

David “Mickey” Marcus

by Fred L. Borch

David Daniel “Mickey” Marcus had an amazing career as an Army lawyer during World War II and an equally remarkable role as the Israeli Army’s first brigadier general in 1948. It is no wonder an associate later remembered Marcus as “the most unforgettable man I ever met.”

Born in Brooklyn, New York, on 22 February 1901, “Mick” or “Mickey” Marcus was a first-generation American; both his father and mother had been born in Rumania. He was poor and he was Jewish, and his early life was tough after Marcus’ father died when he was eleven years old. But Marcus was a self-described “tough street kid,” and he learned to box to defend himself against local bullies.

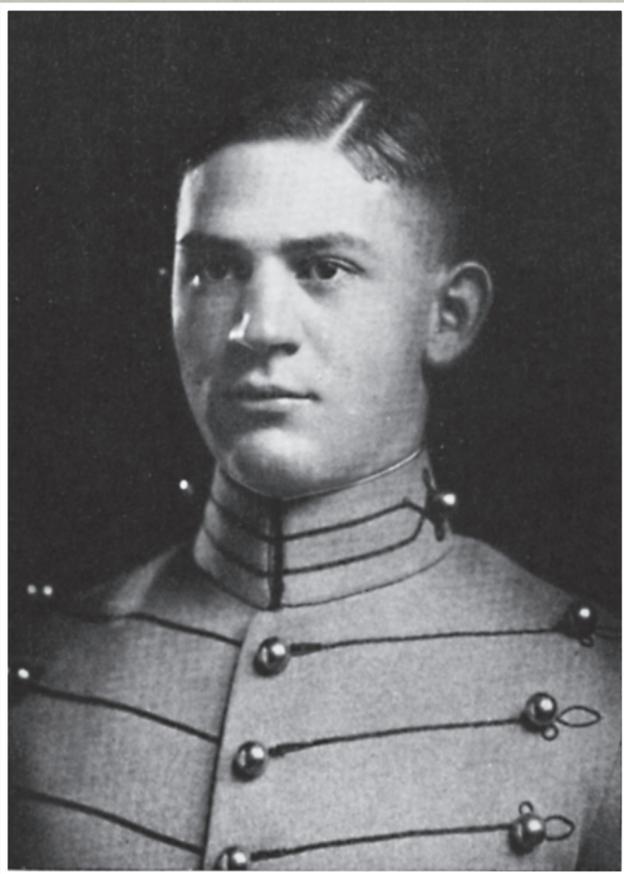
Marcus went to Boys High School in Brooklyn, and while he was a good student, he was a better athlete. He was the star of the 1918 baseball and football teams and, after he graduated from Boys High in January 1919, his athletic prowess helped him win an appointment to the U.S. Military Academy at West Point.

When he entered as a plebe on 1 July 1920, then nineteen-year-old Marcus immediately stood apart from his classmates, if for no other reason than he had been issued a plebeskin blouse with a collar several sizes too large, because only a large sized blouse would fit his barrel chest and massive shoulders. Apparently the upperclassmen took great pleasure in making Marcus pop his chin back inside that collar.

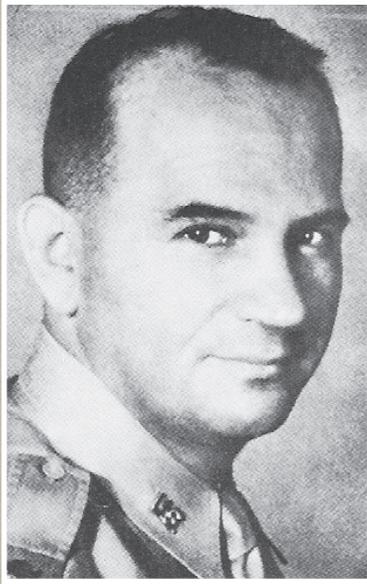
Mickey Marcus immediately made a name for himself, excelling in boxing. He “had a pile driving left hand punch that he usually started from the floor,” and it made him intercollegiate welterweight champion in 1923. The Corps of Cadets loved seeing him in the ring, and the then Superintendent of the Academy, Brigadier General Douglas MacArthur, never missed a Marcus fight. Marcus also was a superb gymnast and competed on the West Point gymnastics team in his specialty, the horizontal bar. So great was his prowess in this event that Marcus earned an invitation to the 1924 Olympic tryouts.

After graduating in 1924, Second Lieutenant Marcus reported to the 16th Infantry Regiment at Fort Jay on Governor’s Island, New York. 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, his J.D. in 1928, and was admitted to the New York Bar that same year.

Marcus resigned from the Regular Army in 1929 and, by 1931, was an Assistant U.S. Attorney in New York City. Then, in 1934,



David “Mickey” Marcus entered West Point in July 1920 and was commissioned as an infantry second lieutenant when he graduated in June 1924. This photograph of Marcus appeared in the *Howitzer*, the cadet yearbook, in 1924. (United States Military Academy)



In 1929, Marcus resigned his Regular Army commission and began a distinguished career as a lawyer in New York City. In the 1930s, he served first as an Assistant U.S. Attorney and then as First Deputy Commissioner of Corrections of the City of New York. After the start of war in Europe in September 1939, however, Marcus decided that he should be more active in military affairs and he obtained an appointment in the New York National Guard as a Judge Advocate captain. Promotions came quickly: major in August 1940, lieutenant colonel the following month. Marcus finished the war as an Army National Guard colonel. (U.S. Army Photographs)

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 a local prison and were running it for their own benefit. Marcus personally planned—and then led—a seventy-one-man posse that raided this penitentiary, broke up the criminal gangs, and ended their control of the prison.

With the 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 (JAGD) in the New York National Guard. As a result, Marcus was appointed captain on 30 November 1939. Promotions came quickly: 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. When that unit was activated for federal service on 15 October 1940, Marcus also was inducted into the active Army and went with his division to Fort McClellan, Alabama.

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. He also was given command of the division's Special Troops during maneuvers from August to October 1941.

After the 27th Division deployed to Hawaii in April 1942, Lieutenant Colonel 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 several civilian agencies.

Additionally, when Major General Ralph C. Smith decided that the division should establish a Ranger School, he gave Marcus the job of running it. Once again, Marcus proved that he was the right man for the job; when he left the 27th and Hawaii to return to Washington, DC, in April 1943, 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, where he was cited for his "far-seeing and imaginative planning."

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 Tehran Conference in November 1943.

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

Colonel 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. While the division parachuted into Normandy on 6 June, Marcus crossed the channel on a ship on 8 June. He waded ashore at Utah Beach under fire and then linked up with the 101st. Marcus remained with the division in France for several weeks until he was ordered to return to his Civil Affairs job in Washington.

In the summer of 1944, Marcus participated in the Dumbarton Oaks Conference in Washington, DC, which framed the charter of the United Nations (UN). In September, he attended the Roosevelt-Churchill Conference in Quebec. For his work at both meetings, Colonel Marcus was awarded the Distinguished Service Medal—a very high honor for a Judge Advocate field grade officer since the decoration is usually awarded only to general officers.

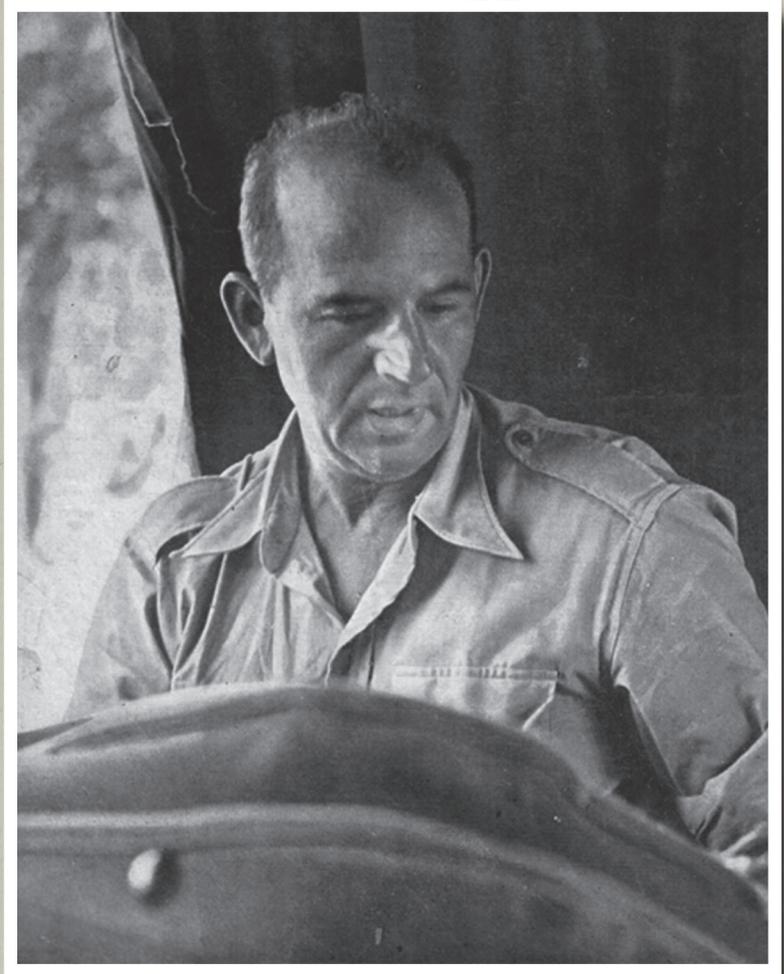
After the war, Marcus was transferred from Civil Affairs to Headquarters, U.S. Forces, European Theater, where he worked on municipal government issues in occupied Germany. In July 1945, he was appointed Deputy to the Assistant Military Governor in Berlin, where he worked closely with the French, British, 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, incredibly impressed with his work, also awarded him the Most Excellent Order of the British Empire.

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, Major General 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.

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 re-organized into



In 1948, Marcus obtained permission from the State Department to go to Palestine to help Jewish units organize and prepare for war. Working day and night, he established a training school and organized a command structure for the new Israeli Army. After the Arab attack on Israel, Marcus was promoted to the new rank of *aluf* (brigadier general) and appointed the supreme commander of all Israeli forces on the Jerusalem front. (United States Military Academy)

a Regular force, Major General Thomas H. Green, The Judge Advocate General, urged Marcus to apply for a Regular Army commission as a judge advocate. The result was that Marcus was commissioned a major, JAGD, on 5 July 1946.

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

In 1947, the UN General Assembly approved a partition of Palestine, but no military force was provided to carry out the plan. Israeli officials came to the United States 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.”)

He was shocked at the inferior physical fitness and poor training of Jewish units in Palestine. But, working day and night, Marcus established a training school for officers and supervised field training. He also organized a command structure for the new Israeli Army and a general staff. Finally, Marcus helped instill a fighting spirit among Israel soldiers. He returned to the United States in April but, when the Arab states invaded Israel on

15 May 1948, Israel was ready on every front, thanks to Marcus's strategic planning and hard work.

After the Arab attack, Prime Minister David Ben-Gurion 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 to the new rank of *aluf* (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 bring additional men and materiel, successfully breaking the Arab siege just days before the UN negotiated a cease-fire.

Sadly, Marcus never lived to see peace. On 10 June 1948, six hours before the cease-fire was to take effect, Marcus was accidentally killed by a Jewish sentry. It seems that Marcus, unable to sleep, had decided to go for a stroll outside the security perimeter. It was cold, and Marcus had wrapped himself in a white bed sheet. The result was that, when he returned to enter the perimeter, Marcus was challenged by an Israeli sentry who, not understanding Marcus's response to his challenge, killed him with a single fatal shot. This accidental shooting most likely resulted from the fact that the white bed sheet made Marcus appear to be in Arab dress and that Marcus, as an American Jew, spoke little Hebrew and consequently could not communicate well with the nervous sentry.

Marcus was only forty-seven-years-old when he was killed and his death was a great shock to all who knew him. His death was all the more tragic because less than twenty-four hours later, the first truce between the Israeli forces and Arab armies took effect.

Marcus was the first general officer in the Israeli Army and the only graduate of West Point to die fighting for another nation. His body was returned to the United States, and he was interred with full military honors at West Point.

A Hollywood movie, *Cast a Giant Shadow* (1966), tells the Mickey Marcus story. It stars John Wayne, Yul Brenner and Kirk Douglas (playing the lead role as Marcus), and the film explains how Marcus transformed a raw and undisciplined Jewish force into an army that defeated six hostile Arab nations intent on destroying the new state of Israel.

While more than sixty years have passed since Marcus was killed, and he has been forgotten by most Americans today, his career and accomplishments as a soldier and lawyer deserve to be remembered. 📖



LEFT: A memorial plaque dedicated to Marcus can be found at Union Temple of Brooklyn in Brooklyn, New York. (Photograph courtesy of Union Temple of Brooklyn)

RIGHT: Marcus's headstone at West Point includes the inscription, "A Soldier for All Humanity." On 26 April 1985, a plaque was added to the headstone in recognition of Marcus's "sacrifice for the establishment of the State of Israel." (United States Military Academy)



ABOUT THE AUTHOR

Fred L. Borch is the Regimental Historian and Archivist for the Judge Advocate General's Corps. He retired after twenty-five years of active duty as an Army lawyer and holds a Juris Doctor from the University of North Carolina, and an M.A. in History from the University of Virginia. He is the author of a number of books and articles on legal and history topics. His latest book, For Military Merit: Recipients of the Purple Heart, will be published by the Naval Institute Press in 2010.