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Abstract

Knowledge is rarely neutral and the bodies of knowledge that humans create have been responsible for many social inequalities, especially, but not limited to, inequalities based on racial beliefs. For the period before the Second World War in British Columbia, when the dominant white community constructed its identity largely by discriminating against and marginalizing smaller, non-white communities, the historical realities of racial knowledge have been well studied. In this essay I argue that even after the Second World War, as the spirit of liberalism swept across white Canada, the old language of race was merely subsumed within a language largely cleansed of its racial references. Regardless of this shift in public language, in the early 1950s, Vancouver’s dominant white community still constructed its identity by marginalizing others. Knowledge, however, as the case of Clarence Clemons shows, was also used to challenge unequal relations of power.

At the coroner’s inquest held to look into the untimely death of Clemons, a black shoreworker from the Strathcona neighbourhood of East Vancouver, two very different stories emerged. Clemons had been allegedly beaten by two white police officers on July 19, 1952. The first story, told by most of the white doctors and police officers, and accepted by the white jury, demonstrates how Vancouver’s dominant (white) community continued to marginalize the City’s non-white peoples in the postwar period. The second story, however, told by most of the witnesses from the Strathcona neighbourhood, based on local, intimate knowledge of Clemons, was ignored by the jury’s verdict but formed the basis of an increasingly organized and public voice against racial discrimination by the African Canadian residents of Strathcona. The narratives about Clarence Clemons exemplify how complex bodies of knowledge that humans create about themselves and others – in this case, knowledge shaped and influenced primarily by notions of race but also by notions of class and gender – can form the basis of attempts to maintain, and resist, relations of social inequality.
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Introduction

For Michel Foucault, historically situated knowledge was a constitutive part of all unequal relations of power – that is, all social relations – whether dominating or subordinated. This knowledge acted on the souls of people. According to Foucault, the soul, unlike the soul represented by Christian theology, is not born in sin and subject to punishment, but is born rather out of methods of punishment, supervision and constraint. This real, non-corporeal soul is not a substance; it is the element in which are articulated the effects of a certain type of power and the reference of a certain type of knowledge, the machinery by which the power relations give rise to a possible corpus of knowledge, and knowledge extends and reinforces the effects of this power.... The soul is the effect and instrument of a political anatomy; the soul is the prison of the body.¹

The particular bodies of knowledge that have classified the “souls” of diverse peoples according to racial hierarchies are one of the most “transparent” ways that knowledge and a constraining, imprisoning power are linked.² In early British Columbia, this racialization process occurred as the white population³ defined its power and privilege largely through knowing itself as racially superior and simultaneously knowing non-whites and foreigners as inferior.⁴ Of course, as Robert A.J. McDonald contends, the social boundaries of early Vancouver were complex, constructed not only along racial lines but influenced and intersected also by lines of class and gender, a social complexity that, this essay will attempt to show, continued into the early 1950s.⁵

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³ Originally meaning only Anglo, but later including most European-based individuals.
⁵ Robert A.J. McDonald, *Making Vancouver: Class, Status, and Social Boundaries, 1863-1913* (Vancouver: UBCP, 1996), 201. See especially chapter 8 of *Making Vancouver* where McDonald documents the complex nature of social stratification of early Vancouver. See also McDonald, “The West is a Messy Place,” *BC Studies* 111.
Most of the histories of B.C.'s racial relations, however, have focussed on the pre-World War Two social relationships between the white population and its Chinese, Japanese, East Indian and First Nations peoples. Of the few that have tackled the increasingly liberalized nature of social relations after World War Two, a phenomenon that one scholar likened to an "equality revolution," none have mapped out the changing knowledge-power relationship between B.C.'s white majority and its small, East Vancouver-based, African Canadian minority.

In the immediate postwar years in Vancouver, the increasingly liberalized population of whites subsumed its old knowledge and language of race within an evolving knowledge and language that still marginalized and excluded minorities but did so in a way that carefully avoided its previous use of racial terms. Underpinning this public discourse was still knowledge of the exoticised other, but this knowledge was expressed in more supposedly neutral, liberalized terms such as citizen "desirability" and "respectability." The case of black Vancouver shoreworker Clarence Clemons demonstrates that as a social process, domination and subordination based on racial, but also material and gendered, factors prevailed in British Columbia in the postwar years as it had before.

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On December 24, 1952, Clarence Clemons passed away after his paralysed, semi-comatose body could no longer fight off the bronchial pneumonia infecting his lungs. He had lain in Vancouver General Hospital in a similar state for over five months, ever since the injuries he received while resisting arrest on July 19, 1952 led to catastrophic physiological failure and resulted in his re-hospitalization. Clemons had been arrested and thrown in jail by two of the white police constables who patrolled the Strathcona beat. At the time, Clemons had been waiting for the return of his new wife, Delores Dingman, in the New Station Café, 736 Main Street between Union and Georgia streets, in the Strathcona area of East Vancouver. The records produced at the coroner’s inquest, to look into the conditions surrounding Clemons’s death, reveal that the narrative proffered by the expert medical witnesses and police officers and accepted by the seven member jury – all white, all middle class, all living outside the Strathcona neighbourhood10 – both reflected and helped to produce the larger hegemonic narrative within Vancouver’s white community of its own authority and privilege. From the transcripts of the inquest, it is apparent that, even though the once public language of race was subsumed beneath the language of citizenship and “desirability” in postwar Vancouver, Vancouver’s white community in the early Fifties still based its identity and secured its social and cultural dominance by marginalizing and excluding other people. People, for instance, like the small group of African Canadians living in the Strathcona neighbourhood.

But the records of the inquest are also historically important for the study of social relations in Vancouver for another reason: minority group agency. The local-knowledge-based story of Clemons’s arrest and later death, told at the inquest by the residents of Strathcona, and

10 The jurors were Miles J. Nugent, 6792 Raleigh St. (Sales Representative); Wm J. Barber, 955 Thurlow St. (Retired); Wm C. Southworth, 2970 Mathers Cres. West Vancouver (Vice Pres. and Mgr.); Arnold Webster, 3578 Chaffey St., Burnaby (School Principal); Joseph F. Buckham, 3819 W. 27th Ave. (Underwriter); Richard R. Horrex, 2882 Bellevue Ave. West Vancouver (Manager); and George C. Lunn, 950 E. Broadway (Comptroller).
ignored by the jury’s verdict, augmented the counter-hegemonic discourse of civil rights that took shape within B.C. after the war. Racial and ethnic minority groups increasingly began to assert themselves publicly against the social supremacy of Vancouver’s white community. The residents’ narrative of Clemons’s death, for example, became the impetus for the political organization of Vancouver’s small, vibrant, black community during the early Fifties.

Narratives are a fundamental and constituting part of social identity and action; the social world is made of, constantly making, and sometimes unmade by stories.11 Michel Foucault, for example, argued that allowance must be made for the “complex and unstable process whereby discourse can be both an instrument and an effect of power, but also a hindrance, a stumbling-block, a point of resistance and a starting point for an opposing strategy.”12 Patricia Ewick and Susan S. Silbey elaborate on this power-maintaining and power-disrupting potential of discourse, contending that narratives, specifically those produced in a legal context, are “socially organized phenomena” that are “always told within particular historical, institutional, and interactional contexts that shape their telling, its meanings and effects. They are told with particular interests, motives, and purposes in mind.”13 The social and interactional nature of narratives means they can reflect, but also produce, organize, and maintain relations of power such as dominant – that is, publicly hegemonic – cultural meanings.14 However, under certain conditions, stories may

12 Michel Foucault, The History of Sexuality: Volume 1: An Introduction (New York: Vintage Books, 1990): 101. 13 Ewick and Silbey 206. Also referring to the historical study of legal case files, Franca Iacovetta and Wendy Mitchinson argue that “Case files are not clear windows on the past, but they can be read in judicious ways” (13). Case files can provide “a way of examining in specific contexts the complex power dynamics that characterized relations between dominant and subordinate groups” (9). See Franca Iacovetta and Wendy Mitchinson, “Introduction,” On the Case: Explorations in Social History, Franca Iacovetta and Wendy Mitchinson eds. (Toronto: UTP, 1998).
14 Ewick and Silbey 211. The authors state that narratives contribute to the maintenance of hegemony and the reproduction of existing structures of meaning and power by operating as “mechanisms of social control” (213),
also function to subvert the hegemonic discourse, creating narratives that break down and transform existent power relations. By publicly speaking about the very real, contentiously constructed organization of supposedly natural, unequal power relations, for example, subversive stories can function as compelling forces in a marginalized group's liberation.\textsuperscript{15}

**Postwar Marginalization: What Hegemony?**

To what extent can one speak of the Strathcona neighbourhood, and specifically its African Canadian residents, as marginalized by Vancouver's dominant white community? The conclusions of U.B.C. sociologist Leonard C. Marsh's 1950 survey entitled *Rebuilding a Neighbourhood: Report on a Demonstration Slum-Clearance and Urban Rehabilitation Project in a Key Central Area in Vancouver* are indicative of how the neighbourhood was perceived by the larger white community. Marsh's study was the most detailed examination of the area during this time. From a series of resident questionnaires, Marsh and his sociological observers concluded that the Strathcona area was a "blighted" slum, the buildings of which were "by any modern standard... deplorable, its state of deterioration a menace."\textsuperscript{16} And, while Marsh insisted that the Strathcona area was not the worst in Vancouver at that time, and that the area had "good features and good people, and plenty of possibilities of reclamation as a sound and flourishing neighbourhood,"\textsuperscript{17} he argued that its decrepit visage was in dire need of "rationalization."\textsuperscript{18}

\textsuperscript{15} Ewick and Silbey 223. Consider, for example, how the story of Rosa Parks defying the racial segregation of public transportation in 1955 in Alabama both illuminated, and provided an impetus for subverting, unequal power relations for the early Civil Rights movement in the United States.

\textsuperscript{16} Lenard C. Marsh, *Rebuilding a Neighbourhood: Report on a Demonstration Slum-Clearance and Urban Rehabilitation Project in a Key Central Area in Vancouver* (Vancouver: UBC, 1950):2. The study defined the Strathcona area as that bounded by Hastings, Main, and Glen streets and the False Creek Flats. I have used a slightly larger area to define Strathcona's boundaries. See footnote #32 below.

\textsuperscript{17} Marsh iii.
Marsh's report is fascinating for its sweeping postwar faith in a rational approach to city planning, a faith that James C. Scott has called "high modernism." For Marsh, the Strathcona neighbourhood was merely a diseased specimen needing scientific rehabilitation.

The report's value also comes from the specific, if brief, attention that a white professional paid to black Vancouverites living in the blighted neighbourhood. At least 34 black families, six single African Canadian men and four single African Canadian women lived in the survey area. The report acknowledged that almost none of the black men, women and children in Strathcona lived there by choice. As Marsh noted, many of the "small colony of Negro families, numerous enough to represent nearly 3 per cent of the total [up to 225 people of the survey area's 7500].... could afford to live elsewhere, but it is too obvious that they would be unwelcome." The report also noted that the average incomes of the area's African Canadian residents were among the lowest of all the racial and ethnic groups in Vancouver.

Other outsider reports provide a more intimate, if less scientifically informed, example of black Vancouver's marginalization during the early Fifties. Vancouver Sun reporter Bruce Ramsey wrote an article entitled "Negroes Live Next Door: Vancouverites Have 700 Neighbors About Whom They Know Very Little." Ramsey's paternalist equanimity was obvious; he wrote: "It is to the credit of the young negro population in B.C. that they have not entirely given

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18 Marsh 2. Thankfully, most of Strathcona was never "rationalized." However, for an account of an African Canadian neighbourhood that did meet such a fate, see Donald H. Clairmont and Dennis W. Magill, Africville: The Life and Death of a Canadian Black Community rev. ed. (Toronto: Canadian Scholars' P, 1987).
19 James C. Scott, Seeing Like A State: How Certain Schemes to Improve the Human Condition Have Failed (New Haven: Yale UP, 1998): 90. Scott defines high modernism as a "particularly sweeping vision of how the benefits of technical and scientific progress might be applied – usually through the state – in every field of human activity."
20 Marsh 71. Table 17: "Racial and Nationality Groups Resident in the Survey Area."
21 Marsh 8. The term "colony," it should be noted, is an entirely misleading one; black Vancouverites came from a wide variety of backgrounds and geographic locations and they did not live in only one section of Strathcona.
22 Marsh 11.
23 Vancouver Sun 1952, 15. The coincidental date of this article is particularly interesting for the significance of the events that occurred in the early morning hours of that same day, as this paper will further detail below. Note also the significant discrepancy in population estimates between Marsh's report and Ramsey's. Reliable population figures are almost impossible to find. Some of this discrepancy can no doubt be attributed to the seasonal, transient nature of much of the work that black Vancouverites performed.
up the idea of trying to better themselves, and drift with the tide, as would be the easy thing to do."24 His description of the black community, though, was generally a positive and active one that saw black Vancouver "striving for self assertion and equality, against what might be described as a gradually weakening stone wall of resistance."25 For Ramsey, examples of this "stone wall" came from companies who "continue[d] to draw the color line" in their hiring practices.26 But Ramsey also blamed the black community itself. He felt the "main trouble" of the community was its "lack of organization amongst themselves"; the black community now was not a "colony," as in Marsh's report, but was too "loosely knit."27 Still, because of the determined organizing efforts of people like Canadian-born Rev. J. Ivan Moore of the Fountain Chapel – who had "taken up the cudgels for his race" – Ramsey felt that "a great new future await[ed] the patient negro in Vancouver."28

A later Vancouver Sun article by L. Johanne Stemo betrayed the marginalization through exoticisation of black Vancouverites in more explicit terms.29 Stemo's article, "Choristers Are Sounding Chord of Racial Harmony: International Choir Like United Nations," opened with the statement, "Unique among choirs organizing for the coming season last September was a group of singers whose racial origins stem from the hilltops of China to the jungles of Africa."30 Bragging that the make-up of the new choir was untouched by "racial prejudice," Stemo explained that the choir was "Comprised of 21 nationalities including among others, English,

24 *Vancouver Sun* 1952, 15.
25 *Vancouver Sun* 1952, 15.
26 *Vancouver Sun* 1952, 15.
27 *Vancouver Sun* 1952, 15.
28 *Vancouver Sun* 1952, 15. Fountain Chapel, located at the corner of Jackson and Prior streets, was an important meeting place not only for religious worship but also for social activity, a place where important current issues facing the community were discussed. In *Opening Doors*, Dorothy Nealy recalled that the Chapel was "really the whole hub of this ghetto" (170).
29 For more information on exoticisation, see Henry Yu's *Thinking Orientals: Migration, Contact, and Exoticism in Modern America* (New York: Oxford UP, 2001).
30 *Vancouver Sun* 3 January 1953: 16 (emphasis mine).
French, Scottish, *Negro*, Japanese, Chinese... [and the choir] has flourished and grown.\textsuperscript{31}

Unpacking this well-meaning article with its stereotypes and misconceptions could comprise a thesis in itself. The African Canadians in the choir were most certainly from the urban centres of Edmonton, Alberta or Oklahoma City, Oklahoma rather than any jungle in Africa.

**Living Counter to Hegemony**

There is precious little historical information on the history of African Canadians living in Vancouver during the early 1950s and how they themselves felt about their community. The 1951 census recorded a population of 344,833 for the City of Vancouver.\textsuperscript{32} From this number only 438 were recorded as blacks, almost all living in Strathcona.\textsuperscript{33} The best surviving history of this small group comes from the five interviews of black Vancouverites conducted during the compilation of *Opening Doors: Vancouver's East End* by Daphne Marlatt and Carole Itter,\textsuperscript{34} interviews faithfully reproduced in Wayde Compton’s recently published *Blueprint: Black British Columbian Literature and Orature*.

In 1911 at the age of 28, Nora Hendrix\textsuperscript{35} came to Vancouver from Tennessee. When Hendrix first came to Strathcona, she recalled there being only a few other blacks in the area. Over the years as more blacks moved into Strathcona, they established what was fondly remembered as a close community. For instance, from their memories comes some of the only surviving information about the once infamous area within Strathcona known as Hogan’s Alley. Situated quite literally in the alley between Prior and Union streets, Hogan’s Alley ran from Park

\textsuperscript{31} *Vancouver Sun* 3 January 1953: 16 (emphasis mine).
\textsuperscript{32} Barman, "Table 17," 390.
\textsuperscript{33} "Blacks," *The Encyclopedia of British Columbia*, ed. Daniel Francis (Vancouver: Habour Publishing Ltd., 2000). In this paper, I will follow the general borders of Strathcona described in *Opening Doors: Prior Street in the south, Campbell Street in the East, Railroad Street in the north, and Carrall Street to the west* (4).
\textsuperscript{34} Nora Hendrix (59), Rosa Pryor (108), Leona Risby (138), Austin Phillips (140), and Dorothy Nealy (169).
\textsuperscript{35} Grandmother of the rock ‘n’ roll legend Jimi Hendrix.
Lane in the west to Jackson Avenue in the east, about the length of three city blocks.\textsuperscript{36} On the one hand, Hogan's Alley and the immediate vicinity was described as an exciting centre of nightlife with nightclubs, cabarets, gambling and bootlegging halls, brothels, and fried chicken restaurants with loud jukebox music playing to all hours of the night. It was a place of colourful, larger-than-life underworld characters where young whites from the western parts of Vancouver would often go slumming.\textsuperscript{37} On the other hand, Hogan's Alley was also described as a "ghetto," a place united by a strong sense of community but also by poverty, a place with a reputation for robberies, stabbings, beatings and muggings.\textsuperscript{38} According to long-time African Canadian Strathcona resident, Austin Phillips:

There was nothing but parties in Hogan's Alley – night time, anytime, and Sundays all day. You could go by at 6 or 7 o'clock in the morning, and you could hear jukeboxes going, you hear somebody hammering the piano, playing the guitar, or hear some fighting, or see some fighting, screams, and everybody carrying on. Some people singing, like a bunch of coyotes holler – they didn't care what they sounded like just as long as they was singing.\textsuperscript{39}

The Alley's ambivalent reputation and activities aside, many of Vancouver's black population worked, lived and raised their families there.\textsuperscript{40}

Life within Vancouver's racialized social system was often difficult for blacks. Dorothy Nealy said that the racism black Vancouverites encountered was "so subtle and so elusive you can't really pin it down."\textsuperscript{41} According to Nora Hendrix, black women could only find jobs as

\textsuperscript{36} Austin Phillips, interview, \textit{Opening Doors} 140. Today, the Georgia and Dunsmuir viaducts stand right over top of where Hogan's Alley used to exist. For understanding "vice" districts like Hogan's Alley, I have found very helpful Kevin J. Mumford, \textit{Interzones: Black / White Sex Districts in Chicago and New York in the Early Twentieth Century} (New York: Columbia UP, 1997).

\textsuperscript{37} Dorothy Nealy, interview, \textit{Opening Doors} 169.

\textsuperscript{38} Dorothy Nealy, interview, \textit{Opening Doors} 170.

\textsuperscript{39} Austin Phillips, interview, \textit{Opening Doors} 141.

\textsuperscript{40} \textit{Opening Doors} 52.

\textsuperscript{41} Dorothy Nealy, interview, \textit{Opening Doors}, 171. At other times in the early Fifties, Vancouver's racial discrimination was less than subtle. See, for example, the \textit{Vancouver Sun} article entitled, "Beer Parlour Color Line Alleged" (7 August 1952: 19). For more information on blacks in Canada, focussing especially on their work, I have found helpful, Dionne Brand, \textit{No Burden to Carry: Narratives of Black Working Women in Ontario 1920's to 1950's} (Toronto: Women's P, 1991); a number of the articles in Enakshi Dua and Angela Robertson, eds.,
cooks, maids, and waitresses and the men could only get hired for "just the ordinary jobs" like janitors, railroad porters, and shoreworkers. Still, some African Canadians did find success opening small businesses, southern fried chicken restaurants, nightclubs, or, like Austin Phillips who played guitar at many of the local restaurants, creating their own work within Strathcona itself.

Breaking the Clemons Story

On August 8, 1952, the headline of Vancouver's communist weekly, the Pacific Tribune, boldly proclaimed: “Negro Held in Hospital; Beaten by City Cops.” According to the paper:

“Allegedly the victim of a vicious back-alley beating at the hands of two Vancouver policemen, a 52-year-old longshoreman, Clarence Clemens [properly spelt Clemons] lies in a semi-paralysed condition in General Hospital, his life in the balance. If he lives, he may never walk again.”

“Clemens is a Negro,” the next paragraph explained; “Talk to his friends, Negro and white, and they will tell you that the man responsible for his condition in [Vancouver] General Hospital is a ‘Negro-hating cop,’ Constable Dan Brown, one of the ‘guardians of the law’ who, according to all their reports, punched, pummelled and kicked Clemens into insensibility. . . .”


42 Nora Hendrix, interview, Opening Doors, 62. Hendrix stated that many of the janitors in the downtown office buildings were blacks from the Strathcona area.
43 Austin Phillips, interview, Opening Doors 1979, 141.
44 Pacific Tribune 8 August 1952: 1. Throughout its reporting on Clemons, the Pacific Tribune spelled his name differently than how it was listed on his death certificate. This blatant sensationalism of the paper’s headline is somewhat explained by a smaller heading on the same page: “Last call for subs at old rates.” The small paper, the political mouthpiece for the federal and provincial communist party, often made callouts to its readers, pleading with them for new and renewed subscriptions. As for the Pacific Tribune’s readership totals in the early 1950s, the January 16, 1953, edition listed just under 4000 subscriptions for the various areas throughout Greater Vancouver.
sensationalist fashion, the paper’s allegations of racism and police brutality exemplified the basic shape of the story of Clemons’s death as it circulated within the Strathcona neighbourhood. The paper’s decision to fight on Clemons’s behalf soon had it publishing regular articles on his progress in the hospital, the inquest and its aftermath, and on any other events that spun off from the case. Furthermore, the Pacific Tribune began to publish other accounts of Vancouver’s black / white relations. On August 15, 1952, for example, the paper published the article “End Jim Crow in Vancouver” and on September 26, 1952, the article “Girl Charges City Police Held Her Because She Was Seen With Negro.”

After the Pacific Tribune went public with the story, not only did the news of Clemons’s injuries help to spread indignation quickly throughout Strathcona. Exemplifying how the lines of race intersected with, and could even be overcome by, class interests, the labour community throughout the province also began to voice its discontent with the treatment of Clemons. One of the first reactions of Clemons’s Euro and African Canadian friends was to raise money for Clemons’s assumed future medical and legal expenses. Eric Forsythe, a bartender at the Stratford Hotel and friend of Clemons who often visited him in the hospital, presided over an informal fund-raising campaign to raise and collect money for Clemons. Donations came from as far away as Saanichton, Seattle and Winnipeg. On August 22, the Pacific Tribune reported that a group of African Canadian citizens was circulating a petition calling for the immediate

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45 In the few years prior to the Clemons case, the Pacific Tribune’s reporting on black / white relations had usually taken the form of American examples of Jim Crow laws, racially motivated hangings, and Paul Robeson’s efforts to try and speak to labour groups in Canada.
46 Pacific Tribune 3 August 1952: 1.
47 Pacific Tribune 22 August 1952: 1.
48 Pacific Tribune 15 August 1952: 12. The paper published a partial list of those who had contributed to the fund. Among those listed were Dolores Dingman, Hilda C. Hope, Ed Lipscombe, Jennie May Lipscombe, Dan Montague, T. and Bobby Beans, Frank, Jack Bowden, Tex, Julia Reed and friends, Williams, R.J. Smith, Babe Powell, Myra Jones and someone known only as Maurice.
49 Pacific Tribune 22 August 1952: 1.
resignation of Constable Dan Brown because of the way he was known to mistreat black Vancouverites. The Reverend J. Ivan Moore spoke on the Clemons case in his Sunday sermon at Fountain Chapel in early August 1952. The black community of Strathcona and the larger community of organized labour were outraged that a black man had been viciously beaten by two racist police officers while simply waiting for his wife at a local cafe.

Various community groups and labour organizations began to call for a public inquiry into the paper’s allegations of police misconduct. The Marine Workers and Boilermakers Union (M.W.B.U.) met at the Pender Auditorium for their regular membership meeting and passed a resolution that demanded a public inquiry be made into Clemons’s alleged beating. According to a letter it sent to the police commission, the M.W.B.U. stated: “Our information is that Clemens was brutally set upon by the arresting policemen and kicked and punched. We have heard of such conditions in fascist Germany and we won’t tolerate such conditions here.” Fred Collins and the League for Democratic Rights (L.D.R.) conducted an investigation into the Clemons’s case. Collins concluded that Clemons had been the victim of “a sadistic beating” by Officers Brown and Wintrip. The L.D.R. demanded that Brown be suspended from his duties and that a public inquiry be held. The Vancouver Labor Council was promised a public inquiry in early September 1952 as soon as Clemons was well enough to testify. The Associated Council of Vancouver South, the Vancouver Joint Labor Committee to Combat Racial Discrimination, and the Vancouver Civic Unity Council also called for an open, impartial, public inquiry into the treatment of Clemons at the hands of the police. Even a group of thirty-three

50 Pacific Tribune 22 August 1952: 1.
51 Pacific Tribune 22 August 1952: 1. The Reverend also tried unsuccessfully to meet with Police Chief Walter Mulligan about the Clemons case and other cases of police brutality.
52 Pacific Tribune 22 August 1952: 1.
53 Quoted in the Pacific Tribune 17 October 1952: 12.
54 Pacific Tribune 22 August 1952: 1.
55 Pacific Tribune 17 October 1952: 12.
residents from Trail sent a petition to the Vancouver mayor and the police commission stating: “It would be disgraceful if Canada, and particularly B.C., were to acquire the world-wide infamous reputation of the United States regarding the mistreatment of the colored peoples.”

Members of the police and justice communities were attentive to these allegations of abuse. In part this was because other allegations of police brutality were being made around the same time that the Clemons case became a public concern. After the first article on the subject appeared in the Pacific Tribune, Chief Constable Walter Mulligan promised to look into the allegations of excessive force made against his officers. Regarding the Clemons case, the Chief said: “I have every faith in my department. Anyone brought into custody will receive the same treatment from my force as I demand of it – courtesy and sympathy. Any hint of alleged brutality will be investigated by me personally.”

In early October 1952, City Prosecutor Gordon Scott was directed by the Police Commission to decide whether charges should be laid against Constables Wintrip and Brown, charges that could even be raised to murder if Clemons died. And, in an interesting twist to the story, Constable Dan Brown sued the Pacific Tribune for, as the suit alleged, portraying him as a vicious bully. The suit explained that the paper had portrayed Brown as a brutal, sadistic, undesirable, and racially prejudiced person, who especially hated

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56 Pacific Tribune 17 October 1952: 12.
57 For example, see the Vancouver Sun edition on July 19, 1952, the day of Clemons’s beating. Ex-provincial police officer turned carpenter Roy Thomas accused police officers of beating him up for being drunk around the area of Granville and Davie Streets (1).
58 Pacific Tribune 15 August 1952: 12.
59 Quoted in the Pacific Tribune 22 August 1952: 1. The Chief added that he had investigated the cases recently brought to light in the media, but had found no cause for disciplinary actions against any of the officers involved. Also see the Vancouver Sun article from 9 August 1952 that, briefly, mentions the injury and sickness of “C. Clemens” (21). Chief Mulligan’s credibility, however, was suspect, even during this time period. It was later revealed that the chief was a crooked officer “on the take.” For more information on Chief Mulligan and the police in B.C. in general, see Ian Macdonald and Betty O’Keefe, The Mulligan Affair: Top Cop On the Take (Surrey: Heritage House, 1997); and Lynne Stonier-Newman, Policing a Pioneer Province: The B.C. Provincial Police 1858-1950 (Madeira Park: Harbour P, 1991).
60 Pacific Tribune 17 October 1952: 1.
61 Pacific Tribune 17 October 1952: 12.
Negroes and who used foul, brutal, sadistic tactics to brow beat, bully, and punish Negroes without just cause. Further, by the said words, the Defendants meant and were understood to mean that the Plaintiff by using brutal, sadistic tactics punched and pummelled one Clarence Clemens into a state of insensibility.... [T]he Plaintiff has been greatly injured in his reputation and in his position as a gentleman and a police officer.  

Brown's privilege and status as a (white) "gentleman" and as an officer of law and order was being tarnished by what he felt was an unfair smear campaign by a renegade newspaper.

The Inquest: Reflecting and Constructing Marginality

After Clemons died in December of 1952, a coroner's inquest was held to investigate the conditions surrounding his death and to recommend any further action against the police officers involved, if necessary. The inquest was held January 3, 1953 at the Coroner's Courthouse, 240 East Cordova Street, and the *Pacific Tribune* estimated that at least 250 citizens were forced to wait outside because the courthouse was too small to seat everyone interested in the case. All the major daily newspapers covered the inquest, writing long, detailed stories of the inquest's proceedings and outcome.

Exemplifying the manner in which legal sites of discourse both reflect and constitute existing relations of power and cultural hegemony, the testimony of the inquest's white professional witnesses shows at almost every turn how they set themselves apart from and above not only the person of Clarence Clemons but his black and white neighbours and friends who supported his version of the events of July 19, 1952. The expert medical testimony first portrayed Clemons as "hysterical" and "malingering," and hence untrustworthy. Further medical professionals then deflected relevance from the actual altercation between Clemons and the police officers by exposing the fact that a prior medical condition had caused his eventually

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63 *Pacific Tribune* 9 January 1953: 6. The *Vancouver Sun* also reported, "The crowd at the Coroner's Court was so great this morning that many were turned away" (6 January 1953: 1).
terminal injuries. The authoritative testimony from the city’s police officers not only bespoke the story of Clemons’s violently criminal past and his aggressive and unpredictable presence on the evening of July 19, but also demonstrated the general contempt they held for the residents of Strathcona, especially those (blacks) who frequented the New Station Café. Later in the proceedings, when the residents of Strathcona began to testify what they knew about Clemons’s injuries, they were extensively cross-examined by police lawyers who attempted again and again to discredit their stories. And finally, the verdict itself demonstrated that, despite the Strathcona residents’ repeated allegations of police brutality, their testimony fell on deaf ears. The verdict rendered the case closed and made unnecessary any further inquiry into the conduct of the officers who arrested Clemons. Interestingly, throughout the inquest every attempt was made by the white authorities and professionals to distance their actions and statements from appearing racist or even racially motivated. The language of race in British Columbia, or at least its once overt, public declarations, was slipping beneath the surface of a seemingly more liberal, colour-blind language. The inquest’s reflection/constitution of power relations—through the discourse of citizen desirability, for example—still signified exclusion, still marginalized and still privileged some (whites, professionals, men) while holding others (persons of colour, the working class, women) outside the realm of respectability and, ultimately, of humanity.

The city’s coroner, Dr. J.D. Whitbread, began the proceedings by instructing the seven-member jury about their purpose for the hearing. Whitbread explained that they were only interested in determining how, when, where and by what means Clemons died as well as whether his death was natural or unnatural. The coroner was clear that the inquest was not a trial but rather an investigation and, as such, hearsay evidence would be admissible. Whitbread explained further that the jurors were not responsible for pronouncing guilt or innocence on Clemons, the
police officers, or anyone else connected with the case. They could however point out in their
verdict if they thought anyone involved in the case had been careless, negligent, or intent on
doing harm. So, it is worth emphasizing that while the inquest itself was not a trial, the verdict
could have been directly responsible for initiating further legal proceedings, including a criminal
trial, against the police officers involved. Whitbread told the jurors that they could ask any
question of any witness but warned them not to be concerned about “a lot of other facts that
people may wish to bring in,” i.e. other than facts answering the original five questions.64 As the
inquest wore on – it lasted for almost fifteen hours straight, saw well over fifty witnesses called
to testify, and recorded over 350 pages of testimony – Whitbread, increasingly impatient, kept
reminding the witnesses, nine lawyers, and jurors that no one was on trial that day, that the
lawyers should stop asking unnecessary questions65 and cross-examining the witnesses as if they
were at a preliminary hearing,66 and that witnesses should stop repeating testimony.67

The Doctors Testify: Medical Hysteria and Shifting Blame

Once Delores Dingman and Ray Johnson identified the body of Clemons, lying at the
front of the courtroom, the first series of testimony came from the many doctors associated with
the care and treatment of Clemons. Right from the outset of the trial, then, as the doctors
presented their medical, highly technical knowledge that fashioned Clemons first as “hysterical”
and then as helplessly infirm due to his own previously existing medical condition, Clemons own
testimony, as related by his closest friends, was systematically made suspect before it was ever

64 BCARS, British Columbia, Attorney General, Inquiries Conducted by Coroners in Vancouver 1938-1965,
“Inquest on the Body of Clarence Clemons Held at the Vancouver Coroner’s Court,” January 6, 1953, GR 1503,
microfilm #B04960, 10. Hereafter noted as Inquest.
65 “Whitbread,” Inquest 60.
66 Inquest 115, 137. Not that the coroner’s exhortations helped much.
67 Inquest 115.
presented. The doctors’ first contact with Clemons had come on the morning of July 19, 1952. By 8 a.m. on July 19, 1952, after Clemons had spent a number of hours lying in a jail cell, he kept complaining of not being able to move. The police officers eventually called the ambulance and took Clarence – guarded at all times by Constable Richard Hoyle – by ambulance to Vancouver General Hospital. In the Emergency Ward of the Vancouver General Clemons was first examined by medical intern Eugene Rodko. During his initial examination of Clemons, Rodko noted that Clemons smelled of alcohol, that he had difficulty moving his limbs but that his reflexes were normal and that there were three small, minor lacerations on Clarence’s legs, one on each thigh, and the third on the outside of his left calf muscle. Rodko said that he did not think Clemons was seriously injured but that that he did appear quite scared.

Dr. John Chang examined Clemons next and also reported that he smelled strongly of alcohol but that he was lucid, complaining of being assaulted by the police. Chang’s examination found that that while Clemons could move his right leg very well, he had pain and weakness in his arms and had pain and difficulty moving his left leg. Chang referred Clemons to be inspected by Dr. Solon Boynton in Surgery at around 1:30 p.m. in the afternoon. Boynton examined Clemons and found that Clarence could move his left leg more easily than the right. This, in addition to the fact that all of the x-rays taken earlier by radiologist Dr. Robert Boyd had proved to be negative, led Boynton to conclude that Clemons was “emotionally disturbed” and

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70 “Rodko,” Inquest 20.
71 “Dr. John Chang,” Inquest 22-23.
72 “Chang,” Inquest 22.
73 “Dr. Robert Wallace Boyd,” Inquest 40. Dr. Boyd reported that x-rays were taken of Clemons’s head, cervical spine, wrist, and hip but that aside from some signs of arthritic “deformity or degeneration” of the spinal column between the 3rd and 4th cervical vertebrae (just slightly below the base of the head) – not abnormal for an older patient such as Clemons, especially one whose job required continuous heavy lifting – Clarence displayed no signs of fracture or dislocation.
"an hysterical or malingering patient." 74 Boynton discharged Clemons back into the custody of the police department feeling that, while Clarence was frightened and needed assistance to walk, he would "snap out of" his hysterical state within an hour or a day. 75 Professionally diagnosed as "hysterical," Clemons was discharged from the hospital and at around 2 p.m. in the afternoon a police cruiser took him back to the station where he was brought down the elevator to the back door and taken away by Delores, her best friend Grace Alexander, and Grace's husband, Walter.

Later that night, Clarence had Delores phone Dr. Ormand Oscar Lyons to come and examine him and help relieve his pain. Lyons testified that when he arrived at Clemons's apartment that evening, he arrived to find Clemons naked, sitting on the edge of his bed and crying with pain, saying that his body was sore all over from being beaten. 76 In addition to the scrapes on Clemons's legs, there was a small, five-cent-piece-sized piece of skin missing from the base of his spine as if, the doctor explained, "He might have fallen on his buttock or come into some force." 77 Lyons was unable to detect any "black or blue marks because of the color of [Clemons's] skin." 78 The doctor testified that Clemons was "a man that had [had] a lot of abuse but I did not consider his condition serious." 79 Lyons ordered that Clemons be given a hot water bottle. He also gave Clemons a half million unit of penicillin to stave off any potential chest infection from his severe "working over." 80 Lyons returned to give Clarence more penicillin the next day, asking Delores to call him if Clarence's condition worsened. 81

75 "Boynton," *Inquest* 32.
76 "Dr. Ormand Oscar Lyons," *Inquest* 42.
77 "Lyons," *Inquest* 45.
78 "Lyons," *Inquest* 43.
79 "Lyons," *Inquest* 44. Dr. Lyons testified that he believed Clemons's story about being beaten by the police and at no time did he consider him to be putting on an act about his pain or malingering about his injuries (*Inquest* 48).
80 "Lyons," *Inquest* 44.
81 "Lyons," *Inquest* 44.
When Lyons returned to the apartment on July 24 to check on Clarence, he noticed that Clemons had developed some bronchitis and was coughing. Then, around midnight on Monday, July 28, Delores called Lyons saying that in just the last couple hours Clarence “had gone funny and seems to be out of his head.” 82 Clarence was never able to speak to Delores or anyone else again. Lyons immediately phoned for an ambulance to take Clarence to Vancouver General Hospital. 83 Back at the hospital, Clarence was found to have the extraordinarily high temperature of 109 degrees, a condition, said Lyons, which he had seen in some industrial accidents where a head injury had caused the body’s ability to regulate heat to malfunction and the person’s temperature to raise very quickly. 84 Clarence’s lungs were full of mucus and pus, he was breathing hard and desperately, and he was only semi-conscious, muttering occasionally, but no longer aware of his surroundings. 85

Re-hospitalized and in an advanced state of trauma, the Emergency Room doctors and later the many specialists could no longer dismiss Clarence’s injuries as psychosomatic, as the result of “hysteria.” Instead, they proceeded to examine, test, measure, treat and record every minutiae of Clemons’s malfunctioning body, later passing on (or trying to at least) 86 this expert knowledge to the jury, lawyers and spectators of the inquest. Dr. William Herbert Malloy was the doctor on duty in the Emergency Ward who first examined Clemons. Malloy noted that he was unable to find any reflexes from Clarence and, after taking Clemons’s temperature a second

82 “Lyons,” Inquest 44.
83 “Lyons,” Inquest 44. Delores assured the hospital that Clarence would pay for his hospital bill as soon as he got back to work.
84 “Lyons,” Inquest 46. The Doctor said that even he, however, had never seen someone with a temperature of 109 degrees and that he did not expect Clarence to survive more than a day or two (47).
85 “Lyons,” Inquest 47.
86 The doctors frequently had to put their technical medical terms more into laymen’s language so that the well-educated lawyers, let alone the various other witnesses and spectators, could understand what on earth they were talking about.
time to verify its abnormal degree, had Clemons’s body sponged to bring the temperature down, placed Clarence on antibiotics and ordered that various medical tests be performed.⁸⁷

Dr. S. Robertson was next to examine Clemons and, judging from the convulsions that were beginning to overcome Clarence, suspected some sort of lesion to Clemons’s central nervous system and recommended that Clemons see a specialist.⁸⁸ In fact, over the next days, weeks and months as Clemons’s condition stabilized but never really improved beyond a semi-conscious and almost completely paralysed state, he was examined by many specialists. He was kept in the hospital for five months during which time he was treated to all the routine care of a paralysed patient.⁹⁰ The City Pathologist, Dr. T.R. Harmon, was the last expert to examine Clemons, performing the post-mortem autopsy on Clemons’s body on December 26, 1952, two days after Clarence had died.⁹⁰

Key to understanding the effect of the testimony of the various medical specialists, and, I believe, key to understanding the story of Clemons that the jury was most affected by, was the agreement of all the experts that Clemons had had a previously existing osteoarthritic condition between his 3rd and 4th cervical vertebrae, near the base of his skull.⁹¹ This arthritis had degenerated the vertebral body, the disc that sits in-between and supports the 3rd and 4th vertebrae. In place of the disc had grown a bony ridge that protruded into the spinal canal, limiting its healthier state by about a third, effectively pinching the spinal cord but not enough to

⁸⁷ “Dr. William Herbert Malloy,” Inquest 56.
⁸⁸ “Dr. S. Harold Robertson,” Inquest 67-68. Dr. Robertson explained that while pneumonia causes a fever, Clemons had only a minor case of pneumonia, one that did not explain his unusually high temperature. Internal medicine specialist Dr. William Wesley Simpson concurred with Dr. Robertson’s diagnosis that a lesion to Clemons’s central nervous system, rather than the minor case of pneumonia, was the cause of his convulsions and comatose state.
⁹⁰ Inquest 72. Clemons’s primary physician, Dr. Auckland, reported that Clarence was put in “cervical nerve traction and that, otherwise, “treatment was carried on in a routine manner for people who are completely paralysed with regard to... feeding and keeping up fluids and evading infection and care to the bladder, back and skin.”
⁹¹ “Dr. T.R. Harmon,” Inquest 86.
⁹² “Harmon,” Inquest 93.
yet cause a lesion in it. At some point, however, Clemons’s spinal cord had swelled, but, due to the long-since restricted space, did not have enough room to expand properly and had thus been injured, forming a lesion at the level of the 3rd and 4th vertebrae. The doctors repeatedly emphasized that this previously existing arthritic condition was entirely consistent with a shoreworker like Clemons who had spent many years lifting heavy objects, or as Harmon testified, was common among “people… who do hard work.” Dr. Boyd similarly stated that “[Clemons] was a longshoreman and probably worked heavily, and one would surmise [oesteoarthritis] would be more liable to occur in a longshoreman than myself.” Besides the obvious class snobbery that could be read from such statements, they are important because they shift the blame of Clemons’s death onto his own shoulders, or more specifically, onto his own spine. Though no one said it during the inquest, the verdict was slowly emerging that, due to Clemons’s pre-existing condition, his injuries (and death) were his own fault. The expert knowledge of Clemons’s dissected and defined body was turned against him, marginalizing and making suspect any future testimony and any future witnesses who claimed that his injuries came from police brutality.

None of the doctors, however, professed certainty as to when exactly Clemons’s spinal cord had swelled enough to cause it to become injured, admittedly a key component to understanding exactly why Clemons became paralysed. Putting together their testimonies though, the following scenario emerged for the jury: during Clemons’s struggle with the police

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92 “Harmon,” Inquest 93.
93 “Harmon,” Inquest 94.
94 “Harmon,” Inquest 93. Dr. Joseph William Cluff stated that spinal cord injuries “tend to happen too often with persons of certain occupations and certain ages” (Inquest 85).
95 “Boyd,” Inquest 40.
96 Dissected quite literally, in fact. Dr. Harmon provided a lengthy pathological report and testimony detailing in full the inner mysteries of Clemons’s body (Inquest 86-97).
97 For example, see the testimony of Dr. Harmon (95), Dr. Auckland (76-77) and Dr. Kerr (80).
officers, or perhaps not even until he was dropped on the floor of the police station,\footnote{Milton Walker,} he hit his tailbone hard on the ground. This contact sent a compacting shockwave up his spine,\footnote{Dr. Robert Hughes Kerr,} aggravating, swelling and causing minor injury to his spinal cord at the already arthritic level of the 3rd and 4th vertebrae. This explained why Clemons was lucid but complained of being in pain and not being able to move at the police station. Back at home, however, Clarence developed a bronchial infection, and his generally weakened condition due to his struggle with the police, coupled with the minor injury to his already affected spinal cord, meant that his body was unable to control his temperature through the regular process of sweating.\footnote{Dr. Norman Laverne Auckland,} The infection quickly sent his temperature soaring, rising to such an extent that his brain stem was injured beyond repair, resulting in his semi-conscious state. At the same time, his spinal cord was so wounded that his limbs were paralysed.\footnote{Auckland,} The proverbial coffin, spun with a narrative web of expert knowledge that placed the blame for Clemons’s death on his own body, was slowly being sealed around the case.

**The Police Testify: Criminality, Desirability and Respectability**

With the medical knowledge of Clemons completed, the testimonies of those who served and protected the streets of Strathcona came next. The process of making suspect both the (hysterical) mind and (previously broken) body of Clemons was solidified and expanded for the jury by the authoritative testimony of Vancouver’s City Police officers. To the medical testimony, the officers added irrefutable, documented proof of how Clemons had been the cause

\footnote{Milton Walker,} \footnote{Dr. Robert Hughes Kerr,} \footnote{Dr. Norman Laverne Auckland,} \footnote{Auckland,}
of his own demise: he was a (previously existing) violent, criminal and belligerent man. In the unfolding of this particular narrative of Clemons's inherently violent criminality, the officers also provided a telling example of how a new language of marginality was subsuming the old language of whiteness in British Columbia. Just as the Strathcona neighbourhood was blighted and undesirable, so too were the people who lived there "undesirable" citizens. Desirability became politics by other means in postwar British Columbia.

The testimony of the City Police officers began just after 4 p.m. following a fifteen-minute adjournment of the inquest. Officer Robert Wintrip testified first, describing the events of the evening that he and his partner Officer Dan Brown had seen transpire. On the night of July 19, 1952, while Clarence and Delores sat in a booth chatting, he and Brown briefly entered the New Station Café on a required, routine check for public drunkenness, general disorder, and so on.¹⁰² They entered the café because, in Wintrip's words, the police had "had quite a bit of trouble in this café due to the amount of drinking going on in there [...]"¹⁰³ When later asked why he and Brown did not arrest Clemons the first time they entered the New Station and saw that he was drunk, Wintrip said, "The man was not causing any trouble." Clarifying this point, he continued, "If we locked up every person in that area that showed signs of intoxication I believe we would fill the jail from that area."¹⁰⁴ Brown was even more candid in his opinions of the patrons of the New Station Café. When asked, he stated that he would "never" take his wife and children to the café, a place he felt was "a hang-out for undesirables during the evening."¹⁰⁵

¹⁰² Wintrip stated that he and Brown "were told by our superior officers that we must check this place [New Station Café] every hour due to the amount of drunks and trouble that arises there" (Inquest 102).
¹⁰³ "Robert Wintrip," Inquest 105.
As they left, Brown explained to Wintrip that Clemons was “a dangerous man who just served a term for stabbing another man.”

Around 2:30 a.m. that same morning, Constable Wintrip went back to the New Station Café for another routine check while Brown finished up his meal a few doors down Main Street at Pini’s Café where he and Wintrip had taken their break. One of the Chinese waiters pointed to Clemons sleeping on the counter and asked Wintrip to ask Clemons to leave. Approaching the sleeping man, and, suspecting he was still drunk, Wintrip asked Clemons to leave the café and go home. At first, Clemons followed Wintrip’s orders and prepared to leave with the officer right behind him. But as the two men approached the door Clemons stopped, refusing to leave.

According to Wintrip, Clemons changed his mind and had turned to the officer saying, before swinging at Wintrip’s face: “This is a free country, I don’t have to listen to any cop.” Wintrip told the inquest what happened next:

After a struggle I got [Clemons] out onto Main Street and there was a Prowler car outside the door with Prowler officers Grant and Bryce in this car. They asked me if I wanted the wagon and I replied I did. And I began to escort Clemons up Main Street to take him to the call box which is situated at the east lane at Georgia and Main Street off Main Street. I had to force Clemons to walk with me as he did not want to go. When I got to the call box I stood there with Clemons for a minute or two and then I was joined by Constable Brown. As Clemons saw Constable Brown he went absolutely berserk and began to fight and kick and tried to hit us with his fist. Const. Brown grabbed Clarence by his right arm and I was trying to hold him myself to prevent him doing any injury to either of us. At this time I don’t know whether Const. Brown was knocked down or pushed to the sidewalk, however, Clemons fell directly on top of him and pulled me on top of him also. Then the prowler car with Prowler Officers Bryce and Grant arrived… [Grant] took Clemons by the left arm and I stood on one of Clemons’s legs and held the other leg with my left hand to prevent further kicking. At this moment the wagon arrived and the three

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106 “Robert Wintrip,” *Inquest* 102. From the later testimony of the Strathcona residents, it is obvious that Clemons’s violent past was well known within the community. For example, Clemons’s long-time friend, C.P.R. Porter Ray Allan Johnson of 932 East Hastings Street, knew that he was handy with a knife (*Inquest* 272).

107 “Robert Wintrip,” *Inquest* 102. John Bue Hing, like the other Chinese waiter Lee Foon, remembered very little about the night of July 19, 1952. He did, however, remember a black man being taken out of the restaurant. Said Hing through the assistance of an interpreter: “Well, he was, this man was pretty drunk and they [the police] just take him out and when out that is all I remember because I was busy on my job” (201).

108 This account comes from the testimony of Aaron Glover (*Inquest* 178-179) and Constable Wintrip (*Inquest* 103).

of us had to carry Clemons and put him in the wagon because he did not want to get up and walk.\textsuperscript{110}

The struggle between the three\textsuperscript{111} police officers and Clarence lasted about ten minutes, until the paddy wagon arrived. During the melee, Wintrip, 31 years old and at least 200 pounds,\textsuperscript{112} remembered striking the "husky,"\textsuperscript{113} "very strong"\textsuperscript{114} Clemons several times on his shoulders and head.\textsuperscript{115} Clemons may have been very strong, but only the police officers alleged that he was "husky." At 52 years old, both Delores and Clemons's doctor later testified that Clarence was actually a slim, "slenderly built"\textsuperscript{116} man. The police record made on the night of his arrest recorded his height as 5 foot 8 inches and weighing 170 pounds.\textsuperscript{117} Even the doctor on duty in the Emergency Ward when Clarence came in a second time on July 28\textsuperscript{th} remembered that Clemons was "Lean but fairly muscular."\textsuperscript{118}

At the inquest Wintrip claimed that, had Clemons left the Café and gone home peacefully, "That would have been the end of it right there."\textsuperscript{119} Instead of being peaceable though, both officers recalled that, despite being told to "cut it out,"\textsuperscript{120} Clemons continued to struggle violently and fight with them, right up to the time they arrived at the police station, about 4 blocks away.\textsuperscript{121} When asked why he thought Clemons had fought so long and so hard, Brown replied: "I think he is the type of man who would fight long and furiously. He had no

\textsuperscript{110} "Robert Wintrip," \textit{Inquest} 103. Brown's memory of the events was very similar to Wintrip's.
\textsuperscript{111} Constable Brice claimed that he took no part in the struggle (\textit{Inquest} 133).
\textsuperscript{112} "Robert Wintrip," \textit{Inquest} 110. Brown said he himself was 38 years old and about 195 lbs (\textit{Inquest} 121).
\textsuperscript{113} "Robert Wintrip," \textit{Inquest} 110.
\textsuperscript{114} "Robert Wintrip," \textit{Inquest} 107.
\textsuperscript{115} "Robert Wintrip," \textit{Inquest} 104. Wintrip hit Clemons hard enough, in fact, that he injured his left hand and was off on compensation for almost a week (\textit{Inquest} 104). Brown also used the word "husky" to describe Clarence's physique (\textit{Inquest} 119).
\textsuperscript{116} "Delores Dingman," \textit{Inquest} 299.
\textsuperscript{117} "Nemetz," \textit{Inquest} 251.
\textsuperscript{118} "Dr. William Herbert Malloy," \textit{Inquest} 58. Also, Dr. Chang said Clemons was a "thin man" (25).
\textsuperscript{119} "Robert Wintrip," \textit{Inquest} 117.
\textsuperscript{120} "Daniel Brown," \textit{Inquest} 119.
\textsuperscript{121} "Daniel Brown," \textit{Inquest} 120.
love for the police.” Both officers knew Clemons from previous arrests. The police officers’ recollection of the events portrayed Clarence Clemons as a violent, unpredictable and belligerent man whose actions that evening made him most deserving of the force the officers needed to arrest, subdue, and jail him.

The later testimony of other officers filled in the chain of events for the inquest of Clemons’s arrest. When Clemons got to the station at 245 East Cordova Street he was charged with assaulting a police officer. Booking officer Sergeant Milton Walker remembered that when the other officers assisted Clemons to the booking desk and let him go he “slumped to the floor.” When told to get up, Clarence simply replied, “I can’t.” Walker did not take any serious notice of this event though, as it was a fairly common event when drunks were brought in to the jail. In fact, Walker said, if Wintrip or Brown had not alerted him to the fact that Clemons was a “dangerous man and just recently released from prison,” he would have treated Clarence like he treated any other intoxicated person brought in to the jail, as “just a body.” Walker merely marked the file with a “T.D.,” meaning “too drunk,” and went on with his other duties. Constable Walter Corson confiscated Clemons’s personal effects and put them into a locker for safekeeping. Among Clemons’s possessions was a switchblade knife with a four-inch blade that had been partially opened in his right-hand coat pocket.

Then, because Clemons still could not stand, Corson dragged him by his shoulders to an individual cell in Cell Block 4, the prison cells used for drunks, checking on him numerous times.

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126 “Robert Wintrip,” Inquest 104.
129 “Milton Walker,” Inquest 228.
during the rest of the morning. Around 6 a.m. Clemons woke up and began complaining to Jailer Robert John Haw that he could not move his body and that his legs were numb. Haw alerted the on-duty registered nurse, Jeanette Mildred Heathorn. Heathorn examined Clemons for paralysis but found that Clemons could move his limbs, and finding no signs of bruising on Clarence’s body to substantiate his further complaints of pain in his ankles, feet and wrists, suspected that he was putting on an act and needed more time to “sober up.” A couple hours later though, as Clemons continued complaining of not being able to get up, the officers decided to take him to the hospital.

After the testimony of officers Brown and Wintrip, Detective Screeton took the stand to present what was a crucial component of the police union’s case in defence of its officers’ use of force when arresting Clemons. Attacking Clemons’s credibility while defending the authority of the arresting officers, Screeton proved categorically that Clarence was the worst, most undesirable of all citizens: Clarence had been in and out of jail for years. When John Stanton, lawyer representing the Pacific Tribune at the inquest, first attempted to object to Policemen’s Federal Union defence lawyer Thomas A. Dohm’s use of Clemons’s previous records, he was overruled by Whitbread who blandly told him, “Yes, Mr. Stanton, we take hearsay evidence as I told you at the very beginning and I want to show no partiality to anyone concerned.” Tom McEwen, editor of the Pacific Tribune, would later rant: "While most people in the labor movement would not argue that Clemens had been a citizen of high moral virtue, the coroner

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130 “Walter Gordon Corson,” Inquest 237.
132 “Jeanette Mildred Heathorn,” Inquest 244.
133 Inquest 124.
allowed details of his past life to be read out in such a way as to prejudice the jury still more than their social background would indicate."

Detective Screeton, led by Dohm, first read out a letter sent to Chief Mulligan from the Chief of the Edmonton police, R. Jennings. The letter was a detailed record of Clemons’s convictions while living in Edmonton, where he had lived before moving to Vancouver in the mid-1930s. On June 23, 1931, in the Supreme Court in Edmonton, Clemons had pleaded guilty to "indecent assault" and was handed a suspended sentence of one year. Earlier that year, while at the house of Mrs. Josephine Cowen, in the presence of witness Elmer Bill, Clemons had assaulted Cowen's eleven-year niece. When he discovered that Bill had gone to the police regarding the assault, Clemons had tried to attack Bill with a butcher knife, but was prevented from doing so by other people also present.

On January 21, 1935, also in the Supreme Court in Edmonton, Clemons was convicted of and pleaded guilty to "attempted murder," reduced to "unlawfully inflicting grievous bodily harm." Clemons and his friend, Raymond Johnson, had taken revenge on Bill McVay and Fred Tight because McVay had hit "negress" Bertha Colvert after arguing with her at a local Edmonton dance hall. Clemons "drew a razor blade in folding holder from his pocket and cut Tight's face to the bone from the forehead to the left ear, nearly resulting in the loss of the left eye." Clemons was sentenced to six months of hard labour. Chief Jennings signed off the letter cordially with, "I trust this is the information you desire."
And there was more. Clemons was sentenced to three years in prison for "living on the earnings of prostitution." And in Vancouver's Family Court, on November 13, 1946, Clemons was convicted of "common assault" for his actions towards his then wife, Elizabeth. He was ordered by the judge to keep the peace for a year. A few years later, however, Clemons (soon to be known as No. 6760 of the B.C. Penitentiary) was back in court on charges of violent assault. According to a letter sent from the Department of Justice, Remission Service, Ottawa: "On the 7th day of April 1949 at about 11.05 p.m. we [police] received a call to the Strafford [sic] Beer Parlour situated in the City of Vancouver where on the sidewalk we found an unconscious man, one Harold Nevere, who is the son of Mrs. [Elizabeth] Clemons by a previous marriage and who was suffering a severe abdominal knife wound which had severed the bowel and it was thought at the time that recovery was very doubtful." At the trial, many witnesses testified that Clemons had started the argument with Nevere. Thus, on October 27, 1949, Clemons was convicted for "inflicting grievous bodily harm" and spent the next three years in jail.

The reasons for and implications of including the lengthy prison records and prior convictions records were obvious. Clemons "the criminal" had deserved to be arrested on the night of the 19th, and whatever force was needed to subdue Clemons, the "husky criminal," had been warranted. Clemons's own recollection of the events of July 19, 1952 was discredited before any witness spoke a word on his behalf. Who could argue against such documented facts? Creating an understanding, a body of knowledge, of Clemons's criminal soul, the police ensured that all subsequent evidence to the contrary had to be referred to and weighed against

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138 "Detective Screeton," *Inquest* 126.  
139 "Detective Screeton," *Inquest* 126.  
140 "Detective Screeton," *Inquest* 127.  
141 "Detective Screeton," *Inquest* 127.
this knowledge. Furthermore, the faith in such knowledge affirmed the hegemonic relations of power that existed before, during and after the fight between Clarence and the police, and before, during and after the inquest too.

The Strathcona Residents Testify: Compassion, Police Brutality, and Resistance

For the residents of Strathcona the coroner’s inquest was a site of public discourse, however restrictive and formulaic. The inquest was a place where local residents could publicly and legally state their counter-hegemonic and thus subversive narrative of Clemons that until then, aside from the selective coverage the story had received in the Pacific Tribune, had circulated privately within their neighbourhood as – to use James C. Scott’s term – a “hidden transcript.” The Strathcona story of Clemons told by various residents was based on local, sympathetic, even intimate knowledge of his life, arrest, and death.

According to Scott: “The first open statement of a hidden transcript [by a subordinate group], a declaration that breaches the etiquette of power relations, that breaks an apparently calm surface of silence and consent, carries the force of a symbolic declaration of war.” Scott also calls this declaration a “rupture of the political cordon sanitaire.” The sore that was the story of Clemons’s tragic treatment at the hands of the police (and doctors), festering through the retelling in private by the Strathcona residents, the selective publishing by the Pacific Tribune, the downplaying and discrediting by the coroner and police lawyers, and disregarded altogether by the jury’s verdict, may not have been an outright declaration of war. It was, however, part of the postwar public eruption of the “equality revolution” in British Columbia.

143 Scott 1990, 8.
144 Scott 1990, 19.
In the early evening after the inquest had been in session for many long hours it was finally time to question those Strathcona residents who had witnessed the arrest of Clarence or who were otherwise connected to Clemons’s version of the story. In Strathcona, members of the Euro and Asian Canadian communities supported the story of the events of July 19, 1952 that Clemons had himself told while he could still speak. But there is little doubt that Clemons’s story had caused the greatest consternation within Strathcona’s African Canadian community. In fact, the reporter from the *Vancouver Sun* covering the inquest estimated that 90 percent of the many witnesses and crowded spectators were black. As the Strathcona witnesses told Clemons’s own story to the inquest, they were met with an aggressive and even hostile cross-examination that attempted to cast a shadow not only on their details, but also often on their character. Throughout, the residents answered their questions with both wit and determination, showing their sincerity and belief that justice hung in the balance at the inquest.

Rose Chin, for example, was a waitress living at 269 Prior Street. She was one of the few witnesses to actually see the altercation between Clemons and the police officers. Even though her nervous testimony was already confusing and even contradictory at times, Thomas Dohm tried to discredit her recollections of the events outright by portraying her as a disreputable prostitute who had a grudge against the police. Finally, her own lawyer had to intercede and remind her to tell the courthouse that on a couple occasions, Constable Dan Brown had told her that she “shouldn’t be around with negroes.” Delores Dingman’s lawyer also attempted to salvage Chin’s testimony. He said to her, “Miss Chin, you have been asked a lot of questions which I presume are somewhat embarrassing to you. . . that had no effect on the evidence.

145 *Vancouver Province* 7 January 1953: 18.
146 “Rose Chin,” *Inquest* 158.
whatsoever which you have given tonight.” Rose replied, “I am not ashamed of what I am. It’s done now, it is past, the way I feel about it. ... And what I told you I told you the truth.”

Thomas Dohm and Whitbread were likewise very aggressive in questioning Delores Dingman. Haggling over where Clarence had told her Dan Brown was when he had come out of the café, Dohm could not get Delores to change her story and finally scoffed, “And you of course could be mistaken.” Delores said sternly, “No, I couldn’t be mistaken.” Dohm dismissed her and the line of questioning with, “In any event, it is all hearsay.” After Dohm had finished, Whitbread began asking Dingman a series of questions also designed to put her on the spot. He asked, “Did you actually leave your common-law husband to go out and do something else?” Delores replied, “I went out to look for someone else, a girlfriend of mine.” Whitbread continued, “Would she be classified as a chicken?” Dingman answered, “No.” “Well,” replied Whitbread, “your husband has made a statement to several people that you went out to get a chicken; did you do that?” “No,” Delores held fast, “I didn’t go out to do that.” “That is all,” concluded Whitbread, his shallow attempt to ridicule Delores defeated.

Thomas Dohm also attempted to cast shadow on Joseph Jilkes’s testimony. Dohm asked Jilkes, a ship liner living at 316 Powell Street and the last witness of the inquest: “How long have you been here in Vancouver?” Jilkes replied, “I have been here 31 years. In fact I came here in 1915 and joined the army.” Dohm pressed on, trying to compromise Jilkes’s story: “The police have never had any trouble with you?” Jilkes calmly reassured him, answering, “No,” and adding for good measure, “they ought to know, I have been here long enough.”

148 Inquest 301. The questions that Dohm asked were intended to cast a shadow on Delores’s testimony but were purely a matter of semantics and incidental to her memory of how Clarence had explained the series of events to her.
149 Inquest 301. It should noted that at this point in the proceedings, the inquest had been going on for well over twelve hours and the Coroner’s patience, as that of all present in the courtroom, was wearing thin.
150 “Joseph Jilkes,” Inquest 320.
Of course it is not just how Clemons’s supporters answered that is significant but also what they said that demonstrates just how much their story ran counter to the story that eventually formed the basis for the jury’s verdict. The story of Clemons that emerged from the Strathcona residents was a personalized one of a hard-working citizen who had been out with his new wife celebrating the end of another long week of work. It was the story of a man who, when once again harassed for being drunk, or being black, or being a resident of Strathcona – being “undesirable” in any event – had taken a stand and publicly resisted the police bullying. For this resistance, this blighted man was quickly – to borrow another of Leonard Marsh’s terms – “rationalized”; he was victimized by the state’s arm of brute power, a power fed by the knowledge of how to treat “criminal” souls, “dangerous” souls, “hysterical” souls, “undesirable” souls, and yes, “coloured” souls. But for a story that was perceived to have ended in such tragedy, it had begun much earlier on July 19, 1952, with the relaxing comfort of new love.

Early that day, Clarence had left for work on one of the many docks of Vancouver's waterfront as a longshoreman for Empire Stevedoring Co. Delores may also have gone to work at one of the local restaurants as a waitress. They had known each other for years and been living together as husband and wife for the previous six weeks, moving in to the Atlee Rooms some time around the beginning of July 1952. Very little is known about the past of Delores. We do know that she was white and had worked off and on as a waitress in Strathcona. Previous to Clarence, Delores had been living common law with black sawmill

152 “Delores Dingman,” Inquest 286.
154 Delores Dingman’s “race” was all but confirmed when her best friend, Grace Anderson, a white woman who was married to black railroad switchman and brakeman Walter Philip Anderson, was asked if she was related to Delores, a question only asked of people of the same “race” (Inquest 269). Grace Anderson’s “race” was stated on her death certificate as “white.” BCARS, British Columbia, Department of Health Services and Hospital Insurance, Division of Vital Statistics, “Registration of Death: Grace Anderson,” reg. #1969-09-014655, microfilm #B13299. It is
worker Jack Bowden at Bowden’s residence at 629 ½ Main Street. More is known about the past of Clarence. Clemons’s death certificate states that he was born on January 27, 1900, in Alberta and that he had moved out to B.C. from Edmonton sometime in 1937. And, as mentioned in the testimony of Clemons’s criminal past, Clemons was once married to a woman whose name was Elizabeth, who was also white.

When they saw each other again it was about 5:15 in the afternoon and they left their apartment and went to the beer parlour of the Astoria Hotel where they each drank about 4 beers. During this time, Clarence left to buy a bottle of rye from the liquor store and when he came back to the hotel, they left to go back to their apartment for dinner where they both had a drink of rye before and after their meal. After dinner Delores and Clarence went to the Main Hotel where they drank a few more beers until the beer parlour closed at about 11:30. From the Main Hotel they made their way to the New Station Café, stopping to chat with a few friends along the way. At the café, Clarence and Delores shared a booth chatting and drinking coffee while the other patrons, many of them blacks living in the area, socialized and danced to the sounds of the juke box.

Soon, Delores left Clarence to seek out a friend who she thought might be working at the restaurant known as Vi’s Steak and Chicken just around the corner from the New Station. After Delores left, Clarence moved over to a stool along the café’s long counter, chatted briefly

significant that throughout the case, not one mention was ever made of Dingman’s “race” or “skin colour,” not even by the Pacific Tribune, which focussed so much on Clemons’s “race.” The taboo against mixed race marriages ran strong in postwar Vancouver, but it was not as strong in this “othered” area, the Strathcona neighbourhood.

155 Inquest 187. Jack Bowden’s “race” was confirmed by the testimony of Constable Dan Brown (Inquest 118).
156 “Registration of Death: Clarence Clemons.”
157 Inquest 127.
158 “Delores Dingman,” Inquest 287.
159 “Delores Dingman,” Inquest 288.
161 Irene Bowen, 512 Alexander Street, remembers that she had been drinking and “bouncing from table to table” during the early morning hours of July 19, 1952 (Inquest 192).
162 “Delores Dingman,” Inquest 289.
with an acquaintance, Aaron Glover, and then ordered a small meal.\textsuperscript{163} Fighting the effects of his alcohol, and weary from his long, hard work day on the docks,\textsuperscript{164} Clarence rested his head on his arms and dozed off, waiting for his wife’s return. When Delores did return, Clarence was nowhere to be found and she was told he had been arrested.\textsuperscript{165} When she phoned the police station to inquire whether she could post his bail for him, Delores was told that nothing could be done about her husband until the morning.\textsuperscript{166} So, in the morning, Delores went down to the police station and sat in the courtroom for a while, looking for Clarence. When she realized that he was not there, Delores left the courthouse where she happened upon her long-time friend Grace Anderson\textsuperscript{167} and her husband, Walter Philip Anderson.\textsuperscript{168} When the trio discovered that Clarence had been taken to the hospital, the Andersons offered to drive Delores to see him.\textsuperscript{169}

It was around 10:30 a.m. when Delores entered the hospital Emergency Ward with Grace. Obviously distraught about the condition she had found her husband in, Delores’s discussion with Clarence caused him to become “very excitable and talkative.”\textsuperscript{170} She told those present that “she was going to see that the police were punished for arresting him.”\textsuperscript{171} Delores was warned by the police officer accompanying Clemons not to “create a disturbance” and was

\textsuperscript{163} “Aaron Glover,” \textit{Inquest} 177.
\textsuperscript{164} “Delores Dingman,” \textit{Inquest} 298. Dolores was adamant that Clarence was not intoxicated. She told the coroner’s inquest that, “Of course, you could tell he had been drinking.” But, “Well, he had been up early that day and had worked and sitting [slumped over] probably by himself... but it wouldn’t be from liquor necessarily” (\textit{Inquest} 298).
\textsuperscript{165} “Delores Dingman,” \textit{Inquest} 290.
\textsuperscript{166} “Delores Dingman,” \textit{Inquest} 290.
\textsuperscript{167} Grace Anderson’s death certificate listed her “racial origin” as “white.” She was born in England in 1899 and moved to Canada in 1910. She married Walter Phillip Anderson and they lived at 2673 McGill Street, just outside of Strathcona proper. Grace died in Vancouver General Hospital in 1969 (“Registration of Death: Grace Anderson”).
\textsuperscript{168} Walter stated that he was a railroad “switchman and brakeman.” Walter’s “race” was confirmed at the inquest when N.T. Nemetz asked him if he was related to the Clarence Clemons (\textit{Inquest} 261).
\textsuperscript{169} “Delores Dingman,” \textit{Inquest} 291.
\textsuperscript{170} “Richard Eric Hoyle,” \textit{Inquest} 254.
\textsuperscript{171} “Richard Eric Hoyle,” \textit{Inquest} 257. Police Constable Richard Doyle, Clemons’s guard sent with him to the hospital, repeated Delores’ comments.
permitted to stay with Clarence. She pulled out a carton of cigarettes and helped him to smoke by guiding her husband’s right hand to his mouth. During their visit, all Clarence said to Delores was that “he was hurt and couldn’t move.”

When Clemons was transported back to the police station, Grace and Walter were waiting there with their Austin car to take Delores and Clarence back home. By this time Delores had paid Clarence’s $50 bail with money she had borrowed from Grace. When the elevator door opened, Walter said he saw Clarence lying on the floor and asked the officers, “What is the matter with this fellow?” The police told Walter that “There is nothing wrong with him; the doctor said he was okay.” But when Walter told Clemons to get up, Clemons only replied, “I can’t get up.” The officers threatened to take Clemons back upstairs if he did not move, so Walter asked them if they could at least help lift Clarence into the car. The officers obliged and Walter, Grace, Clarence and Delores drove to the Atlee Apartments.

When the two couples arrived back at 610 Alexander Street, Clarence again told Walter that he could not move or get out of the car by himself. So, with the help of a couple of nearby neighbours and the building’s landlord, Walter carried Clarence up the one flight of stairs to Delores’s and his apartment on the second floor. Putting him on the bed, Walter asked Clemons if he wanted a smoke. When Clemons agreed, Walter then had to help Clarence to hold the cigarette because Clarence told him once again that he could not move and that “They [the

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172 “Richard Eric Hoyle,” Inquest 255.
175 “Walter Philip Anderson,” Inquest 262.
176 “Grace Anderson,” Inquest 268.
177 “Walter Philip Anderson,” Inquest 263.
police had] treated me pretty rough.” As the couples talked about the events of the day, Clarence insisted that Delores first call Dr. Lyons to come and examine him.

From the moment that Clemons returned home, Delores took care of him completely, feeding and caring for her “entirely helpless” husband. During this time at home, Clemons told his doctor, wife and friends a very different story of his arrest than that recounted by his arresting police officers. In Clemons’s story, the details of a violent, belligerent, and hysterical “Negro” man from a troublesome part of town were replaced with the story of the brutality and abuse of authority of the city’s police officers. Within Strathcona, this is the version of events that would be remembered and acted upon by the community. Clarence explained his version of the events to Delores, who testified to the inquest that

When he [Clarence] got outside – when he got outside – or did he [Constable Wintrip] take him out – when he got outside of the café Danny Brown was standing there and they took him up to the – up to the corner around on Georgia like, and hit him in the stomach and knocked him down. He put his hands up to protect his face and from then on I don’t know who had done what. They split his legs and used their feet but he didn’t know which one was doing which, you know.

In this story, the police acted as menacing bullies ganging up and beating a defenceless man in his early fifties.

As word of Clarence’s arrest and injury spread throughout the small community of black Vancouverites, so too did a more sinister, gendered side of the alleged beating. The story of the actual beating showed that it was aimed squarely at Clemons’s masculinity, fuelled by racist knowledge of the genitalia of black men. After hearing about the incident, African Canadian Ray Allen Johnson, a porter for the C.P.R., close friend of Clarence for over twenty-five years, and then living at 932 East Hastings, went over to Delores and Clarence’s apartment on the 23rd
of July to find out what had happened.\textsuperscript{184} Seeing his old friend, Clemons had requested that Johnson get in touch with lawyer Robert R. Maitland.\textsuperscript{185} Then Clarence told the following story to Johnson, which he retold at the inquest months later:

He [Clarence] was sitting in the New Station Café and the police came in and told him to get out and he said he was waiting for his wife.... Well, “He says, I told you to get out. If you don’t get out I’ll arrest you.” “Well,” he says, “you can start to arrest me because I am still waiting for my wife.” “I told you to get out.” He walked out of the Café and said he got up to the alley to the phone box and they phoned for the wagon. When they finished phoning one of them shoved [sic] him around and one of the police gave him a shove and the other one hit him and they half turned him around and the first one that shoved him struck him again and knocked him down. He said when they knocked him down one of the police took one foot and one took the other foot in a slit position and he hollered for help. One says, “You are a pansy. You can’t take it.” And after that they brought him up to the station.\textsuperscript{186}

Clemons also told a very similar story to Mrs. Geraldine Dale, who had known Clemons for years because her husband also worked at Empire Stevedoring. Dale said that she had first gone over to Clemons’s place to see what was the matter with him and came back every day after that to help Delores with the difficult task of caring for Clarence. According to Dale, “[Clarence] couldn’t feed himself, everything had to be done for him, even his toilet, being fed, his cigarettes, if he wanted to be moved we had to lift him.”\textsuperscript{187} During her time spent at the apartment, Clemons told Dale that the officers had “knocked him down and [started] kicking him in the privates and all up and down his privates, he said he put his hands over his head to protect himself and they kicked him on the hands and nostrils.”\textsuperscript{188}

\textsuperscript{184} Born in 1902 in Oklahoma to Frank and Frances Johnson, Ray Johnson had moved to Canada (most likely Edmonton) with his family when he was 8 years old. Moving to B.C. sometime around 1934, Ray began work as a C.P.R. porter in 1950, working in this occupation right up until the year of his death at 64 years of age in 1967. Ray was married to Lucy (Dwire) Johnson. BCARS, British Columbia, Department of Health Services and Hospital Insurance, Division of Vital Statistics, “Registration of Death: Raymond Allen Johnson,” reg. # 1967-09-008129, microfilm # B13284.

\textsuperscript{185} “Ray Allan Johnson,” \textit{Inquest} 21 A.

\textsuperscript{186} “Ray Allan Johnson,” \textit{Inquest} 273.

\textsuperscript{187} “Geraldine Dale,” \textit{Inquest} 304.

\textsuperscript{188} “Geraldine Dale,” \textit{Inquest} 305. Kicking Clemons in his genital region would coincide well with common racist stereotypes about black male hyper-sexuality as well as with the enduring myth about the size of their penises. Such
Clemons’s friends continued to support and care for him even as he lay comatose in Vancouver General. Ray Johnson said that he visited Clarence all the time he was in the hospital and testified that, when he visited Clarence, “I didn’t talk with him. All I did was look at him. . . . I just looked at him. He couldn’t say anything.” Finally, on December 24, 1952, Clarence succumbed to the bronchial pneumonia infection that had developed in his lungs; unable to adequately clear his lungs, his body slowly asphyxiated to death. The level of anger and outrage that the story of Clemons’s arrest caused within Strathcona was matched only by the outpouring of love and support for Delores and Clemons. Members from the community rallied around one of their own in ways that were personal and very soon also political.

**Fallout From the Inquest**

Shortly after the marathon fifteen-hour inquest concluded, the jury returned with their verdict. The foreman read:

> We find that Clarence Clemons died in the Vancouver General Hospital at 10:45 p.m. Dec. 24 [1952], and that his death was unnatural and accidental due to injury to the spinal cord caused by an old injury which may have been aggravated by his strenuous struggles in resisting arrest by two city police officers at 2:30 a.m., July 19 [1952] in the normal course of their duty.

The verdict went on to commend the doctors at the hospital for their treatment of Clemons. For the *Pacific Tribune*, the verdict was a terrible "whitewash of reprehensible police methods" made by a jury comprised of seven white bourgeois men. The residents of Strathcona were equally stunned and outraged that so many of the facts they had presented had been ignored.

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actions by the police could also explain why most of the doctors reported not being able to find any bruises on Clemons's body (*Inquest 43*).

190 “Harmon,” *Inquest* 92.
192 *Vancouver Province* 7 January 1953: 18.
Immediately after the verdict was read, a "slim, middle-aged Negro" stood up and asked the coroner if he could ask a question. A police officer shouted at him to be silent. Persisting, the man said, "I'd like to ask a question. I'm not satisfied with this verdict and I want to ask a question." The coroner threatened him to "Sit down or we'll take you upstairs and let you ask your questions up there." As Whitbread said this, two officers started moving toward the spectator, who quickly sat down.¹⁹⁴ There was no question about who still controlled the production of knowledge in Vancouver; but, increasingly, people were willing to publicly question this control.

The Pacific Tribune called for Attorney-General Robert Bonner to quash the verdict and hold another inquest. And, in an effort to keep up public pressure the newspaper began publishing long, verbatim sections of the witness testimony made at the inquest. With these full-page articles were advertisements asking for donations from the public to "Support the Pacific Tribune's Fight for Justice in the Clemens Case." Under one of these captions was a picture of a white man holding a placard that read "Jim Crow Must Go."¹⁹⁵ The public language of race still made great headlines in British Columbia.

Within the black community of Strathcona the verdict of the Clemons case galvanized the determination of its members to organize and fight what it saw as racial discrimination in Vancouver. For example, on Monday January 12, 1953, a group of more than 150 black Vancouverites met in Fishermen's Hall and created the Negro Citizens League, chaired by Roland Lawrence, to fight for civil rights. At this meeting, Lawrence invoked the Clemons inquest and his listeners' religious convictions when he said:

Police witnesses got up and kissed the [B]ible and swore to tell the truth. But the evidence they gave had many discrepancies. Is there anything in the [B]ible that says the

¹⁹⁵ Pacific Tribune 27 March 1953: 10.
earth is made only for white people? The [B]ible says we are all God's children, and it
doesn't say anything about color. Then why should any man, black, white, or green, be
treated as Clarence Clemens was? When elections come around, we Negroes are visited
by politicians who shake our hands and ask for our votes. Now we are asking them for
justice. We won't sit down and accept racial discrimination. We'll stand up and fight for
our rights.196

Lawrence later addressed the 10,000 strong 1953 May Day demonstration held at Lumberman's
Arch in Stanley Park on behalf of the Negro Citizens League: "There is a great deal of racial
discrimination practiced in Vancouver. There are sections of this city where Negroes, Japanese,
Chinese, Hindus and Jews cannot live. Why should this be?"197 If Vancouver's black
community could be accused of not being organized in 1952,198 by early 1953 this was certainly
not the case. The counter-hegemonic narrative of the death of Clarence Clemons had
demonstrated to much of the community of Strathcona, and especially to the black community
there, that life in British Columbia in the early 1950s meant as clearly as ever that “coloured”
people, or “undesirable” people, were as marginalized as they had ever been within the
province’s racial knowledge-based power relations. The events of and surrounding the Clemons
inquest did not ignite the province in protest overnight, but they did help to bring to public view
what had been for too long a mostly hidden, smouldering transcript.

Conclusion

The “truth” of what actually happened in the early hours of July 19, 1952, between
Clemons and his arresting officers can never be known. This silence weighs heavily on any
simple interpretation of Clemons’s story, epitomizing the layers of textuality, subjectivity – the
“bundle of silences” – that necessarily complicate the creation of any historical record, especially

198 Vancouver Sun 19 July 1952: 15.
one comprised from a legal case file. What is known, though, is that in the first half of the 20th century, it was common for “white” British Columbians to publicly privilege themselves according to their “race.” Being “white” functioned as a valuable and power-filled asset, one that provided an immediate identity and community to belong to. Concomitant to this self-defining ideology of racial superiority, taken for granted and thus hegemonic among B.C.’s dominant whites, was an equally self-defining ideology premised on a faith in the inferiority of non-whites. Knowledge of this race faith was often used to discriminate publicly against racial and ethnic minorities, forming a veritable continuum of public prejudice that ranged from newspaper editorials to attempts at racist legislation, to a mass-internment of thousands of Japanese Canadian citizens, and to even more baser forms of violence.

When the terrible losses of the Second World War and the atrocities of the Holocaust began to hit home in the early 1950s, however, an entire paradigm shift of Western, if not global, proportions took place. The postwar years in British Columbia saw the public language of race and white racial superiority that had once provided white British Columbians with such easy access to a collective identity subsumed beneath a liberalized public spirit of egalitarianism. Multiculturalism and the cultural mosaic were soon born. Some have argued that this new liberal faith in the essential sameness of everyone continued to harbour the language of race, albeit in seemingly benign forms; the “celebration” of the “cultural heritage” of “Chinatowns,” for example. Certainly in the early 1950s, at least, this paradigm shift was still in its infancy. The “celebration” of the “racial heritage” of “whiteness” may have been fast disappearing, especially

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201 See for example chapter six of Kay Anderson’s *Vancouver’s Chinatown*. 

because of the new public assertiveness of minority groups themselves. But, this paper has argued that the reflecting / constituting narratives being created in B.C.'s sites of legal discourse indicate that while the postwar public rhetoric of race had been largely hidden, the process of self-privileging by some (white) groups at the human cost of marginalizing the souls of other groups – in this case Clarence Clemons, the other African Canadian residents of Strathcona, as well as their friends, lovers, and supporters, regardless of race, class, or gender – continued, at least for a little while longer.  

202 In fact, some authors argue that nativism and its manifestations like racism have been and continue to be an integral component of the growth of liberal democracies like Canada. For example, see William H. Katerberg, "The Irony of Identity: An Essay on Nativism, Liberal Democracy, and Parochial Identities in Canada and the United States," *American Quarterly* 47.3 (September 1995): 493-524. With a similar message, George Elliott Clarke writes that Canada still has a "soft and fuzzy prototypical Aryan nature" (108). George Elliott Clarke, "White Like Canada," *Transition* 0.73 (1997): 98-109.
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