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### *Courts Martial*

I

It was late, about 0100 hours, when a group of four sailors from our ship boarded the bus from downtown Honolulu to Pearl Harbor. One of them, a uniformed Able Seaman, was boisterous and obviously drunk. The first thing he did, even before he sat down, was to mouth off to other passengers—a racially mixed group of American service men and women.

“I’m in the Royal Canadian fucking Navy, and I’m on the Centennial, the worst fuckin’ ship in the R.C.N.”

I could see that he was disturbing the other passengers, but I wasn’t sure what action I should take. His shipmates, clearly not as drunk, tried to urge him toward the back of the bus. He wasn’t having any of it. He struggled with them and wouldn’t shut up.

“I’m not a fuckin’ nigger,” he slurred, “and I don’t have to go to the fuckin’ back of the bus.”

I’ve always been sensitive to racial slurs, and I would like to believe that fact alone could explain my reaction to what followed, that ordinary decency would have led me to intercede. I doubt it, however. My anger at the sailor’s behavior was fueled in all likelihood as much by my personal circumstances as by a disinterested awareness that an injustice was being perpetrated. When I was still a teenager, racial slurs made me uncomfortable because they were so obviously hurtful and unjust. Now, in my mid-twenties, I was infuriated by them. Apart from such insults being gratuitously demeaning, I came to feel even more strongly about this as I matured partly because I had attended an historically black college in the southern U.S. where I had made a number of friends. Also, as a consequence of attending this college, I had met and married an African American woman. We had a mixed-race daughter. For the better part of four years I had lived mostly with black people in a black world.

Canadians—at least we white Canadians—have a tendency to pride ourselves on the degree of racial tolerance in our country.

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Some Americans of liberal conscience, and many Europeans, share this perception. Canada, after all, had been the terminus of the Underground Railroad that had helped so many slaves escape from the American South. An element of European pro-Canadianism combined with anti-Americanism stems from the history of slavery in the United States. It is common knowledge that Canada, by and large, does not share such a history and that racial servitude had rarely been institutionalized there. But the attitudes that derive from these facts often foster crude, sometimes ideologically driven judgments. Because Europeans think well of Canadians, and Canadians think well of themselves concerning this issue, it does not mean there is no racism in Canada. I had seen plenty of it while growing up in Nova Scotia. Here on this bus, a number of American military personnel were witnessing an example of Canadian bigotry first hand.

It was September of 1967. I was assigned to my first posting, a Canadian Destroyer, HMCS Centennial, bound down under to Australia and New Zealand. The occasion was a goodwill cruise to these countries with stops in Fiji and a couple of American ports, the occasion being to celebrate Canada's 100th birthday and the beginning of the nation's final independence from Britain. Our first port, five days after departing Victoria, British Columbia, was Pearl Harbor.

We had arrived September 15th and tied up. That evening, my friend Mike and I had taken a bus into downtown Honolulu. Since we had never been there before, we wanted to do some sightseeing and to find a good restaurant. Later, after walking around, eating, and walking around some more, we caught the bus back to Pearl Harbor.

And now here we were riding with a drunken seaman from our ship, one who was shouting racial epithets and, as the cliché has it, "cursing like a sailor." His shipmates eventually dragged and pushed him halfway to the rear where he flopped down in an empty seat across from Mike and me. We both glared at him. I was angry and, never having been in such a situation before, not sure what I could or should do.

He sat there in silence for a minute or so, and then, looking around, he spotted us. Since we were officers out of uniform in an

informal setting, it might have been because Mike had a broken hand in a cast—an unusual detail that stood out shipboard—that accounted for his recognition.

“Hey, you guys are cadets from the Centennial.”

“No,” Mike said. “We’re sub-lieutenants.”

It was true that we were very junior officers on a training cruise, but we were certainly not cadets. He was probably too drunk to recognize the distinction. Nevertheless, I was hoping that our presence would intimidate him somewhat into shutting his mouth.

Then he started smoking, contrary to transit regulations. In retrospect, in spite of my relative lack of military experience, I see I should have ordered him forcefully and publicly to stop smoking, but at the time, conscious of the larger stakes involved, I was hoping the smoking would distract him into keeping his mouth shut.

The driver stopped the bus and came back to where we were sitting. “You have to put that out,” he said. “It’s against the law.”

When the sailor—his name was Belinsky—didn’t immediately put his cigarette out, the driver said, “If you don’t put that out immediately, I’m going to call the police.”

This got the desired results.

But as soon as the bus began moving, Belinsky lit up again; this time, however, he smoked surreptitiously.

I stared across the aisle at him and hissed, “Put the cigarette out. That is an order.”

He looked at me blankly and did nothing.

I didn’t know what, short of physical violence, to do if I couldn’t oblige him to obey my order. I had had a lot of fights in and out of the boxing ring, and I knew I could beat the crap out of him easily enough; I was almost furious enough to do it. Instead, I ordered him once again to put the cigarette out. This time he started cursing me.

Recognizing the inflammatory potential of the situation, his buddies who were sitting in the rear of the bus came forward and persuaded him to go back there with them. But this didn’t much improve things. Though the other sailors remonstrated with him to be quiet, he continued to curse and sing obscene songs, frequently using the word “nigger.”

This was too much, even if there had been no African Americans on the bus. A black U.S. Marine Sergeant who was sitting directly in front of us turned around to look at them and began to get up.

I stood up as well, saying to him as I did, "Sergeant, I'm an officer on his ship. I'd really appreciate it if you'd let me handle this."

He glared at me for a moment and said, "It's about time *somebody* did." He was pissed off. He certainly had a right to be. But he sat back down.

The bus had gone absolutely silent. Though I knew Mike had my back, in the silence of this moment I felt entirely alone.

As threateningly as I could, I strode to the rear of the bus. When I did, Belinsky stood up as if to confront me. At that point I was prepared to hammer him with a straight right if he moved toward me. But he didn't. He just stood there, weaving slightly.

"I'm going to tell you one more time," I said. "I'm sub-Lieutenant Trethewey from the HMCS Centennial, and I'm ordering you to shut up and sit down. Now!"

"It's going to take more than a ninety-day wonder like *you* to order *me* around," he sneered.

Again, I felt a powerful urge to cold-cock him. And I would have with satisfaction if I hadn't been a naval officer in a very sensitive public situation. Frustrated, enraged in fact, I turned to the other three sailors. "Make him sit down and shut up," I ordered, "before he starts a race riot." Such an outcome, particularly on the occasion of a goodwill cruise, would definitely not be good for Canada's image as a free, friendly and just country. "Do it now," I demanded, "even if you have to use force." They looked at me askance, as if they too might be about to question my authority. "If you don't," I added, "you're going to be in as much trouble as he is."

Two of them grabbed him by the arms and forced him back down in his seat. Then, they went to work on him verbally. One stood up in the aisle in front of him, and the other two, sitting on either side, shook him to get his attention, repeating that they were all going to be in deep shit if he didn't shut up. Finally, he did.

I stood there for a few moments to see what would happen. When it seemed he was going to be quiet, I went back to my seat.

"Good job," Mike said.

For ten minutes, perhaps, we rode in silence, even when the bus stopped to let off passengers. Then Belinsky started up again,

this time singing some verses of “The North Atlantic Squadron,” featuring more obscenities and racial slurs.

The Marine sergeant jumped up and charged to the rear of the bus, Mike—broken handed, but big—and I following. Belinsky stood up as if to fight. The Marine grabbed him by the front of his uniform and threw him against the window, after which he slumped on the seat, all the starch gone out of him. The sergeant stepped back, apparently prepared to return to his seat.

The other three sailors leaped up to help Belinsky. Squeezing past the marine, Mike and I tackled them, holding them down until they came to what little sense they apparently possessed. They struggled for a few moments and then surrendered.

The driver had stopped the bus and come to the rear to see what was going on.

“I’m sorry these men have been such a nuisance, driver,” I said. “We have them under control now.”

For the rest of the ride back to the ship, Belinsky behaved himself.

Once on board, the sailors, soberer and sheepish, slunk below to their mess. No doubt they were beginning to consider what kind of trouble they had gotten themselves into.

Mike and I went to the wardroom where several of our fellow officers were closing out the evening with a round of drinks. (In those days, in accordance with the archaic custom of alleviating cold working conditions aboard sailing ships, enlisted men were allotted a tot of rum daily. The officers, as gentlemen in a traditionally class-ridden society, were entitled, while not on duty, to their own supply of booze in the wardroom. Whenever we tied up at any port where an American ship was docked, some of her officers would approach our gangway almost immediately, asking permission to come aboard as guests.)

We sat down with our mates for a bit, telling them what had happened on our way back to the ship. They expressed some dismay. One of them, in what I took to be a peevish way, said he knew Belinsky and thought he was too nice a kid to have behaved like that.

“Hey, you’re forgetting that he was really drunk,” I said, “and you know as well as I do that otherwise reasonable, decent people

sometimes do bizarre things drunk that they wouldn't think of sober."

"Yeah, yeah I know," he responded, shaking me off dismissively, "but . . ."

One of the other officers, a lieutenant named Ronald J. Merrill III (or some such moniker) butted in. "I think *you're* forgetting," he said, looking directly at me, "that lower-deckers are like that. Not like us at all. They can't be trusted on their own."

At first I thought he was attempting to sound humorously sarcastic about my own working class background. But then I realized he knew nothing about the circumstances I came from. It was clear that he actually believed his stupid assertion, that he was other and better than enlisted men. It was absurd, almost impossible to believe. I had never seen such class bias so blatantly expressed, in particular issuing from the mouth of one so unprepossessing, so obviously mediocre in his person. Weary of confrontation, disgusted, I tuned him out rather than argue with him.

As I sat there in the wardroom, surrounded by properly attired naval officers and all the appurtenances of our privileged position, I felt, however perversely, a pang of guilt, as if I had somehow let the side down in not having responded more forcefully from the beginning of the bus incident. But I was grateful that at least something like a race riot had been averted. First thing in the morning, I knew it was my duty to report the sailors to the Old Man.

Unfortunately for me, the reporting didn't happen the way I had anticipated. Before 0600 hours, I woke up to find myself being shaken by a sailor who said I was to report immediately to the Executive Officer's cabin. It sounded bad. I was into my uniform and knocking on his door in less than ten minutes. Opening it, he glared at me and motioned for me to enter. I saluted and stood at attention. He did not say, "At ease."

"What in the hell have you been doing?" he snapped at me. His face was scarlet. He was ruddy to begin with, a short, pudgy, balding, irascible martinet of a Brit who had come out to the "colonies" to make a career for himself. I think he was probably a highly competent officer, but he had an unprepossessingly inflated sense of self importance. Behind his back, some of the junior officers

called him Porky Pig. My buddy Mike usually referred to him as “that shrieking midget.”

“What do you mean, Sir?”

“I mean the affair on the bus last night.” He was yelling at me loud enough that I suspected he could be heard outside his cabin from the Burma Road.

What is going on here? I wondered. I didn’t handle the incident as well as I might have, but I did handle it, at least preventing it from becoming an international incident, a major political scandal for Canada. But here was the Ex O roaring at *me* as if *I* had initiated the whole thing rather than been instrumental to ending it.

“Why didn’t you report it to Lieutenant Commander Ryan, the Officer of the Watch last night? And why didn’t you enter it in the ship’s log?”

Then it occurred to me that Ryan had come into the wardroom while we were talking about what had happened. I had thought nothing of it at the time. He had seemed to ignore us, although he had to have heard the gist of what we were saying. If it was a matter of immediate concern, and since he was the senior officer officially in charge of the ship while the Captain and Ex O were sleeping, why hadn’t he spoken up, asked me to tell him the details? Unless he wanted me to make a mistake and thus end up on the Ex O’s shit list. It had struck me at the beginning of the cruise that he was weak, that he might be that kind of guy.

“Since the incident was dealt with and over, Sir, I thought it was sufficient if I reported it to the Captain in the morning.”

“You *thought*,” he sneered, his voice steeped in sarcasm. “It’s not your job to *think*. Your job is to obey orders. I’ll decide whether this is over, not you. We might have had an international incident on our hands—during a goodwill cruise. Do you understand?”

“Yes, Sir,” I said, thinking to myself, “I’m way ahead of you on that one, Jack.”

“Now, tell me exactly what happened.”

So I told him the story, and as I did I began to see all over again, and perhaps more vividly, just how close to a disastrous scene it had been. As I told him the story, he interrupted from time to time, in a brusque, insolent manner, to ask for further details. When I finished, he shook his head and scowled as if in disgust.

“We’re scheduled to slip in an hour,” he said. “By then I want a full written statement of what happened last night. It must be accurate and inclusive. When you’ve completed the statement, report to me on the bridge. As soon as we clear the harbor we’ll conduct a court martial.”

What was going on? Why did I deserve this for trying to do my duty? The shock, the disbelief must have registered on my face, for he added, “Not you, you ass. Able Seaman Belinsky.”

By the time I got to the bridge, Porky Pig was there, and the Old Man was sitting in his elevated bar stool of a Captain’s chair. Mike was there as well, and the three sailors. Belinsky, who had been in the brig, looked pitiful, pallid and thin, much smaller than he had seemed on the bus—and today not a threat to anyone but himself. In the clear light of day, out here on the blue, gently rolling Pacific, I imagined I could see him for what he was: a young working class boy—he wasn’t much more than a boy—who had probably barely finished high school and who had found a place for himself that had given him a greater sense of self worth than he had ever had. And just now he was beginning to see how badly he had betrayed himself. He was a pathetic version of Conrad’s heroic Lord Jim.

It was a bright, cloudless day. In the distance, back toward the harbor, I could see the smudge of a headland dividing sky and sea. We rolled gently on the small swells, needles of light flashing from waves in front of the ship.

The Captain was to be the judge, the Ex O the prosecutor, and I the chief witness for the prosecution. Mike would be a back-up witness to corroborate my testimony. The three sailors were also there as witnesses. They had nothing to say to counter my version of the events, though they did make attempts to say that their mate was really not a bad guy. Each time they did, Lieutenant Commander Porky Pig told them to shut up. Once, when I remarked that Belinsky apparently had an otherwise excellent record and that his actions might be construed as an unfortunate exception due to drunkenness, he told me to shut up as well.

I don’t think the trial lasted more than twenty minutes. The Ex O read my statement aloud and then asked me if I would swear it was an accurate account of the events. And when I did he asked Mike the same thing. He asked the sailors and Belinsky if they



detected any inaccuracies in the statement. Surprisingly for me, they said there were none.

The court martial was over. For insubordination, Belinsky was sentenced to serve eighteen months in a military prison, I think in Lethbridge, Alberta. Upon his release he would receive a dishonorable discharge. The sentence seemed overly harsh to me. How could he not come to feel a gnawing anger down the years? Although he hadn't accidentally killed anyone and been hanged as had Billy Budd, Belinsky, despite his guilt, was being victimized in the name of the same unforgiving need to reaffirm a code by setting an example. Corrective punishment and a smidgeon of forgiveness was out of the question. When released, he would have learned his lesson concerning racial slurs or he would have become bitter and more deeply confirmed in his bigotry. I would have bet the latter. Despite the dangerous mess he had caused, I felt genuine sorrow for him because he had messed up his life through culturally learned stupidity and an evening of drunkenness.

So ended my first and I assumed my last court martial.

## II

A year after the incident at Pearl Harbor I was sent to a large naval base in Halifax, Nova Scotia, an on-shore posting. One evening, April 4th, 1968, I was at the bar in the wardroom with some friends, several of the junior officers who had been with me on the Centennial. We were a jolly crew until the news flash.

As he stood on a motel balcony in Memphis, Martin Luther King, Jr. had been assassinated. We were stunned. But there was a different response from down the bar where our new Ex O was drinking with one of his fellow officers. As soon as the announcement of King's death was made, Lieutenant Commander Sykes said in a voice clearly audible to all of us at the bar, "It's about time somebody killed that nigger."

I had had a couple of beers, and without thinking, in shock and anger, I glared at him and said, "It's about time you shut your damn mouth."

It was his turn to be shocked. He stared back at me... but said nothing. Then he turned away and resumed conversing with his mate. For the rest of the evening, although the assassination was

closely monitored on the television, there were no further racist comments from him.

The following morning, I received a message indicating that Commander Cummings, the base Captain, wished to see me in his office at 0900 hours. There was no mystery in my mind concerning why.

When I arrived, Sykes, a pale unhealthy looking man, was there already, comfortable in a leather chair. The Captain's office was impressive with its large stained oak desk, wooden paneling, and leather furniture. Cummings was clearly an important man, a man to be reckoned with.

"Lieutenant Commander Sykes tells me you two had an altercation in the wardroom last evening. He said you were rude and insubordinate."

In what few dealings I had had with him, the Captain had always struck me as a fair, decent man, not given to anger and rash judgments.

"No Sir," I said. "He was the one who was rude. All I did was point it out to him." I was nervous but still confident of having been in the right.

"He said you told him 'to shut his damn mouth.' That sounds pretty rude and insubordinate to me."

"Sir, did he say why I said what I said?"

"Yes. Something having to do with his response to the television news."

"Sir," I said, "when it was announced that Martin Luther King had been assassinated, Lieutenant Commander Sykes said, 'It's about time someone killed that nigger.'"

The way, the somber way, the Captain looked suddenly at Sykes suggested to me that he had not been told the whole truth—the truth about my reason for saying what I had said.

"Is this true?" the Captain asked. He definitely did not look amused.

"I wasn't really serious," Sykes replied. "I was just being ironic."

"More like *moronic*, I'd say. Don't you think that irony in such a context is tasteless? Crude? Conduct unbecoming a Canadian naval officer?"

"I'm sorry, Sir. I was talking to a friend, and we had had a few drinks . . . I guess I just wasn't thinking."

"Well, you better *start thinking* if you want to remain under my command." His face was flushed. It was the first time I had seen him angry.

Then he turned to face me. "I'm *not* going to condone the Lieutenant Commander's behavior, and as you have just heard, I will *not* put up with it in the future. Nevertheless, I can't have my junior officers talking insubordinately to their superiors with impunity. It would set a terrible example for the men under my command."

In his twofold concern both for justice and military discipline, hardly the same thing, he reminded me a bit of Melville's Captain Vere.

I had no idea what he would say next, but I knew it wasn't going to be good for me.

"Since there's no record in your file indicating other examples of you engaging in inappropriate conduct, I'm going to give you the opportunity to have this incident resolved right here. I think Lieutenant Commander Sykes would be willing to accept an apology."

He looked at Sykes inquiringly. Sykes nodded. Cummings looked inquiringly at me.

Indeed, I was tempted to apologize. It was not likely that anyone else would ever really know what had taken place in this room. Still, I knew I would despise myself if I apologized to this racist for his racism. At least that is how I formulated the situation to myself.

"Sir, I truly appreciate the chance you've given me to settle this dispute." I could hear and feel the quaver in my voice. I was fearful of where the episode might be going. "But the issue is a big one for me, and an apology to Lieutenant Commander Sykes is not only personally repugnant but also, I believe, counter to the spirit of the Navy in which we serve side by side with men the color of Reverend King." The rhetoric came fluently enough, but my throat was dry and my heart was hammering in my chest.

Cummings looked surprised and, narrowing his eyes, displeased.

I didn't know what to say next or whether I should say anything further. I was silent for a moment, and then I said, "Sir, I can't

apologize to him. It would violate my principles in a fundamental way.”

Though I definitely meant what I said, my response sounded to me stilted, priggish, maybe even a bit self-righteous. It was a rare thing, in my experience, for moral issues to be so apparently clear cut. But I couldn't just then think of another way to say what I thought and felt. I knew by the way Cummings was frowning that I was digging a hole for myself. Perhaps a deeper one than I could crawl out of.

“In that case, Lieutenant, you give me no option but to court martial you.” He looked at me as if he had asked a question and was waiting for an answer. I understood by his demeanor that he was not full-throttle angry with me, perhaps not as angry with me as with Sykes, and that he was prepared yet to allow me to apologize, having been warned of the consequences of refusing to do so.

How could I not think of the Belinsky episode and the ironic reversal? A working class enlisted man who happened to be a racist, and who had acted like one, ended up sentenced to eighteen months in the brig, but a Lieutenant Commander who was a racist and who had acted like one deserved an apology. And this was Canada, my “racially enlightened” homeland, in 1968.

“Whatever you decide to do, Sir, and whether I'm convicted or not, I'm not going to remain silent.”

He looked at me quizzically, as if I was about to say something else that he didn't like or expect.

“Sir, I think I know that officially, at least, the Navy doesn't wish to appear to condone racism. I also know how the media shape public perception. I think I'd be justified in contacting the newspaper concerning this matter. I suspect they'd be interested in the story.”

The words, unconsidered, leapt out of my mouth. And when they did, I realized immediately that I might be in an untenable position. Perhaps the media, at least the Canadian media, wouldn't want to touch the story, to risk embarrassing an important national institution.

I could feel the worm of fear stirring in my stomach.

The Captain glared at me.

I had no idea what I should say next. Or whether there was anything, even apologizing to Sykes, that would make a difference

now that I had gone this far. What I had said was blackmail, pure and simple. I was scared, certainly, regretful, but on one level I felt good about having said it. At that point I knew that even if a court martial was not in store, I wanted to leave the service as soon as possible.

“I think you need some time to think about this, Lieutenant. I trust you won’t do something that might prove self-destructive until this matter is resolved?” He glared at me inquisitorially for longer than was comfortable. Then he said, “Dismissed.”

“Yes, Sir,” I said, having no idea where my strategy would be likely to lead.

Two days later the Old Man called me to his office. “I think it may be better for all concerned,” he said, “if we just let this matter drop. No good for you or the Navy is likely to come of proceeding.”

“Yes Sir,” I said. “Thank you, Sir.”

Of course, I felt relieved at having avoided ending up in an irreparable botch. Nevertheless, I felt slightly resentful as well since Sykes, unlike Belinsky, had escaped without consequences for his actions.

These events happened more than thirty years ago, so long ago that I wouldn’t be able to remember the details had I not kept a journal, and had I not saved a rough copy of my account of the events that the Executive Officer of HMCS Centennial had ordered me to prepare for Able Seaman Belinsky’s court martial. Many things have changed since that time, both in Canada and the United States. In attempting to do away with institutionalized racism, the U.S. has become officially, legally at least, as formally just on the issue as Canada has always claimed to be. However, as the scandal concerning U.S. Senator Trent Lott showed not long ago, laws upholding human rights—thus creating a social climate in which public expressions of certain kinds of bigotry are unacceptable—do not guarantee that such attitudes will wither away as the state is predicted to do in Marx’s formulation.

Racist and classist ideas almost everywhere persist; they have just gone underground. Public incidents occur repeatedly that reveal it. And who has not been present, today or last year, at occasions in the United States or Canada when in private conver-

sation people have given voice to the old unenlightened attitudes I have been writing about? Sad to say, it is only these unfortunate reminders erupting around us from time to time that are capable of disabusing us of our convictions concerning national or personal or generational innocence.

Two months after the wardroom incident, I resigned my commission and left the Royal Canadian Navy with no regrets except for the injustice I had witnessed. At least I had the small consolation of having learned one more lesson about the value of a wise skepticism regarding the fit between publicly declared values involving such issues as race and class, and the actual behavior of individuals and institutions.

It's a lesson I don't expect ever to have the luxury of forgetting.