

The Court-Martial

by Jules Tygiel

He was a lieutenant in the Army of the United States: he saw no reason to sit in the back of the bus

ON JULY 6, 1944, Jackie Robinson, a twenty-five-year-old lieutenant, boarded an Army bus at Fort Hood, Texas. Sixteen months later he would be tapped as the man to break baseball's color barrier, but in 1944 he was one of thousands of blacks thrust into the Jim Crow South during World War II. He was with the light-skinned wife of a fellow black officer, and the two walked half the length of the bus, then sat down, talking amiably. The driver, gazing into his rear-view mirror, saw a black officer seated in the middle of the bus next to a woman who appeared to be white. "Hey, you, sittin' beside that woman," he yelled. "Get to the back of the bus."

Lieutenant Robinson ignored the order. The driver stopped the bus, marched back to where the two passengers were sitting, and demanded that the lieutenant "get to the back of the bus where the colored people belong." Robinson refused, and so began a series of events that led to his arrest and court-martial and, finally, threatened his entire career.

Jackie Robinson was already a national celebrity in 1944. During a spectacular athletic career at the University of California at Los Angeles, he had starred in basketball, football, track, and baseball. He was drafted in April 1942, and during the following year a study of blacks in the Army singled him out. "Social Intercourse between the races has been discouraged," it was reported in *Jim Crow Joins Up*, "yet Negro athletes such as Joe Louis, the prizefighter, and Jack Robinson, the All-American football star . . . are today greatly admired in the army."

Initially, Robinson had been assigned to a cavalry unit at Fort Riley, Kansas, where he applied for Officers' Candidate School. Official Army policy provided for the training of black officers in integrated facilities; in reality, however, few blacks had yet gained access to OCS. At Fort Riley, Robinson was rejected and told, off the record, that blacks were excluded from OCS because they lacked leadership ability.

Lieutenant Robinson, shortly after his discharge from the Army in November of 1944.

NATIONAL BASEBALL HALL OF FAME AND MUSEUM, COOPERSTOWN, N.Y.

of Jackie Robinson

Robinson took his plight not to Army officials but to an even more commanding figure—Joe Louis, the heavy-weight boxing champion of the world. Louis was also stationed at Fort Riley, and although he was not a commissioned officer, his status was somewhat higher than that of a raw recruit. Louis investigated the situation and arranged a meeting for black soldiers to voice their grievances in the presence of a representative of the secretary of defense. Within a few days of this session, several blacks, including Robinson, were enrolled in OCS.

Robinson's Army career, however, continued to be stormy, and a good part of the tempest revolved around sports. Athletics were an important part of military life; teams from different Army forts competed against one another and against college teams. Professional and college athletes, once drafted, often found themselves spending the war on the baseball diamond or the gridiron. The coaches of Fort Riley's highly competitive football team tried to persuade Robinson—at the time more renowned for his football prowess than for his baseball skills—to join the squad.

Robinson had other ideas. Earlier in his Army career he had wanted to try out for the camp baseball team. Pete Reiser, who was to be Robinson's teammate on the Dodgers and who played on the Fort Riley squad, later recalled Robinson's humiliating rejection: "One day a Negro Lieutenant came out for the ball team. An officer told him he couldn't play. 'You have to play for the colored team,' the officer said. That was a joke. There was no colored team. The lieutenant stood there for a while watching us work out. Then he turned and walked away. I didn't know who he was then, but that was the first time I saw Jackie Robinson. I can still remember him walking away by himself."

Refused the baseball field, Robinson balked at representing Fort Riley as a running back. A colonel threatened to order him to participate, but Robinson remained adamant. To the dismay of the Fort Riley football fans, the best running back in camp refused to suit up.

In January 1943 Robinson was commissioned a second lieutenant and appointed acting morale officer for a black company at Fort Riley. As might be expected, the principal obstacles to high morale were the Jim Crow regulations governing the camp. Particularly upsetting were conditions at the post exchange, where only a few seats

had been set aside for black soldiers. Robinson telephoned the base provost marshal, Major Hafner, to protest this situation; the major said that taking seats away from the white soldiers and giving them to blacks would cause a problem among the white troops. Furthermore, he could not believe that the lieutenant actually wanted the races seated together.

"Let me put it this way," Robinson remembered the officer as saying: "How would you like to have your wife sitting next to a nigger?"

Robinson exploded. "Major, I happen to be a Negro," he shouted, "and I don't know that to have anyone's wife sitting next to a Negro is any worse than to have her sitting next to some of these white soldiers I see around here."

"I just want you to know," said Hafner, "that I don't want my wife sitting close to any colored guy."

"How the hell do you know that your wife hasn't already been close to one?" asked Robinson as he launched into a tirade against the major.

The provost marshal hung up on him, but Robinson's protest was not fruitless: although separate areas in the post exchange remained the rule, blacks were allotted additional seats.

ROBINSON WAS NEVER punished or disciplined for being insolent to his superior officer, but he was soon transferred to the 761st Tank Battalion at Fort Hood, Texas. It was not an improvement. "The prejudice and discrimination at Camp Hood made [other bases] seem ultraliberal in [their] attitude," recalled Harry Duplessis, one of Robinson's fellow black officers. "Camp Hood was frightening. . . . Segregation there was so complete that I even saw outhouses marked White, Colored, and Mexican."

Nevertheless, Robinson's performance was so outstanding that even though he was on "limited service" because of an old ankle injury, his commanding officer requested that he go overseas with the battalion. In order to do so, Robinson was required to sign a waiver relieving the Army of all responsibility in the event of injury. Robinson agreed, but Army medical authorities insisted the ankle be examined before giving their approval.

The medical examination took place at a hospital thirty miles from Fort Hood. While waiting for the results, Rob-



For black soldiers in the South, a bus trip could be a humiliating experience.

*In 1939 Robinson was an
all-conference basketball
player for UCLA.*

NATIONAL BASEBALL HALL OF FAME AND MUSEUM

Robinson got a pass to visit with his company. He arrived at the base to find the battalion off on maneuvers, so he stopped at the officers' club, where he met Mrs. Gordon H. Jones, the wife of another black lieutenant. Since she lived on the way to the hospital, they boarded the bus together.

For black soldiers in the South, the shortest bus trip could be a humiliating and even dangerous experience. According to the *Pittsburgh Courier*, which cited a "mountain of complaints from Negro soldiers," "frustrations on buses in the South was one of the most fruitful sources of trouble for Negro soldiers." In Durham, North Carolina, only weeks before, an altercation had ended with the driver shooting and killing a black soldier who had refused to move to the back of a bus. The driver was tried and found not guilty by a civilian jury. Unable to change the rules on civilian bus lines, the Army began to provide its own, nonsegregated buses on Southern bases. The action was given no publicity at first and was ignored at many bases. In June 1944, however, the story had been made public, and the resulting furor had brought the Army policy to the attention of many black soldiers.

When Robinson boarded the bus with Mrs. Jones on July 6, he was aware that military buses had been ordered desegregated. As he wrote to the National Association for the Advancement of Colored People two weeks later, "I refused to move because I recalled a letter from Wash-

ington which states that there is to be no segregation on army posts." In his autobiography Robinson stated that the boxers Joe Louis and Ray Robinson had also influenced his actions by their recent refusals to obey Jim Crow regulations at a bus depot in Alabama. In any event, Lieutenant Robinson told the driver: "The Army recently issued orders that there is to be no more racial segregation on any Army post. This is an Army bus operating on an Army post."

The man backed down, but at the end of the line, as Robinson and Mrs. Jones waited for a second bus, he returned with his dispatcher and two other drivers. The dispatcher turned to the driver and asked, "Is this the nigger that's been causing you trouble?" Leaving Mrs. Jones, Robinson shook a finger in the driver's face and told him to "quit f----- with me." As Robinson started walking away, two military policemen arrived on the scene and suggested that he explain the situation to the provost marshal.

Lieutenant Robinson was driven to military police headquarters by two MP's. They were met there by Pvt. Ben W. Mucklerath, who asked Cpl. George A. Elwood, one of ten MP's, if he had a "nigger lieutenant" in the car. Robinson told the enlisted man that "if he ever called me a nigger again I would break him in two." The first officer on the scene was Capt. Peelor Wigginton, the officer of the day. When Wigginton began to take Mucklerath's story, Robinson interrupted. He was ordered out of the room until the assistant provost marshal, Capt. Gerald M. Bear, came to take over the investigation.

When the Southern-born Captain Bear arrived, Robinson started to follow him into the guard room, only to be told, "Nobody comes into the room until I tell him." Why then, asked Robinson, was Private Mucklerath already in the room? When Captain Wigginton began briefing Captain Bear on Mucklerath's testimony, Robinson, standing by the door, complained that the account was inaccurate.

The hostility grew with the arrival of a civilian woman named Wilson who was to record Robinson's statement. Robinson later recalled that the stenographer continually interrupted his statement with her own questions and comments, such as, "Don't you know you have no right sitting up there in the white part of the bus." Robinson challenged the right of a Texas civilian to interrogate him and finally snapped at her to stop interrupting. Captain Bear growled something about his being "uppity," and when Robinson insisted on making corrections in the written statement before signing it, the civilian stenographer jumped up and said, "I don't have to take that sassy kind of talk from you."

As a result of the evening's events, camp officials were determined to court-martial Robinson. When his commanding officer, Col. R. L. Bates, refused to endorse the court-martial orders, the authorities transferred Robinson to the 758th Tank Battalion, whose commander promptly signed. Robinson was charged with insubordi-

nation, disturbing the peace, drunkenness, conduct unbecoming an officer, insulting a civilian woman, and refusing to obey the lawful orders of a superior officer.

FACED WITH SO MANY counts, Robinson feared that there was a conspiracy against him at Fort Hood and that he would be dishonorably discharged. He wrote to the NAACP for "advice or help on the matter.

"The people have a pretty good bunch of lies," he reported. "When I read some of the statements of the witnesses I was certain that these people had got together and was going to frame me." While admitting that he had cursed after the bus dispatcher had called him a "nigger," he denied "calling the people around all sorts of names." "If I didn't respect them," he protested, "I certainly would have Mrs. Jones."

Robinson was particularly upset because officials had not even asked Mrs. Jones to give a statement. He felt that he was "being unfairly punished because I wouldn't be pushed around by the driver of the bus," and was "looking for a civilian lawyer to handle my case because I know he will be able to free the truth with a little technique."

His fear of a conspiracy was not groundless. During World War II, according to the historian Jack D. Foner, "many black soldiers were unjustly convicted by court-martial, either because their officers assumed their guilt regardless of the evidence or because they wanted to 'set an example' for other black soldiers." The demand on the NAACP for assistance for black soldiers was so great that they had to turn down most requests unless the case was deemed to be "of national importance to the Negro race." In a letter actually dated one day after the trial, the NAACP informed Robinson that "we will be unable to furnish you with an attorney in the event that you are court-martialled."

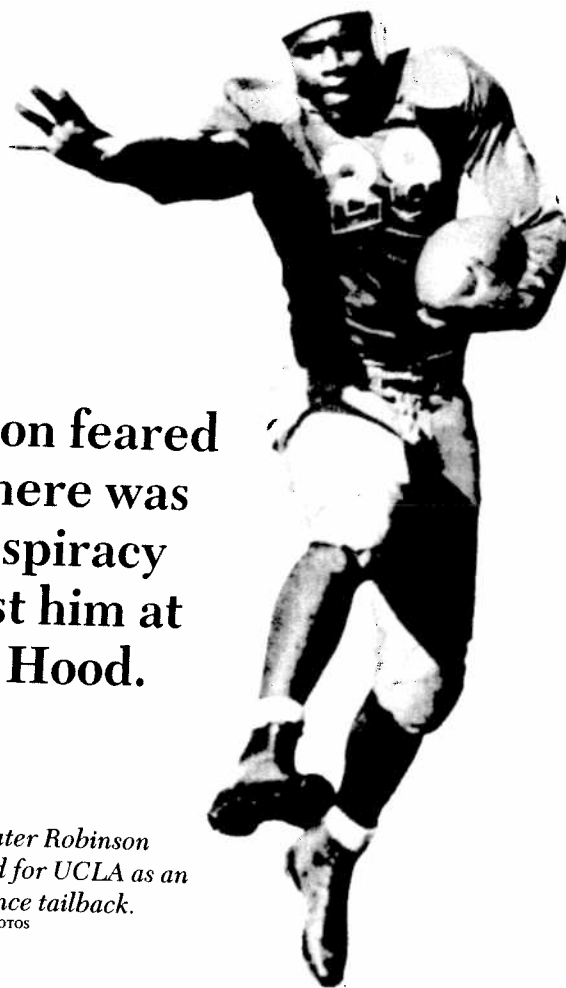
Meanwhile, among black soldiers in the Southwest, "Jackie Robinson's encounter with a cracker bus driver" had become, according to Lieutenant Duplessis, the "racial cause célèbre." Robinson's hasty transfer from the 761st Tank Battalion to the 758th led many black officers to believe that the Army was attempting to try him in secrecy. A group of them wrote letters to the NAACP and to two of the more influential black newspapers, the *Pittsburgh Courier* and the *Chicago Defender*. Lt. Ivan Harrison recalls the campaign as follows: "The NAACP, his fraternity, and the Negro press soon learned about Jackie and the messages began to pour in demanding to know what happened. They moved Jackie to another camp, then answered he was no longer a member of the 761st. Of course, the black underground soon notified them where he could be found. . . . It was beginning to be such a hot potato that they held what I am sure was the shortest court-martial in the history of the armed services.

Harrison was wrong about that; the court-martial pro-

Robinson feared that there was a conspiracy against him at Fort Hood.

*One year later Robinson
also starred for UCLA as an
all-conference tailback.*

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ceedings lasted more than four hours. And although the black press made scant mention of the Robinson case, the officers' campaign did have some notable success. All charges stemming from the actual incident on the bus and Robinson's argument with the civilian secretary were dropped. He had still to face a court-martial, but on the two lesser charges of insubordination arising from his confrontation in the guardhouse.

Although the dismissal of the more serious charges was to Robinson's advantage, it also made his defense more difficult. He was being tried for insubordination, but no mention of the event which caused this rebellious behavior—the encounter on the bus—was to be allowed. Nor were the actions of the stenographer to be considered. Robinson was no longer on trial for refusing to move to the back of a bus, which was within his rights, or for responding to the racial slurs of a civilian, but for acting with "disrespect" toward Captain Bear and disobeying a lawful command given by that officer.

In the meantime, a problem had arisen regarding Robinson's defense. Unable to get help from the NAACP, he had been assigned a young Southern lawyer to act as his counsel. Before Robinson could even protest, the lawyer withdrew from the case: having been raised in the South, he said, he had not "developed arguments against segregation" that were necessary to defend Robinson adequately. He did, however, arrange for Robinson to engage Lt.

William Cline, a lawyer from the Midwest who was eager to handle the case.

The court-martial of 2d Lt. Jackie Robinson took place on August 2, 1944. The heart of the prosecution's case was presented by Captains Bear and Wigginton, who told essentially the same story. As they had attempted to ascertain the facts of the events of July 6, Robinson continually interrupted them and acted disrespectfully. When ordered from the room, according to Bear, Robinson continued to stand by the half-gate door, "leaning on the half gate down in a slouching position with his elbows resting on the gate, and he kept interrupting." Several times, said Bear, he told the black lieutenant to get away from the door, and in response, Robinson bowed and said, "O.K., sir. O.K., sir. O.K., sir." Bear demonstrated the way in which Robinson bowed as he "kind of smirked or grimaced his face."

CAPTAIN BEAR TESTIFIED that he gave Robinson a direct order to remain seated until called upon. Instead the lieutenant went outside and was "pitching rocks" and talking to the driver of a jeep. When ordered back inside, said Bear, Robinson complied "reluctantly . . . with his hands in his pockets, swaying, shifting his weight from one foot to the other."

When Robinson was brought into the orderly room to make his statement, said Bear, "everything he said seemed facetious to him, and he seemed to be trying to make fun of it . . . he would raise and lower his words, and he would say, 'Oh, yeah' when I would ask him a question, and several times I asked him not to go so fast and to tone his language down." He seemed "argumentative" and asked questions such as, "Well, do I have to answer that?" When asked to speak more slowly, according to Bear, Robinson began to "baby talk," exaggerating the pause between each word.

Once Robinson's statement had been taken, Bear arranged transportation for him back to the hospital, but the lieutenant stated that he did not want to go back, since he had a pass until eight in the morning. In Captain Wigginton's opinion, Robinson was "very disrespectful," which led the officer of the day to threaten to arrest him for insubordination.

In his own testimony Robinson countered most of the accusations against him. He admitted breaking in on the conversation between Captain Wigginton and Private Mucklerath, but "to my mind I was not interrupting at all; Pvt. Mucklerath stated something that I did not think was quite right and I interrupted him to see if I could . . . get him to correct his statement." After complaining that Mucklerath had called him a "nigger lieutenant," he was asked if he knew what a nigger was. "I looked it up once," said Robinson, "but my grandmother gave me a good definition, she was a slave, and she said the definition of the word was a low, uncouth person, and pertains to no one in particular; but I don't consider that I am low and uncouth. . . . When I made this statement I did not

like to be called nigger, I told the Captain, I said, 'If you call me a nigger, I might have said the same thing to you. . . . I do not consider myself a nigger at all. I am a Negro, but not a nigger.'

Robinson denied most of the specific accusations made against him and stated that Bear had been "not polite at all" from the moment he arrived, and "very uncivil toward me" when taking the statement. "He did not seem to recognize me as an officer at all. But I did consider myself an officer and felt that I should be addressed as one." And, he added bitterly, "they asked that private to sit down."

Robinson's testimony held up better under cross-examination than did Bear's or Wigginton's. There were several flaws and omissions in the accounts of the two captains. Referring to the "argumentative" questions Robinson had raised in giving his statement, Cline asked Bear if it was "improper for an accused to make such inquiry as that." When prodded, Bear stated that it was not. Had not Bear ordered Robinson to "be at ease," asked one of the judges presiding. If so, he continued, "I do not see the manner in which he leaned on the gate had anything to do with you."

The questions of whether Robinson had been placed under arrest on July 6 and whether he had refused to accept the transportation that Bear had ordered for his return to the hospital were also targets of the cross-examination. Defense questioning revealed that the vehicle provided was, in reality, a military police pickup truck. Yet Bear had testified that he had informed Robinson that he was being placed under arrest in quarters, in which case, no bodily restrictions were allowed. Robinson was within his rights to protest.

Lieutenant Cline was not totally successful in discrediting the witnesses for the prosecution. Efforts to relate Robinson's behavior to the incident on the bus were disallowed. Both Bear and Wigginton denied that there had been any unusual exchange between Robinson and the stenographer, preventing the defense from exploring this aspect of the case. Nonetheless, by the time the two men left the witness stand, key segments of their testimony had been either repudiated or placed in doubt.

The prosecution's cross-examination of Lieutenant Robinson was far less effective. Robinson denied having had any drinks that evening, though "evidently they thought I had." He also stated that he had not willfully disobeyed a direct order. The only reason that he had argued with Bear, he explained, was that he had asked the captain half a dozen times whether he was under arrest—and if he was not, Robinson wanted to know why he was being escorted back to the hospital under guard. By his own admission, Bear had given Robinson ambiguous answers. Unlike Bear and Wigginton, Robinson was subjected to virtually no examination by the court-martial board.

The defense also presented several character witnesses from Robinson's battalion. The most significant testimony came from Colonel Bates. Bates stated that Robinson was

an officer he would like to have under his command in combat, and several times the prosecution and the court itself reprimanded the colonel for volunteering unsolicited praise of Robinson.

When the defense had rested, the prosecution called a few additional witnesses. All supported the story told by Captains Bear and Wigginton but none proved to be particularly effective. Private Mucklerath was notably lacking in credibility. While he recalled Robinson's vow that if the private ever "called him a nigger he would break [me] in two," he denied having used that term and could not explain why the black lieutenant had said this. He was followed to the stand, however, by Corporal Elwood, who, while generally supporting the testimony of the other whites, admitted that Mucklerath had indeed asked him if he had a "nigger lieutenant" in the car.

Elwood was the last witness to be heard. The attorneys then made their closing arguments, and Robinson later recalled: "My lawyer summed up the case beautifully by telling the board that this was not a case involving any violation of the Articles of War, or even of military tradition, but simply a situation in which a few individuals sought to vent their bigotry on a Negro they considered 'uppity' because he had the audacity to exercise rights that belonged to him as an American and a soldier."

Robinson and his lawyer then settled down to await the verdict. They did not have long to wait. Voting by secret written ballot, the nine judges found Robinson "not guilty of all specifications and charges."

The ordeal that had begun almost a month earlier on a military bus was finally over. To some extent the acquittal was due to the fact that Robinson was a renowned figure—his conviction might have proven an embarrassment for the Army. For most other black soldiers, however, neither military nor Southern justice was likely to have produced such a conclusion.

ROBINSON WAS NOW free to resume his service career, but his Army experiences had taken their toll on his patriotic fervor. A month earlier he had been willing to waive his rights to compensation for injury and go overseas, but now his main desire was to leave the service altogether. With Colonel Bates and his tank battalion already on the way to Europe, Robinson did not wish to join another unit. He asked to be released from the Army. He was quickly transferred to Camp Breckinridge, Kentucky, where he coached black athletic teams until he was honorably discharged in November 1944.

Had the court-martial of Jackie Robinson been an isolated incident, it would be little more than a curious episode in the life of a great athlete. His humiliating confrontations with discrimination, however, were typical of the experience of the black soldier; and his rebellion against Jim Crow attitudes was just one of the many instances in which blacks, recruited to fight a war against racism in Europe, began to resist the dictates of segrega-

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Robinson signing a contract with the Montreal Royals in October 1945.



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tion in America. As Robinson later wrote of his acquittal at Fort Hood, "It was a small victory, for I had learned that I was in two wars, one against the foreign enemy, the other against prejudice at home."

Even Robinson could not have realized how high the personal stakes were when he refused to move to the back of the bus in 1944. Had he been convicted of the more serious charges and, as he feared, dishonorably discharged, it is doubtful that Branch Rickey, general manager of the Brooklyn National League Club, would have chosen him to integrate organized baseball in 1946. In the climate of postwar America, a black man banished from the Army could have found little popular support. It is not unreasonable to suppose that Robinson, who was already twenty-eight years old when he joined the Brooklyn Dodgers, might never have made it to the major leagues had he been forced to wait for another man to act as trailblazer. Fortunately, his defiance had precisely the opposite effect. His Army experiences, which graphically illustrated the black man's lot in America, also demonstrated Jackie Robinson's courage and pride. These were the very qualities that would prove essential in making the assault on baseball's color line.

☆ *Jules Tygiel is the author of Baseball's Greatest Experiment: Jackie Robinson and His Legacy. This article concerns an earlier period in Robinson's life.*