

Resource Sheet #17

Source N:

<http://www.oah.org/pubs/magazine/deseg/exhibit%20a.html>

Exhibit A

Statement on the Trial of Negro Sailors at Yerba Buena, September 22, 1944 [By Thurgood Marshall, NAACP]

Upon investigation we find that the 50 Negro sailors on trial for mutiny for refusal to load ammunition after the Port Chicago explosion are guilty of disobedience of a naval order under the Articles of War, but this is in no sense a mutiny or conspiracy. The following points must be considered before the case can be settled with justice:

1. For months prior to the Port Chicago incident it was the common knowledge of experienced longshoremen and labor leaders that such a disaster was imminent. This feeling of apprehension grew out of their knowledge of the inefficiency, mismanagement, lack of safety measures in the handling of explosives and the Navy's policy of discrimination and segregation of Negro sailors.

2. There were instances prior to the Port Chicago explosion where merchant seamen, seeing accidents occur that could have resulted in devastating explosions, started to jump overboard to save themselves. These accidents were due to the inefficient handling of explosives by inexperienced workers--for example, winch-drivers. These seamen will witness the truth of this statement.

3. The C.I.O. Longshoremen's Union has a strict policy of using only experienced men to handle explosives. Winch-drivers, especially, must have a minimum of five years' experience. For this reason there has been no instance of an explosion where such men have handled explosives—whether they were Negro or white. There have been instances where longshoremen have refused to handle this type of cargo, but those who refused were not Negroes. All loading of explosives at Port Chicago was done by inexperienced naval personnel.

4. Waterfront unions had officially warned both the Navy and the Army prior to the Port Chicago disaster that if they continued to use inexperienced workers in the loading of munitions an explosion was inevitable. This warning was disregarded.

These facts, therefore, lead us to believe that it was not cowardice, nor was there a conspiracy--insofar as the Negro sailors are concerned--as charged by the

prosecutor. Rather, the refusal was a result springing from the background of a group of people who have been denied not only full citizenship, but even the slightest consideration for their lives as human beings; religious apprehension and superstition, so common to people forceably [sic] kept ignorant, which gave rise to the belief that the ship they were loading was "jinxed"; all of this intensified by the longstanding practice of discrimination by the Navy.

Subsequent testimony given by the men in their own defense has since revealed that there was no order given to load ammunition, but that the duty was put on a semi-voluntary basis. Hence the elaborately staged court martial with its increasingly ridiculous charges of "mutiny" and "conspiracy" is at the same time nonsensical and ominous. The prosecutor's attempts to impeach his own witnesses for failure to give the right answers cause one to smile. But for the 50 on trial and those of us who realize the full implications of this affair, there is great cause for alarm. Our prejudice-ridden Navy is not above condemning those men regardless of the absurdity of the charges being brought against them.

Further testimony has revealed that the men at the time of this alleged refusal to obey an order were without doubt suffering from shock and "jitters", because they were survivors of the Port Chicago blast, which had happened only three weeks before. The place of the alleged refusal is Vallejo. Thus they hardly had time to move from the scene of one horror before being coerced into facing a possible repetition of the same thing at another place.

Our inquiry has revealed also that these men handling this deadly material know nothing of the properties or nature of the various types of this material. Yet, without this knowledge and without prior training in the mechanics of longshore work, these men were organized into competing battalions and pitted against one another to see which one would "get through quickest"!