

Blacks in the Military From Colonial Days to Integration

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Introduction

Black people have always been intimately involved with the U.S. military, and throughout their involvement have been victims of the military's racism, much of it expressed through the legal institutions of the government. An examination of the history of legal racism toward Blacks in the armed forces, however, cannot be separated from the overall history of Blacks in the military.

From colonial times through the Korean War, the predominant Black view about participating in the military was the Blacks should fight in the armed forces in order to prove to themselves, and more importantly, to white institutions and white public opinion that Blacks were capable of and willing to defend "their country." Once this was shown, it was hoped, all Black people might be granted the benefits of equal citizenship at home.

This approach came up head on against the overt hostility and opposition of military and political institutions. For most of the history of this period, Blacks were excluded from the armed forces by and large. When they were allowed to join, they were kept in segregated units and often out of combat,

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usually until the threat of a U.S. defeat required the aid of Black soldiers on a completely different scale.

Legal decisions and policy during this era, therefore, centered in large part on limiting the role Blacks would play in the armed forces, both by setting general policy, and by maintaining the balance of terror against Blacks.

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Colonial Days: After a brief period in which all able males were members of local militias, the colonies soon excluded Blacks from armed military service. Virginia passed the first such law in 1639, followed by the other colonies, in order to ensure that Black slaves and free Blacks would not threaten the complete domination of whites. Only military necessity forced colonies to permit Black participation, as in the French and Indian War, sometimes granting freedom to those who fought well. As one account explains, "[t]he prospect of freedom thus attracted slaves to serve in the colonial forces, and free blacks who distinguished themselves hoped this would lift them from their low social status." M. Binkin & M. Eitelberg, *Blacks and the Military* 11-12 (1982).

The Revolution: Black military participation in the American Revolution began when Crispus Attucks led the assault on British soldiers and died in what came to be known as the Boston Massacre in 1770. L. Bennett, Jr., *Before the Mayflower* 53-4 (1969). Blacks fought in battles beginning with Lexington and Concord in April 1775, and despite the recommendation of the Committee on Safety that only free Blacks be allowed to fight, both slave and free Blacks fought at Bunker Hill in

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the same year. J.H. Franklin, *From Slavery to Freedom* 90 (1974). Despite the heroic role of Black soldiers in the early days of the war, the new command of the revolutionary army, under the influence of southern slaveowners, soon prohibited Black participation. On November 12, 1775, George Washington, reflecting the view of the majority of the revolutionary leadership, ordered that recruiters were "not to enlist Negroes." *Id.*, at 90-91. As one historian explained,

For General Washington, and for many other leaders of the Continental Army, the question of using Blacks in the Army cut deep. Washington himself was a fourth generation slaveowner who owned or had on lease 160 slaves at the time of his death. The idea of recruiting and arming Blacks, whether slave or free, naturally raised fears of slave revolts. Mullen, *Blacks in America's Wars* 13 (1973).

As in earlier times, however, necessity outweighed the previous decisions. On November 7, 1775, Lord Dumore, the British governor of Virginia, issued a proclamation promising freedom to all Blacks who fought for the British; Washington was still unaware of this proclamation when he issued his exclusionary order. Dunmore's offer apparently had a significant effect on slaves. Many left the plantations to join the British Army, and estimates of southern runaways during the war reached into the tens of thousands. Franklin, *supra*, at 91-92.

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As a direct result of the Dunmore proclamation, the revolutionary army quickly changed policy. Washington ordered that some free Blacks be enlisted, and most states, either through legislation or policy, began to enlist both slaves and free Blacks. *Id.*, at 92-3. As a result, approximately 5,000 Black soldiers fought for the revolutionary cause out of a total of 300,000 fighters, most of them from the North. Some all-Black units were organized and fought with distinction, but interestingly, "[t]he vast majority of Negro soldiers served in fighting groups made up primarily of white men," including those units from southern states. Blacks also served prominently in the Navy. Perhaps the only thing that Blacks did not do was serve as officers. *Id.*, at 94-5.

By the end of the war, "hundreds if not thousands" of slaves were privately manumitted for their war service. Some states passed laws freeing slaves who fought in the revolutionary army. *Id.*, at 96. Blacks, however, were once again forced out of the military after the war. Binkin, *supra*, at 13. And slavery as an institution was cemented in the society as a whole.

The War of 1812: There was little attention to the issue of Black soldiers in the early part of the war, but by 1814, New York raised all-Black regiments who received the same pay as whites. Those

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slaves who had their masters' permission to enlist were guaranteed their freedom at the end of the war. Black soldiers also fought in integrated units. Blacks were most central militarily at the Battle of New Orleans, where several units of Black soldiers were enlisted after promises from General Andrew Jackson that they would be paid the same as white soldiers, although not permitted to provide their own officers. In addition, many Blacks, as in the Revolution, fought for the British in exchange for promises of freedom. Franklin, *supra*, at 124-125.

The Civil War: In line with the assertion of the Lincoln administration that the war was fought only to prevent the destruction of the Union, and not for the abolition of slavery, neither free nor slave Black people were permitted to join the Union military at the beginning of the conflict, despite the fact that Blacks responded in large numbers to Lincoln's first call for troops. Mullen, *supra*, at 19. Lincoln feared alienating the border states, and feared Blacks himself. Hofstadter, *The American Political Tradition* 110 (1960); Franklin, *The Emancipation Proclamation* 14 (1963) [hereinafter *Franklin* 2]. Black slavery, in fact, was maintained by the Army in the south on orders from Lincoln. Colonel Pryor of Ohio, for example, announced to a group of Virginia masters on July 4, 1861:

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I desire to assure you that the relations of master and servant as recognized in your state shall be respected. Your authority over that species of property [slaves] shall not in the least be interfered with. To this end I can assure you that those under my command have preemptory orders to take up and hold any Negroes found running about the camp without passes from their masters.
W.E.B. Du Bois, *Black Reconstruction in America 1860-1880* 60 (1975).

This approach was followed by other Union officers throughout the south. *Id.*, at 59-60. Many allowed masters to reclaim fugitive slaves behind Union lines, and General McClellan, commander of the Union Army, declared that he would put down slave insurrection "with an iron fist." Bennett, *supra*, at 66.

Slaves, however, fled the plantations in large numbers on their own, many anxious to fight the south, and some commanders refused to follow official policy, choosing instead to use slaves in various capacities based on an understanding that if slaves could be encouraged and aided in their flight, the Confederacy could be deprived of resources and the Union reinforced by additional enthusiastic forces. Franklin 2, *supra*, at 14-15. In August 1861, for example, General Fremont ordered emancipation of slaves in Missouri and their use by the Army. Lincoln furiously countermanded the order and relieved the General from his command. H. Schluter, *Lincoln, Labor and Slavery*, 32-3 (1965).

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Lincoln also reacted to the Secretary of War's attempt to advocate the emancipation and arming of slaves by dismissing him in December 1861, and continued this approach elsewhere. Franklin 2, *supra*, at 16-17.

However, as the war went on, Lincoln could not continue to refuse the services of Black volunteers. In December 1861, he ordered that fugitive slaves belonging to rebels be confiscated for use as Army laborers. Tens of thousands of Blacks were then put to work in construction, agriculture and spying for the Army. Du Bois, *supra*, at 70-71. Induction of fugitive slaves began in the Spring of 1862 when General Hunter established the first Black regiment in South Carolina. *Id.*, at 66. But the large-scale formal induction of Blacks only began with the final version of the Emancipation Proclamation on January 1, 1863, which came as a result of the disastrous Union military defeats in 1862. Franklin 2 *supra*, at 136-137.

With the Emancipation Proclamation came mammoth Black recruitment to the military. Frederick Douglass and other Black abolitionists recruited Blacks in the north; Black slaves came from the south on their own. Black soldiers were designated "United States Colored Troops." Almost all officers were white, although there were a few Black officers for the first time. For example, two regiments of the *Corps d'Afrique* were staffed completely by Black officers. Black NCOs were also created. Black

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soldiers, however, received less pay than whites until Black anger forced equal pay in the beginning of 1864. In the fight for equal pay, Sgt. William Walker, A Black soldier in the Third South Carolina Regiment, was executed for organizing a protest against the unequal policy. Franklin, *supra*, 230-231.

Black soldiers fought the Confederacy beginning in the fall of 1862, and "[h]ardly a battle was fought to the end of the war in which some Negro troops did not meet the enemy." The Confederacy responded by refusing to treat Black captured troops as prisoners of war until the Civil War was almost over. Some were executed upon capture, most notably during the Fort Pillow Massacre in April 1864. Franklin, *supra*, at 230-231. By the end of the war, more than 186,000 Black soldiers had enlisted in the Army and about 30,000 Black sailors served in the Navy. Mullen, *supra*, at 31. Somewhere between 38,000 and 68,000 Black soldiers died in the war, a mortality rate almost 40% higher than that suffered by white troops, and the Army unit with the highest number of deaths was the Fifth U.S. Colored Heavy Artillery. Binkin, *supra*, at 15.

Lincoln admitted that Black soldiers were the key to the Union victory when, near the end of the war, he challenged those who opposed Black participation to "abandon all the posts now garrisoned by black men; take two hundred thousand men from our side and put them in the

battlefield or cornfield against us, and we would be compelled to abandon the war in three weeks." Du Bois, *supra*, at 100.

The Post-Civil War Period: By 1866, most Blacks were out of the military. Partly, this was a result of a policy forbidding them from responding to racist provocation in the South where Black troops were part of the Reconstruction-era occupation force, and the severe punishment of Black soldiers accused of having wronged white southerners. One historian writes that "many blacks asked to be discharged rather than serve as second-class soldiers under the command of white men who no longer made any attempt to mask their racial antipathies." L. Litwack, *Been in the Storm So Long* 271 (1979). In addition, President Johnson, anxious to effect conciliation with the southern ruling class, ordered that Black soldiers be quickly demobilized. By 1866, most had been mustered out or transferred to posts outside the south. Those who remained in the south after leaving the Army were advised by a former slave to "[b]ring your gun home." *Id.*, at 271-2, 274.

Blacks who remained in the Army after 1866 became members of the six Black regiments established "as recognition and reward for valor" during the Civil War. Four of these regiments were stationed in the west, and led almost entirely by white officers. The Ninth and Tenth

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Black cavalry regiments, known as the "Buffalo Soldiers" were central in the subjugation of Native Americans between 1870 and 1900. Mullen, ~~1999~~ supra, at 34.

Blacks tended to join the Army in this period in large part because, in the Post-Reconstruction era, the Army was one of the few places in society where Blacks "could find steady jobs and income, food and shelter, training in basic educational skills, and a degree of status." For the same reason, these regiments, which made up 10% of the Army, rarely had vacancies. Binkin, *supra*, at 15. But the Army was still unwilling to permit Black officers. While he was the first Black cadet at West Point, Henry O. Flipper was completely shunned by his classmates and he was dismissed from the Army in 1882 because of his superior's racism. *Id.*, at 33.

The Spanish-American War: Blacks were involved from this war beginning with the destruction of the *Maine*, which had aboard it at least 30 Black crew members. Soon, the Black regular Army and militia units were mobilized for Cuba, on a completely segregated basis. Franklin, *supra*, at 308-309. The military at first prohibited Black officers, but as a result of Black demands about one hundred were eventually commissioned. *Id.*, at 35-36.

Many Black people enthusiastically joined the military, because of the generalized war fervor, sympathy for what Blacks believed was the just cause of Cuban independence,

and because many Blacks thought that the period of racist reaction following Reconstruction could be overcome by proving themselves in the war.

Transportation to Cuba was worst for Black soldiers, and Blacks and whites were kept strictly apart on board ship. The only Black soldiers to see much fighting were those in the regular Army units. Black soldiers in Cuba played a key role at the decisive battles and saved Theodore Roosevelt and his Rough Riders on San Juan Hill, though Roosevelt later cast aspersions on the bravery of Black soldiers. Franklin, *supra*, at 309-310.

The Philippine Insurrection: Black troops were also sent to fight against the national liberation war in the Philippines which followed the war with Spain. For the first time, there was a great deal of Black opposition to U.S. intervention. Much of Black opinion believed in the cause of Filipino independence and thought that "the United States was wrong to begin to develop a colonial empire of nonwhite subjects."

In the islands, white soldiers referred to Black soldiers and Filipinos alike as "niggers." Some Black soldiers continued to fight in the belief that it was good for Blacks at home if they did so. At the same time, many other Blacks deserted "for the purpose of joining the insurgents," and for the first time since the founding of the United States, the military command had serious questions about the *loyalty* of Black troops. Mullen, *supra*, at 39.

The Pre-World War I Era: Following the Spanish-American and Philippine wars, the Black Ninth and Tenth cavalries were used against the Mexican Revolution in the "Punitive Expedition" of 1916-17. Binkin, *supra*, at 15.

During this period, Blacks in the military experienced the same kind of racial assault suffered by Blacks outside it. The most well-known incident was that which occurred in Brownsville, Texas in August 1906. Following racial insults against Black soldiers by white townspeople, and a shooting by an unknown person resulting in the death of a white, 170 Black soldiers were charged with murder. Without bothering with a trial, President Roosevelt signed an executive order dishonorably discharging the entire three companies of the First Battalion, Twenty-fifth Infantry, despite proof that the soldiers had been asleep in their quarters at the time of the shooting. Among those discharged were soldiers who had fought with Roosevelt in Cuba. Mullen, *supra*, at 41-42.

World War I: When the war began, about 20,000 Black people were already in the Army and National Guard in segregated units. Though many more tried to enlist following the U.S. entry into the war in April 1917, they were not for the most part accepted. But with the draft came the entry of Black soldiers; for the first

time, in fact, it appeared that Blacks were being forced into the military at a rate higher than that of whites. 370,000 were eventually called up. Franklin, *supra*, at 336.

As in previous wars, Black people tended to join the military because they believed, along with others, the rhetoric of "making the world safe for democracy." And again, Blacks believed that only by fighting and proving their loyalty and bravery would they be accepted at home. W.E.B. Du Bois, for example, called for Blacks to "forget our special grievances and close ranks shoulder to shoulder with our white fellow citizens...fighting for democracy. We make no ordinary sacrifice, but we make it gladly and willingly with our eyes lifted to the hills." Mullen, *supra*, at 45.

A minority of Black leaders and organizations, however, opposed the war on the grounds that it was imperialist in nature and that Black people lacked true freedom at home. Cyril V. Briggs, for example, a West Indian who migrated to the U.S. in 1905 and had become editor of the *Amsterdam News*, used the paper to editorialize against the war. Rather than submit to the opposition of the publishers, Briggs resigned to found the *Crusader*, a Black nationalist and socialist newspaper, and a companion organization, the African Blood Brotherhood. The war was also opposed by the *Messenger*, a Black socialist paper published

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beginning in 1917 by A. Philip Randolph and Chandler Owen. T. Draper, *American Communism and Soviet Russia* 319 (1957).

Service for Blacks who ended up in the military was as bad as it had ever been. Only after great difficulties were Black officers commissioned. Blacks were barred completely from the Marines and Army Aviation, and were allowed in the Navy in only a menial capacity. The Black 92nd Division was trained at different camps and not brought together until it reached the front. Other Black units were never brought up to full strength and training camps were segregated with the worst facilities for Blacks. Franklin, *supra*, at 338-339.

The most serious example of military racism in the stateside military was the treatment of the Black Twenty-fourth Infantry at Houston in August 1917. After being verbally abused by whites, Black soldiers were disarmed by their officers for fear that they would defend themselves. After a Black woman was abused by whites, the soldiers rearmed themselves and allegedly killed 17 whites. With "only a slight pretense of a trial," 13 Black soldiers were hanged on charges of mutiny and murder, 41 were imprisoned for life (the last released in 1938) and 40 more otherwise punished. *Id.*, at 340. Ironically, the lack of any semblance of fairness in the proceedings "served as one of the catalysts for revision of the Articles of War and the Manual for Courts-Martial." Binkin, *supra*, at 17.

Black soldiers overseas first served primarily as stevedores and laborers; out of 200,000 Black soldiers who served in France, eight out of ten were assigned as laborers in the Service of Supplies. Several Black combat units were sent into action, including the 369th Infantry Regiment from Harlem, which was allowed to serve only under French command, *Id.*, at 17, and which was highly decorated. Franklin, *supra*, at 342.

To ensure that Black soldiers did not come home from the war "out of their place," General Pershing, the commanding officer of U.S. forces in Europe, issued a memorandum entitled "To the French Military Mission -- Secret Information Concerning Black American Troops" which stated, in part, that French and Black officers should not become too friendly with each other, that French soldiers should not be commended too highly in the presence of white Americans, and that French soldiers should not eat or otherwise fraternize with Blacks. Mullen, *supra*, at 44. Another 10,000 Blacks served in the Navy, but were allowed to hold only the jobs of messmen, stewards and engine-room coal passers. Binkin, *supra*, at 18.

Despite the large-scale participation of Black soldiers and sailors, terror against Blacks at home continued during the war. Ninety-six Black people were lynched in 1917 and 1918. The Klan began its revival in 1915 and quickly grew. And Black soldiers coming home from the war faced a

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wave of anti-Black riots in the summer of 1919. But more than at any time since the Civil War, Black veterans and others fought back. Mullen, *supra*, at 39-50.

The Inter-War Era and World War II: When World War I ended, the level of Black membership in the armed forces was dramatically lowered. For some time, the Navy replaced Black messmen with Filipinos and halted all Black enlistment. After 1932, the Navy again accepted Black enlistees, but allowed them to serve only as messmen. The Army remained segregated and adopted a quota intended to limit the number of Blacks in the service to the percentage of Blacks in the general population; that quota level was never reached. Blacks continued to be excluded from the Army Air Force. And there were only five active duty Black officers during this period, three of whom were chaplains. Binkin, *supra*, at 18. All in all, by 1940, there were less than 5,000 Blacks in the Army out of 230,000 members, and only four Black units were up to strength. Franklin, *supra*, at 436.

The situation again changed with the onset of World War II. Under pressure from Black leaders such as A. Philip Randolph, the Selective Service Act of 1940 contained a clause forbidding discrimination in the induction and training of soldiers. But the War Department soon made it clear that Blacks would be still be limited by quota, that

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segregation would remain, and that they could serve as officers only if they were doctors or chaplains. *Id.*, at 437.

Black people tended to be somewhat less uncritical about being involved in U.S. participation in World War II than was the case in the previous war. While the Black community opposed the Axis, especially in light of the Italian invasion of Ethiopia in 1935, Hitler's insult of Jesse Owens at the 1936 Olympics in Berlin and the overall racist ideology and practice of Nazism, Blacks were also keenly aware that racism was unabated at home. For example, Blacks were lynched at the rate of one per week under the FDR administration, and there was still no anti-lynching law. Mullen, *supra*, at 51-52.

Conditions in the military were also a source of discontent. Between 1941-43, the War Department's focus on the "Negro Problem" remained on how to keep the number of Blacks in the Army relatively low, and it more than succeeded. Binkin, *supra*, at 21. Under the Selective Service Act, more than 3 million Blacks registered for the draft, but unlike the situation in World War I, the rejection rate was higher for Blacks than for whites.

Inside the military, Black units remained entirely segregated for most of the war. Black soldiers were subject to racist attack wherever they were stationed in the U.S. In Durham, North Carolina, a white bus driver was found

innocent after he murdered a Black soldier in July 1944. Throughout the south, Black GIs were not allowed to eat in restaurants where German POWs were permitted. And in one Kentucky railroad station, three Black WACS were beaten by police when they didn't move out of a whites-only waiting room fast enough.

On military posts, Black soldiers were often prohibited from reading Black newspapers, and were kept in separate and always inferior conditions. Anti-Black riots broke out at Fort Bragg, Camp Robinson, Camp Davis, Camp Lee, Fort Dix and elsewhere. One hundred Black officers were arrested at Freeman Field, Indiana for trying to enter a white officer's club. At Mabry Field, Florida and Fort Chicago, California Black soldiers were charged with mutiny when they refused inferior work. Franklin, *supra*, at 448.

But because of Black demands and military necessity, some things also changed. For the first time, Blacks were permitted to train in the Army Air Force. The Navy announced in April 1942 that it would accept enlistment of Blacks for general service and as NCOs. Black women joined the Navy and for the first time the Marines were opened to Blacks. Relatively large numbers of Black Army officers were commissioned. *Id.*, at 441-442. Even the infantry began to desegregate when a shortage of infantry riflemen replacements in the European theater forced the Army to offer Black volunteers spaces in white units,

though these units were quickly disbanded at the end of the war. *Id.*, at 445; Binkin, *supra*, at 20-21. In all theaters, Blacks fought in large numbers, including, for the first time, as combat pilots. Franklin, *supra*, at 446-7.

Korea and Integration: Black people expected changes, including change in the military, after "helping to defeat the 'racist regime of Adolph Hitler,'" only "to find the racist regime of the United States unvanquished." Mullen, *supra*, at 60. In 1948, for example, A. Philip Randolph called on Black people to "refuse to serve in the military until it was desegregated." In addition, some military leaders had begun to realize that they needed the use of Black soldiers on a permanent basis, and that Blacks fought best in integrated units since they were not subjected to the demoralization of military segregation. *Id.*; Binkin, *supra*, at 22-24.

As a result of these and other pressures, such as the international image of the U.S. at a time of growing anti-colonial movements in the Third World, President Truman issued Executive Order 9981, 3 C.F.R. 722 (1943-1948), *revoked by* Executive Order 11,051, 3 C.F.R. 635 (1959-1963), which called for "equality of treatment and opportunity for all persons in the armed services without

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regard to race, color, religion, or national origin," and for promotions to be based "solely on merit and fitness." *Id.*, at 26.

The services, however, especially the Army, strongly resisted the direction to integrate. The Army entered the Korean War still entirely segregated, with rumours abounding about the alleged unreliability of the Black units, which were among the first to be sent into combat. *Id.*, at 27-28. Many Blacks enlisted nonetheless, and by mid-1951 25% of the Army recruits were Black. Facing a shortage of white troops on the front lines, the Army began to integrate its combat units, realizing at last that "racial segregation limits the effectiveness of the Army." *Id.*, at 29. As a result, by the end of the war, more than 90% of all Blacks in the Army were in integrated units, and the Air Force and Marines had also ended segregation. *Id.*, at 30. Shortly after the end of the war, the Pentagon formally announced the completion of integration in the military. *Id.*, at 31.

The end of formal segregation did not end racism against Blacks in the military. Army posts remained "islands of integration in a sea of Jim Crow." Black soldiers found it difficult to find off-base housing, restaurants and schools that would accept them, and there was "no evidence that the Department of Defense ever worked for blacks off the post before the 1960s." *Id.*, at 31.

More serious military racism also continued to flourish. For example, on January 27, 1954, two Black Air Force enlisted men -- Pvt. Herman P. Dennis, Jr., and S/Sgt. Robert W. Burns, a civil rights activist -- were hanged for the alleged murder and rape of a white woman on Guam. The execution took place with the approval of the Supreme Court and President Eisenhower despite the fact that the defendants had been repeatedly tortured, subjected to a mock court martial and that the evidence did not support the charges against the two men. H. Aptheker, *Afro American History* 218-244 (1971).

More generally, a report by the Presidentially-appointed Gesell Committee in the early 1960s found unbalanced grade distribution, segregation and exclusionary practices in the National Guard and Reserves. Binkin, *supra*, at 31-32.

BLACKS IN THE MILITARY: FROM VIETNAM - PRESENT

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Introduction

The 1960s and early '70s Vietnam Era marked a dramatic change in the history of Black participation in the Armed Forces, as it did for soldiers of all colors. For the first time in U.S. history, with the exception of the brief Philippines War at the turn of the Century, Black G.I.s in large numbers began to question the traditional approach of the Black community toward military service -- that being the attempt to participate in the military to the fullest possible extent, including combat, in the hopes that if Black people "proved" their loyalty and bravery in war the position of all Blacks would be uplifted in American society.

The 1960s changed all that. While many young Black men went off to the War in Vietnam, at least in the first years of the fighting, in the beliefs of their predecessors, the predominant attitude among "Bloods" in the military during the War soon became one of acute awareness of the fact that within the military they faced the same racism that existed at home, with the stakes for Black G.I.s often greater than those known back in the U.S. As in the Philippine insurrection of sixty years before, Black soldiers also began to question the politics of the War itself. Why, many began to ask themselves and each other, are we fighting against another people of color in Indochina who are themselves being the victims of racist America when our real enemy is that same society? Based on this perception, Black G.I.s proceeded to take the lead in resisting

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both the War and racism within the military more generally. Through this resistance, Black soldiers contributed significantly to the breakdown of discipline both in Indochina and throughout the far-flung American military around the world.

Arising out of this period in the military came a number of important decisions regarding racism and resistance within the military in both military and civilian courts. On the whole, these decisions served to uphold the status quo within the armed forces and to punish resistance to it. As the War went on, the military made some efforts to curb the more blatant aspects of racism within it. This policy failed, however, to curb the deepseated alienation of most Black enlisted personnel by the early 1970s.

With the end of the Black movement in the U.S., the end of the War in Indochina and the introduction of the volunteer army in the mid-1970s, however, the attitude of Blacks toward the military changed once again, at least on the surface. Black recruitment rose significantly in relation to white participation in the military because, while many whites who would previously have been drafted could now avoid military service, the "poverty draft" still required many young Black people -- men and women -- into the service. Black attitudes toward the service also changed as the military campaigned among Black youth for recruits with advertising promising career training and advancement and seemed to be

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further reforming the most egregious manifestations of racism within the military. In addition, while the U.S. after Vietnam was involved in a few minor skirmishes, at least until the late '70s and early '80s, its forces were not involved in a war.

Racism in the military has nonetheless strongly persevered in both policy and practice. Job placement, promotion policy, racial harrassment, military justice and the lack of legal remedies all reflect discrimination against Black soldiers. Because of the prevalence of this racism, as well as that in the U.S., and also because of the growing military intervention of the U.S. in the Third World against people of color, there is once again the first signs that Black soldiers may not be entirely willing to do the bidding of the military.

4.

The Vietnam Era

In the first years of the Vietnam War, young Black men saw the conflict much as previous Black generations had viewed the wars of their times. Like their parents, many went into the military in the belief that through military service Black people could improve both their individual chances of moving ahead in society, and that of Black people generally. Moreover, at this time, many young Black enlistees or draftees were not aware of the reality of the War. As Terry Whitmore, a decorated Marine who eventually fled to Sweden rather than return to Vietnam, recalled about his feelings on the eve of entering the military,

[t]he real service, the military after school, was still a big joke to us. We would only jive about it, never giving it a thought. People are dying in Vietnam? Not our problem....what's the difference? Get killed in the Nam or get killed at home, same chances....[t]he year after graduation, almost half my class were in college of some sort. The rest were in the Army and the Air Force except for two of us. We joined the Marines.¹

In addition, many Black G.I.s went to Indochina in the belief that the War was morally right. Spec. 4 Arthur E. "Gene" Woodley, Jr., a combat paratrooper who served as a LURP ^{a member of a} (long range reconnaissance patrol team) behind enemy lines in the 173rd Airborne Division remembers that when he first arrived in Vietnam in November 1968,

I didn't ask no questions about the war. I though communism was spreading, and as an American citizen, it was my part to do as much

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as I could to defeat the Communist from coming here. Whatever America states is correct was the tradition that I was brought up in. And I, through the only way I could possibly make it wout of the ghetto, was to be the best soldier I possibly could.²

But many factors combined to make this view about the War shortlived among Black troops.

First of all, the acute and growing consciousness and activism at home about both racism in the U.S. and the racism of American foreign policy led to early and vocal opposition to the War among large segments of the Civil Rights and Black Power movements. As early as December 31, 1964, well before the massive introduction of American troops, Malcolm X told Black teenagers in McComb, Mississippi that the U.S. was

the most hypocritical government since the world began [because it was]supposed to be a democracy, supposed to be for freedom and all that kind of stuff when they want to draft you and put you in the army and send you to Saigon to fight for them - and then you've got to turn around and all night long discuss how you're going to get a right to register and vote without being murdered.³

Malcolm X also argued that it was a sham for the government to tell Black people in the U.S. to moderate their demands and strategies because

[l]ook right now at what's going on in and around Saigon and Hanoi and in the Congo and elsewhere...[b]ut when it comes time for you and me to protect ourselves against lynchings, they tell us to be nonviolent.⁴

Malcolm's message was soon echoed by the Black

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student movement. After a Black classmate was killed by racists in McComb in mid-1965, Black students passed out a leaflet that said, in part, that

[n]o Mississippi Negroes should be fighting in Viet Nam for the White man's freedom, until the Negro People are free in Mississippi. Negro boys should not honor the draft here in Mississippi. Mothers should encourage their sons not to go....No one has a right to ask us to risk our lives and kill other Colored People in Santo Domingo and Viet Nam, so that the White American can get richer.⁵

The earliest major Black Power organization, the Student Non-Violent Coordinating Committee (SNCC) became particularly active in opposing the War. It coined the phrase soon taken up and often credited to the predominantly white Anti-War Movement, "Hell No, We Won't Go,"⁶ and after SNCC took a clear position against the War, engaged in activities such as the the invasion of the Atlanta induction center in the Summer of 1966 for which six members were arrested and sentenced to several years in prison. Julian Bond, a SNCC activist in the Georgia House of Representatives, spoke out against the War and the draft, and was barred from taking his elected office as a result until the Supreme Court ruled otherwise. Mohammed Ali refused to submit to the draft. And by 1967, Martin Luther King, Jr. was widely known as a votal opponent of the War.⁷

In addition, numerous Black young men, many of them leading activists in the Black movement, resisted draft induction and received substantial prison terms as a result. For example,

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Cleve Sellers, a founder and leader of SNCC was sentenced to five years in 1968; Fred Books a Black student movement leader in Nashville was sentenced to four years in 1968 and went into exile; Raymond DuVernay of New Orleans went to prison; J.O. Sumrall, Jr., an activist in Meridian, Mississippi was sentenced to a five year prison term and went into exile; Mike Simmons, a SNCC leader who took part in the Atlanta induction center protest of August 1966 went to prison on a three year sentence for draft evasion (and an additional six months for the action itself); Mickey Booth, a Memphis SNCC leader went to trial and was acquitted on draft evasion charges; and Walter Collins, an organizer for the Southern Conference Educational Fund (SCEF), was sentenced to five, five-year concurrent terms for refusing induction. Many other cases were brought against Black activists for draft evasion, often in connection with government hostility to their political activity. Seventeen such activists faced draft law prosecution in 1966 when SNCC was under heavy attack from all levels of government. Many other Black young men whose cases did not become known outside their family circles were prosecuted and imprisoned for draft evasion.⁸

Black opposition at home was due not only to the feeling that Blacks were not free in the U.S.; it was also argued that Black soldiers were dying in disproportionate numbers in the war, a fact which Stokley Carmichael said showed that "the man is moving to get rid of black people in the

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ghettos."⁹ Some Black activists identified with a Third World people fighting to be free of western, white domination. As one SNCC Field Worker declared, "[y]ou know, I just saw one of those Vietcong guerrillas on TV. He was darkskinned, ragged, poor, and angry. I swear, he looked just like one of us."¹⁰

The Black Panther Party's program summed up both elements of this view in one of its program's ten points:

We want all Black men to be exempt from military service...we believe that Black people should not be forced to fight in the military service to defend a racist government that does not protect us. We will not fight and kill other people of color in the world who, like Black people, are being victimized by the white racist government of America.¹¹

And as time went on, even more moderate Black leaders and individuals came to believe that the War should be ended, if only because the tremendous rise in military spending led to cuts in Johnson's War on Poverty.¹²

Black G.I.s in Vietnam were not immune from the developments at home, from which many were not far removed in terms of time or contact. Whitmore describes how he reacted to hearing of King's assassination while on leave from the War in Japan:

Martin Luther King murdered in my home town... in Memphis...the rotten motherfuckers! Go back [to the War]?...To all that shit...to those goddamn barbarians [the U.S. military] who can't stop killing people wherever they go? Fuck you Sam...fuck you and all your crazy followers with you!...I was only determined that I'd never return to the States.¹³

Black soldiers in Vietnam also reacted against the War based on the reality they saw around them.

Perhaps first and foremost was the obvious fact that Black soldiers were dying disproportionately in the War. This disparity was a result of a double-standard for young Black men all the way down the line. In October 1966, only 1.3% of local draft board members were Black, and in seven states the boards included no Black members.¹⁴ In the '60s as a whole, 30% of eligible Black young men were drafted, as opposed to 18% of eligible white young men.¹⁵

Black participation was further increased with the introduction of "Project One Hundred Thousand," and experiment intended to induct 100,000 men annually who would have otherwise been screened out of the military because of their low educational background or skills. Between October 1966 and June 1969, about 246,000 men entered under the program, some 40% of them Black. About 37% of the program's recruits were assigned to combat skills; more than half who went into the Army and Marines were sent to Vietnam.¹⁶

Once in Vietnam, many infantry units were more than 20% Black, and some paratroop units were nearly 50% Black. At the same time, Black soldiers held only 4.9% of the electrical equipment jobs.¹⁷

In addition, Black G.I.s were at the mercy of racist white officers and NCOs. Black officers in the Vietnam era/were (1968) only 3.3% in the Army, 0.9% in the Marines, 0.4% in the Navy and 1.8% in the Air Force.^{17a} David Parks explained in his diary entry of

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January 31, 1967, how it worked in his unit:

The FO's [Forward Observer's] job is one of the hairiest in a mortar platoon... Sgt. Paulson hand-picks the men for this job. So far he's fingered only Negroes and Puerto Ricans. If only the souls and Puerto Ricans could tell the world what really happens to them in this man's army. We do receive more than our share of the shit...18

As a result of these factors, the Department of Defense could report in the mid-1960s that Blacks were more likely than whites to be drafted, sent to Vietnam, serve in high-combat units and be killed or wounded in battle. In fact, between 1961 and 1966, 25% of the Army's casualties in Vietnam were Black, although Blacks made up only 11% of the population between nineteen and twenty-one.¹⁹ *Although Black casualties declined as a percentage of the total later in the war, in 1970, Black soldiers still took 22% of the casualty rate.^{19a}* Those Black soldiers who did return from Vietnam have suffered from exposure to Agent Orange, and Post-Traumatic Stress Disorder at a rate 20% higher than that of white veterans.²⁰

Black soldiers in Vietnam also experienced institutional and individual white racism reflective of that throughout the military which expressed itself in other ways such as prohibitions against Black self-organization and self-expression, racist insults from white officers and enlisted men, and disproportionate discipline.²¹

The other side of white racism against Black soldiers was white racism and brutality against the Vietnamese. Just as Blacks in the U.S. and the military were often referred to by racist names, so Asians were referred to as "gooks," "dinks,"

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"slopes," and other such terms.²² Radarman Second Class Dwyte A. Brown who served in the Navy said of the treatment of Vietnamese by U.S. soldiers:

Poor Vietnamese. So many times Americans would degrade them. At Cam Ranh Bay even... [e]specially those white guys, actin' like "I am the conqueror. I am supreme." Dirt, that's how they treat the Vietnamese, like dirt.²³

As a result of U.S. military policy, racism toward the Vietnamese was ^{often} expressed in terms of mass slaughter of civilians. Whitmore described a massacre he participated in which had a profound impact on his view of the War:

The M.60 [machinegun] was set up outside the hooch...A Marine with his M.16 went in and forced these people out of the hootch at gunpoint. Just running them out and into the fire of the .60...A complete slaughter. Every single one of those Vietnamese people were cut down. Not one had a chance to escape. That took care of most of the adult inhabitants of the village. The rest of that day was spent burning the hootches, killing anyone who was left and looking for Charlie's [the guerilla's] supplies. We never found any.²⁴

Spec. 5 Emmanuel J. Holloman, who served with the 25th Infantry Division, described the routine rape of Vietnamese women found in villages by U.S. soldiers as "standard operational procedure."²⁵ Stories of similar atrocities are common in accounts of Black G.I.s.²⁶

Many Black soldiers participated ^{willingly} in actions such as these.²⁷ Nonetheless, a large number of Blacks in Vietnam

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were capable of a much more sympathetic attitude toward the Vietnamese than that expressed by most white soldiers because of the perception that the Vietnamese were victims of the same racism faced by Black people in the U.S. Holloman reports that

...blacks got along better with the Vietnamese people, because they knew the hardships the Vietnamese went through. The majority of the people who came over there looked down on the Vietnamese. They considered them ragged, poor, stupid. They just didn't respect them. I could understand poverty. I had five brothers and three sisters. My mother worked...in an old folk's home. An attendant, changing beds and stuff. My father works in a garage...and I had to leave school after the eighth grade to work...28

Thus, it is common to find accounts of Black G.I.s who, even more so than their white comrades-in-arms, who befriended Vietnamese people or took Vietnamese lovers or wives.²⁹

In addition to these experiences, Black G.I. attitudes toward the War were influenced by a change in the kind of Black soldier who was stationed in Vietnam as the War went on. Where in the early days many Black soldiers were "lifera" who viewed the military as having given them a chance to achieve a position not available to them in civilian life, by the late '60s younger Black draftees and victims of the poverty draft had different views and expectations. As Wallace Terry writes in his introduction to Bloods, by 1969,

[t]he war had used up the professionals who found in military service fuller and fairer employment opportunities than blacks could find

in civilian society, and who found in uniform a supreme test of their black manhood. Replacing the careerists were black draftees, many just steps removed from marching in the Civil Rights Movement or rioting in the rebellions that swept the urban ghettos from Harlem to Watts. All were filled with a new sense of black pride and purpose. They spoke loudest against the discrimination they encountered on the battlefield in decoration, promotion and duty assignments. They chose not to overlook the racial insults, cross-burnings and Confederate flags of their white comrades. They called for unity among black brothers on the battlefield to protest these indignities and provided mutual support. And they called themselves "Bloods."³⁰

Thus, Black G.I.s came to represent the most vocal and militant section of the growing G.I. revolt in Vietnam and around the world in the U.S. military.

On one level this resistance expressed itself in "cultural" terms. Black soldiers -- Bloods or "Brothers" -- began by the late '60s to congregate more exclusively on their own, to ignore dress and grooming requirements in favor of informal apparel and African dress and grooming. Black soldiers greeted each other with intricate "daps" -- handshakes -- refused to salute officers, organized Black study groups on culture and politics and a variety of other activities.³¹

More threatening Black unrest in Vietnam began in the summer of 1968. One the weekend of August 16th, Black prisoners in the Da Nang Marine brig seized control of the main prison area and held it against armed guards for twenty hours in protest over prison regulations. It took 120 riot-equipped

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M.P.s to put down the mutiny. Two weeks later, hundreds of Black-led inmates of the Long Binh Jail (LBJ) fought M.P.s for several hours and burned down many of the stockade buildings in protest against overcrowding, lack of interior plumbing and inexperienced, overworked guards. Following the uprising, about 200 Black prisoners went on a no-work strike and a smaller group barricaded themselves in part of the stockade where they still remained a month later, wearing African-style dress and observing African customs. Six Black soldiers were later charged with the murder of a soldier who died in the original uprising.³²

Black G.I.s also mutinied on the front lines, along with G.I.s of all backgrounds. Often, this mutiny would take the form of numerous small incidents of soldiers refusing to follow orders to engage "the enemy," ^{or fragging (assassinating) racist or dangerous officers.^{32a}} Sometimes, however, mutiny would take on a more widespread character. One prominent mutiny occurred in the Spring of 1970 when A Company, 1st Battalion, 506th Regiment erupted into racial battle after returning from from a combat patrol near the A Shau Valley. Black and white G.I.s faced each other with loaded rifles. The next day, 9 Black G.I.s continued to refused to report for duty and were charged with disobeying a direct order. In November 1970, seven Black G.I.s who were members of C Company, 3rd Battalion, 187th Regiment near Camp Eagle refused to join a combat operation on the grounds that their lives would be in danger because of orders from racist commanding officers. Many other such incidents

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went unreported and Black G.I.s often engaged in acts of mutiny with white and Latino soldiers as well.³³

Black soldiers also organized themselves into ongoing groups in Vietnam. Eddie Burney, a supporter of the Black Panther Party (which recruited many members from among Vietnam veterans) organized a group called "Black Liberation Front of the Armed Forces" within the 4th Transportation Command at Long Binh and in the Spring of 1971 the group organized a demonstration of 40 Black G.I.s in the city on King's birthday, calling for freedom for Angela Davis and the Black G.I.s in Long Binh Jail. Burney was punitively discharged for his activities.³⁴ The Black Brothers Union was active at Cam Ranh Bay in 1971 against discrimination in on-post facilities. When the post's inspector general failed to act on a report from the group concerned racism at the enlisted men's club, the Union organized a boycott by Black G.I.s in April. When no change followed, racial tension increased and 31 people were injured when a grenade was thrown into the club by an unknown person. A member of the BBU, Spec. 4 Leon Prince, was arrested, but later acquitted in connection with the incident.³⁵

I Corps region, a primitive battle zone in the northern portion of South Vietnam, was the site of particularly intense Black activity. In September 1970, following a racial fight at Chu Lai, Gerald McLemore, a Black G.I., shot and killed a white soldier who was part of a group of whites who had verbally abused

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McLemore, after the Black soldier saw a smoke device in the white man's hand which he believed to be a grenade. McLemore was convicted of manslaughter. In early December, 40 Black soldiers marched on the headquarters of the commanding general to protest racist combat assignments.³⁶ Nearby Da Nang was the site of a major race riot and "virtually open racism warfare" in early 1971. And at Camp Baxter, near the DMZ, a racial clash occurred which left dead at least one Black G.I. After the incident, it was found that Black and white G.I.s were illegally armed, and that both sides had assembled secret caches of arms and ammunition. At the Black G.I.'s funeral, 200 Black soldiers organized a Black Power demonstration.³⁷

Many of the clashes that took place reflected the fact that Black G.I.s were no longer willing to tolerate the racism they encountered in many white soldiers. Spec. 4 Richard J. Ford, III, a LURP in the 25th Infantry Division recounts that

[o]ne time we saw these [confederate] flags in Nha Trang on the MP barracks...We just came out of the jungles...We just went off. Said, "Y'all the real enemy. We stayin' here [instead of returning to the front].³⁸

Another Black G.I. summed up the feelings of many others when he said that I'd just as soon shoot whitey as the V.C."³⁹

One response of the military to the level of Black G.I. activism, and to that of white radicals in alliance with Black troops, was to disarm those soldiers known to belong to the

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these categories.⁴⁰ The overall effect of Black activism, therefore, was to help weaken the effectiveness of American ground forces in Indochina. As David Cortright concludes,

In a very real sense, the American Army was fighting on two fronts, one against the Vietnamese guerillas in the jungles and the other against embittered militants within its own ranks. The strain of black resistance was a key factor in crippling U.S. military capabilities in Vietnam.⁴¹

Black resistance in the military was also prevalent among ground force in the U.S. A Black G.I., James Johnson, was one of the Fort Hood 3, the of the first groups of G.I.s to refused to go to Vietnam, in June 1966.⁴² Another of the first known Black actions in this period occurred when, during the Detroit ghetto uprisings of July 1967, two Black marines at Camp Pendleton, William Harvey and George Daniels, tried to organize Black marines to refuse to go to Vietnam to "fight the white man's war."⁴³ The courts-martial of these marines became landmark cases regarding the right of servicepeople to oppose U.S. foreign policy.

The marines were charged under 18 U.S.C. Section 2387 for making statements "with intent to interfere with, impair and influence the loyalty, morale and discipline of..." other marines, and under Article 134 of the Uniform Code of Military Justice (UCMJ) for statements which "...did advise, counsel, urge, cause and attempt to cause insubordination, disloyalty and refusal of duty..." by other marines. In the case of Harvey, these charges were upheld based on the claim that he had

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had
1)/stated to another marine that he didn't know why Blacks should go to Vietnam to "fight the white man's war and then come back and have to fight the white man" in the U.S.; 2) would not fight in Vietnam, and neither should the marine to whom he was speaking, Pvt. Jones; 3) had told Pvt. Jones to "request mast [meeting]with the Company commander and tell the C.O. that he, Pvt. Jones, would not go to Vietnam," which he said would succeed in keeping Jones out of the War if the marines stuck together and make it impossible for the command to "handle us all."⁴⁴

The Board of Review upheld the court martial in 1969 on the grounds that Section 134 was not vague and overbroad in its prohibitions,⁴⁵ and that Harvey's First Amendment rights were not violated by the conviction because his opinions and attempts to follow the regular procedure in requesting a captain's mast to discuss his grievance made clear that "the accused was not seeking to communicate with the command, but was seeking by collective action and a threat of riot to coerce the command to do his bidding."⁴⁶ Harvey was sentenced to a dishonorable discharge, confinement at hard labor for three years, total forfeiture of pay and reduction to rank of E-1.⁴⁷ The Court of Military Appeals found that the Board was substantially correct, but that because of a technical error in instructions regarding the charge, certain of the guilty findings would be reversed.⁴⁸

In the companion case, U.S. v. Daniels, 19 USCMA 529, 42 CMR 131 (1970), the Court of Military Appeals found that the actions of the defendant, which were similar to those alleged against Harvey, were "a subtle and skillful way of leading black troopers in the company into insubordination and disloyalty."⁴⁹ Such activity, found the court, constituted a "clear and present danger" to the operation of the military since "[t]he joinder of the Vietnam war with racial violence in the cities was not mere rhetoric or political hyperbole, but a call for refusal of duty."⁵⁰ Originally sentenced to 10 years confinement, the court also reversed on certain findings of guilt, ^{and} technical error and therefore required a reassessment of sentence.⁵⁰

The Harvey case was later cited approvingly by the Supreme Court in Parker v. Levy, 417 U.S. 733 (1974), which involved, in part antiwar statements by a white medical officer to Black enlisted personnel. As quoted by the court, Capt. Levy had told Black soldiers that

[t]he United States is wrong in being involved in the Viet Nam War. I would refuse to go to Viet Nam if ordered to do so. I don't see why any colored soldier would go to Viet Nam: they should refuse to go to Viet Nam and if sent should refuse to fight because they are discriminated against in Viet Nam by being given all the hazardous duty and they are suffering the majority of casualties...⁵¹

Captain Levy was charged for the above statement and for refusing to give medical training to Special Forces personnel, under article 133

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for "conduct unbecoming an officer and a gentleman," and under Article 134 for attempting to create "disorders and neglects to the prejudice of good order and discipline of the armed forces."⁵² The Supreme Court upheld Levy's conviction and sentence of dismissal, pay forfeiture and 3 years hard labor on the grounds that the statutes were not void for vagueness because the defendant had adequate notice of the wrongfulness of his conduct since the "military is, by necessity a specialized society separate from civilian society,"⁵³ whose "law is that of obedience."⁵⁴ In a quote from a military court, the Court cited the view that "[s]peech that is protected in the civil population, may nonetheless undermine the effectiveness of response to command. If it does, it is constitutionally unprotected."⁵⁵

Thus, in Harvey, Daniels and Levy^{the} courts, both civilian and military, made clear that the First Amendment and other traditional protections would not be permitted as a shield for Black antiwar organizers within the military, or for others in the armed forces who might seek to influence Black troops to resist the War.

The next major action among Black troops on a U.S. base came in August 1968 when Army troops at Fort Hood were being readied for possible use against antiwar and radical demonstrators at the Democratic National Convention in Chicago. On August 23rd, more than one hundred Black G.I.s from the 1st Armored

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Cavalry Division met on the base to oppose racism in the Army and the use of troops in Chicago. The next day, 43 Black G.I.s refused to go to Chicago as ordered. The "Fort Hood 43" received light jail sentences because of widespread support for them both inside and outside the Army.⁵⁶ Harvey's prediction several years earlier that the command would be "unable to handle us all" if Black troops stuck together, proved to be accurate in the case of the Fort Hood 43.

Further Black organizing took place in early 1969 when Black troops at Fort Jackson organized themselves and white G.I.s against racism and the War, a result of which was the prosecution of the "Fort Jackson Eight," made up largely of Black defendants, charged with holding an unauthorized meeting. The charges were dropped within a few weeks.⁵⁷

An important site of Black revolt stateside in 1968-9 was military prisons, where the majority of prisoners were non-white. On July 23, 1969, Black and white G.I.s took over the Fort Bragg stockade after a Black inmate was beaten by guards, and held it for more than 48 hours before surrendering to armed troops from the elite 82nd Airborne Division.⁵⁸ On May 13, 1969, Blacks in the maximum security section of the Fort Carson stockade took over the institution and held three white MPs as hostages. It took 40 MPs to regain control.⁵⁹ Other prison rebellions followed.⁶⁰ On July 22nd, 250 Black and Latino G.I.s of the Fort Dix Special Processing Detachment held a mass meeting and

march to the Operations Room, only to be turned back by MPs. Meetings continued, however, and leading organizers were arrested, armored patrols and a curfew instituted, along with the placement of a riot-control unit. On August 6th at Fort Belvoir, Black soldiers helped lead a march of the Special Processing Detachment to the MP headquarters to attempt the release of a Black G.I. being held there.⁶¹

There also occurred direct confrontations between racist white MPs and NCOs on the one side and Black soldiers on various U.S. bases. On August 11, 1969, there was bitter fighting at Fort Bragg between Blacks and some whites together against armed white MPs. On July 26, 1970, 200 soldiers at Fort Hood, most of them Black, rebelled, took over part of the base and fought with MPs for hours. Forty were arrested.⁶² On July 30th, a similar event took place at Fort Carson, without arrests.⁶³ And on July 20, 1969, after continuing racial discrimination at the base enlisted men's club at Camp Lejeune, a base where the 2nd Marine Division awaited transport to the Mediterranean, a racial brawl erupted involving Black and Puerto Rican G.I.s, most of them veterans of Vietnam, against white G.I.s, leaving one white soldier dead. A divisional report issued before the event found that "many white officers and NCOs retain prejudices and deliberately practice them," that off-base facilities were segregated, and that Black G.I.s were harassed by MPs.⁶⁴

In the wake of the incident, 26 Black and Latino marines -- but no whites -- were charged with various offenses. Other Black marines in the unit, by now aboard the U.S. La Salle off the Spanish coast, organized independent shore patrols for Black servicemen as protection against white MPs, and fought for Black representation in ship affairs.⁶⁵ As Cortright puts it, "[i]n the 2nd Marine Division, as in so many military units, a virtual state of war raged between minority servicemen and their white superiors."⁶⁶

On October 26, 1971, 150 mostly Black G.I.s in the Fort Gordon stockade revolted after officials refused emergency leave to one of the soldiers, which set off anger over general mistreatment and racism. The barracks were burned down. On November 13th, over 100 Black soldiers at Fort McClellan, most of them WACs, were arrested after protesting racism and then shouting down the officers sent to restrain them.⁶⁷

Race relations between Black and white soldiers on U.S. bases were not always antagonistic. Blacks and white worked closely together at Fort Hood around local issues of racism,⁶⁸ and throughout the G.I. movement Black and white soldiers sometimes combined together against the War and racism, as well as around other issues. However, for the most part, "the black-white alliance forged at Fort Hood did not spread elsewhere." Rather, "the burden of resisting racism and repression in most cases" fell on Blacks alone.⁶⁹

In Europe, Black G.I.s faced "particularly oppressive circumstances...totally cut off from black civilians and isolated in a completely white, often racist German population."⁷⁰ According to Cortright, "[t]he most militant and effective political organizing in Germany occurred among black soldiers," and by the Winter of 1970 almost every base in Germany had an independent Black organization among its troops. These organizations came together to form a Central Defense Committee which represented some 25 posts. In the Spring of 1970, Black soldiers organized a meeting of nearly 1000 G.I.s, most of them Black, at the University of Heidelberg on July 4th, which called for an end to the War and racism, as well as changes in daily life.⁷¹

Black rebellions in Germany were common. On March 13, 1970, an uprising occurred in the Mannheim stockade, which was notorious for its brutal and overcrowded conditions. Mostly Black inmates took over the institution,^{and} burned down buildings before being overcome by MPs and German police.⁷² On May 21st, Black G.I.s in the 1st Battalion of the 26th Infantry at Hohenfels training area demanded to see superior officers about racist and otherwise oppressive conditions. After being denied such a meeting, a fragmentary grenade exploded in the mess hall, injuring 10 soldiers. A leading Black NCO, Sgt. James Hobson, was tried and acquitted for the incident.⁷³ On May 24th, Black G.I.s of the 3d Infantry Division at Schweinfurt revolted

against the refusal of a German merchant to serve them. On August 20th, fighting broke out between MPs and Black soldiers at McNair Barracks in Berlin.⁷⁴

Significantly, Black soldiers were often joined by white and Puerto Rican G.I.s in protests against the military in Europe. On September 21st, Black and white G.I.s protesting against racism and other issues "threatened to blow up the entire base," at Nellingen. They then marched one hundred strong through the base shouting "Revolution," and "Join Us." After the demonstration, one Black G.I. commented that "[t]here is no racial problem among E-5s and below [privates through lower ranking sergeants] ... that's one thing our demonstration proved."⁷⁵

Multi-racial resistance to military followed on August 20, 1970 when the 1st Battalion, 81st Artillery at Neu Ulm, a nuclear missile unit, was sabotaged by the firebombing of trucks. Later in the month, whites joined Puerto Ricans and Blacks in demonstrations against harrassment and discrimination at Bad Hersfeld. Similar events followed, leading Cortright to conclude that "[t]hese incidents, and dozens of others, signaled an Army on the verge of collapse, rent by virtually open rebellion among large numbers of black and white troops."⁷⁶

Sabotage occurred elsewhere. In early 1971, for example, twenty Black and white G.I.s of the 78th Engineers Battalion at Karlsruhe, raided the CO's office and trucks of the Atomic Demolition Maintenance Section and used Molotov

cocktails and other tools to burn the headquarters building and damage trucks.⁷⁷

But clashes were also common between Black and white soldiers. On July 18, 1971, for example, a fight took place at the 93d Signal Battalion in Darmstadt. Although the Army later indicated that the incident had been started by white soldiers, the only person arrested following the event was a Black G.I. After yet another arrest of a Black soldier, 52 Black troops demanded that they too be locked up, so becoming the "Darmstadt 53." As a result of mass publicity, the Commander-in-Chief of the Army in Europe ordered that all charges be dropped.⁷⁸

One of the last major actions in Europe by Black soldiers came in late November 1971 when 80 Black troops of the 1st Infantry Division staged a sit-in at the H.Q. of Brig. General Charles Simon and threatened to go on strike. In the end, the General took action against racism on the base and investigated local German merchant racism.⁷⁹

Another area of Black discontent was the Pacific Theater outside of Indochina. In early August 1969, Black Vietnam veterans at Kaneohe Marine Corps Air Station, ^{in Hawaii} tried to present a list of grievances to commanders about racism. Three marines were arrested for attempting to do so. On August 10th, 50 Black marines stood in a Black Power salute while the flag was being lowered, the result of which was a "massive four-

hour brawl" across the base.⁸⁰ Many such incidents followed.⁸¹

Black sailors in the Navy were particularly active against what many regarded as the most racist of the four military services. Black and white sailors joined in the Movement for a Democratic Military (MDM) at the Great Lakes Naval Training Center. On July 9, 1970, after four Black WAVES were illegally arrested, Blacks and whites marched to the building where the women were held and refused to leave until they were released. The WAVES were released, but over 900 enlisted women and men at the base were discharged or transferred in the wake of the incident.⁸²

By the early 1970s, as a result of personnel shortages, the Navy greatly increased the number of Black sailors in its ranks, from 5% in early 1971 to 12% in 1972. Black sailors, however, still resented the racism they found in the Navy, which included a lack of skills training and promotion opportunity. Despite Navy recruitment promises, Black sailors were still being given predominantly tedious menial labor.⁸³

Thus, resistance to racism in the Navy continued. In the Pacific on October 24, 1972, Black and white sailors held a press conference to denounce racism and other poor conditions at sea.⁸⁴ On the U.S.S. Kitty Hawk, an aircraft carrier, a brawl broke out in October 1972 while the ship was at anchor in the Philippines when orders came to proceed to combat duty off of Indochina. Only Black sailors were called in for questioning

while the ship stood off the Tonkin Gulf awaiting combat. In anger over the victimization of Black sailors, about 100 held an angry meeting which quickly led to clashes with white marines. The fighting spread across the ship as Blacks and whites attacked each other with anything they could find; "for a few violent hours, the ship was virtually without effective control." All of the 25 sailors subsequently arrested were Black.^{84a}

On October 16, 1972, fighting broke out between Black and white sailors on the U.S.S. Hassayampa, also in the Philippines. Eleven Black sailors were arrested as a result. On September 7th, Black and white marines fought aboard the U.S.S. Sumter off of Indochina, leading to charges of assault and mutiny against six Black sailors. Racial clashes took place at Midway Island in late November and on January 1973 aboard the carrier U.S.S. Intrepid (now a war museum in New York City) in the Mediterranean. On November 26, 1972, Black and white sailors together fought against Marine guards at the Camp Allen Navy Correctional Center in Norfolk, Virginia.⁸⁵

An indication of the depth of discontent among Black sailors in the Navy is the fact that "[t]he first mass mutiny in the history of the U.S. Navy" took place in early November 1972 aboard the carrier U.S.S. Constellation. On November 3rd, following organizing against racism by Black sailors and retaliation against them by the ship's commander, 130 sailors,

some of them white, refused to re-embark and staged a dockside strike on November 9th in San Diego. None of the sailors were arrested out of the command's fear that further unrest would result. This incident led the naval command to investigate racism in the Navy.⁸⁶

One of the last major activities in the Navy occurred in April 1973, when Black sailors organized a messhall strike by inmates of Portsmouth Naval Prison, and whites participated as well until racial tensions erupted.⁸⁷

Out of such struggles, Black sailors and marines organized ongoing groups throughout the world,⁸⁸ and remained "the most active and highly organized sector of the G.I. movement."⁸⁹

In the Air Force, Black airmen in late 1970 founded the Demand for Freedom, a newspaper at Kadena Air Force Base on Okinawa, which called for removal of U.S. bases and agitated around other issues.⁹⁰ Generally, "[a]s in the other services, black airmen were the most militant and politically active resisters in the Air Force,"⁹¹ where they faced the worst jobs, a higher number of disciplinary punishment and attacks on their culture. Independent Black organizations were created at various bases,⁹² and revolt broke out as a result of Black attempts to fight racism at various bases.⁹³ The most serious of such revolts in the Air Force took place from May 22nd through May 25th, 1971 at Travis Air Force Base, in which this key Vietnam transfer

point in northern California "was crippled by the largest mass rebellion in the history of the Air Force."⁹⁴ Blacks -- men and women -- and some whites tried to free Black enlisted men and women who had been arrested after fighting against MPs. For six hours, they fought hundreds of MPs and civilian police. One hundred and thirty-five of those attempting the rescue were arrested, most of them Black, and the fighting continued sporadically for days.⁹⁵

The Pentagon responded to this event by sending race relations advisers to the base, but the token action had little impact on Air Force racism against Blacks, and Black airmen continued to organize, as at McChord AFB where they investigated off-base discrimination in housing, Black participation in on-base cultural and educational activities, and other issues.⁹⁶

In addition to the incidents of Black revolt in the military discussed here, Black GIs took part in many other incidents, many of them unrecorded. In addition, the broad resistance to the War and conditions in the military among GIs of all colors was prominent in the Vietnam period. Many of the activities it organized were not directed specifically against racism or recorded in terms of the racial identity of their participants. Yet it is clear that many of the GIs involved were Black.

The Post-Vietnam Period

Although the Vietnamese did not take Saigon until April 1975, the vast majority of U.S. soldiers had been withdrawn from Indochina by 1973. It was ^{also} in this year that the Army ended the draft and instituted the All-Volunteer Force (AVF) that continues today.⁹⁷

The AVF came after the March 1969 recommendation for its creation by the Nixon-appointed Commission on an All-Volunteer Force (the Gates Commission). Despite the predictions of the Commission and its supporter, Richard Nixon,⁹⁸ it soon became clear that the AVF meant a substantial increase in Black participation in the Army and by extension of the military as a whole. As many whites could now avoid service with the end of the draft, Black recruitment as a portion of the total, increased dramatically.

For example, from February through December 1973, the first 11 months of the AVF, 27% of new Army recruits were Black, as opposed to the Gates Commission prediction of 18.8%. By 1975, the 82nd Airborne Division, then "the nation's most combat-ready unit," was 26% Black.⁹⁹ By 1974, overall Black enlisted strength in all four services had risen dramatically: in the Army from 14.3% in 1971 to 19.9% in 1974; in the Navy from 5.4% in 1971 to 8.1 % in 1974; in the Marines from 11.4% in 1971 to 17.7% in 1974; and in the Air Force from 12.3% in 1971 to 13.8% in 1974. The level of Black enlisted

strength of the combined services increased from 11.4% in 1971 to 14.9% in 1974.¹⁰⁰

Despite the rapid increase in the number and proportion of Black troops, numerous studies in the early 1970s demonstrated that at all levels, including job placement, combat unit participation, promotions, segregation, suppression of Black culture,^{and} military justice, Blacks were treated unequally in the services.¹⁰¹ In the area of "justice," for example, Black soldiers in this period received 25.5% of non-judicial (Article 15) punishments; Blacks constituted less than 1% of all military lawyers and went almost unrepresented among military judges and JAG captains in Europe; 34.3% of those court-martialed were Black (more than double their percentage of the total enlisted population); punishments in the form of punitive discharges were greater for Black soldiers; pre- and post-trial imprisonment rates were much higher for Blacks, as were administrative and punitive discharges.¹⁰²

The introduction of the AVF did not significantly change this discrimination against Black soldiers. As a result, Black revolt continued into 1973. For example, on October 7, 1973, Black and other soldiers at three bases of the Army's 2d Infantry Division in northern South Korea fought MPs during protests against discrimination and harassment. Most of those involved were administratively discharged. This revolt was highly organized by a politically conscious group of Black and Puerto Rican

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nationalists, who were particularly outraged at the unfairness of the justice system in Korea, restrictive conditions and other issues.¹⁰³

A month later, fighting broke out between Black and white sailors/aboard the U.S.S. Little Rock, after repeated attempts by Black sailors to change racist conditions on board the cruiser and after an attack on a Black sailor by a white. Of the 12 crewmen prosecuted, ten were Black.¹⁰⁴

The Current Period

The percentage of Blacks in the military has grown today to a level even higher than that which prevailed in the post-Vietnam period during which the AVF was introduced. In 1981, 410,000 Black enlisted personnel were in all the services, 20% of the enlisted military, although Blacks are only 11-12% of the population. As mentioned above, the figure was 11.4% in 1971 and 14.9% in 1974.¹⁰⁵ Two out of five eligible young Black men now enter the military.¹⁰⁶ In every service branch, the rate of Black enlistments rose during the '70s, especially in the ground forces.¹⁰⁷ Today, Blacks make up 33% and 22% of the enlisted personnel in the Army and Marines respectively.¹⁰⁸ Thirty-four percent of Black high school graduates but only 10% of white high school graduates are joining the military.¹⁰⁹

It is likely that the general rise of patriotism, as defined by institutions such as the Reagan administration, and the increased prestige of the military following such adventures as the invasion of Grenada, are factors in the dramatic increase in the large numbers of young Black men and women who are joining the military today. These young people were, for the most part, young children during Vietnam and the Black movements of the '60s and early '70s; they are growing up in a different political context and are not immune from the propaganda and popular sentiment toward the military.

But the main reason for the high rate of Black enlistment today, according to the Brookings Institution, remains the Poverty Draft. Black enlistees are poorer than white enlistees.¹¹⁰ Black youth unemployment is close to 60%, as opposed to 19.3% for white youth, and Black people work for less pay.¹¹¹ As the study concludes, "[r]ace discrimination figures predominantly in explaining the high unemployment rate of young blacks...youth unemployment explains why so many have turned to the armed forces."¹¹² Given the relatively desperate condition of the Black community, particularly among young people, "black youths...find military service an attractive option."¹¹³ That this fact, rather than militaristic feeling, is the explanation for Black enlistment was reflected in the

responses of Black enlistees to a 1979 poll. Only 1 in 14 Black volunteers said they had joined primarily to "serve my country," as opposed to one in ten white enlistees.¹¹⁴ In addition to finding work, housing, food, etc., minorities have been particularly attracted by offers of education assistance after leaving the service.¹¹⁵

Although the Brookings study have concluded that "[t]oday the U.S. military establishment stands in sharp and favorable contrast with other institutions in American society in making headway against racism,"¹¹⁶ the same study indicates that in every conceivable area of life, racism remains pervasive in the military.

In promotion, Blacks are concentrated disproportionately in the lower ranks and are promoted less rapidly than whites.¹¹⁷ Black servicepeople make up only 5.3% of the officer corps, and are concentrated as officers in supply procurement, administration and the lower ranks.¹¹⁸

Despite promises of fantastic job opportunities, Black G.I.s are disproportionately placed in non-technical "soft" jobs where training is minimal and advancement slow. Blacks are particularly over-represented in administration, clerical, unskilled, and supply handler jobs, as is the military tradition. The Brookings study concludes that "while the military clearly provides employment opportunities for black youths, whites tend to acquire training and skills that put

them in a position to compete for better jobs in the civilian sector."¹¹⁹

Blacks are also overrepresented in front-line combat units. In the Army, for example, it is estimated that one in three combat deaths in the initial combat stages of a war would be Black; but in some units, the number is much higher. Blacks will be an estimated 40%^{or more} of the casualties in the 2nd Infantry Division in Korea. Black troops make up 34% of the 3rd Armored Division in Central Europe and 66% of one artillery battery in the 197th Infantry Brigade which is now located in the U.S., but is considered a front-line force.¹²⁰ In the Marines, all three divisions have a higher number of Blacks than their enlistment rate, the highest percent being in the 2nd Marines, which is 33% Black.¹²¹

The result of this placement is that Blacks are likely to suffer between one-third and one-half of initial combat fatalities throughout the services in the next war.¹²² "If that happened, concludes the Brookings study, "the 20 percent casualty rate of Blacks that provoked charges of racial genocide in the mid-1960s could appear small."¹²³

Job placement in the military for Blacks is often blamed by the military and its defenders on the fact that Black personnel tend to score lower on the Armed Forces Qualification Tests (AFQT) than do whites.¹²⁴ But the validity of these tests is questionable to begin with in light of the

fact that Black recruits have performed better than white recruits in their formal education.¹²⁵ Thus, like civilian educational testing, the probability is that military tests are culturally biased against Blacks.

All in all, as a 1982 study of Army equal opportunity programs concluded, Black concentration in the worst jobs in the Army "embrace the kinds of low-skilled duties traditionally associated with blacks in the pre-civil rights era."¹²⁶

Another area where official military racism remains clear is the military justice system, to which civilian courts pay great deference and are reluctant to disturb.¹²⁷

In FY 1981, Blacks made up 44.7% of the Army prisoners in the continental U.S. and 47.9% of those confined elsewhere.¹²⁸ Although some studies blame this disparity on a higher Black crime rate,¹²⁹ more than 78% of Black prisoners and 70% of Black non-prisoners in the Army in 1981 said that they had to do more to prove their innocence in Army criminal investigations than did whites.¹³⁰ Blacks in the military also face a disproportionately high share of disciplinary and punitive actions.¹³¹ And in 1981, Black personnel received 59.7% of the dishonorable discharges and 48.8% of the bad conduct discharges.¹³²

The personnel of the military justice system tends to reinforce racial prejudice. Because of the low percent of Black officers and the high number of white southern officers in the

military as a whole, court-martial and other disciplinary proceedings tend to be racially disproportionate to those who come before them.¹³³ In 1978, only one of 46 Army trial court judges, 4% of Army lawyers and 13% of Army MPs were Black.¹³⁴

Courts have not much addressed the issue of the racism of the military justice system. The issue of excluding Black officers from a court martial of a Black sergeant charged with raping a white WAC was raised in U.S. v. Herndon, 50 CMR 166, 2 MJ 875 (1975), but the Court of Military Review held that the record in the case was insufficient to make a decision in the matter.¹³⁵

More recently, a military court martial sentenced to six months in prison and loss of all rank Black Sgt. David McCowan for refusing to submit to a random urine sample drug search, which has been regarded by many critics as unreliable. A federal suit was recently filed to declare the program unconstitutional.¹³⁶

Racism in the military today has also been exhibited in recent years by the activity of the Ku Klux Klan. In 1979, Marine Lance Cpl. Rickey C. McGilverly was court-martialed and convicted for assaulting white marines who he believed were part of an insurgent Klan group at Camp Pendleton. He was fined \$650.¹³⁷ The assault followed threats, cross-burnings, assaults, and firebombings of Black marines by the Klan in 1976. The

attitude of the military authorities toward Klan activities was reflected by Lt. Col. D.W. Brown at Camp Pendleton, who said that "[i]f this group [the Klan] exists, it has done nothing to injure the interests of the military, so we have taken no action."¹³⁸

More recently, in July 1982, Lance Corporal Raymond Michael Grant, a 20-year-old Black marine, fled his unit in Hawaii after three Black corpsmen were found near the Kanohe Bay Base, their bodies riddled with bullets. Grant told NAACP officials after going AWOL that Black marines were not able to relax off-base during breaks because they were often confronted with racist remarks and other abuse. Grant had been in the Marines since dropping out of high school at the age of 17. "I just couldn't take it anymore," Grant told NAACP officials. "I just had to get away from there. I knew it was wrong, but I had to take my chances."¹³⁹

In the late '70s, numerous reports also surfaced of growing Klan activity in the Navy. Pentagon Civil Rights Chief Katherine Carpenter reported a "dramatic increase in manifestation of KKK activity" there.¹⁴⁰ The Navy announced an investigation after a report of the existence of a Klan den of 20 members aboard the U.S.S. Concord, the wearing of white sheets by sailors aboard the carrier U.S.S. Independence, Klan membership applications aboard the U.S.S. Caonopus in the Mediterranean and Klan activity on the carrier U.S.S. America. In October 1979,

the military's official stance changed when naval authorities in Norfolk for the first time declared that Klan rallies were off-limits to military personnel.¹⁴¹ Previously only Black sailors had been disciplined for responding to the Klan.¹⁴²

Klan activity was also reported in the Army during the same period. In 1979, white soldiers at Forts Hood and Carson announced Klan membership and held public rallies.¹⁴³ A 1980 survey of 12 U.S. bases in Germany found that groups such as the Klan had "increased markedly among GIs in the past 18 months, including cross burnings, on-base recruitment and distribution of literature. ¹⁴⁴

Interestingly, a military court recently held/that ^{in U.S. v. Hullum, 15 MJ 261 (CMA 1983)} it would allow the defense of duress when a sailor went AWOL in 1978 and 1979 after being threatened by racist sympathizers of the Klan with bodily injury and death while he was aboard the U.S.S. Samuel Gompers, when redress had not been forthcoming from superior officers despite the sailor's appeals. The court held that "[i]n view of established national policy, which frowns on racial discrimination, we see no reason to treat such a claim differently from life-endangering sexual harassment. Therefore... it is clear that the trial defense counsel was not offering a frivolous defense to the charge of unauthorized absence."¹⁴⁵

Another important area of racism toward Black GIs remains racism among some West Germans, including that manifested in bars, clubs, restaurants and complaints from some government officials

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about the high number of Black soldiers stationed in Germany.¹⁴⁶
On June 24, 1982, two Black soldiers were killed by a neo-nazi group in West Germany.¹⁴⁷

In part because of the prevalence of racism in the military, and also because of racism in the U.S., the very large numbers of Black personnel in the military and the existence and further likelihood of U.S. intervention in the Third World, there is continuing uncertainty in high places about what attitude to take towards the level of Black participation in today's military. The Brookings study admitted the fear:

[t]hat black soldiers would prove unreliable should they be called upon to take up arms against their "brothers" in either a domestic civil disorder or a foreign action - a charge that is understandably reprehensible to blacks - has long been the subject of speculation.¹⁴⁸

However, the study concluded, cautiously, that

[s]uspicion that black troops might be unwilling to carry out their assignments in certain domestic situations - a suggestion that is understandably reprehensible to many members of the black community - cannot be dismissed out of hand...Less serious is anxiety about foreign involvements since, with the unlikely exception of American intervention on the side of whites in a conflict against blacks (for example, to support the South African government), it is difficult to conceive of a situation in which black allegiance would be tested.¹⁴⁹

Nonetheless, the military has taken steps to raise entry test standards in order to reduce the number of Black recruits while attempting to raise white enlistment.¹⁵⁰

The Brookings study and other public pronouncements of

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disbelief in the problem of Black GI loyalty to U.S. military policy seem unconvincing. Black soldiers, did, after all, refuse domestic repression duty in situations such as the Fort Hood 43 during the Chicago Democratic convention in 1968,¹⁵¹ and during the '60s, the 82nd Airborne Division was ordered by "high political authority" to remove Black troops from units involved in riot control duty at home.¹⁵² A 1975 survey among Black soldiers found that while most said they would "be willing to maintain the peace in situations of racial conflict" in the U.S., this view was shared by only 60.6% of those who favored multi-racial units and 37.1% of those favoring all-Black units (as an expression of Black nationalism) in a situation which might involve stopping "violence of blacks threatening private property" in the U.S.¹⁵³

As for Black resistance to U.S. intervention in the Third World, the Brookings study seems even more oblivious in its conclusions. The Vietnam War demonstrates that even where Black troops are not fighting against other Black people in a Third World country, many Black GIs felt great empathy with the Vietnamese on the basis of their common Third World identity and the perception that they were both victims of white, U.S. racism and imperialism. This sentiment was widespread and contributed greatly to the breakdown of the U.S. military in Indochina and around the world in this period.¹⁵⁴

Moreover, the Black veterans of Vietnam seem much less

positive about the Vietnam War experience than even their white comrades-in-arms, a great many of whom remember the War in extremely negative terms. In the recently-released collection Bloods, for example, most of the veterans interviewed express antiwar sentiments. PFC Reginald "Malik" Edwards, who served in the Marines 9th Regiment recounts numerous massacres he was involved in during the War and explains about his current feelings:

I was in Washington during the National Vietnam Veteran Memorial in 1982. But I didn't participate. I saw all these veterans runnin' around there with all these jungle boots on, all these uniforms. I didn't want to do that. It just gave me a bad feeling. Plus some of them were braggin' about the war. Like it was hip. See, I don't think the war was a good thing. And there's no memorial to Cam Ne, to My Lai. To all those children that was napalmed and villages that were burned unnecessarily.¹⁵⁵

As for the often-repeated notion that the military was not "allowed to win" the War, Edwards says

Of course, if we had used the full might of the military, we'd be there now. We could never give the country back up. Plus we'd have to kill millions of Vietnamese. Do we want to do that? What had they done to us to deserve all that? So to do it would have been wrong.¹⁵⁶

These views are undoubtedly shared by many other Black veterans. So it will be these stories, not the tales of pride of service -- along with the stories of racism -- that have and will be told to young Black people of today by their parents and older brothers who served in Vietnam.^{156a}

Furthermore, racism remains a prominent and fundamental fact of life in all areas of life in the U.S.
That Black troops may not be reliable in U.S. wars

in the Third World has already begun to be demonstrated in the case of 22-year-old Black Marine Corporal Alfred Griffin.

*This point, although a crucial fact, is outside the scope of this paper.

Griffin enlisted in the military in 1981 at the age of 18 because of the high unemployment rate in his home town of Chicago. Since there was no war going on, Griffin "didn't think I'd have to shoot anyone."¹⁵⁷ In nearly four years of service, Griffin earned four promotions¹⁵⁸ and for two years was a member of the Presidential Honor Guard in Washington.¹⁵⁹ By October 1983, Griffin was assigned to the 2nd Battalion, 8th Marine Amphibious Unit, a part of the 22nd Marine Amphibious Unit (MAU) then stationed at Camp Lejeune¹⁶⁰ where he was the leader of a machinegun fire team.¹⁶¹

On October 17, 1983, however, model Marine Griffin went AWOL, and missed troop movement the next day, when his unit was ordered to Beirut to join U.S. units stationed there as "peacekeeping" troops. In fact, the unit was diverted in mid-passage and took part in the invasion of Grenada.¹⁶² Then, on October 23, 1983, a truck bomb killed 241 Marines in Beirut who were part of the unit to be relieved by Griffin's unit under the original orders.¹⁶³

Upon returning to his base on October 19th, Griffin explained that he had consciously decided not to go to Lebanon. During the summer of 1983, he had heard stories from returning Marines about "Leba'nan" that convinced him that the U.S. in fact was propping up the dominant Maronite faction of the civil war, rather than acting as "peacekeepers."¹⁶⁴ As Griffin explained at his court-martial, "I could not as a Muslim attack

other Muslims in an aggressive position. I felt that I could not participate in the Grenada invasion or in the Lebanon situation because we were being the aggressors, and my religion prevents that."¹⁶⁵

Before being court-martialed, Griffin was twice offered the option of joining his unit, first in Beirut, then in Grenada. Griffin decided, however, not to accept either offer for the reasons stated above.¹⁶⁶

As a result, Griffin was charged in November 1983 with being AWOL and missing troop movement. At the court martial, attorneys from the Center for Constitutional Rights attempted to show that Griffin's actions were taken out of his religious convictions and that the "Nuremberg Defense" required that soldiers "disobey or refuse to obey an unlawful order" -- in this case the unlawful orders involving the allegedly illegal interventions in Lebanon and Grenada.¹⁶⁷ The presiding judge, however, refused to permit testimony on the latter issue, while the prosecution focused on proving that Griffin's religious beliefs were not sincere.¹⁶⁸ Convicted in May 1984 of both charges, Griffin was sentenced to a bad conduct discharge, forfeiture of \$395 a month pay for six months, imprisonment at hard labor for four months and reduction in rank.¹⁶⁹

Despite the conviction, the Griffin case is interesting in part because, for the first time, a military judge allowed the presentation of the "selective objection defense," i.e., one

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in which the accused is permitted to challenge the validity of a particular war, instead of claiming that his objections are against war in general.¹⁷⁰

Conclusion

The 1960s marked a new period in the history of Black people in the military. Widespread alienation and revolt was the order of the day as a result of the rise of Black political consciousness and activity at home, the perceived racism of the Vietnam War and the military in general toward both ^{the} Indochinese and Black soldiers. Unlike almost all previous periods, very large numbers of Black troops, perhaps the majority, came to see military service as part of, rather than a solution to, their oppression as Black people in America. Based on this belief, Black G.I.s in Indochina and around the world resisted military authority and were centrally responsible for the decay of American armed forces, particularly in Vietnam.

The end of the Vietnam War and the transition to the All-Volunteer Force resulted in the dramatic increase in the representation of Black people -- both women and men -- in the military. However, this was not a result of increased good feeling about the position of Black people in the U.S. or in the military. Rather, while many white potential inductees could now avoid military service with the abolition of the formal draft, young Black people remained subject to if anything a more powerful poverty draft as racism at home persisted, along with a deepening economic crisis through most of the 1970s and early '80s.

Despite cosmetic reforms since the early '70s concern-

ing racism within the military, recent studies have demonstrated that racism remains a basic fact of life in the armed forces; the recruiters' promises are in large part untrue. Legal remedies to military racism are extremely limited because of the attitudes of both military and civilian courts who declare that discipline is to be preserved above all in the armed forces.

Moreover, the other issues of racism that existed in the 1960s-70s military, that of ^{racism at home and} the nature of U.S. military intervention in the Third World, remains present. Although there are as yet no major troop commitments to such wars and despite the fact that young Black people are often not aware of the experience of the Vietnam Era, at home or abroad, the common assumptions among much of Black youth are deeply affected by that experience; as the Griffin case shows, it is likely that many Black soldiers will begin to question and resist the military as the Reagan-era escalation in military intervention in the Third World increases.

Footnotes

1. T. Whitmore, *Memphis-Nam-Sweden* 62 (1971) [hereinafter cited as Whitmore].
2. W. Terry, *Bloods, An Oral History of the Vietnam War by Black Veterans* 245-246 (1984) [hereinafter cited as Terry].
3. R.W. Mullen, *Blacks in America's Wars* 65 (1973) [hereinafter cited as Mullen].
4. *Id.*, at 67.
5. H. Zinn, *A People's History of the United States* 475 (1980) [hereinafter cited as Zinn].
6. M. Ferber and S. Lynd, *The Resistance* 33 (1971) [hereinafter cited as Ferber & Lynd].
7. Zinn, *supra*, at 475.
8. Southern Conference Educational Fund, *Black Draft Resisters: Does Anybody Care?*, undated (1970?) leaflet in author's possession.
9. Mullen, *supra*, at 76-77.
10. *Id.*, at 70.
11. *Id.*, at 69.
12. *Id.*, at 79.
13. Whitmore, *supra*, at 142.
14. M. Binkin and M.J. Eitelberg, *Blacks and the Military* 33 (1982) [hereinafter cited as Binkin].
15. Mullen, *supra*, at 77.
16. Binkin, *supra*, at 34.
17. D. Cortright, *Soldiers in Revolt* 203-204 (1975) [hereinafter cited as Cortright].
- 17a. Binkin, *supra*, at 42.
18. D. Parks, *G.I. Diary* 86 (1968) [hereinafter cited as Parks].
19. Binkin, *supra*, at 32.
- 19a. *Id.*, at 76-77; Mullen, *supra*, at 77.
20. Center for Policy Research, Inc., *Legacies of Vietnam: Comparative Adjustment of Vietnam Veterans and Their Peers* (1981)
21. See, e.g., Cortright, *supra*, at 41-43; Binkin, *supra*, at 36-37; Terry, *supra*, at xvi, 103
22. *Id.*, at 7-8. 94
23. *Id.*, at 272.
24. Whitmore, *supra*, at 62. *Bloods* contains numerous accounts of atrocities committed against Vietnamese civilians and combatants. See Terry, *supra*, at 4-5, 9, 26-28, 44-45, 48, 72-73, 86, 98, 100, 213, 251, 245-247, 254, 256.
25. *Id.*, at 86, 29, 97, 255.
26. *Id.*
27. See notes 24-25, *supra*.
28. Terry, *supra*, at 87.
29. *Id.*, at 88-89, 257-258. Black G.I.s also saw that the "enemy" fought and died bravely ^{with popular support} for a cause, as contrasted with the corrupt Saigon regime supported by the U.S. *Id.*, at 51, 64, 71, 113, 127-128, 160.

30. Id., at xvi.
31. Cortright, supra, at 205-206; Mullen, supra, at 80
32. Cortright, supra, at 40-41.
- 32a. Id., at 43-47.
33. Id., at 41.
34. Id., at 42.
35. Id.
36. Id.
37. Id., at 42-43.
38. Terry, supra, at 40.
39. Binkin, supra, at 37.
40. Cortright, supra, at 47.
41. Id., at 43.
42. Id., at 52; F. Halstead, Out Now, A Participant's Account of the American Movement Against the Vietnam War 176-184 (1978).
43. Cortright, supra, at 52.
44. United States v. Harvey, 40 C.M.R. 941, 942-943, 952 (1969).
45. Id., at 949-950.
46. Id., at 952.
47. Id., at 958.
48. United States v. Harvey, 42 C.M.R. 141, 148 (1970).
49. United States v. Daniels, 42 C.M.R. 131, 137 (1970).
50. Id.
51. Parker v. Levy, 417 U.S. 733, 737-737 (1974).
52. Id., at 738.
53. Id., at 743.
54. Id., at 744.
55. Id., at 759, quoting from United States v. Gray, 42 C.M.R. 255 (1970).
56. Cortright, supra, at 56-57.
57. Id., at 60.
58. Id., at 70-71.
59. Id., at 71.
60. Id., at 71-72.
61. Id., at 72-73.
62. Id., at 73.
63. Id.
64. Id., at 73-74.
65. Id., at 74-75.
66. Id., at 75.
67. Id., at 89.
68. Id., at 88.
69. Id., at 89.
70. Id., at 92.
71. Id., at 94-95.
72. Id., at 95.
73. Id., at 95-96.

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74. Id., at 96.
75. Id., at 97.
76. Id., at 97-98
77. Id., at 99.
78. Id., at 100.
79. Id., at 101.
80. Id., at 103.
81. Id., at 103-105.
82. Id., at 108.
83. Id., at 119-120.
84. Id., at 119.
- 84a. Id., at 120-121.
85. Id., at 121.
86. Id., at 122.
87. Id., at 140.
88. Id., at 141-142.
89. Id., at 142.
90. Id., at 129.
91. Id.
92. Id., at 129.
93. Id., at 130.
94. Id., at 130-131.
95. Id.
96. Id.
97. Id., at 183.
98. Binkin, supra, at 39.
99. Cortright, supra, at 201.
100. Id., at 202.
101. Id., at 203-206.
102. Id., at 207-208.
103. Id., at 211-214.
104. Id., at 214-216.
105. Binkin, supra, at vii; See note 100, supra.
106. Binkin, supra.
107. Id., at 42-43.
108. Id., at 6.
109. Id., at 139.
110. Id., at 49-51.
111. Id., at 68-69.
112. Id., at 70-71.
113. Id., at 132.
114. Id., at 65-67.
115. Id., at 142.
116. Id., at 11.
117. Id., at 58-59.
118. Id., at 59.
119. Id., at 75.
120. Id., at 78.
121. Id., at 78.
122. Id., at vii.

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123. Id., at 78.
124. Id., at 46-47.
125. Id., at 49-51.
126. Hirst, Blacks: Punishments High, Skills Low, Army Times, Dec. 27, 1982. [hereinafter cited as Hirst].
127. The Death Penalty in Military Courts: Constitutionally Imposed? 30 UCLA L. Rev. 366, 370-378 (1982). For a brief survey of legal remedies to racial discrimination in the military, see Appendix on Legal Remedies Against Racial Discrimination in the Armed Forces, *infra*, at 55.
128. Hirst, *supra*.
129. Hirst, Military Justice - Viewpoints Vary, Army Times, Apr. 27, 1981, at 18, col. 3.
130. Id.
131. Binkin, *supra*, at 52.
132. Hirst, *supra*.
133. Binkin, *supra*, at 54.
134. Id.
135. At 167.
136. N.Y. Times, Feb. 22, 1984. See also T. Ensign, How many non-users fail GI drug tests?, Guardian, Feb. 1., 1984, at 9; N. Roland, 97% Error Rate Found on Positive Urine Tests, Army Times, Apr. 2, 1984.
137. N.Y. Times, Sept. 16, 1977.
138. K. Gilberd, Klan sees fertile ground in military, Guardian, Feb. 6, 1980, at 6, col. 1. [hereinafter cited as Gilberd].
139. A. Jones, Racism runs him out of Hawaii, N.Y. Amsterdam News, Dec. 11, 1982, at 9, col. 1.
140. N.Y. Times, Aug. 30, 1979.
141. Gilberd, *supra*.
142. N.Y. Times, Oct. 7, 1979.
143. Gilberd, *supra*.
144. Boston Globe, Dec. 6, 1980.
145. At 265-266.
146. J. Vinocur, G.I.'s in West Germany Meet Rising Wall of Bias, N.Y. Times, June 25, 1982.
147. Guardian, July 14, 1982.
148. Binkin, *supra*, at 108.
149. Id., at 156.
150. Id., at 136.
151. See discussion at 17, *supra*.
152. Binkin, *supra*, at 115, n. 86.
153. Id., at 109-110.
154. See discussion at 13-30, *supra*.
155. Terry, *supra*, at 16.
156. Id., at 12.
- 156a. See, e.g., id., at 30, 65; Organizations such as Black Veterans for Social Justice (1119 Fulton Street, Brooklyn, NY 11238), whose motto is "Blacks Fight No One Else's War No More," speak out to Black youth against the U.S. military.

157. Guardian, Apr. 4, 1984.
158. S. Minerbrook, Muslim Marine Gets 4 Months, Newsday, May 18, 1984, at 13. [hereinafter cited as Minerbrook].
159. N.Y. Times, May 17, 1984.
160. Minerbrook, supra.
161. Court-martial transcript, at 103.
162. Minerbrook, supra.
163. N.Y. Times, May 18, 1984.
164. Guardian, Apr. 4, 1984, supra.
165. Minerbrook, supra.
166. Guardian, Apr. 4, 1984, supra.
167. N.Y. Times, May 17, 1984, supra.
168. Minerbrook, supra.
169. N.Y. Times, May 18, 1984, supra.
170. M. Coard & H. Jordan, Marine Resists U.S. 'War of Aggression,' Militarism Resource Project News, Summer 1984, at 1, col. 1. At least two other G.I.s resisted the wars in Lebanon and Grenada, including Marine S/Sgt. James Styfeller, who was discharged in November 1983 for openly opposing the invasion of Grenada, and Army Spec. 4 Arthur Brogden of the Army's 82nd Airborne Division, who criticized the particular conduct of U.S. personnel in Grenada. Id.

Appendix on Legal Remedies Against Racial Discrimination in the Armed Forces

1. Uniformed Personnel

Legal remedies for racist discrimination against uniformed personnel in the military have always been limited.

In employment discrimination cases, Title VII of the 1964 Civil Rights Act, 42 USC 2000(e), et. seq., has been held inapplicable to the federal forces. Johnson v. Alexander, 575 U.S. F.2d 1219 (8th Cir.), cert. denied, 439 U.S. 986 (1978). 42 U.S.C. § 1981 has been held applicable to racial discrimination, but only where intent is shown. Few reported cases have been brought under either provision. Id. However, whatever relief is available under Section 1981 is limited also by the recent Supreme Court decision in Chappell v. Wallace, ----U.S.----, 76 L. Ed.2d 586, 103 S.Ct.---- (1983).

Chappell was a suit brought by Black naval enlisted men against their officers under the 13th Amendment and 42 U.S.C. § 1985 after their superiors "failed to assign them desirable duties, threatened them, gave them low performance evaluations, and imposed penalties of unusual severity." Id., at 589. The Court referred to Feres v. United States, 340 U.S. 135 (1950),ⁿ which held that the government could not be sued in tort for injuries to servicepeople while in the military, in flatly holding that "enlisted military personnel may not maintain a suit to recover damages from a superior officer for alleged constitutional violations." Id., at 594. The basis for this decision, explained the Court, was that the military requires unquestioning discipline at all times, Id., at 590, and that Congress did not intend to make such relief available to enlisted men. Id., at 592. The ruling, along with

those of previous decisions, clearly limits the available remedies regarding employment discrimination in the military.

The effect of Chappell, however, is not entirely clear in other situations. In Alvarez v. Wilson, 431 F. Supp. 136 (N.D. Ill. 1977), for example, the court held that a Black Puerto Rican naval lieutenant (j.g.) who was harassed and involuntarily confined in a mental hospital after trying to participate effectively in the service's program to improve race relations could sue superior officers for damages under the Equal Protection Clause of the Fifth Amendment. Id., at 144. Since the case involved a suit by an officer against his superiors, rather than one by an enlisted person, Chappell may not govern the result.

Other statutes available to combat military racial discrimination include 10 U.S.C. §§ 901-940 (1976 & Supp. III 1979), which includes articles 133 ("conduct unbecoming an officer and a gentleman") and 134 (punishing "all disorders and neglects to the prejudice of good order and discipline in the armed forces") of the Uniform Code of Military Justice (UCMJ); Title II of the 1964 Civil Rights Act, 42 U.S.C. §§ 2000(a)-2000(a)(6) (1976) (re discrimination in public accommodations); and Title VIII of the Civil Rights Act of 1968, 42 U.S.C. §§ 3601-3619 (1976 & Supp. III 1979) (re discrimination in housing sale and rental). Harris, Protection Against Discrimination Afforded to Uniformed Military Personnel,

46 Mo. L. Rev. 265, 315 (1982). Although the argument has not been upheld^{in Chappell,} it would also be possible to attempt to advance the Thirteenth Amendment bar on the "badges and indicia of slavery" as a source of rights against racial discrimination in the military. See, e.g. Kinoy, Rights on Trial 203 (1983).

State national guard units are subject to statutes not applicable to federal units. For example, Title VI of the 1964 Civil Rights Act, 42 U.S.C. § 2000(d), et. seq., which authorizes the cutoff of federal funds to agencies that discriminate on the basis of race, has been held applicable to national guard units where the plaintiffs can show discriminatory intent and purpose on the part of the defendant. Simpson v. United States, 467 F. Supp. 1122, 1128 (E.D.N.Y. 1979). 42 U.S.C. § 1983 has been held applicable only to the national guard. Syrek v. Pennsylvania Air National Guard, 371 F. Supp. 1349 (W.D. Pa. 1974), rev'd on other gds., 537 F.2d 66 (3d Cir. 1976). It is not clear in this case whether exhaustion of military remedies is required. Harris, supra, at 290.

As with federal units, 42 U.S.C. § 1981 has been held to permit a suit for affirmative action hiring, back pay to victims of racial discrimination in employment and guard membership, and attorney's fees; Title VII of the 1964 Civil Rights Act, however, is not available in guard units or federal units. Taylor v. Jones, 653 F.2d 1193 (8th Cir. 1981).

All, in all, the remedies available to uniformed personnel are not great. As one writer concluded, it is

ironic that those who serve us....find themselves in a precarious position in terms of protection against arbitrary acts of discrimination on the basis of race, color...and the like. Harris, supra, at 315.

2. Civilian Employees

Various decisions concerning racial discrimination against civilian employees of the military indicate that there is a somewhat greater basis for legal action, although courts have hesitated to find in their favor. This subject is beyond the scope of this paper, but see, e.g., Pettit v. United States, 488 F.2d (Ct. Claims 1973); Penn v. Schlesinger, 490 F.2d 700 (5th Cir. 1973); McCreesh v. Berdue, 385 F. Supp. 1365 (E.D. Pa. 1974); McLaughlin v. Callaway, 382 F. Supp. 885 (S.D. Ala. 1974); Haire v. Calloway, 385 F. Supp. 309 (E.D. Mo. 1974); Richerson v. Jones, 551 F.2d 918 (3d Cir. 1977); Swain v. Hoffman, 547 F.2d 921 (5th Cir. 1977); Goldman v. Schlesinger, 584 F.2d 1325 (4th Cir. 1978); and Bragg v. Reed, 592 F.2d^{113b} (10th Cir. 1979).