

**Original Article:**

**An Ensign For The Coffin**

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I spent four years on active duty as a lawyer in the United States Navy in constant fear that I would be arrested for impersonating an officer. It was bad enough that I could never learn how to spit-shine my Corfam shoes or keep my fingers at the proper angle while saluting, but the sure giveaway was my inability to speak the language, because I had been raised speaking English. The Navy, like patent lawyers, doesn't use English, at least for essential concepts like left and right (port and starboard, but only when going forward), floor and ceiling (deck and overhead), bathroom (head), cafeteria (gedunk), or useless inexperienced officer (ensign). Things are never closed, they are secured; they are never thrown away, but surveyed, unless they are more colloquially deep-sixed. It is never 2:00 P.M., it is fourteen hundred hours, or four bells, or (in the case of Marines) Mickey's little hand is on the two.

Most of the time, we JAG officers were able to make do among ourselves with lawyer jargon, mumbling phrases like "suborning perjury," "badgering the witness" and "exceeding the scope of direct." But occasionally, a basic knowledge of how to talk to a non-lawyer was helpful, if not essential. Going on board ship to investigate a crime was particularly dangerous, what with the need to navigate a maze of decks, ladders and passageways, or whatever they were called. When I was unable to persuade clients or witnesses to come to me (on the "ninth deck of HQ"), I always insisted on the appointment of a guide ("swabbie" or "maggot"), so I could simply point to where I needed to go, or, in an emergency, ask, "How the \_\_\_ do I get out of here?" (The word "\_\_\_" I knew from English, but in the Navy it had many more flexible uses). I still tremble recalling when, having no alternative to going aboard to investigate a charge that a maggot had incapacitated his ship's motor, I was left alone downstairs ("below") in the engine room. I became paralyzed with fear that I would be carried off to Guam before I could find the exit (whatever it was called) if the boatswain (however he was pronounced) hollered "Avast" or "Belay" or whatever was the Navy equivalent of "All ashore that's going ashore." I recovered my equilibrium only when I remembered from my training that a ship without a motor couldn't get too far across the Pacific.

The hardest time to disguise one's linguistic deficiency was on the biweekly-or-so assignment ("evolution") of "standing the watch" (staying overnight in a flea-bag of a room attending to whatever emergencies arose in the area served by our Boston HQ.) Most of these emergencies were meteorological, requiring the Officer of the Watch to upgrade or downgrade "weather conditions" as directed by messages arriving at the "Comm Center," presumably from some swabbie in Washington watching Dr. Frank Field on television. One night, no longer able to contain my curiosity about

what actually happened when I authorized a district-wide downgrade in the weather condition, I knew enough to ask a Chief Petty Officer, who informed me, "They closes the windows in Pittsfield, sir."

Even more important than the responsibility of telling people two hundred miles away whether it was raining, was the need to assign "Op Areas" for real naval officers who would have been disappointed, to say the least, if they knew they were relying on a lawyer to tell them where to drive their boats. The one rule we eventually learned, sometimes the hard way, was that it was not a good idea to assign fly-overs and anti-aircraft in the same space. One poor lawyer, presumably working today in Homeland Security, mistakenly raised the alert level ("DefCon") for the entire Eastern seaboard; another, thinking wrongly that he had mastered some actual operational terminology, sent an urgent message to a ship captain that he was "steaming into shoal waters," only to receive an immediate response that the ship had been tied up to the pier for months.

I did, however, run a high risk of landing on the Guam Express one night on watch when a call came in from none other than Rear Admiral Samuel Eliot Morison, the distinguished historian, who had an unusual request: his wife had died and he wanted to arrange for a military funeral. After ascertaining that the Admiral was not asking for a burial at sea, for which I would have been out of my depth, I listened to his specific requests.

"May we have a chaplain?"

So far, so good. We had not only one, but two chaplains in the building, Catholic and Protestant. We even had a civilian rabbi who came in to conduct Sabbath services on Wednesdays because he was busy on Saturdays.

"May we have an honor guard to fire a volley?"

I could do that, too. I knew that an honor guard was a squadron of miscreants, mostly my clients, awaiting trial for various felonies, to whom the command had helpfully issued rifles.

"Could we have an ensign for the coffin?"

Now I was in trouble. I had assumed that, even in military funerals, it was the family's responsibility to supply the body. Even if I wanted to comply, I knew we didn't have an ensign, the most junior officer on board being a lieutenant (junior grade). I wondered wildly if we could get some Marine volunteer to make the sacrifice for his country.

Whatever else I didn't know, I knew you didn't say no to an admiral. So I agreed to all his requests and then adopted the time-tested solution of asking the Chief who knew about the windows in Pittsfield. To my relief, he was able to explain that "ensign" was also Navyspeak for "flag."

I am told that the funeral went off without a hitch, and the honor guard didn't shoot anyone. I went back to work, secure in the knowledge that no Russian

submarine had ever gotten past Harvard Square on my watch.

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