Ordinary Heroes

Scott Turow

Published by Picador

Extract

1. STEWART: ALL PARENTS KEEP SECRETS

All parents keep secrets from their children. My father, it seemed, kept more than most.

The first clue came when Dad passed away in February 2003 at the age of eighty-eight, after sailing into a Bermuda Triangle of illness—heart disease, lung cancer, and emphysema—all more or less attributable to sixty years of cigarettes. Characteristically, my mother refused to leave the burial details to my sister and me and met the funeral director with us. She chose a casket big enough to require a hood ornament, then pondered each word as the mortician read out the proposed death announcement.

"Was David a veteran?" he asked. The undertaker was the cleanest-looking man I'd ever seen, with lacquered nails, shaped eyebrows, and a face so smooth I suspected electrolysis.

"World War II," barked Sarah, who at the age of fifty-two still raced to answer before me.

The funeral director showed us the tiny black rendering of the Stars and Stripes that would appear in the paper beside Dad's name, but my mother was already agitating her thinning gray curls.

"No," she said. "No war. Not for this David Dubin." When she was upset, Mom's English tended to fail her. And my sister and I both knew enough to keep quiet when she was in those moods. The war, except for the bare details of how my father, an American officer, and my mother, an inmate in a German concentration camp, had fallen in love, virtually at first sight, had been an unpleasantness too great for discussion throughout our lives. But I had always assumed the silence was for her sake, not his.

By the end of the mourning visitation, Mom was ready to face sorting through Dad's belongings. Sarah announced she was too pressed to lend a hand and headed back to her accounting practice in Oakland, no doubt relishing the contrast with my unemployment. Mom assigned me to my father's closet on Monday morning, insisting that I consider taking much of his clothing. It was nearly all disastrously out of fashion, and only my mother could envision me, a longtime fatso, ever shrinking enough to squeeze into any of it. I selected a few ties to make her happy and began boxing the rest of his old shirts and suits for donation to the Haven, the Jewish relief agency my mother had helped found decades ago and which she almost single-handedly propelled for nearly twenty years as its Executive Director.

But I was unprepared for the emotion that overtook me. I knew my father as a remote, circumspect man, very orderly in almost everything, brilliant, studious, always civil. He preferred work to social engagements, although he had his own polite charm. Still, his great success come within the mighty fortress of the law. Elsewhere, he was less at ease. He let my mother hold sway at home, making the same weary joke for more than fifty years—he would never, he said, have enough skill as a lawyer to win an argument with Mom.

The Talmud says that a father should draw a son close with one hand and push him away with the other. Dad basically failed on both accounts. I felt a steady interest from him which I took for affection. Compared to many other dads, he was a champ, especially in a generation whose principal ideal of fathering was being a 'good provider.' But he was elusive at the core, almost as if he were wary of letting me know him too well. To the typical challenges I threw out as a kid, he generally responded by retreating, or turning me over to my mother. I have a perpetual memory of the times I was alone with him in the house as a

child, infuriated by the silence. Did he know I was there? Or even goddamn care?

Now that Dad was gone, I was intensely aware of everything I'd never settled with him—in many cases, not even started on. Was he sorry I was not a lawyer like he was? What did he make of my daughters? Did he think the world was a good place or bad, and how could he explain the fact that the Trappers, for whom he maintained a resilient passion, had never won the World Series in his lifetime? Children and parents can't get it all sorted out. But it was painful to find that even in death he remained so enigmatic.

And so this business of touching the things my father touched, of smelling his Mennen talcum powder and Canoe aftershave, left me periodically swamped by feelings of absence and longing. Handling his personal effects was an intimacy I would never have dared if he were alive. I was in pain but deeply moved every minute and wept freely, burbling in the rear corner of the closet in hopes my mother wouldn't hear me. She herself was yet to shed a tear and undoubtedly thought that kind of iron stoicism was more appropriate to a man of fifty-six.

With the clothing packed, I began looking through the pillar of cardboard boxes I'd discovered in a dim corner. There was a remarkable collection of things there, many marked by a sentimentality I always thought Dad lacked. He'd kept the schmaltzy valentines Sarah and I had made for him as grade-school art projects, and the Kindle County championship medal he'd won in high school in the backstroke. Dozens of packets of darkening Kodachromes reflected the life of his young family. In the bottom box, I found memorabilia of World War II, a sheaf of brittle papers, several red Nazi armbands taken, I imagined, as war trophies, and a curled stack of two-by-two snaps, good little black-and-white photos that must have been shot by someone else since my father was often the subject, looking thin and taciturn. Finally, I came upon a bundle of letters packed in an old candy tin to which a note was tied with a piece of green yarn dulled by time. It was written in a precise hand and dated May 14, 1945.

Dear David,

I am returning to your family the letters you have sent while you have been overseas. I suppose they may have some

significance to you in the future. Inasmuch as you are determined to no longer be a part of my life, I have to accept that once time passes and my hurt diminishes, they will not mean anything to me. I'm sure your father has let you know that I brought your ring back to him last month.

For all of this, David, I can't make myself be angry at you for ending our engagement. When I saw your father, he said that you were now being court-martialed and actually face prison. *I can hardly believe that about someone like you, but I would never have believed that you would desert me either. My father says men are known to go crazy during wartime. But I can't wait any longer for you to come back to your senses.*

When I cry at night, David—and I won't pretend for your sake that I don't—one thing bothers me the most. I spent so many hours praying to God for Him to deliver you safely; I begged Him to allow you to live, and if He was especially kind, to let you come back whole. Now that the fighting there is over, I cannot believe that my prayers were answered and that I was too foolish to ask that when you returned, you would be coming home to me.

I wish you the best of luck in your present troubles.

Grace

This letter knocked me flat. Court-martialed! The last thing I could imagine of my tirelessly proper father was being charged with a serious crime. And a heartbreaker as well. I had never heard a word about any of these events. But more even than surprise, across the arc of time, like light emitted by distant stars decades ago, I felt pierced by this woman's pain. Somehow her incomprehension alloyed itself with my own confusion and disappointment and frustrated love, and instantly inspired a ferocious curiosity to find out what had happened.

Dad's death had come while I was already gasping in one of life's waterfalls. Late the year before, after reaching fifty-five, I had retired early from the Kindle County *Tribune*, my sole employer as an adult. It was time. I think I was regarded as an excellent reporter—I had the prizes on

the wall to prove it—but nobody pretended, me least of all, that I had the focus or the way with people to become an editor. By then, I'd been on the courthouse beat for close to two decades. Given the eternal nature of human failings, I felt like a TV critic assigned to watch nothing but reruns. After thirty-three years at the *Trib*, my pension, combined with a generous buyout, was close to my salary, and my collegiate cynicism about capitalism had somehow fed an uncanny knack in the stock market. With our modest tastes, Nona and I wouldn't have to worry about money. While I still had the energy, I wanted to indulge every journalist's fantasy: I was going to write a book.

It did not work out. For one thing, I lacked a subject. Who the hell really cared about the decades-old murder trial of the Chief Deputy Prosecuting Attorney that I'd once thought was such a nifty topic? Instead, three times a day, I found myself staring across the table at Nona, my high-school sweetheart, where it swiftly became apparent that neither of us especially liked what we were seeing. I wish I could cite some melodrama like an affair or death threats to explain what had gone wrong. But the truth is that the handwriting had been on the wall so long, we'd just regarded it as part of the decorating. After thirty years, we had drifted into one of those marriages that never recovered its motive once our daughters were grown. Nine weeks before Dad's passing, Nona and I had separated. We had dinner once each week, where we discussed our business amiably, frustrated one another in the ways we always had, and exhibited no signs of longing or second thoughts. Our daughters were devastated, but I figured we both deserved some credit for having the guts to hope for better at this late date.

Nevertheless, I was already feeling battered before Dad died. By the time we buried him, I was half inclined to jump into the hole beside him. Sooner or later, I knew I'd pick myself up and go on. I'd been offered freelance gigs at two magazines, one local, one national. At five foot nine and 215 pounds, I am not exactly a catch, but the expectations of middle age are much kinder to men than women, and there were already signs that I'd find companionship, if and when I was ready.

For the moment, though, out of work and out of love, I was far more interested in taking stock. My life was like everybody else's. Some things had gone well, some hadn't. But right now I was focused on the failures, and they seemed to have started with my father.

And so that Monday, while my mother thought I was struggling into Dad's trousers, I remained in his closet and read through dozens of his wartime letters, most of them typed Army V-mails, which had been microfilmed overseas and printed out by the post office at home. I stopped only when Mom called from the kitchen, suggesting I take a break. I found her at the oval drop-leaf table, which still bore the marks of the thousands of family meals eaten there during the 1950s.

"Did you know Dad was engaged before he met you?" I asked from the doorway.

She revolved slowly. She had been drinking tea, sipping it through a sugar cube she clenched between her gapped front teeth, a custom still retained from the shtetl. The brown morsel that remained was set on the corner of her saucer.

"Who told you that?"

I described Grace's letter. Proprietary of everything, Mom demanded to see it at once. At the age of eighty, my mother remained a pretty woman, paled by age, but still with even features and skin that was notably unwithered. She was a shrimp—I always held her to blame that I had not ended up as tall as my father—but people seldom saw her that way because of the aggressive force of her intelligence, like someone greeting you in sword and armor. Now, Mom studied Grace Morton's letter with an intensity that seemed as if it could, at any instant, set the page aflame. Her expression, when she put it down, might have shown the faintest influence of a smile.

"Poor girl," she said.

"Did you know about her?"

"'Know'? I suppose. It was long over by the time I met your father, Stewart. This was wartime. Couples were separated for years. Girls met other fellows. Or vice versa. You've heard, no, of Dear John letters?"

"But what about the rest of this? A court-martial? Did you know Dad was court-martialed?"

"Stewart, I was in a concentration camp. I barely spoke English. There had been some legal problem at one point, I think. It was a misunderstanding."

"'Misunderstanding'? This says they wanted to send him to prison."

"Stewart, I met your father, I married your father, I came here with him in 1946. From this you can see that he did not go to prison."

"But why didn't he mention this to me? I covered every major criminal case in Kindle County for twenty years, Mom. I talked to him about half of those trials. Wouldn't you think at some point he'd have let on that he was once a criminal defendant himself?"

"I imagine he was embarrassed, Stewart. A father wants his son's admiration."

For some reason this response was more frustrating than anything yet. If my father was ever concerned about my opinion of him, it had eluded me. Pushed again toward tears, I sputtered out my enduring lament. He was such a goddamn crypt of a human being! How could Dad have lived and died without letting me really know him?

There was never a second in my life when I have doubted my mother's sympathies. I know she wished I'd grown up a bit more like my father, with a better damper on my emotions, but I could see her absorb my feelings in a mom's way, as if soaked up from the root. She emitted a freighted Old World sigh.

"Your father," she said, stopping to pick a speck of sugar off her tongue and to reconsider her words. Then, she granted the only acknowledgment she ever has of what I faced with him. "Stewart," she said, "your father sometimes had a difficult relationship with himself."

I spirited Dad's letters out of the house that day. Even at my age, I found it easier to deceive my mother than to confront her. And I needed time to ponder what was there. Dad had written colorfully about the war. Yet there was an air of unexpressed calamity in his correspondence, like the spooky music that builds in a movie soundtrack before something goes wrong. He maintained a brave front with Grace Morton, but by the time he suddenly broke off their relationship in February 1945, his life as a soldier seemed to have shaken him in a fundamental way, which I instantly connected to his court-martial.

More important, that impression reinforced a lifetime suspicion that had gone unvoiced until now: something had *happened* to my father. In the legal world, if a son is to judge, Dad was widely admired. He was the General Counsel of Moreland Insurance for fifteen years, and was renowned for his steadiness, his quiet polish, and his keen ability in lasering his way through the infinite complications of insurance law. But

he had a private life like everybody else, and at home a dour aura of trauma always clung to him. There were the smokes he couldn't give up, and the three fingers of scotch he bolted down each night like medicine, so he could get four or five hours of sleep before he was rocked awake by unwanted dreams. Family members sometimes commented that as a younger man he had been more outspoken. My grandmother's theory, which she rarely kept to herself, was that Gilda, my mother, had largely taken David's tongue by always speaking first and with such authority. But he went through life as if a demon had a hand on his shoulder, holding him back.

Once when I was a boy, he saw me nearly run over as a car screamed around the corner, barely missing me where I was larking with friends on my bike. Dad snatched me up by one arm from the pavement and carried me that way until he could throw me down on our lawn. Even so young, I understood he was angrier about the panic I'd caused him than the danger I'd posed to myself.

Now the chance to learn what had troubled my father became a quest. As a reporter, I was fabled for my relentlessness, the Panting Dog School of Journalism, as I described it, in which I pursued my subjects until they dropped. I obtained a copy of Dad's 201, his Army personnel file, from the National Personnel Records Center in St. Louis, and with that fired off several letters to the Defense Department and the National Archives. By July, the chief clerk for the Army Judiciary in Alexandria, Virginia, confirmed that she had located the record of my father's court-martial. Only after I had paid to have it copied did she write back stating that the documents had now been embargoed as classified, not by the Army, but by, of all agencies, the CIA.

The claim that my father did anything sixty years ago that deserved to be regarded as a national security matter today was clearly preposterous. I unleashed a barrage of red-hot faxes, phone calls, letters, and e-mails to various Washington offices that attracted all the interest of spam. Eventually, my Congressman, Stan Sennett, an old friend, worked out an arrangement in which the government agreed to let me see a few documents from the court-martial, while the CIA reconsidered the file's secret status.

So in August 2003, I traveled to the Washington National Records

Center, in Suitland, Maryland. The structure looks a little like an aircraft carrier in dry dock, a low redbrick block the size of forty football fields. The public areas within are confined to a single corridor whose decor is pure government, the equivalent of sensible shoes: brick walls, ceilings of acoustic tile, and an abundance of fluorescent light. There I was allowed to read—but not to copy—about ten pages that had been withdrawn from the Record of Proceedings compiled in 1945 by the trial judge advocate, the court-martial prosecutor. The sheets had faded to manila and had the texture of wallpaper, but they still glimmered before me like treasure. Finally, I was going to know.

I had told myself I was ready for anything, and what was actually written could hardly have been more matter-of-fact, set out in the deliberately neutral language of the law, further straitjacketed by military terminology. But reading, I felt like I'd been dropped on my head. Four counts had been brought against Dad, the specifications for each charge pointing to the same incident. In October 1944, my father, acting Assistant Staff Judge Advocate of the Third Army, had been directed to investigate allegations by General Roland Teedle of the 18th Armored Division concerning the possible court-martial of Major Robert Martin. Martin was attached to the Special Operations Branch of the Office of Strategic Services, the OSS, the forerunner of the CIA, which had been founded during World War II (accounting, I figured, for why the Agency had stuck its nose in now). Dad was ordered to arrest Major Martin in November 1944. Instead, in April 1945, near Hechingen, Germany, my father had taken custody of Martin, where, according to the specifications, Dad "deliberately allowed Martin to flee, at great prejudice to the security and well-being of the United States." Nor was that just rhetoric. The most serious charge, willful disobedience of a superior officer, was punishable by execution.

A weeklong trial ensued in June 1945. At the start, the count that could have led to a firing squad had been dismissed, but the three charges remaining carried a potential sentence of thirty years. As to them, I found another discolored form labeled JUDGMENT.

> The court was opened and the president announced that the accused was guilty of all specifications and charges of Charges II, III, and IV; further

> that upon secret written ballot, two-thirds of the members present concurring, accused is sentenced to five years' confinement in the United States Penitentiary at Fort Leavenworth at hard labor, and to be dishonorably discharged from the U.S. Army forthwith, notice of his discharge to be posted at the place of his abode.

I read this sheet several times, hoping to make it mean something else. My heart and hands were ice. My father was a felon.

Dad's conviction was quickly affirmed by the Board of Review for the European Theater—the Army equivalent of an appellate court—leaving General Teedle free to carry out the sentence. Instead, in late July 1945, the General revoked the charges he himself had brought. He simply checked off a box on a form without a word of explanation. But it was not a clerical error. The court-martial panel was reconvened by the General's order the next week and issued a one-line finding taking back everything they had done only a month and a half earlier. My father, who had been under house arrest since April, was freed.

The blanks in this tale left me wild with curiosity, feeling like Samson chained blind inside the temple. The Army, the CIA, no one was going to keep me from answering a basic question of heritage: Was I the son of a convict who'd betrayed his country and slipped away on some technicality, or, perhaps, the child of a man who'd endured a primitive injustice which he'd left entombed in the past?

I filled out innumerable government forms and crossed the continent several times as I pieced things together, visiting dozens of document storage sites and military libraries. The most productive trips of all were to Connecticut, where I ultimately acquired the records of Barrington Leach, the lawyer who'd defended my father unsuccessfully at Dad's trial before General Teedle revoked the charges.

Almost as soon as my travels started, I became determined to set down my father's tale. Dad was the only member of the Judge Advocate General's Department court-martialed during World War II, and that was but a small part of what made his experiences distinctive. I toiled happily in the dark corridors of libraries and archives and wrote through half the night. This was going to make not only a book, but *my* book, and a great book, a book which, like the corniest deus ex machina, would elevate

my life from the current valley to a peak higher than any I'd achieved before. And then, like the cross-examiners in the criminal courtrooms I had covered for so many years, I made the cardinal mistake, asked one question too many and discovered the single fact, the only conceivable detail, that could scoop me of my father's story.

He had written it himself.