

From the Regimental Historian and Archivist

Our history: From U.S. Army Judge Advocate captain to Israeli Army brigadier general: the amazing career of "Mickey" Marcus.

Almost forgotten today, David Daniel "Mickey" Marcus had an amazing career in uniform as an Army lawyer and as the Israeli Army's first brigadier general.

Born in Brooklyn, N.Y. in 1902, "Mick" or "Mickey" Marcus was a self-described "tough street kid" who learned to box to defend himself against local bullies. His stellar high school record as an athlete and student helped him obtain an appointment to the U.S. Military Academy at West Point, where he immediately made a name for himself. Mickey excelled in boxing as a cadet and "had a pile driving left hand punch that he usually started from the floor," and it made



COL Mickey Marcus
(shown as Israeli Army BG)

him intercollegiate welterweight champion in 1923.

After graduating in 1924, 2LT Marcus reported to the 16th Infantry Regiment at Fort Jay on Governor's Island. He also decided to study law at night, and enrolled in the Brooklyn Law School. Balancing his military duties with night law school classes, he managed to earn his LL.B. in 1927, and was admitted to the New York Bar in 1928.

Marcus resigned from the Regular Army in 1929 and, by 1931, was an Assistant U.S. Attorney in New York City. Then, in 1934, he was appointed First Deputy Commissioner of Corrections of the City of New York. Within three weeks, his name was front page news as he battled two gangster mobs that had practically taken over the local prisons.

With outbreak of war in Europe in

September 1939---and suspecting that America might soon be involved in the fighting---Marcus decided that he should be more active in military affairs. He had stayed in the Army Reserve when he had left active duty, and now applied for a transfer to the Judge Advocate General's Department in the New York National Guard. The result was that Marcus was appointed as a captain on 30 November 1939. Promotions were fast after that: Major on 17 August 1940 and Lieutenant Colonel on 6 September 1940.

When Marcus pinned on his silver oak leaves, he also was appointed the Staff Judge Advocate of the 27th Division and, when that unit was activated for federal service on 15 October 1940, Marcus also was inducted into the Active Army.

Although he was the division's top lawyer, Marcus quickly showed that he was a talented staff officer, and he was soon doing other jobs, including serving as Headquarters Commandant and Provost Marshal.

After the 27th Division deployed to Hawaii in April 1942, LTC Marcus was the Executive for the Military Government and Island Provost Court, and was the direct contact between his commanding general and the representatives of many civilian agencies.

Additionally, when the division established a Ranger School, Marcus was given the job of running it. In April 1943, when Marcus left the 27th and Hawaii to return to Washington, D.C., the division commander wrote:

"Your most outstanding achievement is the superior work you have done in organizing and directing the 27th Division Ranger School. Your own splendid leadership and personal example of physical prowess made this school a great success. You have shown that you know the business of Soldiering and tactical leading of troops."

One wonders what infantry officers thought of an Army lawyer organizing and running Ranger training!

When he arrived in Washington, Marcus was assigned to the newly created Civil Affairs Division of the War Department. He worked as the Chief of the Planning Branch and, after a promotion to colonel in July 1943, Marcus helped formulate Civil Affairs policies and represented the Civil Affairs Division at high level meetings, including the Teheran Conference in November 1943.

But, although he was a superb staff

officer, Marcus "was at heart a man of action" and, some months before the June 6, 1944 invasion of Normandy, Marcus persuaded his boss to send him to England "to tie up loose ends before D-Day."

COL Marcus arrived in England on 10 May and, by the end of the month, had arranged to accompany the 101st Airborne Division in the invasion. In fact, it seems that Marcus parachuted into Normandy with the division --- despite his lack of formal parachute training. In any event, Marcus remained with the 101st in France for several weeks, until he was ordered to return to his Civil Affairs job in Washington.

In the summer of 1944, Mick Marcus participated in the Dumbarton Oaks Conference, which framed the charter of the United Nations. In September, he attended the Roosevelt-Churchill Conference in Quebec. For his work at both meetings, COL Marcus was awarded the Distinguished Service Medal---a high honor for a Judge Advocate field grade officer.

After the war, COL Marcus was transferred from Civil Affairs to Headquarters, US Forces, European Theater, where he worked on municipal government issues in occupied Germany. In July 1945, he was appointed as Deputy to the Assistant Military Governor in Berlin, where he worked closely with the French, British and Soviet representatives in the Four-Power Control Council.

For his superb work, Marcus was awarded the Bronze Star Medal and the newly created Army Commendation Ribbon. The British Government, impressed with his work, also awarded him the Most Excellent Order of the British Empire by the British (Commander).

In February 1946, Marcus was called back to Washington to organize and operate the War Crimes Branch of the Civil Affairs Division. The head of the Division, Maj. Gen. John H. Hilldring, later said of Marcus:

"I needed a man with an unusual combination of talents to head it up. Marcus was the man. In eight months, he recruited hundreds of judges, prosecutors, court officials, and lawyers for the war crimes trials."

CONTINUED ON PAGE 5

By Fred Borch, Regimental Historian,
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NORAD and USNORTHCOM

The North American Aerospace Defense (NORAD) Command and U.S. Northern Command (NORTHCOM) Office of the Staff Judge Advocate (OSJA) provides legal support for operations throughout North America. OSJA lawyers support NORAD missions of aerospace warning and control and maritime warning. This includes keeping Canada and the United States safe from armed air attack on a 24/7 basis with legal support for Operation NOBLE EAGLE.

In September 2008, OSJA personnel assisted in helping thousands of hurricane victims suffering from Hurricanes Gustav, Hanna, Ike, Josephine and Kyle over a three-week period. While performing this real-world Defense Support of Civil Authorities (DSCA) operation, the Office also helped the Army's new Chemical, Biological, Radiological, Nuclear, and High Yield Explosive (CBRNE) Consequence Management Response Force (CCMRF), 1st Brigade, 3rd Infantry Division, establish its initial readiness posture in Georgia as a CCMRF.

The CCMRF is a consequence management force tailored to respond to support local, state and tribal authorities overwhelmed by the effects of a CBRNE event, regardless of the

cause. For the first time in history, forces have been permanently assigned to NORTHCOM. 1/3 BCT is the trailblazer -- a full brigade combat team with indigenous JA support reporting to Joint Task Force Civil Support, headquartered in Hampton Roads, Virginia, a subordinate command of U.S. Army North (ARNORTH), in San Antonio, Texas, which serves as NORTHCOM's Joint Forces Land Component Command (JFLCC). Although the CCMRF may never deploy on an actual CBRNE consequence management mission, it must be ready to do so.

A more common mission for NORTHCOM lawyers is civil support to states in the wake of a hurricane. ARNORTH has assigned an active duty Colonel to each of the 10 FEMA regions to serve as the Defense Coordinating Officer (DCO). The DCO has a six-person support team known as the Defense Coordinating Element (DCE). None of the DCOs has a dedicated JA. This is where young Judge Advocates looking for experience as an operational lawyer can gain valuable skills in short deployments within the U.S.

The ARNORTH OSJA provides JA support to the DCOs through Captains and Majors volunteered from SJA of-

fices throughout the U.S. ARNORTH trains these attorneys in the finer points of domestic operations law and civil support before sending them out. Training entails a short on-line course followed by a one-week DSCA course. In most cases, the attorney will participate in a one-week certification exercise for the DCO. All funding for training and deployments is covered by ARNORTH. ARNORTH requires only a reasonable commitment from the responsible SJA and the would-be DCO JA. Obviously, the mission at the local SJA office takes priority, but the purpose of having these trained domestic operational law attorneys is that of having them ready, at very short notice, to respond to a disaster. If you have personnel who are reasonably available and who would like to gain valuable operational experience, they may contact COL Keith Well at Keith.Well@US.ARMY.MIL or the NORAD and USNORTHCOM OSJA.

By LTC Bradley Upton

Continued from page 3.

Marcus, who also was responsible for supervising these war crimes courts, made a number of inspection trips to Germany, and one to the Philippines, Korea, Japan and China.

In 1946, as the Army demobilized, released Reserve officers from active duty, and reorganized into a Regular force, TJAG Maj. Gen. Thomas H. Green urged Marcus to apply for a Regular Army commission as a Judge Advocate. The result was that Mick Marcus was commissioned a major, JAGD, on July 5, 1946.

But a year later, Marcus decided to return to Brooklyn, N.Y. He resigned his Regular commission, accepted a commission as a COL, JAGD Reserve Corps, and went into private law practice in Manhattan.

In 1947, the U.N. General Assembly voted a partition of Palestine, but no military force was provided to carry out the plan. Israeli officials came to the U.S. to find a leader for their irregular forces who could transform them into a modern Army. They were told by many that Mickey Marcus was their man. When they found him, Marcus dropped everything and left for Palestine in January 1948. (The United States gave Marcus permission to serve in Israel, provided he disguised his identity and military record--consequently, Marcus arrived in Tel Aviv as "Michael Stone!")

Working day and night, he established a training school

for officers, supervised field training, and organized a general staff. Marcus returned to the U.S. in April, but, when the Arab states invaded Israel on May 15, 1948, Israel was ready on every front--thanks to Marcus' hard work.

After the Arab attack, the Israeli government begged Marcus to return to Israel to make sure that the plans he had made were properly carried out. He agreed, and, when he returned to Israel, Marcus was appointed a brigadier general and the supreme commander of Israeli forces on the Jerusalem front. When the Jewish section of Jerusalem was about to fall, Marcus ordered the construction of a road to transport additional men and materiel to successfully break the Arab siege just days before the U.N. negotiated a cease fire.

Sadly, Marcus never lived to see peace. On June 10, 1948, six hours before the cease fire was to take effect, Marcus was accidentally killed by a Jewish sentry who, not understanding Marcus' response to his challenge, shot him with a single, fatal shot. He was only 47 years old, and his death was a great shock to all who knew him.

Marcus was the first general officer in the Israeli Army and the only graduate of West Point to die fighting for another nation. A Hollywood movie "Cast a Giant Shadow" (1966) tells the Mickey Marcus story (with Kirk Douglas playing the lead role), and he will always be one of our Regiment's most remarkable members.