have been tailgating behind a city bus and therefore I could not have been in his line of vision. It also removes my “coming around the bus” or my “weaving” between the bus and his car because the physics would not allow these things to happen either. And of course, his bullshitting also kind of messes up the infamous “Before this happened, I hadn’t done anything” line.

That “coming around the bus” line by the way, had an extra-added irony to it as well because they were exactly the words he had used in describing the incident to Yucha at the scene on the 15th. Those words by the way, were something he obviously very much regretted saying, as you will soon see.

So quite clearly, we had a guy telling fibs. His story was simply a fabrication he was using to avoid being implicated for what he actually did do at the crossing. And I know without any doubt whatsoever in my mind, that every single person in the courtroom that day understood this. I bet my life on it. In fact, I would bet my life that they all knew all about it from the first moment they walked me into that police station on the 15th of May, some 25 weeks and two days earlier. Of course they did.

And, if this was a just and fair world...well...you know the story by now...

By the way, he did this sort of thing several more times before the day was through.

Chapter 34

Warsaw; November 5th, 2002

Zaremba's testimony to the court continues...

We all went to the courthouse cafeteria together. Boruc, Piotr Molga, Tatyana and I all sat upstairs and Zaremba sharing a table with the day's prosecutor and an older woman who none of us knew sat downstairs. Maybe the woman was his mother. There was no real table conversation amongst our group. Molga and Boruc talked a bit, but neither seemed happy. Downstairs, we could see Zaremba table-hopping, checking in with the judges and floating around the room politicking and glad-handing with anyone and everyone. I wondered at the moment if I should have done this too, but the thought of doing such a thing made me feel sick. I complained to Boruc about Twardowski's translating. I offered that perhaps we would be better off dropping him as translator and only using him as a witness about the lost bike document. Boruc said that if we did, the prosecutor would automatically call for a mistrial and of course, we would have to start all over again. What a mess...

When we went back in, the questioning resumed.

ON QUESTION FROM THE LADY PRESIDENT

I was struck in the side of (my) face. The accused opened the car door but I tried to hold (it closed). I seized the accuser's finger and pushed him away with my legs.

I purchased the car in November 2001. It was a used car. It was 5 years old.

And then, everybody but me heard one of the biggest statements of the whole case. I of course did not hear it so clearly, because Twardowski could not translate it, but I did catch the drift after Boruc whispered to me what had just been said.

This car had an accident in January or February of 2002. I drove off the road and I struck a tree. The results of the damage was a broken front bumper, front belt, broken headlamps, the dummy, as it is called; the hood, the cooler and condenser of the air-conditioning. The roof was not damaged.

The car was repaired in a workshop and an insurance firm paid for the repair. This workshop is found at the corner of Ząbkach and Księcia Skorupk Street. The records of the repair are at the insurance firm. This was at the end of January.

So there had been previous damages to the car. Burying the statement under a lot of technical car words was obviously Zaremba's big curve ball. Twardowski was almost apoplectic trying to get out the details. He even had to refer several times to an automotive terminology dictionary trying to get the words right. And of course it worked and I missed almost all of it.

Zaremba went on...

As a result of the events of the 15th of May the following was damaged: a small flaw on right back mudguard and right back door, an indent to the right of the front mudguard, an indent and unhinging of the cover of the engine, a crack of the windshield on the right side near upper corner, dents of the roof on the right and left side, scratches on the bumper, a broken off radio - antenna, an indent on the roof from the back center near the antenna of the cellular telephone

I do not remember if it was possible, that there were other damages. I did not execute the repair at my own cost.

It was an amazing moment. Apparently, someone had explained to Zaremba that it was not his fault if the court could not be able to distinguish between old and new damages. Of course, this logic only works if we forget that he had previously denied that the car was in anything but pristine condition. But also of course, he was amongst friends.

Now I couldn't hear what was going on, but Boruc could. Why didn't my attorney ever make the motion to see the repair records and photos from when the company that executed the repairs signed off on the work? Or even for that matter, asked the court to see the original photos and inspections taken from the time of this January accident that had been used to get that check from the insurance company? Wanna bet that the window was already broken at that time?

But of course he didn't, just like the prosecutor never needed this either. And Zurawska apparently did not need to see any of this clarifying evidence either. She simply went on and asked Zaremba about his teeth. Actually, it was a pretty good moment. Whatever kind of genius Zaremba might have been feeling like at this moment, Zurawska brought him straight back down again. She started by asking him if he had been injured.

As a result of the hit I went to the dental clinic.

Did you need any dental work because of the incident?

Yes, I received dental treatment.

How much did you have to pay?

I do not have any record of the payment.

She gave him an absolutely disdainful look. The fool was trying to bilk an American but did not have the common sense to bring a bill. Realizing I suppose what a blunder he had just made, he stammered out another variant of the same answer.

I do not remember if there were any bills connected to this.

Zurawska rolled her eyes and looked to the other judges for support. Here she was trying to help this idiot and he would not even help himself. How many chances did she have to give him? “Would the auxiliary prosecutor please clarify his answer?”

I clarify that I do not remember whether I have any bills connected to this.

Zurawska closed her eyes, shook her head and decided it would be prudent to march on. Did you incur any losses in terms of value to your automobile?

Because of what I was told when I sold it, the car was sold below value. On the day of the sale, this car this was worth about 22-23,000 zlotys. I sold it for only 17,000 zlotys.

How have you personally been harmed?

Harm to my person in this is first of all connected with the stress inflicted on my daughter. This (money) is then for satisfaction for doing me harm. I want to add, that from regard to specific work done (to my teeth) I did not continue treatment.

He actually made a statement that he had accepted pain medications from a doctor, but the judge decided to omit this from the text. She then sent the questioning back over to me.

I tried to come up with something interesting, but Zurawska, her patience I suppose thinned by Zaremba’s poor responses to her questions told me I was repeating myself. I really didn’t know what else to ask. I fought through two more limp questions before they shut me out completely:

The accused entered into my lane, crossed the white line in front of my wheel. I do not know what the distance from this of line was.

ON QUESTION OF THE DEFENSE ATTORNEY:

Why didn't you report this to the insurance company?

The insurance firm does not have to pay an indemnity, if the originator of the damage is known. I have since stopped my car insurance.

There were no further questions so we took another break.

Molga came over to me out in the corridor and asked me how much money I had spent since I had been in Poland. I told him that counting all of the money that I had had and all of the money that I had been loaned, that the number would be about \$6000 so far. I asked him what he thought of all of this and he simply shook his head and told me the theme of the story was human greed. I told him I would believe it when I saw it in print. Boruc then came over and suggested to me that I should try teaching English in Warsaw. I told him that Maka had already made the same suggestion and that I was considering this.

When we resumed, it was time to hear from Zaremba's two witnesses. Tomas Yucha, the arresting officer, was the first to speak.. In fact, I did not understand why Yucha was asked to even be a witness because he was not even there when the incident happened. Originally I thought that he might be there to confirm Zaremba's lie out my hitting him at the KSP but of course Zaremba had already recounted that particular invention during the previous session. Anyway, the officer stepped up to the podium and said the following:

I don't know why I am in court. I don't know the accused; the date means nothing to me.

What? The judge asked him then to read his report in the hopes that it would refresh his memory. This is the text of that report:

15 may.

Today I was on patrol with my partner Mariusz Zima, at about 2:05 at the parking lot of the KSP, when Tomas Zaremba came to us and said that at about 1:50, when he was driving his car, a Renault Megan at Bankovy place, that in one moment, the biker rode from behind the city bus. Mr. Zaremba, when he saw the biker in front of the hood, he started to slow down. Zaremba stopped the car in front of the biker, but he didn't injure the biker in any way. But the biker went to Zaremba and punched him in the face while standing next to the car. And the biker kicked the front mask of the car and hit the front glass with his hand which made the glass broken. And because of this punch, Mr. Zaremba's lips were cut. After talking, Mr. Zaremba pointed to the biker who was standing near to him and he was Adam Goodman. After telling the story to the officers at the KSP, both the men were taken to the Wilzca street station. Mr. Zaremba told about these facts to the policemen and Mr. Goodman was kept and searched. There was a translator and the field documents taken. That is all.

I should say here that as of this moment, as with a lot of the case, I had never had a translated version of this report. Actually, my being in the dark would turn out to be a rather huge part of this day, as you will soon see. If I had known the content of this document, I would have understood why Zaremba had asked Yucha to be there. His presence was needed simply to make one simple spoken phrase¹³ go away: *Mr. Zaremba, when he saw the biker in front of the hood, he started to slow down. **Zaremba stopped the car in front of the biker**, but he didn't injure the biker in any way. But the biker went to Zaremba and punched him.*

¹³ Only verbal statements are allowed into the court record.

ZAREMBA STOPPED THE CAR IN FRONT OF THE BIKER...

Did you read that? Zaremba had admitted he had stopped his car in front of me to the first guy he spoke to and then changed his story after. Thank you for coming Mr. Yucha. Of course, Yucha's forgetting could have also have applied to hiding the time on the cell phone. Zaremba had made a point of showing the prosecutor that he had made a call to the police at 2:00 rather than at 1:50. It also could have been about "coming from around the bus" a statement that of course messed with his account of the incident being 120 meters away from the stop.

In any case, this was why Yucha had been called. The officer made a show of reading and then responded:

(After reading) I don't remember that situation.

The judge then asked for questions. Boruc quickly leaned over and whispered emphatically that if Yucha did not want to say anything, I should not ask questions. I did not understand any of this. Why would you call a witness who would come and say nothing but that he did not remember anything? Boruc said that he had no questions. When I was asked, Boruc shook his head at me again and, still not understanding anything, I numbly agreed.

Yucha then asked to be paid for his travel expenses to and from the court, a beautiful picture really for connoisseurs of pay-off art, was granted his bag of silver and then left.

Washislav Jablonski, was called next. Jablonski was not a cop, nor was he an eyewitness. Rather, he was the owner of the body shop that did the work on Zaremba's car. No, I did not hear most of this too, and this was a real shame because this testimony turned out to be one of the biggest moments from the whole case.

Here's the text:

I know why I am here in the court. I bought this car from Zaremba. Zaremba called me to fix the car and I bought it. This car's front bumper was damaged and broke. It had a broken light, a broken front glass. It had a dent in the roof, on the back of the roof, (near) the antenna, in the middle part, I don't exactly remember. The left front wheel cover and the back right wheel cover. I painted many parts, I don't remember. There was also that the front hood was damaged, it was crooked in the middle. In the middle of the hood were waves and it looks like it was crooked.

And then he added this...

Zaremba told me something about the car hitting something. The broken front light and a crooked engine cover in the front were caused by a car accident which Zaremba told me about. The accident happened just before my buying the car. I bought that car in June or July this year. The bumper was cracked and the front hood and I think the left wheel cover. I made the roof smoother and I painted elements, which were damaged. I found out from Zaremba that the damages were caused by some fight. I don't want to say anything more.

I missed this because of all of the technical terms, just as I had with Zaremba. But when Jablonski explained to the court that Zaremba had in fact had a subsequent accident in June or July, he had actually opened the door to one of the greatest deceptions perpetrated on me since all of this started.

There were two different sets of damages.

And again, I did not even know about any of this until I finally got the court transcripts from Boruc almost two months later.

Being Had

Insofar as the alleged damages to Zaremba's car were concerned, there were two reports dealing with Zaremba's car on file: The police report, made on the 15th of May and the "official" estimate, turned in just before our meeting at Wiesniakowski's office in August. Apparently, there were a lot more damages listed on the second. Looking back, it is obviously clear why my then attorney was so adamant about turning my attention away from the itemized list and towards the so-called expert opinion as to whether or not the damages "could have been caused by a hand". He had been hiding the fact that Zaremba had turned in an estimate of damages made after a separate crash, an event I obviously had no part in, and was attempting to attribute these damages to me as well. It was all a smoke screen.

Now the best reasoning I have for Zaremba not having turned in a real estimate at the time of our incident was that it was probably too close to the description of damages the insurance company had paid a claim on after the January crash. Too close or too identical. And this of course would also be why he didn't want to go back to his insurance company.

But Zaremba is an idiot, and he never forgets to let you know this. Rather than just leaving it with his "the court can't differentiate which damages are which" plan, he actually did try to add on some of the damages to me by changing his story during his court testimony. You can see this by re-reading the first part of his testimony to the court:

He pushed the rear view mirror and standing in front of the Renault, he leaned with all his body, like he was throwing himself on the front of my car, directly on the hood.

And here:

*As a result of the events of the 15th of May the following was damaged: a small flaw on right back mudguard and right back door, an **indent and unhinging of the cover of the engine**, indent to the right of the front mudguard,*

How could Zaremba imagine that no one would ever check the facts against the police report, or even the photos that he himself had taken? In the June accident, according to the second estimate, the engine cover was completely out of whack and the headlight smashed. But according to the May report and the photos, there was no particular damage to the hood in May, other than of course the “water damage”. Even his “expert” had admitted this. Did he think that no one would notice?

Well, they never did, did they? Not my people, not the prosecutors and not the judges. According to the justification for the original indictment, Wiesniakowski had stated that Zaremba would have at least one other witness. I could not see how either of these people would qualify as witnesses. In fact, I could not see how he had ever actually done anything other than to try to protect himself with all of this smoke and mirror crap. He never even had the case that the prosecutor had sent to the courts. But I guess it really didn't matter either, did it?

There was a bit more from Jablonski about how much money the car was worth and that Jablonski's wife had been officially the buyer of the car. I asked a couple more lame questions and then it was over for the day. The court asked us all to step outside so that they could conduct a private meeting. Neither Boruc nor I was invited. Zaremba however was.

Sitting on a bench outside the courtroom were two police officers. Looking back, I guess that they might have actually been there for Zaremba, but at the time, I was so

paranoid I thought they were there for me. And when they saw that this was what I was thinking, they got up and left.

I asked Boruc why we were not participating in the discussion, and he said that he would go and check. I stood there holding Tatyana. Outside, it was dark already.

After a few minutes, we were called back to the court to deal with several motions still remaining from the session. Boruc again asked for my passport. The prosecutor of the day objected on the grounds that I had stated back in May that there was no one who could pay for me in Poland. The motion was then rejected and court concluded with the next session to be scheduled for January 8th, at which time we would hear from the daughter. The judge then asked Piotr Molga to step forward and asked him some questions.

“Well, there you go.” I said to Tatyana outside in the corridor “What do you think?”

“Where is the end, Adam?” Molga told me that Zurawska had only wanted to know who he was. He then left, wishing me luck and saying he would be working on the story. Boruc was also in a hurry to leave.

“Wait a minute.” I said, “Why is this not over? Did Zaremba not just conclude his case after presenting exactly zero evidence? Didn’t he basically just admit to having perjured himself?”

“The court has decided that you are not to their liking.”

“What the hell is that supposed to mean?”

“We’ll discuss it later.”

“Let’s discuss this now? Why is my social acceptability of any question in anything?”

Being Had

“They are the judges. It is our job to find their sympathy and at the moment, they have none.”

“Isn’t it exactly your job to overcome such obstacles?”

“It is my job to defend you and nothing more. This is what they have said to me.”

We went on a bit more as we were racing to the cloakroom and then out onto the street. We all got on the tram together.

“The most important thing is getting your passport back. This is my theory of defense. If you do not wish to submit to it then I would consider quitting as your attorney”.

“What did you say?”

“This is my stop.” The tram was slowing.

“No, wait: Please quit. Quit right here and right now. If this is who you are, just do it and don’t waste any more of my time.”

“We can discuss this further, but at the moment, I have a bus to catch.” And with that, he was gone.

We were at that moment at the scene of the incident. I pointed out to Tatyana how the break-lights actually do come on only right before the platform at the stop. We were on the way to the bus station and back to Ostrow. I would again not be going home with her. Tatyana told me, as we were hanging from the tramway straps that I ought to be nicer to Boruc. She said she still believed in him. I tried to explain to her that he had just made it quite clear to me that he was not actually my lawyer and probably never had been. She didn’t understand. I did my best to explain it to her. I simply did not know what I had to do to get through to these people that they were screwing the hell out of my life.

Chapter 35

Ostrow Mazowieski; December 6th through 10th, 2002

I was really lost. I mean, if the guy himself plainly tells the court lies and they sit there and do nothing, I simply had no hope.

For the next few days, Tatyana and I took out all of our frustrations out in lovemaking. I simply crawled inside of her and tried to stay there. We made love so often I think we went to some other place together, far away from the misery that had become of our world. She would not be able to come back in January and cried horribly when she had to go. I cried with her. We parted on the train platform in Siedlce and I felt sick the moment she was gone.

Some of the teachers told me just after Tatyana went home that Julia was expecting me but I simply couldn't go. I wanted to back away completely from any "relationship" with her and she didn't like this one bit. Yes, she had been discrete by hanging back when Tatyana was in town and I know that she hadn't expected to be ignored, but frankly, I really just wanted to stop altogether. I mean, you can talk all of the rhetoric you want about sex being necessary and all, but mixing sex with social frictions makes for... well for bad sex and more social frictions. I don't think she expected to be so ignored though and immediately everyone sort of went on edge. I had hoped that this business of stopping with Julia would not affect my relationships with the other English teachers but immediately I saw that it would. She was with them long before she was with me. After Tatyana left, I had two parties at my flat, one of them in honor of Vitali's finally giving it up and going home to Ukraine, but Julia declined to appear at either and both felt tight for everybody. There were only a few weeks of classes until the vacations for Christmas and New Years started. The

teachers were most afraid that not being together would mean that both of us would be all alone for the holidays.

Vitali's party was very interesting. His life in Ostrow had really driven him past the point of despair. And of course, if he couldn't deal with it, nobody could deal with him and so his leaving was a popular decision. But as we honored his departure by drinking his health many, many times he started to say that he felt bad about leaving and perhaps a bit more of this would have made a real difference for him. As the evening went on, Vitali seemed even to be sad to be leaving. During the third toast, as always made for love, Vitali told us a story. It was about a man who wanted to go for a picnic with his girl. Before he could go though, he received two notes; the first asking him to drink with his friends and the second asking him to drink with his enemies. The man didn't know what to do. Perhaps if he didn't drink with his enemies they would kill him. But then again, if he didn't drink with his friends, they might forget him. In the end though, he decided that he should have a drink with his friends: Women come and go and a man would always have enemies, but a chance to drink with friends was something that should never be missed.

I asked privately why I was so wonderful in Julia's eyes but Vitali was not. To Julia, they said, it wasn't so much that I was American but rather that I wasn't Ukrainian. They also offered that Julia was not really so open for sex as I might have thought. I also started to worry about what would be for the holidays. The situation was simply not good.

About my court case, I had no idea what to do. I had no idea about why they had not ended it with Zaremba's testimonies. And though I still to that moment had not clearly heard Zaremba's what he had said and wouldn't know for at least 8 more weeks about the damage reports, Yucha, the accidents or about how stupid Zaremba's

story really was, I knew in my heart something was wrong with my relationship with Boruc. This business about the court's not liking me was bullshit. The court not nailing Zaremba with perjury was bullshit. My having to sit here, Molga's not writing the story, one court day a month, the conflict of interest with my stammering, incompetent translator was bullshit. It was all bullshit. Boruc was in on it. This was clear. I just knew it.

And this was really the first moment that I decided to make this all public. I don't know why the thought had never really occurred to me before. I had written to friends about the Critical Mass riot and everyone knew what was going on who were around me, but right around here I And this was really the first moment that I decided to make this all public. I don't know why the thought had never really occurred to me before. I had written to friends about the Critical Mass riot and everyone knew what was going on who were around me, but right around here I started writing to American newspapers in the mornings at the internet café. In my letters I included copies of the court papers along with the letters. My mom got involved with this too. She had started working in support of Senator John Edwards of North Carolina, who at the time was working on receiving the nomination to run for President and she started trying to get word to him about my situation. If I there had been any money or if I had known about blogger I might have started I then. But no matter what, the only thing I knew that I could really do now was to let people hear about this. And, I also started writing to Boruc.

The point of this letter writing project was to get, lies or no, my attorney's thoughts in writing. I knew he was cheating me, I just wanted everyone to know this. And of course I wanted to simply to waste his time. But as my father always taught

Being Had

me to get it in writing, either way I wanted to be able to really "feel" what this game was doing to me. My first letter was cordial:

Mon, 9 Dec 2002

Dear Marcin,

So? What did you think? Zaremba admits there was not only previous damage to the car, but massive damage to the car. He admits to lying about being hit at the KSP. He changes the story about throwing the bike at the car, saying now that it was not an aggressive action but that it was perhaps an accident. Of his two witnesses, one says nothing except that the car was in worse shape then Zaremba let on when he bought it from him (totaled after Zaremba drove it into a tree-and apparently Zaremba lied to him too!) and the other witness refuses to participate at all. Zaremba has now changed his story for the fourth time. There are no witnesses at all for his side now and the only thing that drives this case is the word of an unreliable witness who has now been confirmed by his own side that he is a habitual liar. So, what do you think? Do you know why I am still here?

You can see by the wording how little I had actually heard via Twardowski.

Nevertheless, the point is still clear. Boruc responded with the following:

Dear Adam,

I want to start this email with the fundamental statement I have already made to you: MY ROLE IS NOT TO PLEASE YOU, BUT TO DEFEND YOU AS EFFECTIVELY AS I CAN. I remade This statement because I am afraid you are not fully aware that my ONLY objective is to help you.

The last hearing day was not bad (your summary describes the positives), but it could be much better (I believe we could win the court's liking but WE DID NOT).

As you could realize I spent quite a long time talking to the judges and the prosecutor privately. I wanted to determine their feelings about the parties and our motions for evidence. I wanted to convince them that it is very important to enable me to Ask Zaremba about his duties as a policeman and to analyze the details of your bike, which is completely different from the bikes they know. Tried to convince the ladies to return your passport. My after-discussion findings are as follows:

- 1. They will keep your passport to the end of the trial (unless the higher court decides to allow you to leave Poland); it means that planning our moves we should take into consideration the factor of time;*
- 2. They will focus on the fact that you hit Zaremba. At the moment they seem not to believe that it was self - defense. This is because you punched his face much later than he attacked you and they find you very irritable and impulsive (it is the effect of your behavior in the court secretariat, court corridors and court rooms);*
- 3. As they want focus on the above mentioned charge they are against the motions prolonging the trial more than it is really necessary (especially motions regarding Twardowski and inspection of the place).*

I also want to emphasize that discrepancies between our positions shown during the hearing are not only painful for me and questions the essence of our

relationship, but also negatively influences your image in the court's eyes (I think the court can find you as the irrationally stubborn person) and spoils my relationship with the court worked out by me.

I try to respect the court's expectations if they don't infringe my client's interests. It is always worth a while. I am convinced that we could withdraw motions regarding Mr. Twardowski (replacing it by the motion for calling Judge Agnieszka Komorowicz to give her testimony as a witness and for applying to the Police for delivery of the bike inspection protocol) and regarding the place of the incident. The aims we wanted to reach by these motions are possible to reach by other means which are much more convenient for the court (and if the result is different from our expectations we can always come back to the original idea).

My opinion is that by withdrawing the subject motions we would win time (we could apply to the court to take all the remaining evidence next time which would make it possible to end the case during the next hearing) and better atmosphere. Also I would like repeat what I said to you just after the hearing: I feel that the court will reject the subject motions.

So I would like to ask you for:

Reanalyzing your position regarding motions for evidence; prepare yourself to convince the court that hitting Zaremba you were self - defending (during the last hearing I tried to make you telling about your most traumatic bike-cars adventures and about tragic deaths of your friends killed by drivers;

To provide me with your addresses and telephone numbers in Poland and in Byelorussia. I want to convince the higher court that you have the addresses (apart from Altheimer & Gray's address) they can send the correspondence to and under which you can be found;

Being Had

To provide me with the information if you want to take part in the Circuit Courts (the higher court) session set for Dec. 19, 10:00 AM (if so it would be necessary to apply for calling the sworn translator). My suggestion is that you should not appear in the court. In such session the accused and his attorney usually don't take part (they are even not notified by the court on the date of the session). Basically it is limited only to the legal issues.

I am looking forward to hearing from you.

Best regards,

Marcin Boruc

And then he added another thought about how there was some potential that my visa had run out because I had stayed in Poland longer than 90 days and included some rather ingratiating statements about how he was still my lawyer and therefore would be happy to assist me with all of this.

I thought I had really lost my mind; Nothing about Zaremba, nothing about his lying, only me, that I was guilty as hell and that we needed to massage the courts into some feelings of sympathy because I was so socially outrageous. And, just for the sake of time, we should throw away all of our evidence. Was this guy working for the prosecutor or something?

I sent off three long letters to him re-outlining my position and my feelings. An excerpt of one was this:

...this trial is about that I attacked some guy on the street. The guy was a cop and this trial is based simply on the testimony of a guy who said that he had done nothing to draw the attention of the attack. This man is now a confirmed liar. He lied about the car, the use of the bike, his car's history, the damage to his body...

he has admitted that almost all I have said about the situation was true. And in addition to this, what is left of his story is remarkably unbelievable. I simply do not understand why the focus, even after all of this has happened must remain on me and not the situation. And, why we must make the comfort of the judges supercede the rigorous pursuit of the truth.

To tell me something like:

“They will focus on the fact that you hit Zareba. At the moment they seem not to believe that it was self - defense. This is because you punched his face much later than he attacked you and they find you very irritable and impulsive (it is the effect of your behavior in the court secretariat, court corridors and court rooms);”

Is an insult to my intelligence? The time frame from being attacked by a speeding car from behind and then having that car pin you to a bus and punching the guy in the head that did it is about 5 seconds... perhaps we don't need go so far as you think in this. I was attacked on the streets of Warsaw. I hit the guy who attacked me. I went to the cops for protection and was arrested and effectively tried and convicted without trial. And worse, Warsaw has seen fit to continue the attack for seven months and all at my personal expense. Do you wish to speak to me about dignity? They are defending an ADMITTED LIAR in their courtrooms! What is the aim of the prosecution? The original attack was completely, entirely and absolutely without even the tiniest thread of provocation. Zaremba was robbing me, get it? He wanted money from me? This was a thief who attacked a biker with a car. IS THIS SO SMALL? DO YOU WANT FROM ME A COMPROMISE? HOW MUCH OF THIS NONSENSE AM I SUPPOSED TO EAT?

And all of this is to the extreme detriment of my woman, her family, my name, my business? You want me to look like what? You want me to let what go? Does anybody here have even the slightest gram of sense in this? I am not Warsaw's bitch! I am a private citizen who had done nothing but come for a brief shopping trip to this city. The city has robbed me of my time and money. And you want me to be nicer to people? Do you want me not to be upset?

I have seen footage of one of your politicians making a fist fight in parliament. I have seen your cops literally attack people on the street. I have seen you guys at soccer games. And, please sir, I am a Jew, so do you wish to speak to me about that portion of your history?

*There is...there is no case against me. There are no witness but for Zareba and he has admitted to being a liar. I took my bike to the cops to show *(and this is without even knowing what I was being held for) that there was no damages to my bike and so conversely to the car. They went and lost the evidence... Twardowski has told the court twice (!!!!) that he was there and the document existed...*

What you are telling me is to kinder to the people who are screwing me? I am sick of being here. I am sick of living in Poland. I am sick of the accusations. I am sick of the pain this is causing my life. I am sick of the endless, mindless stupidity! There is no justice in the justice system. You can not negotiate without my understanding what you are doing and, you should not negotiate without me being there. And if this IS A NEGOTIATION, if you can actually negotiate something here, negotiate for the end of this with Zareba admitting once and for all he attacked me with the car!

(And one more thing) this issue of a permanent address is a real thing. The way Wiesniakowski described this to me was that every Polak must have this thing

and it relates to their citizenship and residency in Poland. I was told that there was to be some character evaluation based upon how I live, to be made during the prosecution. Now the dictionary defines the word as follows:

per-ma-nent (pɜr-m-nnt) adj.

Lasting or remaining without essential change: "the universal human yearning for something permanent, enduring, without shadow of change" (Willa Cather).

Not expected to change in status, condition, or place: a permanent address; permanent secretary to the president.

So, if this is what you are talking about, I have none, because I did not live in Poland before, I have no business other than this trial here now and, other than freedom of movement, I have no interest in Poland after this incident is finally and mercifully over. I have no familial ties, no business and all friends I have here are all from after May 15th. Now, I have made mailing addresses available every single day and I have made a point of proving that not only was that where I could be reached, but I also went broke trying to stay there. But to ask me to say that I have anything permanent in Poland is to ask me to lie. And as of this moment, I have never told a lie of any kind since the beginning. So, unless someone has mistranslated this to me, or the meaning is something else, I am not going to play this game because it would make me a liar and my word and my character and my name are all I have based everything I have done on. What I do in the world is what I believe in. this is the bikes and the plays I write. And I either have credibility, or I have nothing. So we really ought to be getting to the bottom line here that this case IS ABOUT HONESTY and nothing else.

Being Had

All of this to me is and has been simple extortion. I see no other word that describes this.

Adam

This is what I got back:

Date: Tue, 10 Dec 2002

Dear Adam,

I want to win the case. I do my best to achieve this result. I spend much more time on this case than on any other similar one.

Your letter proves you do not realize it. It also proves you don't trust me both as a man and as a professional. It makes me sad and, what is much more relevant hurts the basis of our relationship. In normal circumstances it should cause my resignation as your counsel for defense. But I find the circumstances very special and for this reason I do not want to quit without trying to cure the situation.

I am ready to defend you to the very end of the trial. But ONLY under the condition that you stop trying to treat me like your tool and submit to my concept of defense. I want, of course, to know your opinions and remain open for discussion with you but I want to be the only final decision maker.

In the court our positions should be absolutely uniform.

Do you agree to my conditions? If not, we quit.

Marcin Boruc

You are getting the idea, right?

Chapter 36

Ostrow; December 11th through the 18th, 2002

Quit! Please do. If this is what you want, I wish you would.

I answered with about 3000 words about what the case had done to me, my losses and humiliations at having been so done-in by a proven and admitted liar. I outlined some political ideas and basically went off on him about all of the logic that I could think of as to why all of this was a farce. I told him that all of this was an insult to my intelligence and the intelligence of any body that actually cared about his life or his world. This is what he wrote back:

Date: Wed, 11 Dec 2002 13:05:02 +0100

Adam,

You charge me with insulting you. I find your actions extremely insulting for me (ex.: according to your words I think of you and your case as a monetary waist of time).

I do not want a personal clash with you. I do want to concentrate on the case. I think we should have a face-to-face meeting and to determine the future of our relationship.

My proposals are: Tuesday Dec. 17 after midday, Wednesday Dec. 18 after 10 AM or Thursday Dec. 19 after the Circuit Court's session in your case, which is set for 10:00 AM (still I am your attorney which means that I am going represent you during the coming court's session).

Marcin Boruc

Well, I had no intentions of riding the bus all the way to Warsaw just to be lied to by this so-called attorney. And, there was no way I was going to let him go to

Being Had

that December 19th courtroom without my being there. I still hadn't a clue what was going on, but I was not going to go down without a fight. I sent him another 2000 words about honesty, decency and the actual doing of the job of being a lawyer. I was so angry and depressed at this point, that I was feeling physically ill at even the thought of touching anything in Warsaw. This was his response to that:

Date: Sun, 15 Dec 2002

Adam,

You force me to take part in the e-discussion instead of having a meeting with me which could help us to refresh the atmosphere. In our situation the face-to-face conversation is necessary and what you do makes potentially not a very big problem a huge one. You wanted to know my opinion on your statements. I will give you the short one: I believe you have good intentions but find your judgments unconsientious and unjust to me. I will not develop this thought because I believe we should direct our energy somewhere else.

I love my profession. I feel deeply engaged in your case. Therefore I renew my invitation to have a face-to-face meeting in the soonest possible term. I am out of Warsaw on Monday but Tuesday's, Wednesday's and Thursday's terms proposed by me remain valid.

Regards,

To me though, if he was not on my side, and really, there was no possible reason to believe that he was, it was not only that he was of no use; he was a major detriment. And betrayal and constant betrayal at that, in case you don't know is pretty hard to take. I wrote one more letter:

Date: Mon, 16 Dec 2002

Marcin,

This is a political statement. And I do not live in Warsaw and it is quite inconvenient and unnecessarily expensive to go there...

E-discussions are cheap and they can be had without interruption.

My actions are great. What I have done is to defend myself against your country for more than half a year for a crime I did not commit. my simple point is that we take this tactic and do every last possible thing to drive this point home and this is by exploiting the obvious reality that the only witness for the other side has lied and is not a competent witness and that I have been greatly damaged by this episode. I am quite tired of what seems to me to be perpetual and perhaps cultural accusation in the tone and approach of people. To get it from you, from a supposed position of trust does not indicate to me that you are deeply anything.

I have asked you sever e-questions in three long letters and you are, perhaps judiciously, not answering them. This may be quite politically astute for you, but it also effectively leaves me, your client in the dark.

I have several suggestions I have wanted to make to you, but I feel that because you are avoiding me, for whatever reason you are, I can not speak with you. And, this is my case, because I am the only one with a vested interest in it, I wish to press, now. I wish to make financial claims, now and I wish to call attention to the real charges that should be placed on the head of Zareba, now. If it is completely out of form to do this, let us suggest. If it is wrong to this, then as a complaint. If I am not mistaken, there are quite a few people who were supposed to speak in the upcoming days and I need to feel some sense of knowing about all of this. And this is communication.

Being Had

To have said to me what you said to me on the bus (that if I don't conform you would quit) is weakening to me and in reality is possibly a smokescreen, keeping me from the real necessities of defense. Both are unacceptable. Both weaken my sense of trust.

I'll wait for this response. I really hope I am not required to come to this hearing on Thursday. The only reason I wouldn't would be because I have faith and trust in your word. If I don't have this, I must be there and not only to defend myself, but to protect myself from you're disallowing the return of my passport by your actions. I would like an understanding of the protocol of this hearing. Who will be there and what will be discussed. I want to know if people can speak there and what the form and order would be to do so. And to this effect, I have stated what I believe to be great reasons why there was a mistake in the beginning at an earlier version of this trial, as to why I had not been even allowed to defend myself at that hearing. If these reasons are not heard and if you do not present them for me, I would have to present them myself.

Adam

And this is the response I got back. I only wish it had actually turned out to be the truth.

Date: Mon, 16 Dec 2002

From: "Sylwester Pieckowski

We are out of this.

SP

Thank God!

Being Had

Date: Mon, 16 Dec 2002

To: Sylwester Pieckowski and Altheimer & Gray, Attorneys at law

Dear Sirs,

Would you please accommodate me in the following ways:

1: Would you please provide me with the time, place and room number for the hearing this Thursday regarding my passport. I have checked my notebook and I find that it is not printed there for some reason.

2: On that Thursday, I would like you to have my documents, motions and papers or copies of them ready to be returned to me. I will have very little time that day and will probably come to your offices after the session. So if you can have these things ready with the secretary, I would greatly appreciate this.

3. Please allow a simple acknowledgment of receipt of this letter to be returned to this E-mail address.

Thank you in advance for this and for any efforts you have made on my behalf in the past.

Adam Goodman

They responded:

Date: Mon, 16 Dec 2002

Dear Mr. Goodman,

Your decision is duly acknowledged and we will follow accordingly.

The next hearing at the Circuit Court will take place on Thursday at 10:00. More details on it will be passed to you by Marcin Boruc later tonight or tomorrow morning.

Being Had

Best Regards,

Sylwester Pieckowski

And then, right in the middle of all of this, I got this back from my friend Edward:

Adam!

I've got by phone a director of the theatre in Pinsk. She said that she liked your play very, very much. Also she's read the play to her theatre group. They liked it too. As she said they're going to perform the play next year. They will start to work in January and hope to perform it finally somewhere in March. Have you got any questions for her?

Wow! I wrote back to Edward:

Yea... um, if they want any help with the American accent of Robert I will be glad to help them out... and, if they are interested in notes as to what sort of things I was thinking about for characters, I am there are well... and, I am out of my head and I want to be in there as much as I can to do anything I can to help!!!! Crazy, Ed, really, crazy!!! I am so happy... I wish I could get an e-mail of these guys or to get mine to them... look at this Ed! Seriously, look what we did!!!

I did something rather impulsive and sent Edward's letter about the play to the whole of my mailing list, several hundred names, including Boruc. To have Pod Kablukom performed at the Pinsk theatre was about greatest balm I could have gotten. I received many letters of congratulations and good wishes. Boruc wrote that he hoped to "have possibility to taste my plays". On first thought, I realized that computer translators always give a slightly different variation of words and he

probably had just asked for “try” and got this culinary response instead. But still it sounded an awful lot like a line from “The Godfather”.

In any case, I did seem to be alone. But to be honest with you, it was the happiest I had felt in a long time. I may not know anything about form or about procedure, but at least I could stand up and defend myself without having someone offer a case I did not agree with. And if the court wanted to argue, well, they would just have to come directly to me. So, as this was the case, I thought that this is exactly what I had better start doing. And of course, the first thing I needed to do was to make the point I actually wanted to make clear. I wrote a paper that I planned to read at the court meeting on the 19th. It ran about 3500 words and began with this introduction:

To the court of Higher Instance, Thursday December 19, 2002.

I am presenting this note on my own behalf for the following purposes:

1: To be granted the return of my passport and

2: To attempt to add some sense of clarity to the whole of my situation so far.

This letter will consist of 3 parts.

Part one will concern reasons for the return of my passport.

Part two will talk about the situation of my case

Part three will talk about my situation in Poland.

Part four will concern my future intentions.

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I mentioned in the letter about my financial losses, the stress on my life and the stress on Tatyana's family and my own. I mentioned about the court case and how Zaremba had lied about the damages to the car and how he had presented no evidence and that his witnesses had said nothing. I told them about the play going on in Pinsk. I thought it pretty comprehensive.

Boruc agreed to give me the documents I requested in a note that suggested that he would be there as well. I wasn't happy about that at all. I wrote to him:

Date: Tue, 17 Dec 2002

um, I got a letter from your boss saying something like "we're outa here"... this means to me that your firm has decided to resign. if this is the case, what are your plans in regards to Thursday? I have already done quite a bit of work with that in mind. Could you clarify this for me?

He wrote back:

Date: Tue, 17 Dec 2002

I have already told you this. I will represent your interests on Thursday (unless, of course, you do not object to this during the coming session).

Your decision to participate in the Thursday's session came rather late. The court does not know about it. It means that I will have to try to provide the presence of the sworn translator and I will do it.

Regards,

Marcin Boruc

What does this mean “I will represent your interests?” ? Where is he doing me any favors? And what does “If I do not object” mean? I did not trust this man at all anymore and now he was telling me that that I had no choice and he could damned well come and go from my life as he pleased. I didn’t like it one bit.

Date: Tue, 17 Dec 2002

From: "adam goodman"

I will need to see the text or at least have a translation of everything you plan to say and the form of the meeting. I will not be able to stay long at the meeting because I must leave before too long. I have prepared a letter I wish to present there. I am afraid I can not permit you to enter at all unless I know exactly what you will say, good or bad. I am afraid I have been made quite uncomfortable by this arrangement. Your statements to me on the tram, your refusal to acknowledge any of my letters in a complete way and your evasion of direct questions makes you quite suspect in this. And, especially in regards to the actions made directly against me by my last attorney, this situation is unacceptable. You are forcing me into an uncomfortable and unnecessary situation and into doing a large amount of extra work in a short amount of time. None of this is in any way appreciated.

I will need the above mentioned items today, or I would ask you not to attend at all and simply make all of my papers available to me for Thursday morning before the hearing. I am afraid I have no other choice. I feel that there needs to be a bond of trust between client and attorney and this exchange and all of our meetings over the last few weeks and during the last

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sessions are quite the opposite of this. I do not wish to be insulting to you sir, but in my mind, I feel you are playing games with a situation that I am afraid I regard as far more serious than you may expect. I really don't know who or what you think I am, or what you think appropriate attorney/client behavior might be, but this is simply unsatisfactory and quite possibly bordering on some kind of threat. If I don't trust you to represent my best interests, you simply are not doing so.

I'll expect this information from you presently.

His response:

Date: Tue, 17 Dec 2002

Adam,

The frames of the coming session are set by my complaint which was sent to you. I am going to develop the argumentation given there and to present new argumentation based on the events which happened during the last District Court's hearing (referring to Zareba's incredibility and therefore the weakness of the whole accusation and the great probability that finally you will be found not guilty). I would also like to add that because of our visa regulations in fact even if they give your passport back you will have no chance to leave Poland before next District Court's session.

I would like you to be aware that the procedure does not allow you to act without attorney. So if there is no attorney representing you on Thursday's session the Court will not be able to conduct the session and will have to adjourn it.

Regards, MB

And of course, if the adjourn it, there will be no chance to get back my passport...

Things were simply not going well. Those letters I had been writing to the American press from the Ostrow internet café were not getting responses. I wrote letters to some thirty newspapers around the United States but only The Sacramento Bee even wrote back asking me why I didn't go to the embassy for help. I wrote a letter explaining how the embassy seemed to be involved with all of this or at least had been supporting the prosecutor. I guess this was something they didn't want to hear and never wrote back again. Oregon Cycling Magazine offered me a spot in a future issue for the story, but I found I could not put the story into a decent thousand-word context. It was simply too big. I asked them for help but they did not even write me back. I can't say that I blame them.

I was out of my head by this time. All I wanted was for there to be some clarity. I tried to stay fit riding my bike every day, but the going was difficult. It had begun to snow early that year and it was always cold so the snow stayed on the ground in piles along the roads. I had only 23mm tires, one gear and no breaks: A fixie is simply not the best bike for riding in the snow. But there was nothing I could do about it except to get used to crashing and falling into the snow.

Chapter 37

December 19th, 2002

The day of the session at the higher court.

I took the bus to Warsaw early and rode over the bridge and into town. I changed from my riding clothes in the bathroom of the courthouse. Boruc was already there and was waiting outside the courtroom. Twardowski was there as well. I offered a grim nod and asked Boruc if he had brought what I had asked for. Boruc gave me copies of his notes from the case and told me that he thought the letter I had written to the courts was very good and he wanted to present it.

“What do you mean, you want to present it? I thought you were not my lawyer? I thought that I would be doing this myself and this is why I wrote the statement that I did. If I cannot attend this session without a lawyer, then you must be here. But I assure you that I have every intention of speaking for myself.”

“I am not sure that this is going to be possible. I told you that such sessions were usually not attended by defendants as they have to do only with technical questions and not about the aspects of the case. I do not believe they will hear you even if you do attempt to speak.”

“Well, we will see.” I was angry, to be sure, but I was also blind as to what might occur.

There were several cases being discussed as well as ours and the wait was quite long. This was going to be a problem because I had to get back to the station and on the midday bus back to Ostrow in order to be on time for my classes. I still had not told anyone other than the teachers about my situation there and not showing up would make a problem. Also, I didn't know if he knew or not, but I also had never

told Boruc what was going on either. I sat and talked quietly with Twardowski. He told me he was sorry if he was causing me any problems. I didn't know what to say to that. Twardowski is a very kind man. I was actually sorry to have involved him on such an ugly mess. After about an hour or so, we were invited into the court.

A panel of three judges sat with their backs to a large window. The effect was such that you had to squint to look at them and even then, they were all only in silhouette. I was asked almost immediately if I objected to Boruc' being my attorney at this meeting and I was at a loss. I was more expecting to be able to simply speak when it was time to do so. The way the question was directed, I was sure they would simply close the books and leave if I told them no. I didn't know what else to do, so I let him speak. I let him speak and listened to him through Twardowski with all of the attention I could muster.

But when I was asked why I had come, indeed this was not normal for such a session, they would or let me either read or enter my essay into the court. When they refused me this I tried to make a verbal argument that the whole of the case was based upon a proven perjury from Zaremba. I say I tried because after the third sentence, the main judge held up a copy of my large report and smiled at me, telling me that he understood my argument. It was a reassuring gesture to be sure, but what exactly did it mean? This of course made me even more nervous.

Boruc though was allowed to speak and in fact spoke very well on my behalf. His words were strong and they were clear and they were emotional. He said that the whole of this was a farce for me and that I had suffered greatly. He told them that the opposition was based purely on lies and that there was non reason not to grant me my passport back because as of this moment, it seemed to be clear to everyone's eyes that I would indeed emerge as the winner and that holding me further was simply adding

injury to accident. After he had finished, the court retired for a few minutes. In that moment, I actually found myself thinking I might have over reacted and that it was only the stress of the situation had gotten to me.

Boruc asked me in the hall what I wanted to do about Twardowski. This question concerned the conflict of interest of having him both as a witness concerning the missing report about the bike and as a translator. I had no interest in extending this trial any longer than it already was but ignoring him as a witness meant that an important piece of evidence was intentionally lost. I didn't really know what to say and asked to think about it for a bit.

The court invited us back inside and we were told that they were refusing to even hear our arguments. There was a definite time limit as to when the higher court could even hear an appeal and because our complaint had come too soon, they had decided not to hear us at this time, that they were sending the request back to the lower court and that we could resubmit our request after the necessary time had elapsed. This of course meant that the whole of this day, including Boruc' display of emotion on my behalf was nothing but a show. This, combined with Boruc' wanting to keep me from the meeting in the first place was enough for me.

“You didn't even know the proper procedure for turning in your arguments?”

“It was simply a mistake on my part. The court needed a certain amount of time before any such appeals could be made. I had not allowed for this. It is a technicality but the mistake came as a result of my haste to try and get your passport back. I will resubmit the paper again and would continue to work as my attorney until such time as the court decided he was not.”

It had been yet another waste of my time. That judge holding up my report meant nothing. That heart breaking speech that Boruc had made meant nothing. And

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now the man was telling me he was free to act as my lawyer whether or not I wanted him to be. I would have cried, but I didn't have enough time. My bus back to Ostrow was leaving within 40 minutes.

Chapter 38

December 20th through January 7th, 2002

The winter holidays.

Tatyana couldn't come at all during the break and wouldn't be there for the next court session either. And of course I was not allowed to go there. I made a brief peace with Julia about a week before the holidays but almost immediately we had another fight over the sort of thing you have fights over when you really don't want to be together. And about what had become of Julia and me, I really do not know what to say. When we would be together I would try to put things in perspective, to talk about how it wasn't working for me and how I was sorry that I had started, not because of her, but simply because I was supposed to be connected elsewhere. But you know that is really only so many words. The argument on the other side about simply giving and receiving intimacy wasn't any good either. And through it all she just stood there, holding her ground, taking it, just like she had with Uladsimir the day we first came. She just stood there and sat through anything I had to say, but would not let anything in. She just took it as though her whole ego was based on nothing more than her ability to withstand pain. And then after a while, I felt that everything I did hurt her and this made it all even worse. But where was the answer? Where was the end?

So I spent my days alone pretty much, watching TV or riding my bike and then going to the school at 3:30 in the afternoon. I found that I was drinking more. Ostrow had its own contingent of contrabandists working near the market and I could buy Belarusian vodka for about \$2.50 a bottle, an absolute treasure, believe me. It was the first time I was drinking in Poland. At the moment I thought it helped. I am not sure if this was true, but that was what I thought.

I was also finding a growing language barrier with the Russians. Probably this had more to do with the situation with Julia, but nevertheless it was there and I could feel that they were beginning to distance themselves. The problem was that even though they all spoke English very well, it was certainly easier for them to speak in their native tongue and when I was involved, everything had to be done in English. I was getting the feeling that they were happier without me being around. Like I say, there are a lot of excuses, but basically I think I got the point.

I talked about all of this with Uladsimir and he told me that my problem was not with Russian grammar but instead that I did not have a strong basis in simple phrases. He said that when someone asked me about my Russian or said something in any way negative about myself, I should say to them: “E kto te takoe?” (And who are you), or “shto te hotchets ot mne?” (What do you want from me?) “We are speaking of Belarus my fiend.” He explained. “To level the playing field is far more important than speaking well.” He didn’t care anything about Julia and still insisted that she was nothing but a peasant.

I really liked drinking with Uladsimir. The guy had more pain and desire to do good than almost any man I have ever met. And for this I had endless respect for him. Certainly though, he can be a pain in the ass, but he is also really funny in an ironic kind of way. One example of this is when he confided in me one day the secret to his

teaching success. “It is all subtlety.” He advised, “And it is important to know how to speak to the soul of the student.”

He told me that if he had a particularly difficult student who always did poor work or simply didn’t do work at all the solution to the problem came simply from proper communications. All that was necessary was that they needed to understand each other.

“The first thing to do is to take two examples of the student’s most thoughtless work and set them aside. Then, you make a point of inviting the boy to stay after class, but you must be sure to invite him at such time as all of his fellow classmates are listening. This is very important. Then, at this meeting I show these two documents, now wrapped in plastic so that they are protected, to the boy and ask him for an admittance of guilt that they are indeed his.”

“An admittance of guilt?”

“This is absolutely necessary. The boy must know that he is guilty of an offence.”

“I understand.”

“Now, once I have obtained from him a verbal admittance of guilt, I then remove from my case another document which I have previously prepared for him to sign. This document of course is physical evidence that we have had a meeting to discuss his... indiscretions and that the boy now fully understands the consequences of those actions.”

“Is extracting confessions difficult?”

“There are techniques.” The boy would then be asked to sign this document and hand it back. The eleven or twelve-year-old, now with tears streaming from his eyes would usually at this point ask what was going to happen to him. “That young

man,” Uladsimer would smilingly reply, “is entirely up to you.” One can imagine here an audible gulp.

“Now, what do you suppose your parents or the administrator would say if they were ever to even hear that such documents existed?”

“I don’t know...”

“Oh, of course you do, don’t you?”

“Yes...” Another gulp...

“Well then,” Uladsimer would delicately say while dropping the documents back into his portfolio and snapping the lock shut. “Perhaps then this little meeting of ours should remain out little secret. As long as your work is acceptable and your attendance perfect, it might be possible for me to see that these documents should never fall into what we might call... the wrong hands.”

“You promise?”

“Well, I will certainly try as hard as you will.”

“And this works?” I asked.

“I find that grades come up quite dramatically after such a scene.”

“You sound as though you learned all this straight from Stalin.”

“I did.” I told him I thought he was a great teacher.

We had big Russian style New Years party at the Internat on the last Thursday before vacation. Julia found sparklers for us and we all drank and danced and ate together. Andrew, all five foot three of him, got drunk picked about seven fights with me. It was a fine evening. And then everybody went home but me.

There isn’t much to say about those next few weeks. I watched a lot of Television. Julia and I tried to be friends at first, but there was simply no chance and

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we both decided it would be better to just go it alone. I wrote a letter to the theater in Pinsk thanking them for playing my play. I got a letter from Drazek telling me that Maka had been busted for marijuana possession in Canada. I wrote to Piotr Molga but he seemed to have resigned from the case entirely and didn't write back. Drazek was not interested in being a witness either. The real New Years simply didn't happen.

I went to Warsaw and turned in the essay I had written for the higher court and to make my own request to have Boruc released as my counselor. In the secretary's office I saw Boruc' release letter which included several of my letters to him as evidence of my "lack of trust". "I don't believe in your ability to defend me" was highlighted. Well, it is not like *I was lying*.

Date: Thu, 02 Jan 2003

Adam,

Today I have contacted both lower and higher courts in order to determine the status of your case after our motion for releasing us from the obligation to defend you.

This motion remains undecided by the lower court (which is the only competent to do so). They could not do it without the files, which have been sent TODAY to them by the higher court.

The above means that you have no chance for a new lawyer appointed by the court before the coming hearing.

Therefore, I will have to take part in this hearing. My objective, however, will be only to receive the relief from the obligation to defend you and to gain the

revival of the term for filing the complaint against the lower court's decision of Oct. 11, 2002 regarding your passport.

I would like to support me in both matters.

Regards, Marcin Boruc

Date: Fri, 3 Jan 2003

My only interest in the matters of form in regards to the witnesses that have been called to the next session. I am a bit unclear as to who is supposed to show and who isn't on my side. To this moment, I still have not read or understood your statements to the lower court in regards to the motions that you have made. I only know that we have reserved the right to call Twardowski and the daughter. I am unclear as to whether the daughter will appear or not and if there is any obligation on her part to do so. And also, I know what questions I have for her, but I am a little worried about being stifled by the court. So I guess I would like some advice about this. I also do not know what you have done as far as contacting others who would have been witnesses. This includes the bike mechanic and the biker(s).

I am also unclear as to the benefit of the request to the higher court regarding my passport. When they refused to hear our argument, it was because of the date that it was submitted. I believe we could simply make a new request now as it is after the term of the two months. However, I am not sure it even matters as I believe this trial is coming to a conclusion. There simply isn't that much left to say in my mind. So I would like to know the truth about this as well.

so, if you wouldn't mind some simple free advice concerning these matters and perhaps a few words as to what I could expect format wise in this coming trial, I would have no problem allowing you to do what you want. However, your firms release is different from you making any motions on my behalf and as I have already stated, I truly do not understand the whole of it.

Adam:

1) The only witness the Court decided to summon is the daughter. She can not be forced to appear in the court. The other person the Court decided to summon is a psychologist whose role is to assist the daughter's testimony and to evaluate its credibility.

If you present me the list of your questions to the daughter I am ready to review it and, if necessary, to make it acceptable by the Court.

2) Last time the Court announced that:

- Their only decision regarding my motions for evidence is to summon the daughter + psychologist and to ask the Police for the bike inspection protocol of May 17;

- will make their decision on the remaining motions (including the bike mechanic, the biker (s), Mr. Twardowski, Tatiana, your "book" about the case, your bike) during the coming hearing.

3) I know that it is almost impossible that the lower court decides to give you the passport back. Much bigger chance to achieve this goal is to convince the higher court.

There are two ways to make the higher court formally able to make such a decision:

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- to revive the term for filing the complaint against the decision of Oct. 1;
- to stop filing motions for the passport with the lower court till February 6, 2002.

There are two main benefits of choosing first possibility: time and additional pressure on the lower court to change their position in this matter.

Time is a very important factor. If you want to push all the motions for the evidence filed by me so far - the trial will not finish very soon.

Marcin Boruc

Date: Fri, 3 Jan 2003

Ok, well, thank you for this... but it is interesting that there is only this one piece of business to be done on the eighth... why has the court not agreed to call the other witnesses? Is this stalling? What is happening that we must have their agreement just to present their case? I am afraid I do not understand this at all.

Have the others been called? Have we made any attempts to tell the others to come to court? May I bring in my bike and simply present the evidence? And that "book" of mine was submitted several months ago. Is there some reason it is not a part of this proceeding? Can you tell me why these things are the way they are and why am I hearing about this in January?

Date: Fri, 03 Jan 2003

Adam:

1) *Of course the court hearing is set for the eighth, not for the fifth. The worst thing you could do in your situation is not to appear in the Court.*

2) *It is the Court who decides which evidence should be accepted and when. For example it is possible that your "book" will never be found as an evidence.*

3) *I repeat: the only people (apart you, Zareba, me and the prosecutor) summoned to the coming hearing is the daughter + psychologist. It would be pointless and even rude to take the non-summoned witnesses and the bike into the court room.*

The court is the decision-maker. Even my position in this case finally depends only on them (not on me or you). In theory it is even possible that we will not be released from the obligation to defend you.

Therefore I have to appear in the court. It is my duty even if you don't want me to do so.

Regards,

Date: Fri, 3 Jan 2003

I guess my feelings are that I really have no understanding of the things you are telling me and what it sounds like is that all of this is simply dragging me along for an even longer ride that it has been already. I feel that this is a big mess and I do not agree with you at all. So, if you must go to the court to make your claim to remove yourself as council, you not only have my blessing, but my request to do so. However, I am prohibiting you from passing any more papers or making any more motions on my behalf as of this moment. Do not make any requests regarding my case, nor offer any opinions. If you have done anything since the hearing on the nineteenth, I am afraid I shall make

objection to it on the grounds that we have had no relationship since before that time. It is genuinely my opinion that I have made an enormous mistake in having you speak for me at that hearing. I simply cannot make these mistakes any more.

I will send a copy of this letter to the courts at my next opportunity. Thank you for your help in the past.

Adam Goodman

Date: Fri, 03 Jan 2003

Done.

I was drinking some coffee with Uladsimir when he told me that he didn't think that the school was going to extend his contract when his three month limit was up. The effect of this would be to void his work permit and oblige him to go back to Belarus. Was there anything to be done?

“The woman is a pisda¹⁴! What is there for me to respect? I will never grovel to her.”

“What are you going to do?”

“I will go home and I will do what I have to do to get by. Just as we all must do. This Polish business was nonsense. In this you were right. It was an embarrassment to come to the Polaks. I am better off at home and taking my chances with my own people.” He went on to say that after he had paid for all of the travel and work permits and such that in the end he would have worked and lived in Poland for nothing, perhaps that he even lost money.

¹⁴ I don't need to be specific. It's a foul word.

At that moment there was a lot of commotion in the yard in back of the Internat. Uladsimir explained that a sixteen year old boy had just hung himself from a tree there earlier in the day. He had been despondent since his uncle had hung himself from the same tree several months ago. “There were both terrible alcoholics.” He said. “It is a great problem for all of us. One of my students said that the boy had been telling everyone that his uncle had been right all along. He felt he simply had no future and nothing to look forward to.”

Chapter 39

The daughter’s day in court; January 8, 2002

I think we should have rested on the day that we heard from Zaremba and his witnesses. I also think using the child as a witness wasn’t right. I think if I had known all of what had been said at the previous session, I definitely would have at least tried to go around Boruc and made the motion to stop at that time. Of course they probably wouldn’t have let me. They were pretty good at finding ways to be sneaky. But at the time, I was completely convinced that I would lose if I simply stopped. And to read Boruc’ letters, the court was going to convict me, even if Zaremba confessed! But in that moment I still had some belief that the daughter, because of her age, would allow in some fashion the truth to come out. I set up a simple line of questioning should have been all that was necessary to catch her out in a lie. I didn’t like, but I felt I was ready in any case.

Jersey Twardowski and I were sitting on a bench in the corridor outside the courtroom on the morning Zaremba’s daughter was supposed to testify. I guess I was worried because of how eager the courts were to get the girl in there; they obviously

had no interest in my winning the case and I had the feeling that... well, you have heard it all before. I said to him that calling her to trial had only been an idea or even just a bluff to try and get Zaremba to admit what he had done and how I was thinking that Boruc had advanced the proposition too far and too fast. Twardowski thought that perhaps the problem was not Zaremba or Boris at all really but rather that I was insisting that I would return to Belarus.

“I have been a court translator for a long time.” he said “During the times of communism there was a gesture that referred to the Russian influence on the courts. It was quite well known and its influence was almost comic in the courts. The gesture was made by touching both wrists together indicating that “the hands were tied”. What this meant was that some Russian official desired a different result than what would normally occur based upon the evidence. Perhaps this was due to some political reason, or perhaps the high-ups thought that the case was only a small part of a larger plot. In any case, the job of the courts was not to ask for the reason why, this gesture was made, the principle was understood and an alternate ending found.”

“Do you think Poland carries such large resentments from the time of the Russian occupation that they would ruin the life of a bicyclist just because he has a Belarusian girlfriend?”

“I think that Poland wants to join the European Union and I think that this means that they want to do all they can to prove that they have no wish to go back to previous times. What is the word in English for unfortunate people? In Russian it is *nye-udachnick*, an unlucky fellow.”

“In English, we have no such concept. We must take responsibility for our own lives.”

“Well, in any case, I think this is what you are here.”

“So I am just an unlucky fellow?”

“Yes. It’s just unlucky.”

Katarzyna Zaremba came to the court with her mother. She was a thin, quiet little girl and stood next to a window across from the courtroom. I smiled at her and she sort of stared at me. I was hoping she would understand something about life and the truth. A year of my life was being entrusted to the whim of a child. She seemed nice.

We were going to be late for some reason and everybody stood together outside the courtroom. The psychiatrist, a tall thin man with spectacles came up to me greeted me with a handshake. I got the feeling he wanted to meet me personally. He explained to that his job to examine the girl as she spoke and to give his opinion as to whether or not she was telling the truth. Please, the truth was all I wanted. He nodded to this. The psychiatrist who had done my exam back in June was also there. I was actually happy to see her. They were there to give an opinion about my psychological exam. Please, great. I remember exactly what you said: That I was angry over being hit by a car. Please say this, it’s the truth. She had a worried look on her face at the moment. I realized that my eyes were probably looking really tired and worn.

In this moment it seemed as though we were all at some cocktail party. We were all being so very social and normal. Maybe this was the point. I spotted Zaremba standing by himself and I asked Boruc if he would he wouldn’t mind helping me speak to him. Boruc declined with disdain. Why not? “I am an attorney, not a translator.” Is what he said. Right, he was being difficult. Listen I just want to talk to him informally, for a second. He looked at me as if I had to be kidding. Obviously

Boris had no intention of doing anything for me any more. As if he ever had. I asked Twardowski to come with me and he nervously agreed.

Zaremba watched us walk over to him and tensed. "Listen, I just have two things I want to say." I waited for Twardowski to make the translation. Zaremba nodded his head. He was trying to act all cool and calm but I could see he was nervous. I started in with the same apologetic phrase about how I didn't like that I had involved his daughter. Twardowski was really nervous. This wasn't the point of what I wanted to say and when he started stammering Zaremba picked up on the nervousness and I suppose assumed I was saying something insulting about his daughter or something like that. This of course made Twardowski even more nervous and Zaremba became flustered.

I cut into the babbling and tried to get to the point but it took so much time for Twardowski to get the words out that Zaremba cut in and asked me sharply what I wanted from him.

"What do I want from you? I want the truth, I want this all to end." I thought that that was obvious enough. Zaremba listened patiently to Twardowski's translation and then shook his head. Obviously something stupid had been said. He looked me right in the eye. I guess he had been saving this comment up for a while.

"Are you prepared to accept the consequences of this action?" He was trying to be scary. I laughed in his face.

"Of course, you fascist lying pigfuck!" I turned to Twardowski and added "I hate this man." Twardowski was visibly shaking now. Zaremba said he needed to make another phone call and started to leave. "Wait, wait, wait..." This may have been an exchange with a cop to Twardowski but I needed to ask and I doubted I would ever have another chance at him. Zaremba stopped and looked at me.

“Listen,” I said “I just really need to know something.” I pulled up my shirt and showed him my chest and belly. “I have no wire, there are no lawyers and no police. Do you understand? Just you and me.. Just tell me why you his me with your car?” His eyes popped out of his head. I went on. Twardowski was white. I don’t think there was any Polish in his babbling at this point. I was afraid for his heart. But I really needed to know. “Did someone put you up to it? Were you following me? Did you do it for the money?” Zaremba started to walk away. “Or did you just lose it?” I shouted after him. I few heads turned. “Just tell me why you hit me with your car!” He was walking quickly now, staring down at his feet. “I just want to know why!”

“Well,” I said to Twardowski, “that was interesting.” Twardowski was mopping his head with a handkerchief. We then walked back over to where Boruc was sitting right where we had left him. He hadn’t even gotten up. . “Well I tried.” I said to him. He didn’t even look up at me.

Finally we were asked to come in. We passed Katarzyna and her mother, who were now sitting right next to the door. I stopped Twardowski. “Excuse me Panne Zaremba,” She looked up at me. “I just wanted to say that I never meant to hurt your family by asking your daughter to come. I know that this puts her in a difficult situation, but I really needed for the truth to come out.”

“Thank you for saying that,” She said through Twardowski “but it really doesn’t make any difference, does it?” She looked tired. I nodded and went into the courtroom.

At the beginning of the court session the judge rejected Boruc’ and my mutual requests to be rid of each other. The reason given was that Boruc had failed to translate the E-mail letters he had used as proof of my “lack of trust” into Polish.

“Polish is the official language.” Zurawska muttered quietly. And then, in a show of disgust at our side, she threw the essay that I had written for the special hearing with the higher court for the 19th of December over the desk at us. She was rejecting it for the same reason. Boruc would remain as my attorney for the day and we would hear from the girl. I can’t say I wasn’t expecting it.

Zurawska asked if the prosecution had any motions. The Prosecutor then stood up and requested that the accused be removed from the courtroom while the girl was speaking. When asked for an explanation, he stated that because of the age of the child and the violent nature of the crime, the prosecution felt that there would be undue influence and potential trauma for the girl if the accused were to remain.

What was this? “Did you know about this?” I asked of Boruc,

“I expected as much.”

“Isn’t there anything that we can do about this?”

“We will of course object to this.” Yes, lets. Zurawska then allowed for argument and both Boruc and I got to speak: She was our witness, the issue of the over-all truth was at stake, etc, etc. The motion was passed so quickly though I wondered why they had bothered to even make a show of it. Obviously everything that they were doing was being decided in advance. I was told that I would be allowed to ask questions through the lady president and would be told everything that the girl said. I was then asked to step out into the hallway.

Here is how the court papers reflect the girl’s testimony:

Katarzyna Zaremba was sitting with her parents and the psychologist when she gave her testimony:

I don’t remember what exactly happened when I was riding in the car with my dad, but I remember most of it. It was late spring, about 2pm and my

dad took me from school and was taking me home. I was riding in a red Renault Megan At first we were behind a bus, then, we moved to the left, stopping first before the lights. Behind us a few other cars were standing. Mr. Goodman was riding between us and the bus. But before we stopped the man rode in front of us. I actually didn't see the movement when he cut in on us, but I know that my dad had to slow down quite quickly. When we stopped at the lights, that man got off the bike, he threw the bike into the car, I am not sure, but I think it was the back. He punched several times into the roof and the glass from my side. I was sitting in the front of my car next to my dad. Then he walked to my dad's side. I was sitting in the front seat next to my dad. Dad was trying to lock the door but he couldn't. That man punched my dad in he face with his fist. My dad was trying to defend and calm him down, but the man didn't want to. Then he left when there was a green light- he got on his bike and drove in the direction of the Mirinow theatre. I went with my dad to the police department. The policemen caught him there. I don't remember more details.

(In answer to the prosecutor's question :) My dad didn't tell me why he had to slow down. I figured it out myself that someone had cut in. I was frightened at what all had happened. I had my face in my hands and I cried. Before it happened, when we were driving, I remember seeing the man on the road. I don't remember where I saw him.

(In answer to the question from the auxiliary prosecutor (Zaremba)) I remember that when my dad was slowing down he used his horn. The bus we were following was in front of us. I don't remember the moment when the

biker was riding between us and the bus. I think that the man, when he went to the driver's side, he punched with his hand, but I'm not sure of it.

The psychologist has no questions.

(In answer to a question from the defense attorney :) I saw Mr. Goodman in front of the car, but I don't remember which lane he was riding in, I think it was the middle. Mr. Goodman was riding on my side of the car and to the left of the bus. The bus was in the middle lane, Mr. Goodman too and we stopped to the left. I don't remember if this was where there was a screech of the tires, but I know that it was fast and hard. We weren't going very fast, rather slowly and we were getting close to the lights. I am not sure, I don't remember if my dad was yelling something after putting on the brakes. Mr. Goodman was hitting my dad in the face and my dad was defending, but gently. He was pushing with his hands and trying to close the door. After this hitting with the bike, about what I told you, I didn't see. I saw him when he rode away with the bike. I don't remember how many times the lights changed. I wasn't looking at the lights We stopped at the parking lot of the police station there were policemen and dad told them to stop him because he attacked us. I don't remember details of the arrest. When we were standing at the crossroads my dad didn't talk to anyone else. I think that my dad wasn't getting out of the car, but I don't remember. At the tramway station, next to the crossing, a few people saw this. I didn't see the situation at the police station that Mr. Goodman came to my dad. At that time I was in the car.

(In answer to the question from the psychological expert :)I wasn't watching when I was in the car if there was some situation. Before I came to the court, my parents told me about the situation because I didn't remember.

They told me that I had to tell the truth exactly how I saw it. It wasn't that my dad told me anything in another way than I remember; there was not such a situation.

At this point, I was allowed back in the room and the girl went out with her mother into the corridor. I was then read the court's transcriptions which were translated by Twardowski. I guess I should have written down what was being said, but I did not. However, from what I heard from Twardowski, it seemed to me that the testimony was remarkably slanted towards my story. Specifically I thought that the story clearly indicated that everything had occurred at the stop and not in the middle of the road and that the girl did not remember say anything that indicated that I was beating on the car for more than a minute. In fact, the way I heard it, there was the moment when the car suddenly stopped and then I walked straight over to her dad. I also thought that I had a winning point when the girl directly admitted that the father had coached as to what to say. I thought that the remark about throwing the bike at the back of the car was obvious enough. Zaremba though seemed pleased. I was staring at Zaremba and nodding my head at him with every remark, clearly that he had lied must have been clear to everyone now. But he was smiling and looking for all the world like a proud father.

Then they asked me if I had any questions. I had thought of a line the previous week and said them in order to the judge wrote them down. The first question was if the girl was wearing a safety belt? I thought that this would be an easy question to answer the "right" way. The second though would not be to easy to lie about because bit was not a yes or no question: At the time of Zaremba's fast move, was she thrown to the left or to the right when the car stopped at the lights? There was an audible

groan from the court . Bingo. Zaremba just stared down at the table. Bingo. I then asked if the back of the car pointing left or right after he made the stop and if her father was angry or if they had been quarreling and I asked if she felt safe riding with her dad? I walked back out of the classroom with the feeling that I had finally broken through. This would be the moment. Of course, it would have been much, much better if I had been able to ask the questions myself, but in any case, I was sure the point had finally been made.

I was sent back out of the courtroom. In the corridor, Katarzyna was standing with her mother across the hall near the windows. I nodded to her and she smiled at me and raced back into the court ahead of her mother. She was enjoying the attention.

After, when I was let back in, I was read her answers along with the answers to other questions which had been asked:

I was wearing safety belts, I do not remember left or right, I do not remember the angle of the car Dad wasn't angry before the situation, he wasn't talking to me about the situation and were weren't arguing after school, before we drove into the lights we had no problems, I feel safe riding in the car with my dad.

(In answer to questions from the leading judge :) That man, when he got off the bike, he came to me as if he was in great fury. When we came to the crossroads Papa wasn't next to the cyclist. There wasn't some move where my dad some move to drive into the biker.

(In answer from the defense attorney :) I think that the accused at the crossroads was saying something in English; I think they were vulgarities because he was talking with a loud voice. I don't remember how many times he hit my dad.

(In answer from the question from the prosecutor :) during the situation, I wasn't looking at the lights, I looked there when the man was riding away and I saw that it was green.

When I was invited back, I passed the girl and her mother in the hall. I heard Zaremba's wife whisper something into her daughter's ear.

"We're all liars today." Is what she said.

When I sat down I could see both Zaremba and the prosecutor were now staring straight down at the table in front of them. I guess it was obvious after all. Zurawska apparently didn't like the "I don't remember answers" and asked some direct questions. Obviously the point had been made. I was asked if I had any more question and I said no. The judge asked the psychologist for his opinion. He was also staring straight down at the floor. He said as per court regulations, he was allowed two weeks to give his opinion. When asked for any more motions, we of course asked for the passport and of course were refused on the grounds that it was very likely I was guilty and the court adjourned until February 12th at 3:30 in the afternoon.

I pointed out to Boruc that a 3:30 court date would not allow for any more testimony and that this meant that I was to be a minimum of two more months in Poland.

"It is suspected that the court will conclude at this next session. There are no more witnesses to be called."

"Well, what do you think? We got it, yea?"

"It was good, but it could have been better. The girl did say that she was coached by her parents, not just the father. This is significant. But we will have to

Being Had

wait until we hear the report of the psychologist.” He then suggested that we get our coats.

I don't think Boruc was happy to have had his bid to end our association rejected. But I had the feeling that we had finally won it anyway. And even if I had to stick around for another month, at least this meant something.

Chapter 40

Ostrow Mazowieski; January 9th through 20th

I talked on the phone with Tatyana and she told me that Yelana Giorgевна, the director of the Dom Kultura theatre and several actors had come into Tatyana's book shop and that they were looking for the writer of Pod Kablukom. Wow! The play had been accepted and was due to be staged.

"What did they say?"

"Nothing really. They wanted to find you and I told them you were not in Pinsk"

"Well that shouldn't matter. When are they starting? Did they ask any questions about staging or about the characters?"

"No, they just asked who you were and I told them you were an American and that you were in Poland."

"And what did they say?"

"Nothing really. They just left."

"But they are playing the play?"

"I think so. This is what they said."

"So when will it be on stage?"

"I don't now. They really didn't say anything."

"Well," I said, "send along the message that I am as available as needed and that if they have any questions at all, I am here on the e-mail; they just need to ask." She said that she would pass on the message. This was good news, I thought. I mean, there were a lot of holes in this business; the message really wasn't all that concrete or anything. But really, it was good news.

The school had another holiday. The big news amongst the teachers was that Uladsimir's 90 day work period was coming to an end and the head administrator was refusing to sign his work papers. Basically this meant that she was not interested in keeping him and the thought of being fired from a place he didn't even respect in the first place was depressing him to no end. Of course there was logic here and a pretty straight catch 22, but it didn't change the fact that Uladsimir was not alone in how he felt about working for the Poles in the first place. No one but Julia had much love for them and she only was only thinking of herself anyway. But Uladsimer had a harder time controlling his feelings and was more prone to drawing on his stature. Uladsimir felt it important that people understood that he was indeed somebody in Belarus; a soldier, a politician, a fighter. But Poland wanted their cheap labor and not a lot of lip about it. Probably a good way to describe the administrator's view of him was that he was uppity. .

But I didn't like the situation either. I know that I had the best deal of anybody and as a native speaker and an American, I was basically pampered, if you could call \$350 a month pampering. But if any job is worth doing there ought to at least be some kind of job satisfaction. Ok, I know I was just treading water and would have walked in a second if I would have gotten my passport back, but I was doing my best in the classes anyway, even if it was just for the relief of having something to do. But the

students were not all that enthused about learning; they liked the games I made up and for the most part seemed to enjoy the classes I made, but when it came time to doing serious work they were very undependable. Attendance was up and down and any homework I assigned was basically catch as catch can. One day, when I said that there would be a test coming up, one of the better students simply quit; nobody ever said there would be tests! I know that any teachers who have read these words are probably laughing out loud right now, but it was really hard getting into a rhythm and moving forward.

In the mornings before class I was always at the internet and Boris and I starting in on a new round of letters.

Date: Thu, 9 Jan 2003

Boruc,

Well, I guess I have a few things on my mind today that I wanted to talk to you about first. I have some ideas about complaints and about tactics that I think I want you to consider. But you see, the problem is that one of the complaints that I have is that I do not seem to be able to complain. I really don't know how many times I have gone to the prosecutor or to my other attorney, or in meetings and begged to make a counter complaint against Zareba. Yesterday's being evicted from the room when the daughter gave her story was a perfect example. This as well as being ignored (you and me both) as to my ability to defend myself. I am also thinking today about a counter suit against him against him for his keeping me here.

Being Had

And also, there is another day's fact to deal with. I didn't go to the secretary's office after the case to get copies of everything...

Adam

Date: Thu, 09 Jan 2003

From: Marcin Boruc

CC: pieckowskis

Subject: Re:

Mr. Goodman:

We have to win your case first. This could be the only basis for making effective any legal actions being considered by you.

Enclosed please find the draft of the complaint I have promised to send to you.

Marcin Boruc

The complaint her referred to was the “reviving of the term” of the original complaint against the taking of my passport which was rejected because he forgot to wait the required amount of time.

Date: Fri, 10 Jan 2003 00:30:02 -0800 (PST)

Ok, I will have this read as soon as I can and I will get back to you as soon as I can. I am thinking about withdrawing all motions for evidence at this time save the reading of my book and the showing of my bike and one witness. Is there a possibility that we can end this thing at or before the end of this?

Also, may I apply for a decision in this case based upon the evidence already presented and/or at least apply for a dismissal of charges based upon lack of

evidence and or evidence of the false nature of Zareba's claim? Are these things possible? And also, how do I prepare for what is to come next both with and without these things I m talking about? I guess I have a piece of writing to do today. I made a first draft of an essay about this subject I'm going to be mailing out, so I will be here online until about 11:00 today (Friday).

Oh and the final thing, is there some way to get my hands on copies of the courts papers from the sessions since the court trial has been started? Are these available in my case file and can I get copies of them made? Do I need your help for this? I hope we can talk today because I have no internet over the weekend, so we won't be able to move until Monday at all for anything, so I hope you can help to clear this stuff up for me, if you can, today.

Thanks,

Adam

Date: Fri, 10 Jan 2003

Mr. Goodman:

1) You and me are entitled to receive the copies of any of the papers collected in the court files. However, for me it would be practically much easier than for you. I can arrange the copies you are interested in on Monday.

2) We are free to change/withdraw each of our motions for evidence on any stage of the proceeding (for example during the next hearing). It means it is

possible to apply for a judgment upon the evidence already presented (unless the prosecutor, Zareba or the Court itself decides to take some additional evidence). Therefore, in theory, it is possible to close the case next time but I don't believe it actually could happen. This is why I would like to convince you not to surrender in the battle for your passport.

3) The court ordered that the psychologist should submit his opinion about the daughter's testimony within 2 weeks and decided to urge the Police on delivery of the bike inspection protocol or information regarding this matter.

4) The contents of the next hearing will be as follows:

- issues mentioned in point 3 above;*
- decisions regarding the remaining motions for evidence;*
- taking additional, oral opinion from the psychiatrists who examined you in the course of the prosecutorial proceeding and gave their written opinion on you.*

Marcin Boruc

On the 14th, Boruc wrote me that there had been a “secret” session of the court on October 11th regarding my passport. Boruc explained to me that he was trying to exploit the court's failure to send notice of its decision to my previous attorney. This, he was claiming, had a detrimental effect on the court's current decisions to grant me back my passport. He also told me that he had ordered the court papers and asked me for a copy of the psych report from June.

In my response back to him, I told him that all of this peripheral maneuvering was nothing but a big waste of time. The court would never change their minds and would give as an excuse any damned thing they wanted, just like that had all along. Maybe it was the school adding to my miseries but I decided I needed to vent a little. This is what I wrote.

...I have been told by my other attorney and by you that in Poland, the courts do not feel that they have to prove a case "beyond a shadow of a doubt" (American jurisprudence-read: "I am innocent until proven guilty") but that they feel they can grab elements out of the claim simply to apply SOME idea of guilt. And the guy who is wrecking my life and the lives of my people is a cop. And not only a cop, but a cop with a vested interest in avoiding his own prosecution.

So if this is true and, if a good defense is a good offence, I am not seeing any reason why we simply cannot, finally start the argument against the other man. I mean, I am not seeing that the end of this case does anything but end this case. I do not see any action being taken on the part of anybody against Zareba if we don't start this first. I guess I see this as more than just the truth because as you are saying, we have nothing to bargain with but my time, my money and my life. And this, is exactly what I have been saying has been happening since the beginning. I gain, or would have gained nothing from the arbitrary assault of a man who life would be defined as "one living in abject poverty" by the economic standards of my own county. But his is greatly enhanced by any relationship with me, legal, or illegal...so, all of this AND,

you are telling me that they don't even read the damned letters I send them without a motion!!!! Let's go get the bastard already.

Perhaps philosophically, this is about defining crimes and criminals. Perhaps it is about passivity and about some claim, made by a liar, as to the criminal violent nature of my life (I am on trial for what?) But, to simply sit here and have fingers pointed at me, endlessly and without relief or remorse in the face of all we have heard from this "ham" is to exist in a denial that is patently and exclusively a part of the people who are holding me. Why the hell can't I simply take copies of the reports to the police and ask them to arrest this guy on the charges of filing a false report and extortion? Why not? I think, that at the least the admittance in court as to the previous damage to his car should do more than simply cast a doubt as to his character, I would think that what it does is point to a specific lie: He said I was responsible for damages to his car: I was not. That original fact, the original claim and this is, according to him, simply no longer true.

So in the end, do you really think there is a more "bottom" bottom line than this? My feeling is that this is called kidnapping.... kidnapping and nothing else, because when you abduct someone from their life, hold them prisoner and ask them for money, this is kidnapping. Or extortion... I think we have enough to prove both. Tell me again why we shouldn't or can't do this.

I didn't get a response from him for a few days.

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Adam

Date: Thu, 16 Jan 2003

Sorry for not responding at once. I am extremely busy. Tomorrow I am leaving Warsaw for a business trip.

I got the copies of all the court hearings minutes. I can send you it by the messenger on Monday if you give me your address.

I am sure that I gave you back the psychiatric report. Please have it with you during the next hearing.

I took part in several trials in which children were witnesses. In all these cases the accused had to leave the court room. Therefore the situation with you is nothing very special and I think you reached much too far going conclusions.

It is possible to instigate both criminal and civil cases against Zareba but there is no doubt that both of them would be immediately suspended until the very end of your case (both of such cases depend on the result of your case). So instigation of such cases would not be effective. It would not have any influence on your case, too.

Another issue is that our firm is not interested in representing you in any other case.

Regards,

Date: Fri, 17 Jan 2003

Well, this is fine, but I would like to start some proceedings whether or not the court would do anything because I believe there is enough evidence in their to support my claims regardless of what the court finally decides about my issues. And I say this specifically in regards to the fact that you and my last attorney have pointed out to me hat the whole of he case is not important to the judges and that they would content themselves if any part of Zareba's claim would be true... and all of this is the face of everything.

I wonder then if you would be so kind as to simply help to draw up some complaints. I do feel this is a part of the case and a part of my current defense... and, I don't think it would take too much time. if you could be so kind as to simply tell me how it is done and what sort of language I need to use to have it read, I think I would like to press... and I especially would like to know if there is any restrictions against going to the police, or would I have to go directly to a prosecutor?

Adam

He didn't respond again for a few days.

When he did eventually write back on the 20th he included advice about how to press charges against Zareba. He explained the procedure, which basically consisted of going to the police and telling them what I knew. And at the end, he included a good address of where I could go to do this:

Being Had

In our circumstances the best solution would be that you (or/and somebody else) file a report of Zareba's crimes with the Prosecutory Office which conducted your case (i.e. Prokuratura Rejonowa Warszawa Srydmiecie, ul. Krucza 38/42, 00 - 512 Warszawa).

That address is of course Wiesniakowski's office.

Chapter 41

Ostrow Mazowieski; January 21st through 29th, 2003

The next day Boruc told me that secretary's office had, of course, lost his motion regarding the revival of the term in regards to the "secret decision. They would accept a fax, in its place.

I sent him Drazek's work address as a good place to send the court transcriptions. I was unclear on why it had taken 12 days to make the copies of the court documents. I had always gotten copies from Wiesniakowski the same day I asked for them. But I already knew I was alone in all of this and I knew as well how, in theory, a person pressed criminal charges. What I wanted was some legal help to get through the nonsense that had always barred my way. I wrote t the end of my response:

*...Would you be so kind as to help with this police/prosecutor/arrest thing?
And, would you mind passing something resembling an opinion as to what you think would both come of it and what I could expect from it?*

And finally, aside from pressing charges and begging the higher courts to awaken, is there any thing else that I can do to get my point across and to make this thing really stop? I am out of my mind right now wanting to get back with my people. Too much is happening right now there and this has become more than torture for me to be held away...

And of course, he didn't accept.

Date: Tue, 21 Jan 2003

...I have already expressed my opinion about your projects to instigate the proceedings against Zareba. This opinion is that nothing will happen until your case is finished which means your actions on this field will not have any influence on your case.

There are only two possibilities:

- a) The lower court gives your passport back (and now we can assume that in fact it is highly theoretical possibility);*
- b) The higher court cancels the lower court's decision (in my opinion we have a quite big chance to achieve this result).*

I would like to remind you one important fact I mentioned some time ago. This fact is that your stay in Poland, according to the visa regulations, is illegal. It means that you should obtain Polish visa before leaving Poland which takes time and you want to leave Poland as soon as you regain the passport. I think you should ask your embassy for their assistance in this matter.

Being Had

Regards,

A lot of this back and frothing with Boris was venting but a lot more of it was my banging him over the head for being a part of this. Even though there was still very much of the case I didn't know, and really I would not find out all of the repercussions of Boris' actions until well after the trial was over, I still felt in my heart that there really should be even a sliver of moral obligation somewhere in the man. Ok, ok again and again I was really naïve; the man's a lawyer and a Polish lawyer at that- how much moral fortitude could really be expected? Or maybe I was just hounding him as if he was on the stand himself and I believe that I could make him make a mistake and give the game away. And again, looking back on the whole affair I think I did. But of course none of it made a difference at the time.

On the night of the 22nd, we had a going away party for Uladsimir. The administrator had in fact simply let his time run out and by way of adding insult to injury, had come to him after and offered him his job back anyway. The practical results of this was that Uladsimir's three months would have amounted to free labor after the costs of renewing the work permit were counted. The director of course wanted to teach Uladsimir a lesson in knowing his place. Uladsimir started referring to her as a "pisda" and said he was going home.

"A man is only really a man when he is working for a cause that he believes in." Uladsimir said after the party. "I am not helpless like a baby. I do not need these insults. You were right all along in that I should have been working for my own people and not groveling like a dog for this pisda. Don't worry about me. I will find my way."

The tone of the party was odd. I am not sure that the teachers had really liked Uladsimir all that much. His constant politicking was not overly appreciated and I thought that the others were being kind of frauds for even making the party. But then again, we were all together, or at least were supposed to be. And for his part, I had noticed that Uladsimir had softened somewhat socially and had tried to be more light and friendly though I am not sure that this was an attractive development.

Actually there really was a lot of bitterness around at this time. My relationship with Julia had become ugly. She had taken up referring to me as her boyfriend when we were together in public and this annoyed me to no end. It was really frustrating and after Uladsimir's party I yelled at her to stop it already and of course, this did not make social points with me with anyone else. Though I understood how miserable he was, I was really sorry for Uladzimir to be going. Once he would be gone, I really would be on my own in Ostrow.

The next morning brought even more weird news. Tatyana told me that the theatre in Pinsk decided that it needed money from me. They wanted \$100 for what they called "reklama". Tatyana seemed rather urgent in her telling me that I should send this right away.

Now of course the first thing that came to mind was that they should not be asking me for money. It was a much lower point that I simply didn't have it. I had crashed my bike about a week earlier and lost my house keys in the snow. There was no copy and so I had to replace the whole lock with a new one which cost about \$50. After I had sent money a few weeks earlier to Tatyana for the holidays, I was now down to less than \$80 and wouldn't have more for three weeks. This particular story is also sort of attached to the end of my intimacy with Julia, and I am sure that this

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also had something to do with my becoming angry at being asked for money by the Pinsk theatre.

Probably under different circumstances I would have had no problems helping in any way that I could. And if the situation would have been such that I had never ended up in Poland, for sure I would have smiled and indulged them even if I did see this as yet more extortion. Instead, I told Tatyana to send a message over that I would do what I could but that the important thing was simply to keep working on the show. I was very interested to hear how the rehearsals were going and that they should let me know if there were any questions about characterization or blocking. Tanya did not like this at all.

"Adam, just send them the money!"

"Just send the message." Tatyana warned me that I had just made a mistake.

"Where's the mistake?" I asked. "Just play the play. I said I would do what I could but first things first, please, let's just play the play." She did not feel good about this at all.

Date: Fri, 24 Jan 2003

From Marcin Boruc

1) Visa problem

If you want to be sure that you will have possibility to come back to Poland in the future - you have to get Polish visa before leaving Poland. There is no doubt about this. Any paper from the court would be able to legalize your stay (it is beside their competence). To start the visa proceedings you need to have

your passport physically. Normally the proceeding takes more than a month. I am able to help you in obtaining it in about 1 week (I have already made some arrangements to achieve such a result).

2) Charges against Zareba

You know my opinion about the idea of instigating any proceeding against Zareba before the very end of your case. There is no doubt that any civil case would be premature. The same refers to possible criminal case however there could be some benefit for you if you decide to act. This benefit is that you can start the case now (when you are in Poland) and the case would live its own life, your support would not be necessary in the future.

I gave you my advice concerning the planned report of crimes committed by Zareba. I would like to add that it is not necessary to name the crimes.

Description of the facts would be enough. It must not be very detailed, because you will be able to develop it during the hearings conducted by a prosecutor or the police. I will not prepare such a report instead of you.

3) Last visit to the court

I have been to the court to determine the status of our last complaint. The files still remain in the lower court and I asked for speeding up the process of delivering it to the higher one. And another news: Mr. Twardowski filed a

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motion to release him from your case (justification: he thinks he could be found biased).

5) My holidays

I will be out of the country from Feb. 1 to Feb.9.

Regards,

I sent him about a dozen questions to answer including what I needed to do about getting back some compensation.

Date: Mon, 27 Jan 2003

Here are the answers to your questions:

1. I have just checked the situation again - your files still remain in the lower court. It means that it is almost impossible that the higher court makes the decision before Feb. 12., but there is a small chance. Tomorrow I will let you know what is the result of my efforts to speed-up the lower court's actions.

Thus, there are 3 possible scenarios involving getting your passport back:

- 1) the higher court makes the decision before Feb. 12;*
- 2) the lower court decides to give the passport back on Feb. 12;*
- 3) the higher court makes the decision approximately weeks after Feb. 12.*

It is necessary to be on the next session. There is a possibility that the court will close the trial or make a new decision regarding your passport. Do not forget that the psychiatrists are expected to take part in the session and to present their opinion about your "slightly diminished capacity" during the event of May 15, 2002.

The court's decision (about the passport) will be executed by the secretary who will have to arrange the proceeding with the department responsible for keeping it safe. I expect that physically you would obtain your passport one day after the court's decision. Having your passport in hand you should apply for Polish visa in order to avoid the problems in the future.

The only reasonable condition could be a bail, however now everybody knows you have no money. Therefore I do not predict any conditions.

In theory it is possible that the criminal procedure against Zareba starts as a result of the closing of your case as initiative of the prosecutor or even the court. In real life, in the circumstances of your case, it is rather impossible.

If you want the compensation from Zareba - you should instigate the civil action against him. Such a civil case could be the separate one or be an element of the criminal case against Zareba. The decision on the compensation could be issued on the basis of the decision regarding Zareba's criminal responsibility. It means long proceeding. If you want the compensation from the State - you should start a civil action after your acquittal. However, I think that any claims against the State based on the acquittal by the lower court would be found unacceptable under Polish law.

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Mr. Sylwester Pieckowski is working next week, so if you have something really urgent - please contact him.

Regards,

Now this was a big letter. First of all, Boris' telling me that I had nothing to work with against Zaremba was like having a tall ladder pulled out from under me. But this diminished capacity business seemed like a real curve ball. I had never heard this word said before and wanted to know if this had to do with the “psych” report or my defense. It also seemed to me that admitting to or agreeing with any sort of diminished capacity went hand in hand with admitting guilt, which I had no intention of doing. I also thought that the way that Boruc had phrased things sort of indicated that the passport was a carrot on a stick, for me.

I wrote a really long letter reconfirming my stance that the only defense I was agreeing to was the simple fact that Zaremba was lying and had lied from the beginning. I went on quite a bit about the situation as a whole and questioned whether there was any point in even going to these sessions anymore. This is what I got back:

Date: Wed, 29 Jan 2003

Dear Mr. Goodman:

Diminished capacity

I want to emphasize that the term “diminished capacity” refers only to your consciousness at the exact moment of hitting Zareba and not to you in general (incidental/temporary diminished capacity).

First of all you should be aware of the fact that the psychiatric report was prepared as it was you who were examined and it was you who gave me the copy of the psychiatric opinion.

The Court's summons of the experts who gave the written opinion as a routine and the Court did it ex-officio (neither me nor the prosecutor asked for this).

Nobody will examine you during the trial. The experts will only develop their report (especially answer the parties' questions referring to the report).

You should also know that their affirmation of your incidental/temporary diminished capacity would be very helpful in your situation. There is no doubt that you hit Zareba which basically is against the law. Thus the key issue is why you did it. One of the possible answers could be incidental/temporary diminished capacity having origins in your fear of death mixed with your anger against the attack and the aggressor.

Besides all, during the last hearing, the Court informed everybody present about the summons of the experts which was translated to you.

Passport

I thought that at least this issue is clear for you, but apparently it is not. Therefore I would like to make you fully aware that none of the courts is interested in giving your passport (are not "so happy to give you back the passport") which simply means that we to struggle for this.

Your presence

It is your trial. You are the most important person within it. You are obliged to take part in the court hearings and it is your own interest to do so. How could I assure the Court that in the future you would come back from abroad if now you do not even come despite being so close to the court ?

Our line of the defense as to the charge of hitting Zareba (the car-demolishing issue is much easier and obvious) We will demand you should be declared innocent or the proceedings should be discontinued since no crime, in fact, was committed. Our arguments will be as follows:

It was your necessary self-defense against Zareba's attack (however, this is rather weak argument because your reaction was quite long time after Zareba's attack);

You were not aware that punishing Zareba by your own by hitting him for his misconduct was against the law and you found this action just and justified under the circumstances;

You acted under extremely strong emotions which caused your incidental/temporary diminished capacity;

Your deed is of very limited (reduced) social (community) harmfulness.

Our intention is to ask questions to the psychiatrists and to force them to admit that the situation emotionally justified your impulsive reaction.

Could you, please, give your consent for the above line defense? At the moment it is the most important, fundamental issue for us.

I am ready to meet with you tomorrow or on Friday. In the event of our meeting I would like you to present you our opinion and expectations about some fundamental issues introduced by you to our relationships and to discuss

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the future of our co-operation, if any. Mr. Pieckowski would like to take part in the meeting.

I would like to ask you to limit your e-mails addressed to me (and, potentially, Mr. Pieckowski) to the absolute minimum because there is no positive outcome of the so far correspondence which, besides all, is highly time-consuming.

And I have one organizational question: did you receive the file which was sent by me (as you asked) to Marcin Drazkiewicz?

I had not as of yet, but I would collect them that following Monday.

Chapter 42

Ostrow Mazowieski; January 30th through February 3rd, 2003

Now at first though one might think that this was a legitimate statement and that Boris was offering a legitimate argument. I however did not agree. Firstly, what this letter said is that Boris had made his arrangements with the prosecution without informing me. Secondly, he did not present this to me with an understandable conclusion, but had instead offered it as an open ended deal in which we still needed to hear a judges answer. And lastly, at its core, it was an admission of guilt on my part.

I won't sit here and go over my stance again. I wasn't being tried for hitting Zaremba. I was being tried for assaulting him without provocation and for damaging his car. Or in other words, I didn't believe a word of it.

...I am quite disturbed by your letter today. And I have some base feelings about why I am feeling disturbed by you that I will try and make clear at the end of this note...

But first, let's get right to the point about diminished capacity. Being angry and upset, that your life has been threatened, intentionally, is not diminished capacity. Diminished capacity means that I was not thinking clearly and that what I did was normally wrong. I wasn't crazy, wasn't frothing at the mouth and wasn't making a wild, hallucinatory dance at the Solidarnoci intersection. I was attacked while riding my bike by a man in a car and I reacted in the best manor possible, addressing the situation personally and directly. I do not believe that what I did was wrong, or was in any way social misconduct. I did and do believe that what Zareba did and has done and is doing, is so perversely wrong, that what I did was absolutely justified.

This was my thinking at that moment:

Car... bicycle.... they come together... man in car, not hurt, man on bike, maybe dead...

Are we misunderstanding what is going on? Am I ten feet tall and Zareba is some 40 kilo professor of history? Are we prejudiced against me for my size? That I ride? That I am American? Fat? Jewish? No? He was in a car, which he directed to hit me on purpose and I was on a bicycle.

Would you have done the same? Let us say you are at home and you are relaxed and some guy comes into your house with a weapon of some kind; what are you going to do? Something? Nothing? Pray? Or perhaps some fellow comes from behind you, grabs you and tries to hit you; what are you

going to do about it? Really? Would a life affirming reaction be diminished capacity? Is it not some human instinct to protect ones self?

Secondly, I really think we have to talk about something really important here:

What are you trying to say here about this time frame?

“It was your necessary self-defense against Zareba’s attack (however, this is rather weak argument because your reaction was quite long time after Zareba’s attack)”

I had really thought that this issue was much clearer. Are we agreeing that I did Zareba’s little crazed car dance? I am not. So where does the five or six seconds it takes to dismount a (pinned to a bus) bike and punch a guy who just tried to run you over with his ... one or two thousand kilos of steel, sound like a long time? What is your definition of long time?

And also, tell me why this argument would be weak in any way... The man hit me with his car, on purpose and without reason. I was being attacked by a man with his car! Can you understand this: being attacked by a man with his car? There was no ‘long time’ this was an ‘In progress event’! And I am here, writing the millionth letter of my captivity because you are telling me that we are allowing some (any!) credibility to exist from the story of a confirmed liar and thief who was and is simply trying to evade his own prosecution!

To continue: This is what I have previously heard from you about the issue of my passport:

“Thus, there are 3 possible scenarios involving getting your passport back: 1) the higher court makes the decision before Feb. 12; 2) the lower court decides to give the passport back on Feb. 12; 3) the higher court makes the decision approximately weeks after Feb. 12.”

To my mind, this language seemed to be rather clear. At least clear enough to have begun to make plans over. What that letter said to me was that there was some... return to reason with Polish abusers. But in today's letter:

“I thought that at least this issue is clear for you, but apparently it is not. Therefore I would like to make you fully aware that none of the courts is interested in giving your passport (are not “so happy to give you back the passport”) which simply means that we to struggle for this.”

Yesterday, I was making plans to return to my life, today, things seem to be quite hostile. So, I find your letter today disturbing. But I have an opinion about this: A few days ago, I wrote a long letter to you expressing my feelings for Poland and my situation and my treatment here. I suppose, if you were not feeling any particular attachment to me or to my case that you might begin, if you didn't already, to feel somewhat adversarial towards me. I suppose if I was Polish I might sympathize with you, but really, all I really feel is that you do not have my best interests at heart. This feeling has been with me over the last two months since you threatened to quit after I disagreed with a tactic you

chose to use without my consent. I feel you are more interested in your connection to the courts than you are to my case or any truth involved. I really feel this and I have expressed this to the courts when I asked to have you removed as my council.

So, I feel that you are playing emotional games with me. I say this because you seem to be using things that you believe I want as some sort of leverage to get me to do some things that I do not wish to do. Leverage, is power and power is not always the best way to solve issues. Now, I myself have asked you to help me with some of these power sorts of things to try and get some points across to Zareba, but, you have declined to do these things. However, I do feel that you have no problem using these tactics on me? Are you trying to tell me I should be talking to the court with my feelings and not to you? Are you telling me that you can't or won't convey my feelings and thoughts when you are in contact and conversation with the courts?

My normal preference is for mutual negotiation over force every time because there are good side effects to the relationship after the negotiation, as opposed to the lingering effects of a win/lose conversation.

But what is practical? Certainly I must have an attorney, but as I have had so eloquently pointed out to me, these proceeding have been about gaining my understanding of Poland's power to harm me. And the greatest point in this case that I can see is that Zareba was a cop. If he was just some idiot like everybody else, I would have been out of here nine months ago, possibly with

you holding sufficient bail to pay the damages, or possibly, as the story was so outrageously fake, simply that the situation would be dismissed. But Zareba is a cop, right? And I didn't pay his extortion, right? So, as long as I have been put through this far, can we just try and see something without the mental adjustments: He wasn't in a police car, he wasn't in uniform, he was not making an arrest and he lied about everything.

I really wish the courts had allowed us to part. It is my belief, from having read letters like this and from poor personal interactions before and during the courts, that you basically seem to think it is necessary to try and make me angry. I honestly do not understand the point of this, or what you hope to accomplish by it. But it is having a very bad effect on me as it is increasing dramatically my sense of fear that you are in some sort of arrangement with the prosecution that I do not know about...

I am becoming really quite ill...I may not speak to my woman because of the restrictions placed on me for more than an hour a week...And this only via e-mail because of the prohibitive cost of phoning. There is no way to make a legal living and so I am perpetually impoverished here. I am in a living situation I would never have chosen for myself and I am forced to listen to lies and coercions of extortionists all day every day... Poland has successfully stolen from me the whole of my life and all to protect a liar and a thief... Just explain to me what you think I need to do and I will listen. But, I will not listen complacently and without opinion. Not to you, not to anyone.

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Please stop insulting me, sir...

Adam Goodman

The response was brief and to the point.

Date: Thu, 30 Jan 2003

Dear Mr. Goodman:

Taking into account that our relationship has reached the critical point we decided to terminate it and to notify the Court about this tomorrow.

Regards,

Marcin Boruc

Mine was brief as well:

Date: Thu, 30 Jan 2003

Thank you. I wish we could have parted earlier. You have not defended me.

Adam Goodman

Chapter 43

Ostrow Mazowieski; February 4th through February 11th, 2003

My emotions at this moment were relief. I felt as if a weight had been lifted off me. Boruc' quitting certainly sounded more real than the last time. But from threatening to quit, to quitting to quitting again seemed to me to be more a part of a larger plan than it did any actual emotion from him. But regardless of this, if I was really, really on my own now, this just might have been my last real chance to do what I had been trying to do from the beginning which was to put Zaremba away.

Now, I really thought that I had done that, but obviously, at least officially it seemed to be of no consequence to anybody. I had no idea what to expect, but that didn't really matter because nobody ever told me anything anyway. But to me, the real deal here was that I felt I was free to say what I had been waiting to say in my defense since the first day all of this started. Without Boris in the way, I might actually be free to submit some evidence for a change.

This development therefore had me inspired. I went to Warsaw on Monday and picked up the copies of the court documents from Drazek. The documents were all of course hand written and in Polish but Drazek straight out refused to do the translating for me. He did agree to add another \$250 loan but was so sick about it I promised that I would never take any more of his money. It was quite clear to me though that this was really the end of Drazek's friendship. He had had enough of me and my situation. I had cost him a lot of time and money. I can't say as I blame him.

However, having the court proceedings in my hand meant that I had something to study and that therefore there was a window of opportunity to finally make an aggressive case. That is to say, once I figured out how to get them translated. The

logistics of dealing with any of the court documents had always been a problem. I didn't speak Polish already and stubbornly refused to even try to learn for anybody except for my students. I could stare at the page and understand a little, but basically I needed help. The way I usually did this was to sit at a computer with a bilingual friend and simply have them read and translate as best they could while I typed out what they said in English. Drazek was about the best English speaker I knew but as I said he was completely sick of me and wouldn't even think of sitting through the process. Also, his sister was now out of the country and both Kasia's were at school so this pretty much covered all of my usual avenues. And of course paying for professional service was out of the question for being too expensive. Looking back, I probably should have asked the court to do this for me, but at the time the thought never occurred to me and of course, was never presented to me as any kind of option by Boris.

So about the only option open to me was to copy the text onto a computer and use a translator program. Computer translations are always miserable but you can catch the gist of what is being said. I also didn't have much time before the next session. So, the first thing I needed was a typist and because I was out in Ostrow, this meant opening the door to yet another problem.

Up until this point, no one in Ostrow really knew the truth about why I was in Poland. They had just assumed that I had come to be a teacher and had accorded me a little respect because of it. Letting out that I was only here because of a court action would obviously be a problem for me both personally and for my job with the school. My secrecy had thus far allowed me something to do, a place to live and to have as close to a normal life as it was possible to have under the circumstances. Breaking this silence would certainly have its costs.

I went to Marek who was running the internet club in Ostrow. I was at the internet every morning and I had somewhat become a normal face there. I knew Marek could type in Polish faster than anybody I had ever seen and the regulars were teenaged game players and as they were sharing porn every morning anyway, I figured one more dirty little secret would not bust up their world.

Marek agreed but warned me that he didn't have a lot of time. I should have put more into this than I did because he was after all really slow about getting the work done. When I complained about how long it was taking, he went to his girlfriend to help without telling me. When she showed up dewy eyed one morning, I knew that the secret was out and that it would be a matter of general knowledge very shortly.

We were now in the middle of another two week vacation and I was even more miserable than ever. Some of my students wrote to me and asked how I was. It was too cold to do any real biking and every day it felt like we would never see spring. I was drinking a lot. Uladsimir wrote me that he had decided to run for office in Brest. He sounded a little bitter in his letter, but I don't suppose I could really blame him for that. I think I had exactly one visitor the whole vacation but she turned out to be one of the best friends I might ever have in my life.

This was Ewa, a student in my D class. I was watching TV and I noticed her face in an advertisement for a play she was appearing in. I went to see the show and after stayed behind to congratulate her on her performance. I met her family and as I was leaving asked her if she wanted to come over for some tea one day and talk about theatre or whatever. She was very nervous about it but eventually she came anyway. That was great day. I probably did all of the talking but she was laughing pretty hard at all my jokes. I think that was the high point of the whole time off and certainly it

was the only laughs I remember having during that time. As a gift, she lent me a copy of *Foucault's Pendulum* and I read all 650 pages out loud. Foucault's Pendulum is not all that funny and is about torture, hypocrisy and lies in the secret societies of the Catholic Church Dealing with Catholicism was big deal for her. Eventually, Ewa turned out to be an angel for me but after that tea, I was all alone in Ostrow. But of course things can always get worse. Later that week I got a letter from Belarus:

Date: Thu, 6 Feb

Subject: the bad news. Be ready.

I love you, you know. And think about this. I called you yesterday, you remember. And you asked me to go to the theater. I was (at the theatre) with Olga. She wanted to see rehearsal with me too. When we came they was drinking. It was the birthday. They played guitar. The one guy who must play Edward came to us. I asked about producer Elena. She was in the bathroom. We waited her and Edward only laughs. He drank a lot. Then she came. She was smiling. And another woman was trying to say that they hurry. I asked only one question: when I could to see the rehearsal. But she said it is impossible, because they don't work with this play now. They try to do play, but they saw problems in the second part. She says she likes play, but she must be together with the actors. And actors don't want to play.

I was without words. I tried to tell something, but she show the point. Now they have got another play. And the people pay for advertisement.

I said goodbye. I don't remember. I said thank to

Olga. She helps me. I didn't know were to go. Edward

Make the stupid joke when we was going away.

Great... Just great. Tatyana went back the next day and had a talk with Elana Giorgevna. She wrote me that Giorgevna sat with her and spoke to her calmly and told her that she herself liked the play but that she could not get the actors to play. She told me that Giorgevna became happy when Tatyana showed that she understood her and was worrying about the theatre. But most importantly, I should know that I had made a mistake by not giving them the money when they asked.

I finally got Zaremba's testimony right before the end of our vacation. I think he purposely spoke for a long time so that it would be difficult to decipher his story. There were many new subtleties though that I hadn't caught before and I thought that it would be a good idea to present what I thought of as real evidence to the court in the form of a new essay. I assumed that the courts actually understood that Zaremba had lied about most everything but that because this evidence was never practically introduced, it had not been a part of things. The essay about how all of the events of the situation seemed to be in reaction to other events. I wrote that Zaremba, regardless of the perjuries that followed, probably had a fit of road rage at our first moment of engagement. From there, in reaction to what he had just done, he lied to cover himself. In reaction to his story, the police made a riot out of the Critical Mass and as a result of there being a riot, the police followed up with the public corralling of the bikers and my own situation was extended to its present condition.

I guess what I was trying to do was to soften the mood and introduce my own rhetoric into the discussion. I had never even been invited to a single meeting and I

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wanted this to change immediately as well. At that moment, I still hadn't finished the daughter's testimony and had only just read Zaremba's for the first time. The "Reactions" essay was later rewritten but it was turned in to the courts on the morning of the 12th.

I am writing this letter today because of the second break I have had with my attorney. Because I do not know the system myself, and because of difficulties I have had dealing with Mr. Marcin Boruc, I am writing today in the hope of clearing up the last few items I have to show in my case.

I am rewriting this report into polish at the request of the judge and there are some changes from the original version. I have only just heard the translation of the story from Katergina Zareba last night, and had only gotten it from Warsaw a week before the February 12th court date. Until this time, I wasn't very clear as to this document's content. Translations have been difficult for me during the whole of this affair, and I am very grateful to my friend for both translating that document as well as this for me.

In this letter, I have some thoughts about the whole of the case I would like to share with you after hearing the court testimonies of Zareba, his witnesses and his daughter.

I also have wanted to show as evidence my bike in this case, and I have wanted to do so for only a few specific reasons. I wanted the court to better understand how the bike I ride works and why it is different from "normal" bikes. I wanted to show how this bike, designed by me to fit a specific need in biking, demonstrates my own expertise in the area of bikes. And also to show how some statements made by Mr. Zareba are provably false.

All in all it would have been better if I had everything translated from the first day or at least within a week of the actual events, but finally having these testimonies start come in at least made me feel better.

It was a relief when school finally opened again. Having something to do with my mind and my time was so much better than trying to ride my problems or way or worse, sitting around and stewing over how completely miserable I was. However, my enthusiasm for having classes to teach actually led to a real catastrophe.

I was teaching four groups of students in the afternoons. The beginners were in what was called the "A" group and those students who were prepping for their English competency exams were in the "D" group. In the highest group though was a girl named Anna who really had no right to be there. She had managed to float through with her friends for three years without ever really picking up any English and for the most part, she sat in the back of the classroom and squinted at her friend's papers constantly lost and unable to follow. Up until this point I hadn't really given it much thought and had simply given the lessons and offered to be there if there were any questions or help which was needed. Now though I was really taking things seriously.

After my second "D" class after vacation I asked Anna to stay behind for a moment and offered more time if she wanted to try and catch up. She told me thank you but no thank and that she was satisfied with only coming to days a week. I told her that all truth she didn't have a prayer of getting through her tests. I had only four students in my "C" group and I mentioned that it really was a faster moving class and that we wrote a lot of essays. I told her she could get more attention and that the level

of English was not all that different. I even told her that I would list her grade in the “D” group to help hide any embarrassment. Absolutely no dice; she had been with her friends the whole time and would never drop back to the "C" group.

I had a conversation with Mariusz Baginski, about this. He told me that I had the final say as to who went in which class, but about Anna, he told me that because she was paying for the lessons, that she could stay in “D” if this was what she wanted and that this was pretty much the LEL party line anyway. So I let it pass. Well, until the next homework paper came in.

I had been assigning open ended papers for the students to write. Maybe this was a mistake and I should have controlled the themes more, but my thinking was that by giving them the freedom to write what they liked, I would be working very specifically with each student's own personal word choices and therefore this would also have a greater personal benefit. The first couple of times I did this I got a few papers which seemed to be awfully scholastic; essays about the history of Warsaw or the population of the country. And of course, what was happening is that the kids would turn in a paper they needed to prepare for the normal English classes and use my corrections to get better grades. Me, well, the thought never occurred to me.

So on Sunday night I was correcting paper and started in on Anna's. I got about halfway through and simply quit on it. The girl simply had no skills in the language at all. Because her family lived in the same block as I was, I put on my coat and rang her bell. Her brother opened the door and told me that she wasn't home. I asked him to tell her that I wanted to peak to her about her paper and he told me he would.

She came early to class the next day absolutely furious at me.

"Don't you ever come to my house again." She said.

“Ok,” I said slowly, “But perhaps you could explain to me exactly why I am not socially unacceptable to come to your home but I am socially acceptable enough to be your teacher.”

“You are only my teacher here in this room.” She said indignantly, “You may never come to my home.”

“You know Anna, the reason I came to your home is that your paper was horrible.”

“I don’t care, you must never do that.”

“Well I do care and that is the point. Anna, I came to your house to help you with your English. Can you understand this? You need help.”

“That’s none of your business.”

“No, I disagree; your English is exactly my business. Look....” I showed her the paper which was splashed with red ink. “I couldn’t even finish it. This is garbage. You really don’t know what you are doing. You need to stop and back up and spend some serious time with this. You are simply not prepared to go on. I am trying to help you.”

She took the paper from me and stared at it.

“I am not going to the “C” class.”

“I understand your point; you want to stay with your friends. But at the bottom line, you have got to do something different . You have to do something.”

“I am going to stay here in this class.”

So here we were right back at the start. I asked her for the paper back and told her I would finish the corrections later that evening. She said this would not be necessary and tucked it into her bag. I didn't like this. I asked her again and explained that I needed to show it to Zuzana. Zuzana was the business administrator for LEL in

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Ostrow. I explained to her that I had already spoken with the school's administrator and had explained to him the situation. I had been told that inevitably, the decision as to what level a student should be placed in was mine and if what I was saying was true, I had the right to make a change. This paper was proof of her English abilities and the administration was expecting it. However, I understood her feelings and offered again give her extra lessons to try and catch up or, if she would just simply go to the C classes, even without payment, I would be willing to mark her grades based on future improvement only and the grades would appear as if she was still in D class. Anna refused to give the paper back and left. She didn't even stay for class that day.

Chapter 44

Warsaw, February 12th 2003

On the morning of the 12th I rode on the bus to Warsaw. I checked my mail at the internet café at the train station and found this from Boruc from the day before:

Date: Tue, 11 Feb 2003

Mr. Goodman:

Enclosed, please find the psychological opinion concerning the reliability of the witness Katarzyna Zareba. It is in Polish, but basic conclusions given by the expert psychologist are as follows:

- 1) The testimony does not include any content that could be regarded as confabulation;*
- 2) The witness remembered the details on the basis of her father's reminder.*

The word “Confabulation” wasn’t in the dictionary, but I was pretty sure that it meant an invented story.

The document itself was turned in to the courts two weeks before but had only this morning been sent over to me. Boris included the whole of the original text in Polish. I got lucky and someone at the internet café helped translate it. At the moment, I really didn't think there was anything particularly interesting in this. We had all heard in court that the girl's father had told her what to say. The testimony itself was ambivalent and for sure the girl never said anything that indicated anything like her father's story had ever happened. And when you added in her obviously coached "I do not remember" answers when she was asked to answer my question, even the looks on their faces said they knew they were dead. I didn't think that anything in all this was very significant other than that I didn't get a copy of it for two weeks. I turned in the “Reactions essay”, which was written in English and wandered around until 3:30.

When court finally started, I found that just as Boruc had told me in his letter, Twardowski had in fact quit. I thought the reason for this was that the last session and my confrontation with Zaremba in the corridor was perhaps a little difficult for him. I liked how Twardowski stood up for me back in May and also in the first court session. Possibly though his own advice to me about the Polish Judicial system had gotten him to thinking about his own safety. Or maybe he had become scared of Zaremba or the police in general. In his place was a young soft spoken woman who seemed not to like me from the beginning. I got this feeling when I tried to I tried to give her a quick overview of what I was intending to say and she waved me off . Being a translator was her official position. Her job was to listen and translate what was being said to me. Having any knowledge of the case would only make things

harder than they needed to be. She was already quite prepared for what she needed to do.

To add to the stress, when Boris showed up, the first thing he did was to pick a fight with me. Why hadn't he sent me a copy of the report earlier? Didn't I get it via e-mail? Why wasn't the whole of the account translated? It wasn't necessary and besides, he was a lawyer, not a translator. He was trying to stir me up.

At the beginning of the session, we were asked if there were any motions and I repeated that I wanted Boruc removed as my attorney. Zurawska asked me in a complaining tone if this was really necessary. I told her I didn't understand. The man was not defending me, he was defending Zaremba. I was not interested in prolonging the case, I just wanted a fair chance. Of course I was as interested in ending this case as she was but I had no faith in anything Marcin Boruc did. She agreed to allow us to part company and then suspended the proceedings for a month so as to allow the courts to find another attorney for me. I asked if it would be possible to simply defend myself. Why go for yet another lawyer when it was obvious that no one was interested in defending the case? Zurawska answered that it was not possible to defend one's self in Poland. This was perhaps a double entendre but inevitably meant that an attorney needed to be present. We were asked if there were any more motions and Boruc made one last plea for my passport, which was of course denied on the same grounds as it always was and court was adjourned with the next session scheduled for March 4th.

Outside the court I asked Boruc what he would have doing if he would have continued as my lawyer. He told me that he would have continued filing motions and doing what he was doing to try and get my passport back. As I watched him walk down the stairs I thought to myself that this might actually be my first chance to

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finally present my case to the courts. If this was so, I promised myself, I would do the very best that I could. But of course, I really didn't believe in this.

Chapter 45

Ostrow Mazowieski; February 12th through the 20th, 2003

That night Olga's was having her birthday party at the INTERNAT. All the teachers helped make a nice table for her with candles and food and lot of wine and vodka. Julia brought some coconuts. When the lights were turned out the tiny cubicle where Olga and Sasha lived turned magical. Andrew's wife had come for a visit and he, normally the most dour of us all, even Uladzimir, was actually smiling. She didn't speak English and my Russian wasn't that good so there was a lot of translating. We told jokes and stories and laughed a lot. It was as nice as I ever remember that place being.

Late that evening Andrew asked me if I had a girl named Anna in my classes. I told him I did and he told me he also had her for her regular school English and had just gotten an essay from her for his class that was very interesting. I asked him if the essay was about Poland, about the size of the place, the currency, the language. He said it was. I asked him if it was great for about the first 60% and then absolute shit thereafter and he said that this was also so. Also, she had told him that she wanted a really good grade for it. What he was going to do? He told me that he was going to give her the grade. Why? He understood I was being made a fool of but didn't want any problems of his own. I asked him to hold the grade tell her to come see me and he agreed.

The next day I ran into Andrew as he was buying a lottery ticket. He told me he went ahead and gave her the grade she wanted. I asked him why he had let her go when she was obviously cheating. He told me that in the end, he didn't really care one way or another about the girl. If she wanted to cheat, this was really none of his business. This was his job and he really didn't want to be any part of any complications. He did mention though that he told her to come see me.

When Anna came to class on Friday I told her that I had heard from Andrew what she had done. She asked me what I was going to do and I told her that in the end, I really was only interested in her actually learning English. I asked her again to simply drop back to the lower class where there was less students and slower pace where she could do some catching up. If she wouldn't do this or even accept some extra help, there was no way to avoid failure. She of course refused again. I told her I would never pass her if she didn't agree and that as far as I understood, cheating was a fairly high crime in school and that the administrator of her regular school would not look very highly on what she had done.

Her decision was to stay in the D class and simply work harder. That day she took her normal place in the class. I gave a normal lesson at a normal speed. I made no attempt to put any extra attention on Anna and only called on her once for an answer, which of course, she couldn't answer. I noticed her leaning over squinting at her neighbor's work several time; she simply could not keep up and because everybody knew what had happened by then, everybody saw it.

The next day I got a letter from Tomek asking if I would check his work that he had to write for the Matura. He sent along an essay about responsibilities of parenthood. I wrote him back telling him that I could not do a students work for

them, I would be happy to go over it for him, but I would not correct it. I felt really sick and the sickness lasted.

The mood held over all week and the following Sunday I decided to deal with it on Sunday by confronting the Treblinka concentration camp. Treblinka was only 30 kilometers from Ostrow and I decided to ride my bike out to it. It was very, very cold. There had been a heavy snow followed by a cold snap with temperatures dropping to about zero; Fahrenheit, not Celsius. The snow stayed and froze and it has been covering everything. I guess I was also feeling a little bit of the cabin fever. I hate being cooped up.

I made it about 6 km when I realized that I needed more clothing. As I said, the weather is very cold. I went back and got another pair of warm-ups and went back out. I had not been able to ride that much recently so I took my time and just paced myself with a moderate cadence. There is an odd change in the road that takes place after you go past this town of Treblinka. The road changes from a simple highway to a thinner, single lane road that travels beside the rail roads tracks. There is an old steel gate on either side of an old wooden railway bridge. The road and the tracks were covered with ice and the riding became very difficult. On the other side of the bridge, the road is cracked and broken and no longer smooth. It was here that I started to feel the pangs of sadness. I wondered if it was from the cam, still hovering some sixty years later, or if it from the living descendants who have been riding through this town to see it ever since.

The camp is about .5 km off of the main road and snow covered this way completely. I tried to fight through it on my bike and was pretty successful following the tire marks of some car. In the parking lot, there is a sign showing the layout of the two camps and the entrance to the park was at the end of the drive. The sign said that

to the right was the sight of the penal camp and to the left, was the “extermination” camp. I put my bike on my shoulder and started to walk through the snow. There was a fork in the path, where there were six large square granite blocks. On the first, was carved a map of the plan of Treblinka showing the three areas of the camp. This is followed by several more granite blocks; all etched in French, Polish, Russian, Hebrew, English and German with the words:

“On this site, between the years 1942 and 1943 existed and an extermination camp where over 800,000 Jews from Poland, Czechoslovakia, Bulgaria, France, Greece, the USSR, Romania and Germany. A few kilometers from here was a penal camp, where there was an armed revolt in 1943 which was bloodily thwarted by the Nazis. On this site, over 10,000 Poles were murdered.”

I took an orange out of my bag and cut it into quarters with my knife. The cold had made it dry and icy. I ate in anyway, putting the peel in my pocket.

The park itself consists of several thousand stones which are placed in and around the area of the camp. To the left of the path is a series of granite monoliths, each perhaps 2 meters high, which stand straight up, witnessing, perpetually watching over the grounds. They are spaced in a straight row, each maybe 10 or 15 meters apart. There are more of these stones that I could see ahead of me down the path. They were set up in a clearing and ran out to the left up a gradual slope. This clearing up ahead was where the original railway spur rode into the camp. There, there were long flat stones, shaped like railroad ties but looking equally like coffins, each a meter

high and wide and perhaps two meters long. These stones mimicked the railroad line that went up this slope towards the “greeting area” as it is called. There are more monolithic granite blocks standing witness here as well and they also follow a straight line up this slope.

I trudged through the deep snow to have a look at these stones. There is nothing written on them. I continued up the hill, the going was hard and my bike was getting heavy. At the top of the slope, was a sign detailing the layout of the camp. Behind me were more stones each etched with the names of the countries whose peoples had been killed here. Apparently I was standing at the greeting area. The trains would come from my left, along this spur, up this slope and the cars would unload the people here to be sorted. The layout of the camp read like this.

The commandant's office

The barracks of the Ukrainian soldiers

The zoo

The storehouse where livestock was kept.

The SS' quarters.

The barracks for the female prisoners,

The barracks for the male prisoners

The latrine

The building where the possessions of the prisoners possessions were stored

The greeting area

The sorting area

The room where the possessions and properties of the people were sorted,

The execution yard,

A building used for executions, disguised as a hospital

The place where the men were sent

The place where the women were sent stripped and had their heads shaved.

The walkway to the gas chambers,

10 new gas chambers,

3 old gas chambers,

Crematoria pyres,

Burial pits,

Prisoner barracks.

To the left and up a little farther, is the main camp area, demarked by several thousand stones, all of them natural and uncut each about a half meter high. These individually standing stones mark out the whole area of the camp. It looks like a graveyard. It is. These are headstones. At the highest point and directly ahead of me, is a giant monument, perhaps six meters high and four wide, made of stone with no marking. There are candles and flowers here, tucked into the nooks and crannies. There are four torches surrounding this, but there was no fire. To the right, down the slope was a snow covered field filled with these headstones. They flow perhaps 200 meters down and then turn to the left again another 200 meters. There are thousands of these head stones. Some are marked with the names of towns here in Poland. Some are marked in Hebrew.

Just in front of the monolith, was a large cubic stone with a slanted face; it was covered with snow and with writing etched onto it. I brushed the snow away and read that there was written in polish, Russian, Hebrew English were the words:

Never again.

I noticed I could read the Russian. It was very quiet there. And it was very cold. I thought of the prisoners here, in the wintertime, with nothing warm to wear but their prison pajamas. I don't think camp was as disguised as Auschwitz was.

Treblinka seemed very direct. I stood for a while there at the top of the hill looking at the stones. My feet were wet and cold from the snow. I walked back down the path to the greeting area and then turned right and followed the path through the snow back out of the park. I reread the stones again and then made my way back to the road. I started to ride back, stopping into a store and buying something to eat and drink. I ate outside in the cold and finished quickly so I could put my gloves back on. I rode the distance back without stopping.

My feet were numb and frozen after the ride. I wiggled my toes, but I couldn't tell if they were moving or not. I ran some hot water and slipped into the bath. The difference in temperature made my body break out in a rash and my feet began itching pretty badly. I scrubbed them with a brush and soap, but the itching wouldn't stop for several minutes. My body was bright red and my little toe on my right foot was swollen and numb. I got out after warming up and made myself some soup and a cup of tea and sat and watched some TV.

I guess it was simply the most hopeless fucking thing in the world. They would just get there by train, after all of the months of torture, murder, fear and starvation in the ghettos. I don't know if there would or could be anything inside them that still felt or believed anything. Was there hope, prayer...? As empty as I felt in that moment, on that hill, in the snow, in the silence, exactly as alone and as cold and tired and scared as I was, as I am, how much of a fool I am to even believe I could imagine

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this... I had the store, the bath, the soup, the extra pair of sweats... and they, only the faces of the guards... the prisoners... the barbed wire... and the smell... the stench from the fires... the end of the line was here.

Never again.

I wrote about my day there and most of the previous paragraphs were from that essay. I got several responses about this from friends, the most appreciated was from an old friend from Italy. It was a poem she had written a few years earlier.

one day

in a winter time

white covered with snow

fields grown with blood

I could not believe

that the place was so close

but I could feel

what the earth was telling

what the far away frozen trees

were suggesting

but I stopped feeling

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*I had to stop
cause my heart was still bleeding
for my eyes never saw
what my heart could feel*

s.m.

some km away from Oswiecin (Auschwitz), winter 99.

Tomek didn't show up for class on Monday and this had me worried. There was an off feeling to everybody. I called the secretary's office at the court and asked them who my new attorney was going to me. They told me that his name was Andre Morowski, but could only give me his fax number. I went to the post office and wrote a fax to him giving him my e-mail and asking him for an appointment to get together. I didn't get any response from him. Tatyana was fine, but was still feeling bad about the play. I was ok, I guess. I was watching TV when Mariusz called me and told me I was fired.

Chapter 46

Ostrow Mazowieski and Warsaw; February 21st through March 3rd, 2003

Well certainly it was not like I didn't expect it. From the moment I picked up the phone I think I knew. He told me he had received a letter from one of my students that said that if I was not fired, all of the students would quit.

“Who wrote the letter?”

“That’s not important. Only you must know that really we can’t have such a thing.”

“Listen: I am not arguing the firing. I accept. But I am asking you who wrote the letter, because if it was one or two students who I am thinking of, then you have a different situation than you think.”

“You don’t understand.” He said “We must have the students if we are to make money. This is the most important thing. We are making no money in Ostrow. What we receive is really only enough to pay for you and your flat.”

“I understand that, but if what I am saying is true, the letter is not accurate. It is not true that all of my students don’t like me, only those who don’t study.”

“Yes I know you tried very hard, but there is nothing I can do, really. We simply need the money.”

“I don’t think you are listening to what I am saying, but I agree. I won’t work further. What do you want to do about the flat?” I think this kind of took him by surprise. To say the truth, I liked the activity and frankly, I needed the money. But in another way I was actually a little relieved. Teaching is difficult work and not particularly rewarding.

He told me that I would of course have to leave, but asked if I would continue through the end of the week and leave after that. The reason was that he had already found another teacher , an Irishman in fact and he would not be available until then. My contract though called for two weeks notice on either of our parts and I mentioned that he was trying to cut me off with only one. He didn’t like one bit and started berating me for taking two days off (The days I went to court) and for the letter. He told me he would only pay me for the time that I worked. I told him I was completely uninterested in arguing; a contract was a contract. He needed to pay me for two weeks

from the time of this notice. I told him I could teach the two weeks or not, I really didn't care, but one way or another he had to pay me.

"We don't want you to work there. I told you this. We have another teacher."

"But you want me to teach this week."

"Yes, but I will only pay you for this time what you are teaching."

"A contract is a contract. Pay me or I go to the courts or the police."

"No, I don't want you to do that. I could get a very big fine for having hired you without a teaching certificate. They could fine me as much as 4000 zlotys."

"Thank you for telling me." I said. He was quiet a moment. He asked about my paying some of the bills for the flat. We haggled back and forth over the numbers and finally arrived at an even 2000 zlotys which he agreed to pay at the beginning of the next week. I would have to be out of the flat the morning of March 3rd and I would teach my classes this next week and that would be all.

My salvation from this situation, both for the courts and about my future living situation came in the form of angel. About a week or so earlier I had come to understand that there were too many documents for Marek and his friend to handle. The process was too slow and they simply did not have enough English to help with the translating. Having already "outed" myself in Ostrow, and as long as I wouldn't actually be a responsible teacher, I turned to my students for help. Tomek was my first choice, but he really didn't want to do the work, worrying about his own finals exams and Matura. Ewa, the student who had come to tea during the winter break was my second choice. She was also reticent, but seemed to like the idea of being needed and in the end, agreed to help me with the translations.

She invited me to her house to do the work on the translation of the "Reactions" essay the night of the 20th. We had only started to go over the essay when she told me that she knew about Anna's letter. Anna has asked her to sign it but she had refused as had most everybody else. The only ones who had agreed to sign the paper were two other student who had also used me to correct work they had from other classes.

"I know you were being nice in letting us write whatever we wanted, but they really made a fool from you."

"Why didn't you sign it?"

"Because she was the fool. You are the best teacher I have ever had." Like I said, the girl was an angel.

She asked me what I was planning to do and I told her I didn't really know. I was only going to finish the week and then I had to leave the apartment. She asked me where I would go and I told her I really didn't know but probably I would go back to Warsaw.

"Why don't you stay here?" I was shocked.

"You want me to stay here in your house?"

"No, we have another apartment and you can stay there as long as you want."

"Are you sure about this?"

"Yes, it was grandma's old apartment."

"Oh... but where is grandma?"

"She just died! The place is free."

"Oh..."

"This will be great. I'll tell my mom all about it".

I find that when faced with a difficult situation, the best thing to do is to get organized. It was nice to know I was not out on the street but there was still a lot of work to be done as far as the case was concerned. I checked how many days I had before the next court meeting, decided what I wanted to do about getting my message across to the courts and went to work. Ewa was wonderful. She was a very competent translator and what she lacked in speed she made up for in heart. We worked around her school schedule and she let me use her computer during the day. With her help, we got a lot of things I had never heard before into English. If the case was not clear before, it certainly was now. The first time I read Zaremba's masterpiece description of "my attack" I laughed out loud:

“I leaned back into the chair and I tried to push him with my legs out of the car. With my right hand, I took my mobile phone and I chose the numbers 112, after hearing the voice of the answering machine, I was listening to the recording for a few seconds, but I had to defend myself...”

I also never realized the extent that Zaremba had decided to pursue his “Black Mark” story. In this, he tried to show that there was contact between the bike and his car by saying that there was a "Black Mark" that was not accounted for in the original police report from the 15th of May. The reason he gave for the mark not having been in the report was that the report was made in the rain. This being his oblique and clever way to try and refute my statement that there was proof that the damage to his car was old because of the water marks on the hood. Of course a simple look at the police report said that the weather had been fine during the investigation, but this is what he said. But in making this statement, he changed a fundamental part of his

story, namely, that I had been able to pass him cleanly at the stop. This had been a staple of all three of his earlier testimonies; before I had passed through but in court I stopped at the doors of the car. This change opened the door for a bit of conjecture that I thought made my point quite clearly: If I could only make it halfway past the car that meant that the back end of the car was at an angle.

This bit of testimony became the center of yet another essay I wrote. I did the math, using the width of the lanes, the car and myself and showed that unless the rear end was further out than the front, there would be no room for me to even get by his rear bumper. And of course, this was my story from the beginning. In addition to this, I showed how his claim of my left-to right move was false because given the distance he said I was ahead of him and the speed at which he would have been traveling even at legal speeds, If the incident was as he had said, both the car and the bus would have been at speed and the bikes crossing the lane and his brake and stop would have had to be accomplished in about 1/3 of a second, about the time it takes to say the 'sec' in the word seconds.

All in all I prepared four papers with Ewa and turned them all into the courts on February 24th. These papers included a Polish version of the "reactions" essay, a financial statement about my losses in Poland caused by this case (and a long with this a statement from Cavalry Couriers about my income when I rode with them in New York.), a statement that I was staying as a guest in Ostrow (still no Polish address) and also included letters of recommendation from *almost* all of my students. Along with this, I added a rather poorly written though accurate collection of the inconsistencies of Zaremba's stories. I held back on turning in the school document because Maruisz still had not paid me as of yet.

I went to Warsaw on the 24th and turned in the documents. While I was at the court, I went to the secretary's office to get Morowski's phone number or address and, amazingly enough, right there amongst the new documents was the bike report that had been missing since May 17th. They had finally sent it to the court on January 31st, some eight and a half months after it was made. It was missing the opinion page, of course, but the rest of it including Twardowski's stamps was now in the files. I should have taken this as a sign that something was wrong but I didn't. My only reaction was to shake my head in wonder.

I was back at the internet club in Ostrow the next morning and nearly jumped out of my seat:

Date: Tue, 25 Feb 2003

Hi, my love. I am ok. I feel better. I so want to see you. Today on the night I will go on the train to Brest. And I will be at Siedlece in the Thursday at 10 or 11 on the morning. I remember you wanted to call me. Anyway I will come, wait me. I love you. Tatyana.

We have of course both a Tuesday and a Thursday, but no "Thursday" and as the letter was written sometime between yesterday and that morning this meant that she would possibly be sitting at the station waiting for me at that moment. A quick phone call straightened things out and I went to Siedlce the next morning to pick her up. She was a few minutes before me and when I saw her walking towards the bus, my knees almost failed. It had been months since we had been together and with all that had transpired, I guess I had never realized how difficult everything had been. At

that moment though, it was as if everything that had happened was nothing but long bad joke in the middle of a very nice conversation.

We had the apartment for the week and would be going to Warsaw for the next court date which I remembered as Monday the 3rd. She came with me to class that night for a while which was more soap opera than English class. The conspiracy group turned out to be all of three students who all sat together. Upon rechecking their papers, it turned out to be true that Anna was not the first to have used my corrections in order to gain better grades in their regular English classes. I told those students that they could take the week off and return the next week. Later in the week Mariusz came and paid me the money he owed me. My last day of class was nothing more than a party, but I tried also to reaffirm the things that I did teach them about English. I thought that the students that had respected me had become much better. I won't sit here and say that my method outweighed their own initiative, but I did have some results and in that I took some pride. It was ok, I guess.

Over that weekend, Tatyana and I prepared for the court session. After having read through the court documents, I felt I was ready to re-call Zaremba to the stand and break the case apart with or without an attorney's help. I knew I could shred him this time. Knowing we weren't coming back, we packed up the flat and left early Monday morning.

Chapter 47

Warsaw; March 3rd though March 26th, 2003

We arrived at the court at 8:00am only to find that I had bungled the date and that it was actually the fourth and not the third. We were carrying a lot of stuff and I wanted to leave my bike, which I intended to enter into evidence, in the storage area of the court house. We ran into a little problem when the guard there told us no. Because there were two of us the bike was going to be a nuisance. I wanted to argue with the guard but Tatyana was really nervous about bucking his authority. We went out on the street in front of the courthouse and argued about this. I felt I had the right to leave my bike and I asked Tatyana to at least translate for me. She refused. After a minute I went back in alone, smiled at the cop and opened up the folder that had all of my papers. I found the pages of Zaremba's testimony and showed them to the guard. I said to him in Russian/Polish that I was to be in the courts tomorrow for a case about this bike and pointed out the following sentence:

Na środkowym pasie stał autobusu MZA dojeżdżał do niego rowerzysta.

And in the middle lane, there was a city bus. And the biker was heading to the bus.

"Ya roverista," I said to him, "e eto Rover! I am the bicyclist and this is the bike! He laughed.

"Heto bardzo dobzha" He said. That was very good, and sent me over to the storage locker and even helped to carry some of our extra things.

“How it is that you can do such things?” Tatyana asked me when I came back outside relatively empty handed.

“How is it that you think you can’t?”

We tried to go to Marcin’s flat but he had Betty sleeping on the floor already. Marcin had finally found his own fixed wheel bike and had painted it to look like a cow. He was very proud. He didn’t like it when I pointed out some things he was still missing for it but wished us luck in court. He would not be coming by to help. We decided to avoid my previous residence and checked into the other hostel, nearer the downtown. I got a discount on the price when I showed them my teaching contract from LEL.

The court session the next morning did not start on time and we all had to wait out in the hall. Zaremba was there and greeted Tatyana cordially. He said hello to me as well and I told him to go fuck himself. I think he understood my English. Andre Morowski showed up and sat with me on the bench in front of our courtroom. I guess you could describe him as being a rather elegant gentleman. He was very well dressed and had a flowery manner. He spoke no English, or this is what he said, and therefore he was going to decline to represent me. He said however that he was interested in my case and asked to see what I had prepared. I showed him one of the essays which pointed out the flaws in Zaremba's story and he sat read. After perhaps 10 minutes he looked at me and asked if all of this was true. I looked him in the eye and said that it was; every word of it.

I thought for a moment as if he was actually going to take up my cause but this was not so. Actually the whole of the court session ended up being cancelled because

the official translator had not shown up. Morowski, donned his black and purple advocate's robes for the court and when called by the judge, officially withdrew from the case. He did however make a motion for the return of my passport and the court talked about this for a moment. Moroski's courtroom style was flamboyant and theatrical and was quite different from Boruc' black suit and business-only manner. The court seemed to like him and in this moment, the whole business felt much different. Maybe it was that Tatyana was with me, maybe it was that Morowski was implying that I had something on my side. In reference to Morowski's request for my passport, the court asked that a letter be written to the courts and he agreed. Tatyana and I believed for a moment that this had meant that they would release my passport immediately. This though did not turn out to be the case. Regardless of whether the letter was written or not, there would be no decisions made until the next court session which would be held on March 27th, my birthday.

On the way out of the court, Tatyana talked to one of the secondary judges about the passport and the case and what would happen to us. After, she told me that the judge had said that I shouldn't worry, to be quiet and to control my temper and that they, according to Tatyana's translation, "good believed my story".

We went straight from the bus stop to Ewa's house. Ewa and Elsbet, her mother walked us over to an apartment near the internet café and gave us the keys. We were told we could stay here as we needed it as their guests and that we should make ourselves feel at home. I pulled Ewa aside and asked when exactly her grandmother had died. She told me it had been the 20th, only a few days before she offered it to me.

Tatyana and I were together for the next five days. With the preparations for court done and that I was no longer teaching, there was really nothing to do. We made what we could of our days together but found that we were retiring for bed at six in the evenings; the depression of the whole of the situation was laying on us profoundly. We cooked and played house together, but I caught Tatyana crying several times. I put her on the train in Siedlce on the 8th and she tentatively said that she would come back on the 27th, but that she wasn't sure. I told her I understood and kissed her goodbye.

As it turned out, Morowski's letter to the courts was turned down and this rejection, mixed with the attitude of indifference really pissed me off. What was the point of wasting two more of my months? Was it just sadism? And in the end, how could they even justify the gamesmanship? And of course, it got worse.

On my behalf Elsbet called the courts for me and got the name of my new lawyer, a lady by the name of Irena Krzaczek. We tried all that day to make contact with her according to her office but she couldn't be found. She also had no e-mail and would not reply to anything in writing. Obviously, she had heard about Marcin Boruc. We finally got her after 6:00 that evening. Straight away she asked why Morowski had not taken the case. We answered that the official reason was that he didn't speak English. She said that she felt the same way and would also not represent me and hung up the phone. Everybody was shocked.

We called the courts the next day and told them what had happened and were told that she would in fact be my lawyer and that I must have misunderstood her. We called her again the next day and she told me she had read the files and knew the case and would be at the court session. I told her I wanted to send her copies of what I had

and the essays I had written but she told me that this would not be necessary. I tried to tell her that what I wanted was to confront Zaremba directly about his stories but never got the chance to as she hung up on us again.

This back and forth with Krzaczek really had an effect on Elsbet. She was really such a nice woman and in fact her whole family was also very, very nice. Ewa told me one time that I was not the only one who noticed this and pretty much all of her friends thought of her house as being an island of kindness amidst a sea of misery. The word Ostrow means island by the way. And it was a fine island to find myself on.

They treated me like a king; Elsbet spoiling me by bringing cakes and tea while I wrote. Everyday I was invited to breakfast. I started to relax a little under their influence. My days that month pretty much consisted of coming over to Ewa's house in the morning and writing until mid-afternoon and then going for a bike ride. I wrote more about the case, more to simply say I had done something than out of any real belief that they would listen. I made up one more essay about that I considered what the Polish judicial system to have done to me was basically torture. I also wrote a play, a bit of nonsense which might have been played at the local theatre where I first saw Ewa with her group. It was a farce with pot-head hippies and gay cops and a beautiful innocent whose love is fought over by a corrupt leading actor and the shy theatre gofer. It was ridiculous but it was fun and it made me laugh a little. Probably, that laughter had been the only I had since I had been in Poland. I had no money, I had nothing to do but at the same time I was basking in the love of this wonderful family.

I got some letters from my former students. Tomek wrote me that he and some others were quitting the school as a whole. Everyone was asking me if I was planning

on starting my own school in Ostrow. They all agreed that I was the best teacher and that their new teacher, who was from Northern Ireland was a terrorist and that he spoke funny. That new teacher lasted all of two weeks in Ostrow and his quitting caused Mariusz to close the whole school down in Ostrow. The best laugh though was when Ewa ran into Anna in front of the locked doors of what used to be English class. Anna was shocked and distraught by these developments and told Ewa that she needed to another language school quickly as she was planning to make translating her career.

Ewa and I took a trip up to Warsaw one day to see if we couldn't get Morowski to agree to work with us. Obviously Krzaczek was not going to be a willing partner and the courts really seemed to like Morowski. We found him in his office and Ewa, dressed in her best business suit, did as credible a job of translating as any professional ever would. Morowski though would not change his mind. He advised us though that the case would probably go against me and that the important thing to do was to prepare for the appeal. He suggested that Krzaczek write this appeal because it would inevitably be based on procedural errors rather than evidence and as such, she would be our best bet. I asked him if he wouldn't agree to write it for us instead. We really did not want to have to deal with Krzaczek if we did not have to. He was sorry, but he would simply not be our lawyer.

On the way home Ewa fell asleep on my shoulder. As I watched the landscape go by I thought about what a negative judgment would really mean. Would the end of all of this really end up to be jail? There was still no way I would ever pay this cop a penny for what he had done. I might not have been able to fight this court case but for sure I would never, ever give them the satisfaction of paying. But then at the same

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time, I didn't really feel angry. In fact, I felt so good with Ewa and with her family that all of the hatred and all of the anger just sort of melted away. Those three weeks before I went up to Warsaw to face the courts again were as special for me as any I can remember. It was like a dream really. I was sure I would never feel love like this again as long as I lived.

Chapter 48

Warsaw; March 27th, through the 31st, 2003

On the day of what would be the final court session I met my new attorney for the first time and even in the court's corridor she refused to even speak to me. I knew that she had not read a word of the case, but I also knew that to her mind and to the whole of the justice system that this meant absolutely nothing. My absent translator showed up and apologized for not being at the last meeting. Her daughter was a diabetic and she had to give the insulin shots at a certain time of the day and that this is why she could not come. The court was going to fine her for not coming. It was going to be a lot of money. She looked into my eyes for sympathy and forgiveness.

Zaremba showed up and kept nervously to himself. There was a long period of time while we waited for the case to begin. My attorney and the translator were gabbing together across from the door to our courtroom. After a while Zaremba joined them and the three of them chatted amicably. I thought I was going to lose my breakfast. When I couldn't take it any more I went to Zaremba and asked if he spoke any English. My translator was standing just to his right.

“A little.” Is what he said.

“I just want to know once and for all why you hit me with your car.” He looked at me and said he didn’t understand. The translator said a few words in Polish. Before he had a chance to answer I went on: “Was it the money? Was it just a stupid traffic move? Did someone pay you? I just want to know why you did it.”

“I don’t understand.”

“Pochemoo te mnye beet c cvoya samachodi?" This was a mix of Russian and Polish but it meant simply; Why did you hit me with your car? "Pochemmo? Bila dgenghi? Kto spocile?" Why? Was it money? Who asked? His eyes flashed about and he smiled at my translator.

“I didn’t.” he said. He started talking quickly with his hands, demonstrating I suppose his final version of the traffic incident he had been telling about for nine months. I didn’t understand much of what he was saying except that it was all bullshit. I asked the translator how to say the word "lied" in Polish. She told me and I interrupted Zaremba and said straight into his face that he had lied and now his daughter was a liar as well.

He started talking really quickly to the translator, begging her to see the reason behind the situation. It was all simply a mistake, an error in interpretation. I didn’t want to hear the sound of his voice any more and I didn't want to look at him. I walked away, down the corridor and around the corner and found a seat. I could hear him still explaining, still lying. Krzaczek followed and looked at me sitting there. I wondered if this little burst of truth had swayed her sympathy for me any. I doubted that it did though the expression on her face seemed to say that she understood.

The court fined my translator 300 zlotys for her absence and then went straight on to business. I was asked if there were any new witnesses or new evidence to submit. I said that I had. I had never shown my bike and mentioned that it was

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downstairs at this time. Zurawska told me that would not be necessary; motion denied. I offered that Drezek, Tatyana, several of the messengers and a friend who owned a bike shop had contributed statements on my behalf. I wanted these submitted to the courts as evidence of competency and experience in the field of bicycles. Zurawska told me that only oral testimonies would be accepted; motion denied. I explained that no one had told me that this would be the time for them to come. This drew a laugh from the judge as well as my attorney. I was advised that if I called them as witnesses and they were accepted, it would be a minimum of another month's sitting. Most of the money I had gotten from teaching was now gone and logically, none of these people were eye witnesses and would only refer to character and details that I could show myself here in court. I let it go.

I was asked if I had any other motions. I asked them to recall Zaremba to the stand. I was told that this request would be denied on the grounds that the time for this had long passed.

"But he lied about everything." I said, pointing my finger at Zaremba. This drew a laugh.

"Why am I not allowed to question again? If I have questions, why can't they be asked?"

"You are too late!" Zurawska said.

I said that I wanted to say something. The court said they were listening.

"I turned in three separate essays about his testimonies and I want them entered into the court record." Zurawska repeated that only oral arguments were allowable. Motion denied.

I started to simply tell them about the lies and the stories. Zurawska stopped me, asking if I have any "new" evidence.

“This is new evidence.”

“Do you have anything new to add?”

I started in again to point out the some of the inconsistencies and I was stopped again. New testimony would be limited only to moments of the altercation.

"But these are about the incident. False evidence is evidence. Perjury is evidence. False charges are evidence.

I was silenced. They asked if I had any other motions. I asked to question Zaremba again and this motion was, again, denied.

“Why am I not allowed to defend myself?” I asked. Zurawska told me that if I didn’t settle down I would be removed from the court. She asked again if there were any more motions. I looked around at the courtroom. It was a nightmare. It was a nine-month long nightmare. There had never been any hope of reality. There wasn't anyone, anywhere in Poland who was interested. There was nothing else to do.

I asked that the case be closed. The secondary judge who told us she “good believed us” nodded her head as if to say this was a good thing to do and probably should have been said on the first day of the hearing.

The judge then declared that she was going to announce the documents that would be taken into evidence. She started at the first page and said that she would take Yucha’s statement and all of Zaremba’s testimonies and all of mine as well. She took the bike document and the medical and accident reports. She accepted the second accident report as well as the opinion of the “expert”, She accepted Yucha and Joblonski’s statements to the courts, the daughters testimony and the opinion of the psychologists. I argued that this should not be taken on the grounds that the child admitted to me coached by the father, but this only made Zurawska smile gleefully and denied the motion. She accepted the psychological report for myself and closed

the book. I asked her why she would not accept into evidence any of the six essays and reports I had made and she told me only oral statements would be accepted. I told her that not one of my attorneys ever told me how or what I needed to do to give evidence here and that she had just disallowed me to further question Zaremba directly. She said that it was now too late and asked the attorneys for their closing arguments.

The prosecutor went first and asked for a guilty verdict on both counts. She asked for a year's imprisonment, but requested a suspended sentence and a penalty of 4225.29 zlotys. She argued that Zaremba had suffered injury in this and was entitled to this compensation. My attorney stood up and told the courts that she was applying for a not guilty verdict. She argued that the separation from my people in the United States was a difficult thing for me. She argued that I should not be seen, regardless of my complex personality as a bad person. She said that the evidence presented did not overwhelmingly prove my guilt and that there was more than a reasonable doubt that I was innocent of the crime.

I was asked if I agreed with her. I didn't like what she had said, but it was close enough. Izabela Zurawska folded her hands under her chin dramatically and told us she would have to think about her decision for a few days and ordered court to be reconvened on the 31st of March. On the way out of the court, my attorney told me that I should have brought her flowers for doing the fine job of defending me she had just done. I told her that I wanted to prepare for the appeal immediately. She asked me why she should prepare for something whose results we did not already know. I told that that was the way I always did things and that I thought her remark about my people in the states inappropriate and that her hanging up the phone on my friends

injured them greatly. She acted as though I smelled bad. I nodded her good day and walked to the tramway.

Ewa and her mother had given me an enormous chocolate bar that morning as a birthday present. I thought that it was the best birthday gift I had ever received. I ate all of it before the bus returned me to Ostrow.

I didn't do much of anything that weekend. I got a lot of letters of good wishes, but I was scared. The possibility existed that I would be jailed and I was worried about that. I ate cookies which Ewa's mom brought me whenever she worried about me, which was a lot. I played with the new play and hung out with Ewa.

On Monday I went back to Warsaw. The court was in the afternoon and I went to see a movie in the morning. I don't think I said a word to anyone other than saying "Warsaw" to the bus driver and the name of the movie at the theatre. I was early for the court session, but there was nothing to do, so I just sat there. The translator had brought her daughter, a very pretty girl of about six, who also sat next to me. She was quiet and her mother re-explained that she had to give the girl shots every morning at the same time or she would get sick and I told her that what was done was done. My attorney told me that I shouldn't worry so much about jail and that I could not be given more than the prosecutor asked for in this case. Because they didn't ask for it, there was no chance I would not be going to jail. I was asked if I had any words and I simply stated that I was not guilty, that the whole of the case had been a farce. My attorney sighed as if it had just become apparent to her that I would indeed never learn.

When court reconvened, I was asked to rise and hear the verdict of the court. Zurawska read from a piece of paper that on the charge of hitting Zaremba and causing damages to his person for a period of less than seven days I was guilty as charged. She then continued that as to the charge of attacking his automobile and causing damages in the amount of 4225.29 zlotys, I was guilty as well. I would be assessed a penalty of one years confinement and that the court felt that this would be sufficient penalty for the crime I had committed. The court then suspended the sentence for a period of two years. The Judge then read a statement as to the justification for this decision and said that that would be all. Zaremba asked about his law suit and Zurawska told him that she had ruled that his civil suit unjustified and that the penalty assessed would be sufficient. She then said that the cost of the attorney, a standard fee of five dollars a day, would be paid for from the state treasury and described the amounts that would be paid to the four attorneys which had been assigned to me. My attorney wrote furiously.

Zurawska then looked right at me and said that I had the right to appeal this decision and that the court would need to make available a transcription of the justification for the verdict within a week and that if I chose to appeal this decision, I would have two weeks to do so following receipt of that document.

As to the matter of the removal of the preventative measure of the holding of the passport, as the case was now at an end and as I had submitted a paper showing a residence in Poland, there was no further need for the preventative measure to be continued and the passport was to be returned. I was told that I could gain this passport from the secretary's office the next day. Zaremba protested, saying that if the preventative measure was lifted, there would be nothing to make me pay him the money. His request was denied and with that, the case was closed.

I asked the attorney about the details of this appeal and she told me that I should sign a paper for her now as to the appeal and that she had already written the request on a piece of paper. I asked her if it was true that I had a week to make this request and she said that this was true and I thanked her for her time and left without signing anything.

On the tramway ride back to the bus station, I saw Zaremba driving in a new, though slightly smaller, cheaper and boxier red car. I could see he was in a bad mood and I just hoped he wouldn't snap and hurt anybody.

Chapter 49

Ostrow Mazowieski and Warsaw; April 1st through April 9th, 2003

I thought it would be better if I got everything in order first. I basically was down to about \$20 at this time. My folks, thrilled to hear that I had recovered my passport, agreed to send me \$400 saying that this was about all they could afford but told me there might be more as a wedding present for me and Tatyana. On Monday I went back to Warsaw with Ewa in tow as a translator. We went straight to the Belarusian embassy and I begged the ambassador and the secretaries to honor the expired visa. The secretary wanted very much to help, but the ambassador, a huge, booming voiced bureaucrat smilingly stated that "the rules are the rules" and that the costs for the visa's were the same as always and that in the end these problems of which I spoke were most specifically mine and not his. He then began to explain the process I would need to follow in order to gain a new visa, but I interrupted him mid-stream, thanked him for his help, explained that I had been ready in my mind to fulfill the process for almost a year and said that I would be back.

We stopped in to Andre Morowski's office and asked him about the form of an appeal. He told us that though I was free to write what I liked, I would be better off allowing Irena Krzaczek to do the work. If I insisted on writing the appeal myself, it needed to be concrete and direct. He told us the schedule for making an appeal was a little different from how the Zurawska had described it and that it was only that the judge needed to get her justification for her decision to the secretary's office within a week. After this, they were entitled to take as much as a month to get a copy to me. He also told me that you could have more than one appeal and that my appeal, no doubt would be based on merit and that this was good, but a technical appeal would also be effective. After 9 months and four attorneys screwing me over, I couldn't for the life of me understand why I should be afraid of not having a Polish Lawyer represent me, especially one who was as openly hostile and adversarial as Krzaczek had been. I had no interest in Irena Krzaczek writing my appeal for me and he said that he understood. He agreed to write a note for us requesting a letter from the courts explaining the extended duration of my stay for any problems I might have in crossing the border and wished us good luck.

We then went to the court. Ewa had not especially wanted to make this trip with me. She said that with the guilty verdict, things were obviously as clear as they would ever get. She said that the energy from the court house and from the lawyers and judges made her feel dirty.

And of course when we went to the secretary's office and asked for the passport back one of the secretaries told us that we would have to make our request in writing for the passport and that we would have to wait a week for the decision. I was told that I could have the thing back the next day after the decision. It had already been several days and I wanted it back now. The secretary asked me why I didn't

come back the next day. I told her that I did not live in Warsaw and that frankly, it didn't make a damned bit of difference, if it was mine, it was mine and I wanted it back! Suddenly, the secretary decided that she didn't believe my story in general and went to open the case files to get written proof that this was true. When the file was on the tab I saw that that John Grondelski from the United States Embassy had written a few days before the decision asking about the status of the case. There was no return letter indicated. When we finally found the page with the judge's decision the secretary grudgingly sent us up to room 302 and talk to another secretary there. Before we left we gave her Morowski's letter requesting a court explanation about my time in Poland. This was already stamped in and would be ready in a few days. We thanked her and walked upstairs.

The passport was kept in the safe in room 302. I had met this woman before. She seemed a bit surprised that I had actually managed to find my way to getting the passport back. The only thing left was to fill out a piece of paper. The passport was being held across town at this moment and it had already been sent for. They were waiting for the courier to bring it over. Most probably, it would get there within two or three hours. I looked at the clock and asked if noon was about right and she said maybe. I asked if one was better, she said that she would try. I asked her if it would be there for sure by two and she relented and said it would for sure, it would be there by two..

Ewa and I killed time by riding the tram around Warsaw, eating butterscotch candies and watching the town through the windows. We came back a little before noon and the passport was in fact in the office. The secretary seemed to be happy to hand it to me. I opened it and showed Ewa the unstamped Belarusian Visa dated May 15th and choked back a flood of emotion. Unfortunately, we were too late to turn in

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the passport that day and because of Belarusian holidays. I was now free to go but I would have to wait a few more days.

I wrote Grondelski a letter, thanking him for his interest in the case and send him a copy of my last essay. On the eighth, I got this as a response from the embassy:

From: Grondelski, John M

To: "adam goodman"

Subject: RE:

Date: Tue, 8 Apr 2003

Dear Mr. Goodman:

Thank you for your submissions, which we will place in your file. Post inquired of the court as to the status of your case because we did not know whether it was closed or not. As for any appeals, the lawyer's list we supplied contains the names of attorneys who might be willing to pursue the case, but the Embassy has no further involvement beyond that.

John Grondelski

When the money from my folks got to my account, I paid Ewa's mom back for the computer time I had use and apologized that I didn't have enough to properly pay for the apartment. She told me it was not necessary and that I was welcome. A very big part of me didn't want to leave. After nine months of suffering day and in day out, feeling paranoid every moment of every day, I had found with these two women so much love and caring that I was afraid to leave. Since I had been with them, my whole world lightened and changed for the better. I don't think I have

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described very well what that month with Ewa and her mom had been like. It was like my heart had been rebuilt. And when the time came to finally leave, I doubted I would ever feel the way I felt with them ever again.

On the morning of April 9th, 2002 at about 5:00 am, I dropped off the keys with Ewa and her mother. Elsbet hugged me and Ewa wished me well through the intercom and I rode my bike, laden with all of my things to the bus station.

In Warsaw I dropped my stuff at the baggage shack for a zloty a bag and, once a courier, always a courier, I made the same rout to pick up my visa back to Belarus as I had last done almost a year before. I had, of course, planned out my rout and the timing; I was at the Kalinka tourist bureau at the moment they opened at 8:30 and finished with the bank and was in the secretary's office of the court's the exact moment when they opened their doors. I turned in the document requesting the transcription of the justification of the court's decision and that the court should be aware that I would be writing my own appeal; Ms. Krzaczek had no right to do so. I then asked them for the letter of explanation as to why I had stayed beyond the legal limits in Poland and showed them where they had stamped in Morowski's letter a week earlier. I had to wait a bit, but the letter was handed to me in about 30 minutes. It was a little off in its details though and when I mentioned this, the secretary said that she had complied with the request and if I wanted more detail, I would have to make another request and wait another week. No thank you. I took the paper, stuffed it in my bag, walked out of the court and flew across the Jerozolimskie Bridge to my last stop: The Belarusian embassy. I turned in all of the documents and got my brand new Belarusian visa stamped in about 30 minutes.

It was not yet noon. I still had about an hour to kill before my bus. The bus station is at the market so I shopped for something nice for Tanya and for Egor. It was

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nice to hear Russian on the bus and, as usual, I was approached to claim a carton of cigarettes and a bottle of vodka as my own at customs. I did. We were handed that same declarations document to fill out and I made sure that I crossed every "T" and dotted every "I". The wait at the border was the usual 90 minutes or so. I passed through the Polish side without ever having to show the letter, my passport coming back stamped with runny, yellow ink; I had just checked out of Poland.

There was only one brief moment of tension there at the border. On the Belarusian side, as we were waiting for our passports to come back from the control, I was called from the bus by one of the guard. When I stepped off he asked me if I spoke Russian. I said I did, a little.

"Why are you coming to Belarus?" I told him that it was just as it said in the passport; I was a tourist and that I had friends in Pinsk. He smiled at me for a second and then said quietly as he handed me my passport: "Welcome to Belarus."

Part III: After Poland

Chapter 50

Pinsk; April 10th through May 9th , 2003

I had been away a long time. Obviously things change. And, I don't think I really expected to be greeted like a hero when I got back. I think I hoped that there might be something in it, some openness or at least something warm. But there was a bad mood all around and it was not just from me. In fact, it was not just that my retuning was not a big event; it actually felt as though all had decided that I had never mattered at all.

Tatyana met me at the train station a little after 1 am and we walked home together, the \$1 for the taxi being more than either of us wanted to pay. Egor was asleep when I came in. Our living situation would be exactly the same as it was; Tanya, Egor and I sleeping in one room and Tanya's mother, father and sister living in the other. At breakfast that morning Egor came in bleary eyed and just sort of stared at me. I gave him the warm up suit I bought for him at the market, he said thank you and then started talking to his mom about things that were a lot more interesting to him than me. Irene as always had made soup and greeted me with as much warmth as she ever had for me. I tried speaking to her about Poland but she waved me off and told me simply to eat. Victor shook my hand. He was happy to see me again. He also wasn't all that interested in hearing about Poland.

It had been a hard winter for the family and it looked as though things were getting worse. Someone had broken into one of their storage huts and stolen thirty, 3-liter banks of pickled cabbage. Irene said that she saw the footprints in the snow and assumed it was an alcoholic worker who saw the open door that day. The police were not interested in the case. In the spring, because of the need for a new irrigation ditch, the family's dacha was taken from them by the state without a new one offered. A dacha is a plot of land where people grow their potatoes and vegetables, the loss of both the dacha and the cabbages would amount to between 300 and \$400, an amount which would be impossible to make up for with a combined family income of less than \$150 a month. Tatyana had even experienced some prejudice at her work over her visits to Poland. The book store had given her a smaller share of bonus money than her fellow workers; she had an American boyfriend and therefore didn't need the money, is what they said.

After breakfast I went with Tanya to hang up some laundry on the line and met several of our neighbors. They also said they were happy to see me again but were not particularly interested in hearing about Poland. "Polaks are Polaks." Was how one grandma saw it and went back to hanging her clothes on the line.

On my first morning back in Belarus Tanya and I got dressed in our nice clothes and went to talk to the theatre.

"Where's my play?" I asked dramatically, as we came into the rehearsal room. "My name is Adam Goodman. I am the writer of Pod Kablukom. Why aren't you playing my play?" I thought that was direct enough.

The entrance had a nice effect. Yelana Giorgivna and Ivan Ivanovich, the director of the theatre were sitting at a long table and quickly started to explain what the problems had been. They had liked the play a lot but they hadn't been so sure about some of the language in the second act. It had also been difficult to find actors for several of the parts. They didn't speak about money though and this to me was very good. I sat down at the table and tried to make my case for continuing as best as I could. With Tanya translating for me I explained that I had wanted to be here in Pinsk from the beginning. What happened in Poland was not my fault and was not part of my plan. This play was written exactly for this theatre and this theatre group. That it had been accepted had been one of the proudest moments of my life. I thought that this play could be the sort of contribution that could really mean something for the theatre and for the town. If they would still be willing to try, I was very interested in playing the play and would love to get started immediately.

They acted impressed. They discussed the situation amongst themselves and asked me to come back for a meeting with the whole theatre group in a few days.

"That was not so bad." I said to Tanya outside on the street.

"No," she said "that was not bad."

I then asked for her to take me to the local college. There was not enough money at the moment to think bikes, but I could certainly teach some English while I was here. We met with Leonid Fioderovich at the banking college and he told us straight away that he would love to have me. The English department was even short staffed at the moment; they very much needed a teacher and a native speaker would work out just fine. I should come back in a couple of days and speak to him again about details, we shook hands and that was that.

Outside on the street I asked Tanya if she wanted something to eat. It was 12:30 on my first day back and I had just accomplished almost the totality of my plan for the month before lunch on the first day. There was only one more place I needed to go.

My return to the bike school was pleasant though reserved. Kolia had now taken over as head mechanic and coach for the boys. Victor was gone. He had to quit his job at the bike school because the \$45 a month paycheck was simply too small to live on: he was now working at the watch factory across the road and had about \$90 a month, a good wage for Pinsk these days. Sergei had died during the year; his heart simply gave out on him one day. He had been only 56. The boys were a year older and a bit taller.

After the boys were out on the road, Kolia sent a man over to find Viktor. He came by on his Peugeot, acted happy to see me but seemed a little gray and tired. He missed the bikes and the boys and his job at the watch factory wasn't so great. Also, his wife had become sick with cancer. We were all silent for a minute. After a minute, I started to babble about Poland and Zaremba and the courts and that I appreciated

their writing letters on my behalf to the prosecutor. I was sorry about losing the money. I loved this bike command. I was sorry I couldn't come back. It was all just such a stupid mistake. It was a nightmare and a farce. I didn't know what else I could have done. I don't know how much of what I said was understood, but after I finished, Victor smiled and clicked his neck; it was time to do some drinking.

We drank a lot of vodka together and we all got very, very drunk. But there was no real joy in our evening. Kolia and got very drunk but Victor was a rock. I stood up and slammed my fist into the table, tears falling down my own face, screaming that it was not my fault; it was that fucking son-of-a-bitch cop who stole the money, do you here me? I did everything I could to bring back the money back; I'm sorry, I'm sorry, I'm sorry...

They said they believed me. They said this, but they also made it clear that it didn't really didn't matter did it? Any biker knows that if you don't make the ride, you can't win the race. Without the money, there was no shop and with no shop, there was only exactly what we were doing.

A few nights after I had been back, lying in bed together with the rest of the house asleep, Tanya asked me about whether I had been with another woman while I was in Poland. I thought for a moment about what I should say. She had once said to me that I was free to do what I needed to do but that I should only care about her. Of course, I never believed that she really meant this. I could just say no. This would have put as lie between us but then again, it might have been easier. Perhaps even this would have been smarter and whether she believed me or not would all mix in with what I had done. Probably she wanted me to lie and had only asked because I had not been sleeping since I had been back at all. But I told her that I had and when I did she

exploded into tears, slamming her fists into the bed and wailing. It was not the answer she had wanted to hear.

After a few days I went back to speak to Leonid Fioderavich. I could see that he was much more reserved in this meeting than he was at our first. Whereas the first time he seemed thrilled to have me, this time he seemed to want to find a quick way to get rid of me. I started by saying I was ready to start immediately. He said that the situation was not so drastic at the moment and that finding a place for me would not be that easy. It was very late in the term and my starting out at that time would not necessarily be all that helpful. I could help the students prepare for their tests. This would also not be necessary. He suggested that I should set my sites on the following September and to come and speak to me at that time. I offered that my situation was such that I needed to take a job quickly in order get a work permit to stay in Belarus. I understood what he was saying about the timing, but what I really needed at the moment was an invitation. He thought for a moment and repeated that I needed to come back the next September. The door was obviously closed. Who had he spoken to? I said that I understood what he was saying, but what I needed to now was whether or not I had a job here. All of the paperwork could follow as needed. I had been waiting to come to Pinsk again for a year; my money situation at the moment was rather desperate. If he was going to take me as he said that he would, I just needed to know that this was so. He thought some more and then asked about my credentials. I told him that I had my college diploma and that I had taught while I was in Poland. He then asked if I had a teaching credential.

"No, I don't. But I have experience, I am a native speaker, I have education and I want to teach here."

"I am sorry," he said, "there is nothing I can do for you."

The first meeting with the theatre group was not as bad. The theatre itself was interested in pushing forward but several of the actors told me straight out that they didn't want to play. The reason for this was that I was an American and therefore didn't have the right to say what I had said. This was hard to take but it was pointed out that not all of the actors played in all of the plays. Elana Gregorivna was willing to direct but still didn't like some of the language in the second act and suggested that I spend some time with a new actor they had by the name of Sergei. He spoke very good English and had been picked to play the part of Robert. My first job in helping out would be to find the girl who I thought should be Nadia.

Over the next few weeks, Tatyana and I scoured the schools and put ads in the papers looking for a "perfect girl" who could speak English and was willing to invest in the part. On the day of the first tryouts we had 10 girls between the ages of 16 and 22 show up. Elana Gregorivna and I sat on a panel and asked the girls to read. At the end, we picked who we thought would be our best two. The play was going to happen. We gathered together all of the actors who would play for a first reading and I thought that it went well. We found an actress from outside the theatre to play the part of the grandmother and Marina, the sister (none of the theatre's regulars were available to play the part). Things were moving and people all over Pinsk were starting to talk about Pod Kablukom. Even the mayor's office was interested in what was going on.

But then it didn't. As to why it didn't, all I can say is that there was a downward push contributed to by most everyone there. Tanya said that failing to get all of the theatre people involved had a lot to do with this and that the people who

were not participating were the ones causing problems. Eventually though we found that this was also true of the people who were involved. At first there was an issue with the date of the first performance. I wanted the play to go on in the end of June but the theatre wanted more time. Elana Gregorivna was still complaining about the script even though Sergei, Tanya and I had already sat at the internet cafe for two days going over it word by word. Even Sergei thought this was odd that she would say this even without ever having read the revisions.

Actually there was one great moment during that time when we were making those revisions. The internet club is located just down the street from the pool hall at Club Nymph. When we came to the place in the script where the brother is supposed to say what happened when Robert, Edward and himself had been playing billiards I asked Sergie if he might know how to say the phrase "He maid four balls in a row, missed, and then never stopped drinking" using normal Russian billiard slang . This had been a major problem for me for more than a half year. He agreed to go over and when he came back five minutes later he typed the following words into the scrip:

"On ulojeel chetery podryad..." He laid four in a row.

I was so happy.

But eventually what it all came down to was money. The first to make this clear was the actor whom I wanted to play the part of Papa. After demanding that I take him to a restaurant and buy him several shots, he told me that his legs hurt too much to play the part but that my giving him \$500 would help him to recover. Actually, the theatre group itself made this clear on the first day when they complained that my bringing only two bottles of vodka to them as a gift for our first meeting was insufficient; if I had really wanted to go first class, I would need to have a much more open wallet. Elena Gregorivna eventually began to imply that she had

other, more pressing (and higher paying) issues to attend to rather than directing the play. I suggested that I could take over her chores of directing. I had plenty of time. This of course was not the answer she had in mind.

When I decided to write *Pod Kablukom*, my thoughts were only that I wanted to live in Pinsk well and that doing this would mean being a part of the things loved to do. When the play was accepted I was thrilled. It is not like I didn't understand what the situation was. *Pod Kablukom* was written to be performed on the smallest budget possible; regular clothes, a simple, regular furniture setting and minimal lighting. I had agreed from the beginning not to take a single dime from the production. But when they found out that I was an American, the focus all went completely away from the play and onto how much money they could take.

The end came one day when I was told that the theatre would not even pay the actors for the parts. The regular theatre actors who already received money from the state would be paid their regular salaries but the non-theatre actors we were using would not be paid. If I wanted to continue, I would have to cover their fees myself. I told them that this was all bullshit and that I would never pay a dime if this was the sort of work they would put in. After this, Ivan Ivanovich could not even be found to sign my work invitation. The play was dead and my Belarusian visa was about to expire.

So we had a decision to make. I had about enough money left for a new visa or for perhaps half a cheap ticket back to the states. Tatyana wanted me to stay. She said that Egor needed me now and that I was a part of her family. I wanted to stay but I couldn't justify having Tatyana's family pay for me.

"If you go back to America, what will you do?"

"I really don't know. Find a job I suppose, a new place. I could send money."

“And if you stayed what would you do?”

“I suppose I would rite a book bout what happened. Tell people about it.”

“Then stay and write you book.”

“And what are we supposed to do about money?”

“What will be, will be.” she said. I said Ok.

The courts had never sent the justification, the appeal needed to be written and I needed a new visa. It was time to go back to Poland. Tatyana said she would be waiting.

Chapter 51

Ostrow and Warsaw; May 10th through May 28th, 2003

The train ride had the usual requests that I handle contraband for people. I was not happy to be back in Poland. Once back in Ostrow, I found that Grandma’s apartment was still available and I was welcome there but the mood was different. A lot of this had to do with Ewa. I guess my month away had shown her a different side of me or perhaps she had hoped that I would eventually choose to stay in Poland.

Things were much less warm than they had been.

On my first day there we received notice of what we at first thought was the court's justification for their decision, but in fact it was only a note of complaint from the court telling us that they were having a hard time with my request for a new attorney. This was about right for them. I had not asked for a change of attorney I had only said I would write my own appeal. TI thought at first this was just another game that they were playing hut when we rechecked the document we had given them, we

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saw that Ewa had inadvertently written that I no longer wanted Irena Krzaczek's services. This might have been true, but having to go through the process of getting another attorney would be several more months. I sent quickly a note clarifying that I had not said this thing about Ms. Krzaczek and that it was the fault of the translation but also repeated that the essence of the document should have been clear that I was writing the appeal and that I had stated this clearly several times in the document. I also reiterated that I was explicitly asking to have charges pressed against Zaremba for the following:

1. That he knowingly lied in the courts about the incidents on several occasions, these lies having to do with the condition of his car, the condition of his teeth and the events of May 15th as a whole,
2. That he knowingly tampered with a witness as evidence by his daughter's testimony that he in fact did this thing,
3. That these lies are in fact a slander to my life and to my name causing a most remarkable amount of damages,
4. That he made these slanderous remarks for the sole purpose of gaining money from me which would fall under the heading of extortion,
5. And finally, that because Zaremba, On December 5th, 2002 admitted to having his car in fact in front of me in such a fashion that I could not pass, even though he on three previous occasions said that this was not so, I would like to add the charges of vehicular assault because his actions clearly were an attempt to do harm to my body with the aggressive use of his car.

We had the justification in exactly 2 days.

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The justification itself was a mixture of remarkable legal doubletalk mixed with some actual sentiment at the conclusion that Apprentice Judge Zurawska, her actual position in the court, thought that my hitting Zaremba in the presence of his daughter was the thing that upset them the most. The actual explanation for the decision starts with this:

The court did not believe the explanations of the accused, from which it ensues that the harmed barred his way and denied damaging Tomas Zareba's car. Explanations of the accused in this scope are contradictory to the evidence of the witnesses: Tomas Zareba, Katarzyna Zareba, Tomas Jucha, Stanislaw Jablonski, to the inspection protocol and to the opinion referring to the damage to the car.

Her explanation that I was responsible for the damages regardless of Zaremba's previous accident was this:

"The accused in his explanations, admitted that during his stay at the police station, directly after the incident, the harmed showed the car to policeman and that he lifted his lip. In the opinion of the court, damages to the car and injuries in the face of the harmed should be directly bound to the incident..."

She concluded her reasoning for my overall guilt with this:

In light of the indicated by the witness circumstance (that he admitted crashing his car into a tree) it is impossible to precisely differentiate the damages which originated as a result of a road collision, except the damages appropriated to

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the accused on the basis of the credible evidence material: opinion of the expert, protocol of the inspection and the evidences of the witnesses: Katerzyna Zareba, Tomas Jucha and Stansislaw Jablonski deserved to be believed in. They are logic, consequent and they mutually compliment one another.

Eventually, she even went so far as to commend Zaremba for his driving. It was a farce. I had a lot of work to do.

The court had told me specifically that they would do the translating of the appeal themselves. This relieved Ewa of the burden of doing the work but also gave the courts a chance to change the wording to suite their purposes. Nevertheless, I started on a draft which was basically a restatement of the story using the same materials of evidence as the judge. I had but I hadn't gotten very far into it when I realized that I had never fully translated the damage report from August 30th. I had only translated the "could be caused by a hand" part of it but had never gone through the actual report of the damages. I also realized that I hadn't ever translated Jablonski's testimony. Ewa sat with me for a few hours one afternoon and we went through all of the documents I had copied from the case. I think the word revelation is good one to describe that day.

The first thing we found was that the damage report from the August 30th meeting contained damages that were not accounted for in the May 15th police report. Amongst the items listed were damages to both headlamps, a completely smashed bumper and a displaced hood. Zaremba was even charging me for new roof carpeting and a new Renault emblem. When we translated Jablonski's testimony we saw that he had told the courts about a second accident Zaremba was in at the end of June. This

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was just before Zaremba sold the car to Jablonski's wife. I sat there staring at the computer. The prosecutor, the court and my lawyers had all been aware of these things but had allowed for this document to be submitted into evidence.

I wondered though if Zaremba had ever actually said the words that that I was to blame for the damages in this August 30th document. This of course would be absolute proof of perjury. And when we looked, we found that he did. In his statement about my sitting on or leaning on the hood in his court testimonies. I thought this pretty foolish considering we had the police report photos that clearly showed that the hood had nothing but those little pock marks and the dirt streaks cause by the rain. There was also a statement made in the courts that I was responsible for all of the damages not caused in his previous crash into a tree. This was also interesting because he had been paid by the insurance company to fix those damages and, at least according to his original complaint against me, he already had. After this we found Tomczyk's complaint to the prosecutor and saw that he had mentioned the extra damages right after the meeting. This was the complaint I disallowed after they spent our next meeting just after screaming at me about how guilty I was.

But Tomczyk never did mention this to me. It had all been just a game to them. I thought that the case was pretty clear, ripped up the first draft and started again.

The actual writing of the appeal was hampered by a remarkably horrid flu that had me bedridden for the better part of a week. They call what I had "Grip" and I had it pretty good. This illness by the way was a present from Julia. When she heard that I was in town she had come out to see me. We spoke for a while and she had even walked me home to grandma's apartment. When I told her though that I was not

inviting her in, she leaned over and kissed me hard. At the moment I didn't know that she had a high fever that day. I guess I had it coming. Elzbet tried to help with some home made remedies, but I was weak and had chills and bombastic headache that went on and on. I thought I was dying. Feeling better after about five days, I foolishly thought I was well enough to do some fishing at a river about seven miles away. I had been casting for about an hour when the shakes started again. There was nothing for me to do but to ride my bike back to Ostrow, shakes and all. I slept for 16 hours after that. The next morning I finally found my own relief by begging a box of antibiotics from a sympathetic apothecary. She tried to tell me that I needed a prescription, but I begged her in Russian to understand that I had no money for a doctor and that if I didn't take something real to kill what was now trying to kill me, this would indeed be the end. She pulled the antibiotics from the shelf, charged me five dollars and pocketed the money.

In the end I came up with eight reasons why the court had erred in its decision. The title page of the 6300 word document looks like this:

This document is an appeal applying for a reversal of the decision of March 31.

The decision of the courts was incorrect due to several important issues:

- 1. The court had an inability to define the actual damages.**
- 2. The case, according to the justification for the indictment, claimed that Zaremba would have at least one witness and was therefore incomplete.**
- 3. There was a lack of hard evidence, specifically the lack of eyewitnesses and physical evidence.**

- 4. A biased and prejudiced situation existed throughout the trial disallowing for reasonable discussion of the subject.**
- 5. The court was unable to provide adequate council for the defense.**
- 6. That the situation of keeping the accused in Poland for the duration of the trial was based upon a false pretence.**
- 7. The court has provided punishment already before the decision was made.**
- 8. The decision is based on the lies and/or withheld evidences of the accuser.**

I really doubted that the courts would ever take me seriously but I tried to illustrate the situation as clearly as I could anyway. I also refrained from directly accusing the court of wrong doing, but I did point out that they had allowed for illegal documents to be used and that this showed a distinct prejudice. I included some details about the “work” my so-called attorneys had done to prevent Zaremba's, Yucha's and the daughter's testimonies from being questioned, I pointed out yet again the litany of Zaremba's lies about his teeth, the phone, the alleged police car, the hit at the KSP, turning in false documents. I showed again about his changing stories and how his entire complaint was nothing but perjury and slander. This was a all misuse of power and huge waste of time. I think I made my point and summed up the appeal with this:

I believe that the court disregarded plain material evidence that Zareba had lied due to the simple fact that he was a Policeman. This was true on the first day and was true throughout the trial. And, I suppose this would be normal anywhere but Tomas Zareba was not in uniform on May 15th and was driving his own car. I had no

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way of knowing that he was a policeman and he had no police business with which to approach me.

The reality is that while I was being held in Poland purely because of Tomas Zareba's word at the time of the incident, Zareba was amidst a series of driving catastrophes: Two crashes and the misjudgment involving myself all within five months. And these are only mishaps we know of. When he denied previous damages and contributed reports including later damages, he committed perjury. Withholding these evidences from the court and attributing all damages to myself are further crimes.

The court seemingly made no note of these things and the justification of judgment shows prejudice because of it.

I feel I was unfairly tried for these crimes. I did not assault Mr. Zareba's car in any way and I did not assault Mr. Zareba. I did hit Mr. Zareba because he made an unreasonable and dangerous driving maneuver against me; he made this move against a biker and he did this with a young girl in the car. His driving could have cost me my life or the girls and that I believe that no one should be allowed to feel that it is ok to make such intentional moves against bikers anywhere. Such moves show great social irresponsibility, poor driving judgment and a possibility of future endangerment to my fellow bikers and this is why I acted.

The evidence in this case shows plainly and concretely that Tomas Zareba lied for the purposes of getting money from me. Evidence also proves that the court erred in its judgment on several occasions. I was not adequately defended by council or allowed to properly defend myself. Nevertheless, I feel that the evidence is plain that I was not guilty of these crimes and the decision of the courts should be reversed.

Adam Goodman

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On the morning of May 28th, 2003

I said goodbye to Ewa and her mother and got on the bus to Warsaw. I turned my appeal into the courts, picked up my new visa from the embassy, got on the \$8 bus and went back to Tatyana. I knew I would never set foot in Poland again.

Chapter 52

Pinsk; Summer and fall 2003

When I came back to Belarus this time, I went straight to work on this book every day at the internet café. It isn't easy writing in public, but I really had no choice, my own computer still somewhere in Poland and the family unable at the moment to afford more than paper and pens. I would start when the café opened at 8:00am and I would finish at about 1:30 or so, the cross of the money I had to pay for the seat mixed with my trying to use my energy wisely being my guide as to when to quit.

I was going along pretty good when I had a bit of a tragedy: I lost the first 80,000 words I had written when Sergei inadvertently wiped out my file while supposedly cleaning the computers of viruses. We worked to try and restore them, but only found parts of the three chapters about my experiences before coming back to Pinsk. What can you do about something like this? I took about four days off, decided I could live with the conspiracy theory and used all of what was left of my money to buy a three month visa to stay. I got that visa at the airport by the way: No more trips to Poland for me. I wrote a new outline, saved my stuff a little better and went back to work.

Tatyana wouldn't have it any other way.

As far as the case went, we never really heard anything about it ever again. When Bruce Gaskins arrived in Poland the following spring we asked him to go over to the courts and ask what the story was. Even gave him a letter identifying him as having the right to examine my files. He wrote me back saying that he was not really sure but that he thought that the case had been upheld because neither myself nor Mr., Zaremba had shown up at the hearing. I didn't even know there was supposed to have been a hearing. Not that I would have gone, but it would have been nice to know.

As far as what to do next was concerned, well, all I could say was that it was all very, very hard. At times we had a bit more money than at others, and sometimes we had less. After I finished the first draft of the book I set about trying to find a publisher. I don't know how many e-mails I sent over the next few months but although there were perhaps 7 or eight agents who were willing to speak with me, in the end no one bought the book or were even willing to invest in the story. I have been on the internet pretty much constantly since Poland and have written probably close to a million words about "The Life", Poland, Belarus and a lot of other things. For sure I had it much, much harder than it ever had to be. And also for sure, I never ever really had that chance to simply put people on bikes or even to have a theatre group to write for. And a lot of the time, I didn't even really have that much of an audience listening. But I have stayed at it. Some day I will get my day in the sun.

But I did get to live in Belarus. And I suppose in the end I also got that I really wanted which was to do so like a Belarusian. There were some very bad moments early on. Victor, Tatyana's father got his wrist broken by an irate man who beat him in the street near our apartment after Victor accidentally touched his car with a bundle of sticks he was taking to the garbage. Victor lay there for almost 10 minutes before someone came to help him. He said he could only see that the car was white and

remembered only the first two numbers of the license. And, that the man had a child in the car with him. The family decided they would rather not press the incident out of fear of reprisal from the man who beat him. Victor ended up sitting at home for about three months and by the time his wrist had healed, the summer was over. Because of inactivity, he had lost most of his health by the time the next summer came around.

I also took some grief from the people of Pinsk. In September I had a fiasco over trying to get a new pair of glasses. The cost of glasses is nominal here, but I still had to wait about three months before I felt I could afford the \$20. I was referred to the state optometrist, A doctor Trafimovich, who gave me a ridiculous prescription, which was luckily caught before I had the glasses made by the optician who had referred me. He had checked my old glasses and asked when he saw this new prescription why it failed to allow for any astigmatism. A bit more focused on the situation, I went back again to Trafimovich and had eyes checked again. This time she used some curved lenses for the exam and I guess the numbers must have looked better, so they went ahead and made the glasses. However, when I got them back the next day, I realized that these new glasses really only helped to focus my eyes when I held them an inch in front of my nose. I went back to complain but when I did, Trafimovich argued that she had done her job correctly and that the fault was mine for trying to get a pair of glasses for the same money as Belarusians pay. I left irate but apparently, so was she and when I tried to go to a different doctor, I was astounded to find that Trafimovich had spread her own gossip and this second doctor threw me out of her office without even doing an exam. I was told I was a bez platnick, a guy who doesn't pay. If I wanted new glasses, I could just take the train to Minsk and pay for a real doctor.

I didn't talk to the theatre any more and they didn't talk to me but I did send out Pod Kablukom to a number of theatres in Belarus and drew an invitation to the state theatre in Brest. Tatyana and I rode out on the train and met Alex Kozak, the director there. He told me he really liked the play, though he insisted he wanted to make some changes, and would consider producing it in October. He was really excited about the International theatre festival he was working on and he gave me the idea that he wanted me to work at the theatre in Brest. I don't think it was about the money, Kozak suggested his best people could earn perhaps \$100 a month. But I told him I was partial to Pinsk and wasn't interested in moving; I just wanted my play performed. I told him that I had done so much there and Pinsk was Tatyana's home; I really just wanted to try to do what I wanted to do there. He said he understood, but of course, the theatre didn't play the play in October.

At the time of this writing, Bruce and I still correspond by E-mail. He says he is doing fine with his trees in Central America and even offered to invest in the same situation in Belarus. Lena is now in Ireland trying to find work as an interpreter there. Edward left Pinsk and moved in with a friend in Minsk. He says that he is still not working, but that he finds his new friends in Minsk to be far more real to him. Lukasz says that he also met someone and they moved in together. He says he can usually be found on the Onet.com gay chat lines.

Drazek, though not speaking to me about much anything other than getting *his* money back, told me that Maka had finally gotten his bike place in Warsaw. I shudder when I think of the deal he finally must have made to get it, but I hope at least that what he does do with it makes people happy. Ella started studying at the university in Sweden and Dogmarra, as far as I know, is still living happily in France.

The summer and fall started out to be actually rather pleasant. My folks found a few dollars to send and Bruce Gaskins made an investment in the future bike shop. It wasn't a lot of money-or even enough really, but we did what we could to try and make it work. After a few months though we ran completely out of money and had to move back in to Tatyana's mother's house. At that moment, realizing that Tatyana's family would be having to feed me on their \$160 a month combined income, it became pretty clear to me that it had become time to go. I contacted the American embassy about getting a ride home. I spoke to Chris Reynolds at the post, but he had no sympathy for me or my situation. He told me he had spoken to Poland, and they had simply told him I had "hit a cop." He chuckled when he said these words to me. He also refused to speak to me via E-mail. I guess he really had spoken to Poland. He told me a loan for the cost of the airfare back to the states required assurances from friends or family that I really could not pay. He said that he had no belief that I was really destitute and that I would need to divest myself of all of my assets and that this apparently included both my passport and my Red Schwinn.

I would like to say that everything turned out fine but it has been more difficult than anything else I have ever been through in my life. It was hard to know what was the right thing to do. Tatyana had become tired of it all, and our having to move back in with her folks changed things. I wrote something in Pod Kablukom about love that turned out to be pretty prophetic. In the play Robert, the American is asked why he has no girlfriend in America. His answer was that there was a girl for a while, but that he found that life in the states can be so fast that there simply doesn't ever seem to be enough time to do the things one needs to do in order to be in love. The line in the play is that is it like being at war all of the time. I have always felt that when regarding the differences between love and anger, though one may find that love is

the better and possibly the stronger emotion, it is far too easily chased away by anger. But I was now in Belarus where such philosophies weighed too much to be thought of as being necessary. Here, it was very hard not to be angry at a situation where your life is torn to shreds by a demeaning and disheartening process that lasts months and years and even decades and doesn't stop no matter what you do. I do blame myself as much those who had me for every line I see now on Tatyana's face. It is no solace at all, but maybe only now do I really know what it means to actually be Belarusian. They have been living like this, or even with less- and without a passport to go, for 12 years now.

I think all I wanted to do was help. I hope some of the things I said and did will. I thought the play might bring hope. I thought that the business would as well. A nice bike ride always makes you feel better. Or maybe simply that my presence here might have done something for people as well in some way. I am not sure it has. But I tried. I did the best I could with what I had to work with. I wanted to play, but I simply had nothing to play with. I guess that line was from the play as well.

Anyway, that's about what happened.