

THE WAR IS OVER: THE STORY OF PHIL OCHS

Written by

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Based on the book There But for Fortune: The Life of Phil Ochs
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Flashback 1

Start zoomed in on WWII memorabilia, zoom out to Dad being out of it since WWII, mother sends Phil and brother Michael out to movies, Phil mesmerized by John Wayne

INT. BEDROOM OF 1950-ERA FAR ROCKAWAY HOME - DAY

Camera is zoomed in on World War II memorabilia on a mantle, panning / zooming out to show a middle-aged man in a chair staring out a window. A middle-aged woman with a Scottish accent walks into the room.

GERTRUDE OCHS

Jack.

Jack Ochs continues staring out the window.

GERTRUDE OCHS (CONT'D)

Jack honey.

JACK OCHS

Mmmph.

GERTRUDE OCHS

You haven't moved in over an hour.
Why don't you take a walk outside,
isn't that what the doctor
suggested?

JACK OCHS

No!... Sorry dear, I'll be fine.

GERTRUDE OCHS

Can I make you come tea? Or-

JACK OCHS

No no, I just need to be left
alone, that's all.

GERTRUDE OCHS

All right, dear. I'm trying.

Gertrude walks into living room, where two boys (ages 9 and 12) are sitting on the floor playing a board game. Gertrude pulls money out of her purse to give to the older boy.

GERTRUDE OCHS (CONT'D)

Boys, why don't you go see a movie.
(hands money)
(MORE)

GERTRUDE OCHS (CONT'D)
Here you go Philip, just be back by
dinner, okay dear?

PHIL
All right, thanks Mom.

EXT. SIDEWALK - DAY

The two boys are walking together toward a theater.

MICHAEL
You think they have anything new
this time?

PHIL
Nah, this one never plays the new
stuff.

MICHAEL
Ooh, maybe they'll have King Kong
again!

PHIL
Forget it Michael, I'm tired of
that one.

Boys walk up to theater, marquee reads "Red River starring
John Wayne"

MICHAEL
Not another John Wayne.

PHIL
C'mon, this'll be great! Let's do
it.

MICHAEL
You think they're all great.

INT. MOVIE THEATER - DAY

Phil and Michael sit in a nearly empty dark theater screening
"Red River". Phil looks mesmerized at the screen. Cut to a
closeup of John Wayne during his "1,000 miles to go" speech
at 35 minutes in. Cut back to Phil's face staring back.
Play until the line: "there'll be no quittin' along the way,
not by me, not by you."

Act 1

Ohio State 1959-61

Journalist

1959 student journalist, writing articles for The Lantern, they don't like his left-wing politics and coverage of the Cuban Revolution. Phil starts his own paper

INT. COLLEGE NEWSPAPER OFFICE - DAY

Cut to Phil's face as a college student.

EDITOR

Well?

PHIL

Well what? I can continue writing for the Lantern, and keep putting out my own newspaper. I have enough material for both.

EDITOR

That's fine, but-

PHIL

And I'm only doing this because you're censoring me.

EDITOR

Easy there. As editor-in-chief, I have to decide what will fit into our papers, it's as simple as that.

PHIL

And-

EDITOR

And what you write isn't always fit to print.

PHIL

If you think my research-

EDITOR

Come on Phil, it's not that. It's the editorializing. It's the blatant side taking. Like this last article you submitted on the Cuban revolution. You're making Castro out to be the good guy in some movie.

PHIL

He is the good guy. I mean, put yourself in their shoes. If your whole life was spent-

EDITOR

I'm not going to argue with you on this. You have to think about the audience.

PHIL

See, that's where you're wrong. If we just pander to the audience, what service are we providing to society? We might as well not exist.

EDITOR

Without our funding, we won't exist. And what do you think will happen to our funding if we keep-

PHIL

Once I become editor-in-chief-

EDITOR

If ... you become editor-in-chief, and that's a big if.

PHIL

We'll see about that.

Hanging out with Jim Glover

They met as roommates, Jim turned Phil onto folk music and political discussion with Jim's father

INT. DINING ROOM IN 1950S HOME - NIGHT

Phil, Jim Glover, and Jim's parents are dining at the dinner table.

MR. GLOVER

Phil, I understand you've started your own paper on campus, that sounds like quite the undertaking.

PHIL

Word travels fast, Mr. Glover. I just have a lot more to write than what can fit in the Lantern.

(MORE)

PHIL (CONT'D)

Thanks again for lending me those history books, by the way.

MR. GLOVER

Oh they're history books now, huh.
I guess I'm that old.

PHIL

Oh no, I didn't mean-

MR. GLOVER

(laughing)

It's all right. Someday it'll be your turn to be the old sage. So Jim says you're moving out of the boarding house?

PHIL

Yeah, I need to be closer to the action, plus the other journalists are mostly at Steeb Hall. It won't be as homey, but at least Jim's records won't be strewn everywhere.

JIM

Hey, you never complained! I thought you liked my records.

PHIL

I'm just kidding around. Now I have to get my own copies of Woody Guthrie. And you'll have to get your own copies of Elvis.

JIM

Sure I will.

INT. BOARDING HOUSE ROOM - NIGHT

Jim and Phil is sitting on their respective beds. Elvis and John Wayne posters are on the wall by Phil's bed. An acoustic guitar is leaning against the wall by Jim's bed.

JIM

I still can't believe Kennedy's gonna win the nomination. I thought for sure that Humphrey would get it.

PHIL

Well, I called it, didn't I. We should've made it interesting.

JIM

You know we still can. He doesn't stand a chance against Nixon in the fall. He's got no experience.

PHIL

All right, you're on. I'll put fifty dollars on it.

JIM

You don't even have fifty dollars.

PHIL

I don't need it, 'cause Kennedy's gonna win. And when he does, I get your guitar.

JIM

Ok, you've got yourself a deal.

Jim and Phil shake hands.

Getting First Guitar

Phil wins JFK bet, asks Jim to teach him to play, becomes a folk duo with Jim

Meeting Bob Gibson

Playing back home in Cleveland

End of Act 1

After being snubbed by the Lantern, Phil drops out and resolves to embrace music career and move to NYC

Act 2

New York 1962-1966

Greenwich Village

Crashes in Jim's tiny apartment in Greenwich Village, Jim's in a folk duo called Jim and Jean, and they play at Cafe Raffio. Phil meets Alice, who also works at the Raffio, and he ends up moving in with her.

Phil enters folk music scene by going to shows and playing for free or very little. Attends meetings at Upper West Side apartment belonging to Gordon Friesen and Sis Cunningham of Broadside Magazine, contributing songs to be recorded then printed as lead sheets in the magazine. Meets Bob Dylan, also managed by Albert Grossman.

Insert party scene where he's talking about Vietnam to people who don't know where it is. Include references to lyrics from "The Party".

Conversations with Sonny

Alice pregnant (p.56), dad's funeral, marries Alice

INT. PHONE BOOTH AT BAR - DAY

PHIL

I don't know what to do. Alice is four months pregnant and she wants me to marry her, but I don't think I want to marry her.

INTERCUT - PHONE CONVERSATION

SONNY

Look, I was just talking to yer yesterday. She wants to have the baby, but she won't do it without being married. I think you owe her at least that much.

PHIL

I don't know, I need more time to think about it.

SONNY

What's there to think about? What the hell's the big deal? I mean, it's not the rest of your life. All you're doing is giving the baby a legitimate name. If it works out, fine. If it doesn't, so what? You can always get divorced. At least she'll have the baby. You could at least do that much for her.

PHIL

Maybe divorce wasn't a big deal for you, but that doesn't hold for everyone... Sorry. Let me give it some more thought, okay?

INT. PHONE BOOTH AT HOTEL - NIGHT

Phil is seated at the bed with a guitar in hand and a notebook at the desk, when the phone at the desk rings. Phil picks up the phone.

PHIL

Hello?

SONNY

Hey, it's Sonny.

PHIL

Hey, listen, if this is about Alice again, I still need a week to-

SONNY

You don't have a week to think about it. You have twenty-four hours.

PHIL

Why?

SONNY

Phil, your father just dropped dead. They're bringing his body to New York. The funeral is tomorrow and Ma's going to be there. You better decide what you're going to do right now.

PHIL

Why do I have to be there? What's the difference if I'm there or not?

SONNY

Phil, this is your father. Regardless of the feeling you have or don't have, you must be at the funeral, and it's tomorrow. So you get your ass out here, and you make your decision by tomorrow, because Ma's going to be here and you're going to have to tell her.

INT. LIMOUSINE - DAY

Phil, Sonny, Gertrude, and Michael are in the limousine on the way to a cemetery to bury Jake Ochs.

PHIL

Ma, I have something to tell you.

GERTRUDE OCHS

What?

PHIL

Alice and I are getting married.

GERTRUDE OCHS

Why?

PHIL

Because Alice is pregnant

GERTRUDE OCHS

...Why?

Sonny shakes her head and starts to snicker.

INT. PHIL AND ALICE'S APARTMENT IN NEW YORK - DAY

Phil and Alice's apartment is a cluttered mess. Phil is seated at the couch with his guitar and notes, strumming the chords to what will become "Power and the Glory". Graham Green's book "The Power and the Glory" can be seen in the apartment. Alice is holding her baby and hears a knock on the door.

ALICE

They're here.

PHIL

Will you get that?

Alice sighs and walks to the front door while holding the baby, opening the door to let Sonny and Gertrude in.

SONNY

Hi, we finally made it!
(to baby)
Hi Meegan!

ALICE

Phil, are you going to say hello to your mother and sister?

PHIL
(without looking up from
his guitar)
Hey.

ALICE
(shakes her head to the
guests)
Please have a seat. Can I get you
some coffee?

GERTRUDE OCHS
That would be great, but here, let
me help.

Gertrude holds the baby while Alice turns to the kitchen counter to pour coffees for the guests, who are taking seats at the kitchen table. Phil continues to strum the same chord progression. Sonny brings mugs of coffee to the table.

SONNY
So, how are things?

ALICE
Things are all right. Lots of
gigs, as usual. Phil's heading out
to Rhode Island next week, for this
big folk festival.

PHIL
(without looking up)
Newport.

ALICE
Glad you could join the
conversation.

SONNY
All right Phil, what exactly are
you doing that's more important
than joining us?

PHIL
I'm playing the greatest song I'll
ever write.

SONNY
Well then, sing it. What are the
words?

PHIL
I haven't written them yet.

Alice rolls her eyes and shakes her head.

Newport Folk Festival '63

Feeling sick before gig (p 61-62), standing ovation.

INT. INSIDE OF CAR - DAY

Phil and other folk musicians are driving along I-95 from New York to the Newport Folk Festival in Rhode Island. Phil is smiling while listening to his friends share stories about the previous year's festival. Camera zooms into Phil's face as the sound around him gets muffled and his heart pounding is more visible. Phil rubs his head as he feels a headache grow stronger, and he begins to perspire.

FRIEND

Hey Phil, are you ok?

PHIL

I'm not sure. (grimacing) Argh, I think I'm having a migraine. I'd better lie down for a bit.

Phil lies down in the backseat, staring up at the ceiling and continuing to perspire.

FRIEND

Feeling any better?

PHIL

Not really... oh man, my heart's racing, feels like I'm dying...

FRIEND

Hey John, let's pull off when we get to Milford, I'll bet there's a hospital there.

PHIL

No! I can't miss the festival. And I don't want you guys to miss it either.

FRIEND

Would you rather die instead?

PHIL

Maybe...

INT. HOSPITAL WAITING ROOM - DAY

Phil's friends are sitting in the waiting room, and Phil comes out of the back room.

FRIEND

So what happened? Are you feeling better?

PHIL

Yeah, the doctor gave me something for the headaches, plus this Valium. But I'd rather not take it.

FRIEND

Well give it up then, man! I could use some later!

EXT. FREEBODY PARK, NEWPORT FOLK FESTIVAL - DAY

Phil is standing off stage with his guitar strapped on. He's perspiring and taking deep breaths.

PETE SEEGER

I don't want to deny the next singer at least his two songs. And you'll wish when you heard 'em that there's a lot more time for him too. It's Phil Ochs.

Phil steps onto the stage and half-staggers to the microphone.

PHIL

(mumbling)
Thank you.

Phil looks out at the audience, which looks out of focus to him as the sound around is muffled.

Well I think whenever there's a deep tragedy, there's also a present, um, something of the ridiculous, which is also true about immigration, so um, I'm sure you all remember a little town called Birmingham. So I'd like to do you a song now, called "Talking Birmingham Jam".

He begins to play his guitar.

PHIL (CONT'D)
 (in talking blues style)
 Walking down to Birmingham...

As Phil continues to sing, the sound becomes de-muffled and the audience responds positively. He gets a standing ovation.

PHIL (CONT'D)
 Thanks so much.

Phil walks off stage and towards the nearby tree, where he slumps onto the ground, lays on his back panting and passes out.

JFK's Assassination

Phil weeps at his kitchen table (p68)

Eastern Kentucky

Playing for coal miners strike in eastern Kentucky, pattern of wife unhappy that he's away for holidays (p.72-74)

Signed to Elektra

Approached by A&R man after a show at the Gaslight (p.76)

Bob Dylan plays Mr Tambourine Man

To Phil and David Cohen in apartment (p81-82)

Newport Festival 64

People don't like Dylan's non-topical songs (p83-84)

Mississippi Caravan of Music

Inspiration for "Here's to the State of Mississippi" (p85-88)

I Ain't Marching Anymore

Phil posing for "I Ain't Marching Anymore" cover.

Joan Baez records "There But for Fortune"

P 95

Newport Festival 65

Phil snubbed, Dylan goes electric, Phil impressed, laughing and cheering while others booing. Pete Seeger grabs an ax backstage and threatens to cut the power lines. (p101-104)

Bob Dylan Limousine

Bob Dylan kicks Phil out of limousine for criticizing song (p.106)

INT. BACKSTAGE AT CARNEGIE HALL - NIGHT

Phil, Bob Dylan, and David Blue are seated backstage, other performers are packing up and leaving. A banner for "Sing In For Peace" is being put away by stagehands.

PHIL

I think Seeger's coming around,
Bob. Or he just couldn't find an
ax this time.

DAVID BLUE

Man, what a great show though. So
where should we go?

BOB

Let's go uptown, I've got a limo
coming here any minute. But first,
let me play you that song I was
talking about. This is the one
I've been trying to do for years.

PHIL

What's it called?

BOB

"Can You Please Crawl Out Your
Window?"

PHIL
 (plays a chord, sings in
 talking blues style)
 The newest sensation about
 defenestration!

BOB
 Hey cut it out, this is serious.
 (begins playing guitar)
 (singing)
 He sits in your room, his tomb,
 with a fist full of tacks
 Preoccupied with his vengeance
 Cursing the dead that can't answer
 him back You know that he has no
 intentions Of looking your way,
 unless it's to say That he needs
 you to test his inventions Hey,
 crawl out your window Come on,
 don't say it will ruin you.
 Come on, don't say he will haunt
 you. You can go back to him any
 time you want to.

DAVID BLUE
 That's fantastic man, it's like
 peeling an onion, there's a lot
 going on in the song.

BOB
 Ochs, what about you? What do you
 think?

PHIL
 It's okay.

BOB
 What do you mean? Listen to it
 again.

Bob plays the initial chords again, but Phil reaches out his
 hand to interrupt.

PHIL
 Hold on, the limo's here.

BOB
 He can wait.

PHIL
 Look, I don't think hearing it
 again will change anything. I'm
 saying it's ok, but it's not going
 to be a hit.

BOB
(Gets up quickly)
You're crazy, man! It's a great
song. You only know protest,
that's all.

DAVID BLUE
(Gets up)
Hey guys, let's go enjoy ourselves.

Bob Dylan is packing up his guitar while Phil gets up and they all head for the exit.

EXT. SIDEWALK BY CARNEGIE HALL - NIGHT

Phil, David and Bob Dylan are entering a limousine with their guitar cases.

DAVID BLUE
Phil, I think once you hear it in a
rock format, it'll really come
together. But I think it already
stands on its own-

BOB
I'm done talking about it.

The door shuts and the limousine begins driving away.

INT. BACK LIMOUSINE - NIGHT

Phil, David and Bob Dylan are silent in their seats, with their guitar cases in front of them.

BOB
Actually you know what-
(motions to driver)
Hey! Can you pull over for a
minute?

DAVID BLUE
What's going on?

Limousine slows down and pulls over.

BOB
(points at Phil)
You're getting out.

PHIL
(laughs)
You're kidding, right?

BOB
Get out, Ochs.

After a pause, Phil picks up his case and begins to exit the limo.

PHIL
Fine. You wanted my opinion so I
gave it to you, my mistake!

EXT. SIDEWALK - NIGHT

Phil exits limousine with guitar case. Bob holds the door open after Phil exists.

BOB
You're not a folk singer, you're a
journalist!

Bob slams the door shut and the limousine drives away.

Carnegie Hall

First Carnegie Hall concert (p.112-115) is this when he starts taking pills to get over anxiety?

Act 3

California 1967-70

Signed with A&M records

Playing for RFK

On plane (depict with guitar instead of a cappella) (p.133-134)

INT. U.S. SENATE FLOOR - DAY

RFK is giving a speech at the senate floor. Ochs and a journalist named Jack Newfield are watching from the gallery

RFK

It is we who live in abundance and send our young men out to die. It is our chemicals that scorch the children, and our bombs that level the villages. We are all participants.

JACK NEWFIELD

(To Phil)

Wow, he's really doing this.

PHIL

I'm so glad you invited me. Maybe I should get a gig like this, writing a profile on someone, getting paid to follow him around.

JACK NEWFIELD

Looking for a career change? By the way, we might even catch the same air shuttle back to New York with him.

INT. SMALL PLANE CABIN - NIGHT

RFK

Hey, is it true that Bob Dylan changed his name to boost his career?

PHIL

Sure is. His real last name is Zimmerman.

RFK

Do you think it would help if I changed mine?

Phil and Jack Newfield laugh

RFK (CONT'D)

I understand you've spent a lot of time on college grounds as part of your touring.

PHIL

I have. In a way, it's like I never dropped out. I just started playing instead of taking classes.

RFK

I'll bet you have a pretty good understanding of the attitudes around campus. Now what we see in all these student interviews nowadays, would you say that's reflective of the generation at large?

PHIL

I think I see where you're going with this, after coming out against the war today.

RFK

Sure, that's part of it.

PHIL

I think the students are paying close attention to what you stand for. What I mean is it's not just about the parties, but where you as individuals stand regarding civil rights and the war. And I think what you did today was a good first step.

RFK

First step? Sounds like I've got my work cut out for me!

JACK NEWFIELD

I think what Phil means is-

RFK

No, I understand.

(turns to Phil)

I've heard a few of your songs, you know. "Power and the Glory", that's one of yours, isn't it?

PHIL

Sure is!

RFK

That's a very powerful song.

PHIL

Thank you!

RFK

Are you working on any new material?

PHIL

Actually I am, and it's going to be a real departure from the past albums I've recorded-

JACK NEWFIELD

Why don't you sing him one of your new songs? What about "Crucifixion"? That's a great one.

PHIL

No, I can't, I didn't even bring my guitar with me.

JACK NEWFIELD

That's fine, you can just sing it.

PHIL

You want me to sing it a cappella? On a plane?

JACK NEWFIELD

Yeah, why not!

PHIL

I'm glad my critics aren't on board!

RFK

Well, I promise not to write a scathing review.

PHIL

Fair enough. All right. Now, I usually introduce these songs to give some background, but I'll go right into this one.

Phil begins to lightly slap his leg to set the beat.

PHIL (CONT'D)

(singing)

And the night comes again to the
circle studded sky / The stars
settle slowly, in loneliness they
lie / 'Till the universe explodes
as a falling star is raised /
Planets are paralyzed, mountains
are amazed / But they all glow
brighter from the brilliance of the
blaze / With the speed of insanity,
then he dies.

RFK begins shaking his head slowly, tears begin to show

PHIL (CONT'D)

(singing)

In the green fields a turning, a
baby is born / His cries crease the
wind and mingle with the morn / An
assault upon the order, the
changing of the guard / Chosen for
a challenge that is hopelessly hard
/ And the only single sound is the
sighing of the stars / But to the
silence and distance they are sworn

(singing)

Then his message gathers meaning
and it spreads across the land /
The rewarding of his pain is the
following of the man / But
ignorance is everywhere and people
have their way / Success is an
enemy to the losers of the day / In
the shadows of the churches, who
knows what they pray / For blood is
the language of the band.

The War is Over Rally 1

police intervention (p 145)

Pleasures of the Harbor

Phil being overly ambitious with The Crucifixion and not listening to producer Larry Marks (p161)

The War is Over Rally 2

with Phil in civil war uniform (p 172)

Snubbed at Guthrie Memorial Concert

P 181

Chicago 1968

Festival of Life activities p.195

People burning their draft cards to "I Ain't Marching Anymore" (p200)

Witness for Chicago 7 trial

(p 221), source: <http://law2.umkc.edu/faculty/projects/ftrials/Chicago7/ochs.html>

INT. COURTROOM - DAY

Phil Ochs is sitting in the witness stand. Judge Hoffman is seated as judge. Mr Kunstler is cross-examining Phil Ochs, while Mr Foran the prosecutor is seated. In the audience is Jerry Rubin wearing a headband, and Abbie Hoffman. A jury is present.

MR. KUNSTLER

Did there come a time, Mr. Ochs,
when you came to Chicago in 1968?

PHIL

I came campaigning for Eugene
McCarthy on M-Day, which I believe
was August 15, at the Lindy Opera
House, I believe.

MR. KUNSTLER

After you arrived in Chicago did
you have any discussion with Jerry?

PHIL

Yes, I did. We discussed the
nomination of a pig for President.

MR. KUNSTLER

Would you state what you said and what Jerry said.

PHIL

We discussed the details. We discussed going out to the countryside around Chicago and buying a pig from a farmer and bringing him into the city for the purposes of his nominating speech.

MR. KUNSTLER

Did you have any role yourself in that?

PHIL

Yes, I helped select the pig, and I paid for him.

MR. KUNSTLER

Now, did you find a pig at once when you went out?

PHIL

No, it was very difficult. We stopped at several farms and asked where the pigs were.

MR. KUNSTLER

None of the farmers referred you to the police station, did they?

PHIL

No.

MR. FORAN

Objection.

JUDGE HOFFMAN

I sustain the objection.

MR. KUNSTLER

Mr. Ochs, can you describe the pig which was finally bought?

MR. FORAN

Objection.

JUDGE HOFFMAN

I sustain the objection.

MR. KUNSTLER
Would you state what, if anything,
happened to the pig?

PHIL
The pig was arrested with seven
people.

Carnegie Hall in Gold Suit

bomb threat, "are you prepared to die for rock and roll?"

Act 4

Travels to Chile, Africa, Evening with Salvador Allende

Chile Trip

With Jerry Rubin.

Meets Victor Jara (p240-241)

Meets David Ifshin (p242), Uruguayans invite him to speak at a university rally

Escape from Uruguay

Meets David Ifshin in Buenos Aires, and they travel to Uruguay from there

EXT. UNIVERSITY AUDITORIUM IN URUGUAY - DAY

A crowd of Uruguayan students partially fill the outdoor auditorium. A banner is hung from the stage honoring dead Tupamaro rebels. David Ifshin is at the microphone on the stage, while Phil is standing offstage wearing his guitar on his back.

DAVID
It really warms my heart to see
students on this continent fighting
for the same values as us in the
U.S. As they say around here:
words divide us; action unites us.

Applause from crowd.

(MORE)

DAVID (CONT'D)

Now I'd like to introduce our next
guest, renowned singer-songwriter
and dedicated activist Phil Ochs!

Applause and cheers from crowd as Phil steps to the
microphone, hugs David. David walks offstage and Phil
positions his guitar.

PHIL

Thanks David, and thank you all for
inviting us to your wonderful
rally. You're probably not
familiar with most of my songs, but
I think you'll catch on rather
quickly. This first one is about
compassion for your fellow man, a
song you may have heard sung by
miss Joan Baez.

(begins strumming guitar)

(singing)

Show me the prison, show me the
jail.

Gunshots ring out from outside the auditorium. A commotion
begins to swell from the student audience.

PHIL (CONT'D)

(singing)

Show me the prisoner whose-

Phil stops singing and looks out towards the source of
gunshots.

DAVID

Phil, get off the stage!

Phil runs off stage and takes refuge behind a turned over
table in the courtyard with David. Soldiers are shooting
from behind trees. Tear gas is set off nearby as students
return fire.

PHIL

Wait til Rubin hears about this.
He'll be incredibly jealous that he
didn't come with me.

STUDENT

(in Spanish to other
students)

Hold your fire! Hold your fire!

PHIL

What's going on now? I can't tell
what they're saying.

DAVID

I think they're negotiating.

Phil looks toward the university president's office, where Phil's belongings and some cigars are sitting at a desk. The office is occupied by the rebel students.

PHIL

I'm going to get a cigar.

DAVID

Phil, you'll get killed if you go out there.

PHIL

A Cuban cigar is worth dying for.

Phil runs across courtyard towards the office in a half-crouch with David close behind. They get to the office and Phil grabs his belongings and cigars.

PHIL (CONT'D)

Comfort in the middle of anarchy.

Students come out of hiding and more background conversation is present.

STUDENT

(to Phil and David)

Ok, we came to an agreement with the police. You should be able to leave now.

PHIL

That's too bad, I was hoping to finish my set.

DAVID

That's not funny, Phil.

Phil and David walk out of the office with the students and toward the perimeter of the campus where police are checking IDs. Phil and David hand their passports to a policeman, who looks at the passports and shows them to another policeman.

POLICEMAN 1

(in Spanish)

They're Americans.

POLICEMAN 2

(in Spanish)

Don't be fooled.

(MORE)

POLICEMAN 2 (CONT'D)
We had found Cubans using false
passports before. Look at the
cigars. Cuff them.

Policeman 1 points a machine gun at Phil and David and
motions them toward a police van.

PHIL
Wait a minute, we're Americans!
Ask around, I'm a well-known singer
and I can prove it. I've released
several albums, what are you doing?

DAVID
(speaking over Phil)
Please, we are not Cubans, we're
Americans, we're guests of the
university.

INT. CINDER BLOCK PRISON CELL - DAY

Phil sits at bed inside locked cell. A nearby guard sits with
a transistor radio playing generic rock.

PHIL
Hey, it's bad enough to be in here,
but do you have to play that
horrible excuse for rock n' roll?

Guard grimaces and increases the volume.

David is escorted by guards into an adjacent cell, looking
bruised.

PHIL (CONT'D)
What the hell happened?

DAVID
Some rough interrogation
techniques. So I talked with some
of the other prisoners last night,
some of them know English.
They're mostly here for political
reasons, and they've been here a
long time.

PHIL
Oh god, don't tell me that. But
they don't have American passports.
You'd think that would help us.

DAVID

It still might. The guards keep asking me the same questions, I think they're finally realizing we're not Cubans. Sounds like deporting us is on the table, as long as it's not Bolivia.

PHIL

What's wrong with Bolivia?

DAVID

Apparently the prisoners who get sent there have a bad habit of disappearing without a trace.

Two guards approach Phil's cell and open it up.

GUARD

Come.

Phil walks up and one guard handcuffs Phil while the other points his gun at Phil. The guards do the same with David.

GUARD (CONT'D)

We are taking you to the airport, where you fly to Bolivia. From there you go your own way.

Phil and David look at each other with a terrified glance.

INT. POLICE VAN - DAY

Phil and David are in the back seat of a police van on its way to the airport.

DAVID

(whispering)

We've got to have a plan, because this could be it. We can't go to Bolivia.

PHIL

(whispering)

Okay, here's what I'm thinking. Once we get to the airport, I'll create a diversion. And you'll sneak away and get us tickets to Peru. You still have your American Express card?

David holds up his handcuffed hands.

DAVID

And what do we do about this? Once they see the handcuffs they'll know not to issue the tickets.

PHIL

Just hide them in your sleeves, you'll be fine.

INT. AIRPORT TERMINAL - DAY

Phil, David, and two captors are walking near ticketing desks. Phil stops and holds up his handcuffed hands to the passers by.

PHIL

Help! We're being kidnapped.
We're going to be killed by these fascists. Please. We're innocent.

Crowd around them starts paying attention to Phil and the captors.

GUARD

(in Spanish)

Pay no attention to this man, he is a dangerous criminal and an enemy of the state.

As guards turn their attention to Phil and the crowd, David slips off to a Braniff International ticket counter, places a credit card on the counter without revealing his handcuffs.

DAVID

Buenos dias, when is your next flight to Lima?

One of the guards notices David is not present, looks around and spots him at the counter. The guard runs to the counter.

GUARD

(to Braniff worker in Spanish)

Stop issuing that ticket. This man is in our custody.

WORKER

(to David)

This man says you are under arrest. You can't leave.

DAVID

Look, I'm an American citizen and
you're an American carrier.

(pounding on desk)

Just give me the goddamn tickets.

David's handcuffs become visible from pounding on the desk.
The worker looks at the handcuffs and shakes his head.

WORKER

(motioning to guard)

I think you'd better go with him.

Meanwhile, a member of the British Embassy is in the crowd
and approaches the guard with Phil.

EMBASSY OFFICIAL

(to guard)

If this man is an American you're
going to be in trouble for this.

Official and guard discuss while David and the other guard
return to Phil. Embassy official turns to David.

EMBASSY OFFICIAL (CONT'D)

(to David)

Ok, the flight that you're on is
scheduled to go on to Lima after
landing in La Paz. So you can
purchase tickets to continue there.

DAVID

(to embassy official)

Thank you so much for your help.
No, really.

INT. AIRPLANE CABIN - DAY

David and Phil are seated next to each other in a plane mid-
flight, without their handcuffs.

PHIL

We did it! Let's get some drinks.

Pilot walks down aisle towards Phil and David.

PILOT

What did you two guys do, kill
somebody?

DAVID

Why?

PILOT

Well, this official came on before we took off, and he wanted to make sure you both deplane in Bolivia. There are police waiting for you.

PHIL

No, listen, we're not spies or anything. I was invited to perform for students at the university. But some of the students were wanted by the police, that's all. They're just paranoid, this is all a misunderstanding.

PILOT

Yeah, I've seen this before, this kind of stuff happens. All right, when we land, just stay on board and you'll be fine. They can't board an American carrier.

PHIL

Thank you so much.

EXT. AIRPORT LANDING STRIP - DAY

Cut to plane landing in La Paz. Armed jeeps drive up to plane.

INT. AIRPLANE CABIN - DAY

Phil and David look out window as the last of the passengers exit the plane. Soldiers outside are inspecting passengers leaving the plane. Phil and David slide down to be out of view from the window.

PHIL

(whispering to himself)

We're gonna be fine, we're gonna be fine, we're gonna be fine...

Cut to passengers re-entering plane.

PHIL (CONT'D)

Was that it? Are we safe?

DAVID

I'm not celebrating until we we're out of the airport in Peru.

(MORE)

DAVID (CONT'D)
No, I'm not celebrating until we're
all the way back home.

Africa Trip

Travels in Africa, recording "Bwatue", mugged on beach (covert war book: p96)

EXT. AIRPLANE TERMINAL IN NAIROBI - DAY

Phil exits a plane and walks down the stairway, where David
Ifshin awaits him.

PHIL
We're going to have to control the
drinking. You gotta help me stop
on this trip. All I want is one
beer a day.

DAVID
Wow, for you one beer a day is like
total abstinence.

PHIL
Very funny.

DAVID
So what's the plan once we get
settled in?

PHIL
I don't know yet. I think I'll tour
around a little, but I want to take
it easy first. Hopefully something
more relaxing than Uruguay.

EXT. ROADSIDE FOOD STAND IN NAIROBI - DAY

Phil and David are seated at the food stand enjoying a meal.
David is eating grilled maize on the cob, while Phil is
eating a Smokie Pasua (looks like a hotdog burrito).

PHIL
Look at you eating all healthy.

DAVID

I'm still full from that big breakfast. What is that anyway, is that a hot dog inside of that thing?

PHIL

It's called a "smokie pasua", it's my new favorite. They split the hot dog and put in something like pico de gallo, I think. So this morning I spoke with Jerry Moss at A&M. They're gonna set me up with some studio time here.

DAVID

Studio time? I thought you were taking it easy.

PHIL

I was, I will. But I'm loving all the languages and dialects here, I want to see if we can do some kind of collaboration.

DAVID

What, like you're going to put some new arrangements to some of your songs?

PHIL

No, I mean new songs. Something co-written. Like maybe I'll sing in a mixture of English and Swahili.

DAVID

You singing in Swahili, this I gotta hear.

INT. RECORDING STUDIO IN NAIROBI - NIGHT

David stands in the control while a local man is operating a modest mixer. Through the window they can see Phil Ochs and local Kenyan musicians seated with various instruments, performing and singing "Niko Mchumba Ngobe" in Swahili. Phil has a sheet of paper taped to a stand and is singing as well.

PHIL AND MUSICIANS

Niko mchunga ngombe, Niko mchunga
ngombe, Sasa Sasa, Twende mbele!
(MORE)

PHIL AND MUSICIANS (CONT'D)

Niko mchungu ngombe, Niko mchungu
ngombe, Sasa Sasas, Twende mbele!
Chakula haina taabu, Tunana mbuzi
tunakula, Niko mchungu ngombe, Sasa
Sasa, Twende mbele!

EXT. BEACH IN DAR-ES-SALAAM - DAY

Phil is walking on his own along a beach. Three Tanzanian men are walking along in the opposite direction. Phil smiles and nods at them as they pass each other. Moments later, Phil is assaulted from behind. The tallest of the men wraps his arm around Phil's neck and pulls him off his feet, while the other two men search Phil's pockets. Phil struggles to breathe, and the man tightens his grip even more. Phil drops to the ground and is beaten into unconsciousness. The men flee with his cash.

Chile coup

Phil learns while recovering from mugging in hospital what happened in Chile <timeline difference> Victor Jara is killed while singing "Venceremos (We Will Win)" (p 287, also "Remastered: Massacre at the Stadium" Netflix documentary)

INT. HOSPITAL BED IN DAR-ES-SALAAM - DAY

Phil is lying in a hospital bed with visible bruises on his face and neck. Phil slowly awakes, with David Ifshin standing over him.

DAVID

Phil, how do you feel?

PHIL

(in a raspy voice)

What happened? I thought I was on the beach.

DAVID

People found you lying there, it looks like you were mugged.

PHIL

Oh right, some people jumped me-
(lets out a painful cough)
Why can't I talk?

DAVID

The doctor said your vocal chords
had ruptured. He thinks it will
heal for the most part.

PHIL

For the most part? What does that
mean? This is my career!
(grimaces in pain from
speaking)

DAVID

Hey, try to relax. You're gonna
need some time to heal.
(short pause)
Phil, there's something else.
There was a coup in Chile.
Allende's dead.

PHIL

What? Who did it, was it fascists?

DAVID

Details are still coming out, but
that's what it looks like. There's
more.

EXT. ESTADIO CHILE (SANTIAGO) - DAY

The stadium has been transformed into a makeshift
concentration camp with political prisoners in the stands.
Victor Jara stands in line on the stage with university
professors and students, all bloodied with torn clothes,
surrounded by soldiers. One soldier who is surveying the
prisoners stops at Victor.

SOLDIER

(in Chilean Spanish)
You're that motherfucker son of a
bitch Victor Jara, singer of the
communist songs. I'll teach you,
asshole, how to sing!

Soldier pulls Victor out of the line and uses his rifle butt
to strike Victor Jara in the back. An air force officer with
a cigarette in his mouth takes notice and strikes Victor in
the back of his knees with his rifle butt, causing Victor to
collapse to the ground. They proceed to beat Victor. The
officer flicks his cigarette near Victor.

OFFICER

(in Chilean Spanish)
Smoke it, asshole.

VICTOR
(in Chilean Spanish)
I don't smoke.

OFFICER
(in Chilean Spanish)
I said smoke it, asshole!

Victor reaches his trembling hands toward the cigarette. The officer smashes his hands with his rifle butt. Victor pulls back in agony.

OFFICER (CONT'D)
Try playing the guitar now, with
your hands like that, you son of a
bitch.

SOLDIER
(laughing)
Go ahead, sing us a song! You're
on stage, your audience is waiting!

VICTOR
(singing "Venceremos" in
Spanish)
A new world in the making, It's
there for the taking. Santiago to
Rio. The moment is waiting-

The officer drives his rifle butt into Victor's mouth, knocking out teeth and splitting his lip.

VICTOR (CONT'D)
(continuing to sing)
The lost will be found, And named
out aloud. Photos carried high.
The lives they've denied.

The officer shoots Victor Jara in the head at point blank range and Victor collapses to the floor.

INT. HOSPITAL BED IN DAR-ES-SALAAM - DAY

PHIL
Victor!

An Evening with Salvador Allende

Planning concert, not filling up until he runs into Bob Dylan at bar, invites Dylan over and

reads him Allende's inaugural address (read starting from "I stand here"), Dylan agrees to play

INT. AIRPLANE CABIN - NIGHT

Phil and David are flying back to New York. David is trying to sleep and wearing an eye mask. Phil is scribbling in his notebook. David lifts his mask.

DAVID
Aren't you going to sleep?

PHIL
I can't. Something's gotta be done about this. Listen, here's what I've got so far.

DAVID
Can't this wait til tomorrow?

PHIL
No, it can't! Listen, we're gonna raise awareness. We'll put together a huge concert, set some of the most popular entertainers in the business. And all the proceeds will go to helping the people in Chile. We could record it and put that out as a live album. Like what George Harrison did with Bangladesh. This could be huge.

INT - TABLE AT LION'S HEAD - DAY

Deni Frand enters the restaurant and looks searchingly at the few customers present, attempting to pick out Phil Ochs without knowing what he looks like. Phil is seated alone at a table and notices her looking around and stands up.

PHIL
Are you Deni?

DENI
Yes, are you Phil?

PHIL
Last I checked. Please have a seat.

Both sit at the table.

DENI

Arthur told me a lot about you, but
he should've given me a picture.
Hi.

They shake hands.

PHIL

He said a few things about you too!
I think your experiences with film
and organizing with be really
helpful here. So he told you about
the concert.

DENI

He did. I didn't know a whole lot
about the recent events in Chile,
but I've been reading through every
Newsweek and Time I can find.

PHIL

Ok, that's a good start. And
that's the thing, no one's hearing
much about this, and that's what
we're going to change. So I'm
calling it "An Evening with
Salvador Allende" and I need your
help to run it. I've already
spoken to Seeger and Guthrie, and
they're both in. I'll keep at it
on that front and get more singers
on the bill. Now I've also been in
touch with someone I'd met in Chile
before, his name is Claudio Benal,
he's a refugee living here, and he
still has connections back in
Chile. He's interested in helping
out as well.

DENI

Ok, that's great. I know a very
accomplished organizer from the
Women's Strike for Peace, and I
think she'd be great for this team.
Her name is Cora Weiss.

INT. OFFICE - NIGHT

Cora Weiss, Claudio, and Deni Franz are seated at a table eating Chinese food and overlooking papers, speaking to each other when a phone at the table rings. Cora picks up the phone

CORA

Friends of Chile, who am I speaking with?

INT. BOTTOM LINE NIGHTCLUB - NIGHT

Phil is inside an indoor phone booth with the phone between his head and shoulder, holding a pint of beer and a bottle of pills.

PHIL

Cora, it's Phil. I'm still at the Bottom Line, and Buffy Sainte-Marie's done with her set. I'm still waiting for her to come back out though, but I'm sure I can get her in the lineup.

INTERCUT - PHONE CONVERSATION

CORA

Do you think that will be enough to push Ron-

PHIL

Fuck Ron! We're not pulling out.

CORA

I didn't say we were. I'm just saying, as our promoter, we need to win back his confidence. What if we pushed back the date to make it work for Joan Baez, that would definitely attract-

PHIL

You leave the show to me, I'll take care of the lineup, and the tickets will follow.

Phil sees Buffy Sainte-Marie come out from backstage.

PHIL (CONT'D)

I gotta go, I see her now.

END INTERCUT

Phil hangs up the phone, takes down a valium with his beer, and steps out of the phone booth in the direction of Buffy.

PHIL
Buffy! Buffy!

Buffy exits into a car before Phil can catch up. Phil turns back toward the bar in defeat. Then a familiar voice enters behind him.

BOB
I know that voice.

Phil turns around to see Bob Dylan approaching. Bob is surprised at Phil's physical condition.

BOB (CONT'D)
What's happening, man?

PHIL
Bob! I'll tell you what's happening. I'm organizing a concert for Chile. I was here to talk to Buffy about it, but I just missed her. Hey, remember that song you wrote, where it said "It's much cheaper down in South American towns / Where the miners work almost for nothing"? Well how'd you like to work for nothing and sing that one song for this goddamn rally?

BOB
I'm not sure Phil. I don't lend my name out to a lot of causes these days. And I'm trying to keep a low profile around here.

PHIL
And that's why it would mean so much more if you were there! Look, I'll give you four numbers. If you want to talk to me, you can reach me at any of those four telephone numbers.

Phil scribbles down the telephone numbers on a napkin and hands it to Bob, who puts it in his pocket.

PHIL (CONT'D)
So what are you doing in town
anyway?

BOB
Taking painting lessons.

PHIL
(laughs then pauses)
You know, I can't really tell if
you're joking or not.

BOB
Good!

INT. PHIL'S APARTMENT ON PRINCE STREET - NIGHT

Phil and Bob are in the kitchen, the table has a few empty
bottle of beer. Bob is seated while Phil is standing.

MONTAGE: Phil brings Bob up to speed on the rise of Allende,
Phil's meeting with Victor Jara in Chile, the military coup
that followed.

PHIL
...so Allende became the first
democratically elected Marxist
leader, and you bet that scared a
lot of people...

Phil reads Allende's inaugural address.

...I stand here, members of the
National Congress, to urge you to
take up the task of reconstructing
the Chilean nation according to our
dreams, a Chile in which all
children begin life equally, with
equal medical care, education, and
nutrition. A Chile in which the
creative ability of each man and
woman is allowed to develop, not in
competition with others, but in
order to contribute to a better
life for all...

Bob looks up at Phil, nodding.

INT. OFFICE - DAY

A blackboard lists names of performers for the concert line up. A hand belonging to Cora writes "Bob Dylan" at the top of the list.

INT. THE FELT FORUM (MADISON SQUARE GARDEN THEATER) - NIGHT

A banner reading "An Evening with Salvador Allende" appears above the stage. Bob Dylan is on stage performing "Blowin' In The Wind" alongside Phil Ochs, Arlo Guthrie, Dave Van Ronk, Larry Estridge, Melanie and Pete Seeger.

Final War Is Over Rally

Plays with Joan Baez, p304-306

Act 5

John Train and demise

Becoming John Train

Persona change, bizarre plans, walking around with quart of orange juice that's 3/4 poured out and replaced with vodka. Show Phil sitting against wall on sidewalk in a pose similar to "I Ain't Marching Anymore" cover, but now he's drunk and disheveled, nursing his alcohol.

Include a scene of Phil Ochs as John Train in private interview by Bruce Martin (see "The Last Days of Phil Ochs")

INT. KITCHEN OF APARTMENT - NIGHT

Phil is sitting on a kitchen chair wearing sunglasses and strumming a guitar. Bruce Martin is setting up audio recording equipment for an interview.

PHIL

This is a live mic directly to the Pentagon. I've never seen a dead mic.

BRUCE MARTIN

I want to interview Train. Are you Train?

PHIL

Yeah, I'm Train. I own Nueva, um, I, I made a deal for Nueva Havana and gave it which, which belong the owner, the landlord is Che Guevara.

BRUCE MARTIN

What happened to Phil Ochs?

PHIL

All right, brief recap. On the first day of summer 1975, Phil Ochs was murdered in the Chelsea Hotel by John Train, who is now speaking. I killed Phil Ochs. The reason I killed him was he was some kind of genius but he drank too much and was becoming a boring old fart. For the good of societies, public and secret, he needed to be gotten rid of.

Samurai Sword Incident

shows up at A&M office with a samurai sword and demands to be released from contract (p336)

INT. CORNER OFFICE AT A&M RECORDS - DAY

An executive at A&M is seated at his desk when the door opens and his secretary steps in.

A&M SECRETARY

Sir? There's a man in the lobby wielding a sword.

A&M EXECUTIVE

Oh goodness. How did he get inside?

A&M SECRETARY

I think it's Phil Ochs!

INT. A&M LOBBY - DAY

Phil Ochs is wielding a samurai sword and sunglasses, while other employees are keeping a distance from him and staring silently.

PHIL

-and I'm not leaving until I get my appointment with-

Executive walks into the lobby.

A&M EXECUTIVE

Phil! What are you-

PHIL

I swear if someone calls me that again I will cut them open like a goddamned fish! You're speaking with John Train on Phil's behalf. My client demands to be released from any remaining contractual obligations with A&M Records. If he doesn't-

A&M EXECUTIVE

Fine! Consider it done! Now get the hell out of here.

PHIL

Well that was easy. (to others in lobby) See, that's all I was asking!

Phil turns around and slowly walks out of the lobby while everyone stares at him.

Back to Phil

After visiting Alice and daughter

Scenes of depression

Zoom in on open window while Phil sitting with friends. "Do you think my songs will survive?" (p351)

End of Act 5

Phil staying with sister, playing "Jim Dean of Indiana", looking like a ghost, lying to his sister that he's taking his pills but he hasn't taken a single one. Suicide scene. Credits show FBI was tracking him since 1963

Mirror the first scene, but this time Phil's seated starting out the window. His sister Sonny tells him she's going to work and is he sure he doesn't want breakfast?.

INT. BEDROOM OF 1970-ERA FAR ROCKAWAY HOME - DAY

Phil is sitting in a chair, staring out a window. Sonny knocks on the bedroom door.

SONNY

Phil?

PHIL

Come in.

Sonny opens the door

SONNY

Phil, you didn't come down for breakfast, did you want some?

PHIL

No, I'm good.

SONNY

All right, well help yourself if you change your mind.

PHIL

Thanks.

Sonny exits and closes the door.

EXT. LONG SHOT OF NEW ENGLAND HOME IN SPRING - DAY

Sonny exits the home and enters a car, driving away. A window is visible on the second floor with its curtains pulled open. Its curtains close.

INT. VARIOUS ROOMS INSIDE HOME - DAY

Cut to different corners of the house as we hear Phil's footsteps, the sounds of dragging a chair into the bathroom, the creaking of a door, a chair being stood on, a belt rustling, a door creaking shut, a slight chair wobble, the crash of the chair, then the quiet creaking of the belt against the door frame.

Fade to black with the following text:

"On April 9, 1976, Phil Ochs hung himself in his sister's home."

Then show the following text below:

"In 1982, Gordon Friesen and Sis Cunningham of Broadside Magazine used the Freedom of Information Act to request FBI records on Phil Ochs. The FBI had kept nearly 500 pages of records on the singer, keeping close tabs on his whereabouts, informing other government agencies, sending agents to track him, and bugging his phone."

"In addition to several albums, Phil Ochs left behind hundreds of written songs and lead sheets, most of which have never been recorded."

CREDITS