



The Old Courtroom at Fort Benning, Georgia: A Look at the Most Famous Court Landmark in Army Legal History

By Fred L. Borch, Charlottesville, VA

Although Fort Benning, Georgia is by no means the oldest military fort in the Army – the installation did not exist until 1918 – it is certainly one of the most well-known, if only because it is the home of the Infantry and Armor Schools. It also is where every man or woman who wants to be a paratrooper goes for training. But Fort Benning also once had the most famous courtroom in the Army; famous because it was the site of the trial of Lieutenant William F. “Rusty” Calley, convicted in 1971 for his role in the My Lai Massacre.



Second Lieutenant William F. “Rusty” Calley was prosecuted for murdering Vietnamese civilians at the village of My Lai Four in 1968.

When the Army purchased the land that today makes up Fort Benning, it acquired a number of buildings, including a long, one-story brick and wood structure that had been a dairy creamery. When the cows left, however, lawyers moved in; the creamery was renamed “Building 5” and the “Office of the Staff Judge Advocate.” Over the years, it housed the senior Army lawyer (called the Staff Judge Advocate) and other judge advocates and paralegals, all of whom provided legal advice to

the Commanding General of Fort Benning and his subordinate commanders and their staffs. The converted creamery also contained a courtroom, where trials by courts-martial were heard.

This courtroom was not much different from any other courtroom on an Army post until November 1969, when Major General Orwin C. Talbott, then in command of Fort Benning, decided that Lt. Calley should be tried for the pre-meditated murder of more than 100 Vietnamese civilians, “males and females of various ages, whose names are unknown, occupants of the village of My Lai 4.” Recognizing that there would be significant public and media interest in the trial of Calley for war crimes, the Army then spent thousands of dollars renovating the existing courtroom in Building 5 so that it would present the best possible “face” on what was rapidly emerging as a very “black mark” in the American Army’s history.

The end result was a 59-seat court facility with what one observer called a “blatant patriotic motif,” in that the courtroom carpets and seat cushions were red, the walls were painted white, and the heavy draperies framing the windows were blue. The raised bench on which the military judge sat in his black robes fit perfectly into this scheme, as it was flanked by the red-white-and-blue U.S. flag and Fort Benning’s Student Brigade flag, with its blue background and embroidered motto “Follow Me.”

In the days, weeks and months that followed, the prosecution (led by 28-year-old Captain Aubrey M. Dan-



Colonel Reid Kennedy, who presided over the 1970-1971 Calley trial, had been a military judge at Fort Benning since 1967.



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iel, III) and the defense (headed by 69-year old George W. Latimer, who had recently served on the military's highest appellate court), battled each other in front of the jury of six officers hearing the evidence. All the jurors (called "panel members" in military parlance) were combat veterans; five had seen fighting in Vietnam. Presiding over the proceedings was 50-year-old Colonel Reid W. Kennedy, who had been the military judge at Fort Benning since 1967.

The court-martial began on November 17, 1970 and, when it ended with a conviction on March 29, 1971, it was, at the time, the longest lasting court-martial in history. More than a few observers called it the "court-martial of the century," given that the gripping (and horrific) testimony presented in court proved that Calley and many of the soldiers in his platoon were guilty of mass murder. Calley, found guilty of killing 22 civilians on March 16, 1968, was sentenced to confinement at hard labor for life, although his sentence was later reduced and he was paroled.

judges at Fort Benning, and it was not unusual for there to be 20 to 25 courts-martials a month. While the number of trials by courts-martial decreased in the 1990s and early years of the 21st century, the red-white-and blue courtroom continued to be the focal point of criminal law at Fort Benning.

On a Friday night in February 2009, all that changed when a disgruntled employee in the Office of the Staff Judge Advocate set fire to Building 5. In the red-hot blaze that followed, the 10,000 square-foot structure was reduced to a smoldering pile of brick and blackened wood – including the famous courtroom. The arsonist was later convicted and sent to jail, but that could not bring back this piece of legal history.

Fred L. Borch is a Regimental Historian and Archivist at the Judge Advocate General's Legal Center and School.



Media surrounding the Benning courtroom for the "court-martial of the century."

After the Calley trial and the departure of legions of newspaper reporters and television crews, the Fort Benning courtroom continued to see frequent use. In the early 1980s, for example, there were two full-time military