

# The American Israelite

Connecting Jewish Cincinnati

THE OLDEST ENGLISH JEWISH WEEKLY IN AMERICA | EST. 1854 | Thursday, September 10, 2020 | 21 Elul, 5780 | Candlelighting Fri. 7:33p - Ends Sat. 8:34p | Vol. 167 • No. 9  
"LET THERE BE LIGHT"

## DAV centennial to salute founder, Cincinnati Judge Robert S. Marx

Submitted by: *Jewish Cemeteries of Greater Cincinnati*

This twentieth year of the 21st century will be remembered for much, but one of its proudest claims should be the Centennial of the founding of the revered advocacy and service organization for America's injured veterans, DAV (Disabled American Veterans). On September 8, the National and Ohio branches of the organization honored its extraordinary founder, Cincinnati Judge Robert S. Marx, himself a highly decorated World War I veteran.

Judge Marx's advocacy for disabled veterans was honored in a somber wreath laying ceremony at his grave in Walnut Hills Cemetery, part of Jewish Cemeteries of Greater Cincinnati. An honor guard and buglers set the respectful tone. Adjutant of the national organization Marc Burgess, Dr. David Leist, Chaplain of Cincinnati's U.S. Department of Veterans Affairs, and Commander John Plahovinsak from the Ohio department of the organization, addressed a very small audience. The service recognizing Judge Marx was unfortunately limited to a private group, due to pandemic concerns poignantly reminiscent of the time a century ago when he and his fellow veterans formed this veterans' advocacy group.

The story of Judge Robert S. Marx and his achievements is perhaps more fascinating for how seldom it is shared locally. He was born in Cincinnati in 1889 to Cincinnati-born Jewish parents, Rose "Rosa" Lowenstein Marx and William S. Marx, who was in the shoe business. Young Robert's grandparents on both sides had all emigrated to America from Germany after the Civil War. Robert graduated with honors from Walnut Hills High

School and then with even higher honors from the University of Cincinnati College of Law. He played football for UC when "helmets" were new and made of leather, yet he was a skilled and combative debater as well. Marx was already an adept trial lawyer when he joined the Army in 1917, just one month into American participation in the "Great War," and he rose to the rank of captain.

On the absolute final day of World War I, he was severely injured by a German shell while commanding his battalion in the extraordinarily bloody Meuse-Argonne offensive. Awakening two days later after head surgery, he immediately asked when he could rejoin his battalion and learned from the surgeon that the Armistice had just been signed.

Captain Robert S. Marx was awarded a Purple Heart and the Distinguished Service Cross – the nation's second highest medal for valor. The Great War was over, but Marx returned along with two hundred thousand-plus other veterans injured in World War I to an America financially devastated by the war, as well as ravaged by the 1918 influenza pandemic. He knew firsthand how frustratingly fragmented and underfunded the meager resources available to World War I vets were, regardless of their war decorations. The few hospitals and "old soldiers' homes" were relics of the Civil War and Spanish-American



Judge Robert S. Marx, founder of the Disabled American Veterans

War. Disabled veterans were left alone to navigate a maze of red tape leading mostly to dead ends, in search of the help they needed and deserved as soldiers who had kept their promise to defend America in war.

Still recovering from his own wounds, and just appointed the youngest Judge of Cincinnati's Superior Court, Marx spoke passionately at a Christmas Day dinner he had organized for fellow disabled veterans at the LB Harrison Hotel. A few weeks after that galvanizing gathering, in early 1920, Marx and several of those men formed a veterans' advocacy organization under the name the "Disabled American Veterans of the World War," which was later changed to the "Disabled American Veterans," and now uses just the initials. Judge Marx was the first National Commander of this now century-old organization that advocates for soldiers who return changed by

war.

"When we say 'keeping promises,' it harkens back to Judge Marx and the ideas our founders espoused," said Burgess. "The idea is that our nation makes a promise to make whole the veterans who are changed as a result of military service. It's a unique social contract. It's why, when we talk about veterans care and benefits, we say they are earned. They are part of a sacred promise."

Judge Robert S. Marx's advocacy for disabled veterans joined with the work of other veterans organizations led after a decade to the creation of the Veterans Administration, which unified service delivery for veterans including the disabled. Organization was much improved, although funding its mission sufficiently was, and still is, a struggle continued at every level of government by the veterans' organization today.

Judge Marx founded the veterans' advocacy organization close to the start of his career as one of the most revered trial attorneys of his time. He pioneered the concept of no-fault car insurance in the mid-1920's when the number of automobile accidents was first climbing and liability settlements were virtually unheard of. He was tapped by President Franklin D. Roosevelt as counsel for the receiver of the First National Bank of Detroit after the federal "bank holiday" of 1933— at the time the largest failure in the history of Amer-

ican banking. He went on to argue twenty-two cases before the Supreme Court of the United States. He taught for many years at the University of Cincinnati School of Law, creating a curriculum in researching case facts adopted by law schools nationwide. After his sudden death in 1960 at age 71, Judge Marx's estate funded the building of UC's present-day Robert S. Marx Law Library and the prestigious legal seminar and lecture series named for him.

Jewish Cemeteries executive director David Harris pointed out that Judge Marx is among the disproportionately many Jewish American men and women who have stepped up to serve and defend our country over history. Jewish Cemeteries is working with Eagle Scout Ethan Zied to locate every veteran's grave, then purchase and place special flag markers on every Jewish veteran's grave in the organization's 25 cemeteries in Cincinnati. "Our personal connections to service members, and service itself, continue to fuel our initiative to honor veterans, all started by Ethan, a Boy Scout who just wanted to honor other veterans, as he honored his grandfather. It is a testament to the power of one person, like Judge Marx, who made a difference and inspired others."

DAV is also working to honor Marx's wartime bravery. As part of the 2020 National Defense Authorization Act (NDAA), a "Review of World War I Valor Medals" initiative provides a pathway for medals, including the Navy Cross, Distinguished Service Cross and Air Force Cross, to be upgraded to the Medal of Honor. The program includes review of the service records of African American, Asian American, Hispanic American, Jewish American, and Native American war veterans. The organization has worked with the Department of the Army to submit an application for past National Commander Robert Marx's Distinguished Service Cross to be considered for an upgrade to the Medal of Honor. The results of the application will be available by 2023.

