

**AN ORAL HISTORY
OF
MAJOR GENERAL HAROLD E. PARKER**

(United States Army, Retired)

THE ASSISTANT JUDGE ADVOCATE GENERAL

**United States Army
1971-1975**

Interviewed by

MAJ Robert C. McPetridge

and

MAJ Harry L. Williams, Jr.

THE JUDGE ADVOCATE GENERAL'S SCHOOL

Charlottesville, Virginia

May 1986

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Harold E. Parker
NAME

13 Jan 1986
DATE

MAJOR GENERAL HAROLD E. PARKER

UNITED STATES ARMY

Harold E. Parker was born in Canton, New York on 25 March 1918. He received a Bachelor of Arts Degree in economics from Cornell University in 1938 and was commissioned as a second lieutenant, Field Artillery, in the Army Reserves. Soon after graduation, he married his high school sweetheart, Jane (Burnham) Parker, and they moved to New York City. General Parker held a variety of jobs in New York, from selling insurance to working for the National Broadcasting Studios.

In 1941, with World War II on the horizon, General Parker entered active duty with the 156th Field Artillery Regiment, 44th Infantry Division. In June 1942, he was transferred to the 75th Field Artillery Battalion and accompanied the unit for two years of duty in the Aleutian Islands. He served as a battery officer until the battalion returned to the United States in May 1944. In March 1945, the battalion was reassigned to Italy where General Parker commanded a headquarters battery and participated in the Po Valley campaign.

In August 1945, he returned to the United States and commanded a battery at the Field Artillery Replacement Training Center, Fort Bragg, until April 1946. Upon completion of the Strategic Intelligence Course at the Military Intelligence School, General Parker served as a plans officer in the Intelligence Division, War Department General Staff, from May 1946 until he entered Stanford Law School, while on active duty, in September 1948. At Stanford, General Parker was President of the Stanford Law Review. Notably, two members of the United States Supreme Court, Justices O'Connor and Rehnquist, were also on General Parker's law review. After graduation in June 1951, and admission to the California Bar, General Parker was assigned to the Staff Judge Advocate's Office, Sixth United States Army.

In 1952 General Parker began a 3-year tour in Germany. He served as an Assistant Staff Judge Advocate at 7th Army Headquarters and at the 2d Armored Division before becoming the Staff Judge Advocate for the 1st Infantry Division, from 1953 to 1955.

Following graduation from the Command and General Staff College in 1956, General Parker was assigned to the Military Justice Division, Office of The Judge Advocate General, Washington, D.C. During this tour he acted as the Recorder to the Secretary of the Army's Special Committee to Study the Uniform Code of Military Justice.

In 1960 General Parker returned to Fort Leavenworth, Kansas, as an instructor and as the Judge Advocate General's Corps Special Representative to the Command and General Staff School. In 1963 he was

selected to attend the Army War College. Upon graduation in 1964, he was assigned as the Staff Judge Advocate for the United States Commander, Berlin. In 1967, General Parker returned to Washington, D.C. to be promoted to Brigadier General and assignment as the Assistant Judge Advocate General for Military Law.

In 1971, General was selected for a second star and promoted to Major General. He became the Assistant Judge Advocate General of the Army and served in that capacity until his retirement in 1975.

General and Mrs. Parker have raised three children: Jeffrey, Keith, and Melissa. The Parkers currently reside in Alexandria, Virginia, where Mrs. Parker is active in church affairs. MG Parker is an active member of the Board of Governors for the Inter-American Bar Association, an association of private attorneys from both North and South America.

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JUDGE ADVOCATE ORAL HISTORY PROGRAM

BACKGROUND CHRONOLOGY

SUBJECT: MG Harold E. Parker (USA Retired)
8405 Stockade Drive
Alexandria, Virginia 22308

(703) 360-4541

1. 1918: Born 25 March in Canton, New York.
2. 1938: B.A. in economics from Cornell University
2LT USA Field Artillery Reserve.
3. 1941: Active duty.
4. 1941-1942: 156th Field Artillery Regt, 44th Inf Div.
Sep Jun (Btry Motor Off, Asst Btry XO)
5. 1942-1944: 75th FA Bn, Aleutian Islands.
Jun May (Btry XO, CO, Bn staff)
6. 1944-1945: 75th FA Bn, CONUS.
May Mar
7. 1945-1945: 75th FA Bn, Po Valley Campaign, Italy.
Mar Aug (CO, HHB)
8. 1945-1946: Btry CO, FA Repl Tng Cntr, Fort Bragg, NC.
Aug Apr
9. 1946: Strategic Intelligence Course, MI School.
10. 1946-1948: War Department General Staff.
(Plans Off, Intel Div)
11. 1948-1951: LLB from Stanford Law School.
President, Stanford Law Review.
Admission to California Bar.
12. 1951: Assistant Staff Judge Advocate, 6th & 7th Army HQs.
13. 1952: Assistant Staff Judge Advocate, 2d Armored Division
(Ger).

14. 1953-1955: Staff Judge Advocate, 1st Infantry Division (Ger).
15. 1956: US Army C&GSC, Fort Leavenworth, Kansas.
16. 1956-1960: OTJAG; Chief, Opinions Branch, Military Justice Division (now Crim Law Div).
(Recorder to the Sec of the Army's Special Committee to Study the UCMJ).
17. 1960-1963: Instructor, US Army C&GSC, Fort Leavenworth, Kansas.
18. 1963-1964: US Army War College.
19. 1964: Staff Judge Advocate, Office of the United States Commander, US Army Berlin.
20. 1967: Assistant Judge Advocate General for Military Law.
Promoted to BG.
21. 1971: Promoted to MG, 1 July.
The Assistant Judge Advocate General.
22. 1975: Retired 30 June as The Assistant Judge Advocate General of the Army.

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JUDGE ADVOCATE ORAL HISTORY PROGRAM
INTERVIEW PLAN SEQUENCE

Subject: MG Harold E. Parker (USA Retired)

Date and location of pre-interview visit: 27 Nov 85, Alexandria, Virginia.

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B. Strategic Intelligence, MI School	

- C. War Dept General Staff
- IV. Legal education
 - A. Stanford Law School
 - 1. General
 - 2. Law Review
 - a. General
 - b. Comment: Panel selection
 - 3. California Bar Exam
 - B. Military legal education
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 - B. 2d Armored Division
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 - D. C&GSC student
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 - B. Special Committee to Study the UCMJ (The Powell Report)
- VII. JAGC career in the 1960's
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 - B. Army War College, student
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 - D. Asst JAG for Military Law
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ORAL HISTORY INTERVIEW - MG HAROLD E. PARKER (USA Retired)

Q. Okay, sir. We're going to alternate, and we're also—if you see us writing something, we want to make sure we spell names right. So, we may scratch it down, and then turn the tape off, and make sure we have it right; so that the typists can do their job.

Basically, where were you born, sir, and—tell us a little bit about yourself?

MG Parker: I was born in New York State. St. Lawrence, New York. Actually, it's what is now the campus of St. Lawrence University. My Dad was teaching in an agricultural school, there, and a couple of years after I was born, he took a job as a manager of a large farm, which was owned by the Metropolitan Life Insurance Company.

In those days, they were, even then, running big programs for promoting health: health among their employees, and health in the nation. And they had set out a very large sanatorium for their employees for the treatment and cure of tuberculosis. And this was on a place—in a place called Mt. McGregor. And down in the valley below it they had this farm, which was designed to supply the fresh food—milk, and so forth—which, in those days, was thought essential for the treatment of tuberculosis. And that was

the farm that my Dad managed. We lived there—he managed that farm for—I don't know, 40 or 50 years. And—so, I—we lived there, and I went out to grammar school in a little two-room school house, there. I then went to Saratoga Springs, New York, for high school. And, so I have a—in my background, I grew up on a farm, and I was able to—I did farm chores and so forth, but I was one of the lucky ones: I could get paid for them. The corporation owned the farm. It wasn't like the farmer's son who was expected to milk the cows in the morning because he was a member of the family (laughing). I have one brother. I have my older brother, who is 3 years older. I had a baby sister, but she died in infancy. We were very lucky. We had a pony. I never much cared for the farm. I like driving the tractor, and doing some of those things like that, and getting paid for it, but I always thought that farm animals were pretty stupid. I didn't really care for them a bit. My brother went to Cornell. He went to the agricultural college. Now, of course, Cornell was the agricultural college—it was a State college. The tuition was free. But, in those days, the arts college at Cornell—I think the tuition was, like, \$400.00 a year, or something like that. And, so, when my time for college came along, why, I went to Cornell also, but I went to the arts college, and I studied economics. I was always a

good student back when I went to high school. I was active in the dramatics, and, I guess—I was valedictorian—salutatorian, I guess, of the class; the class of 1934. So, I went to Cornell, and it was interesting. Cornell, of course, was a land grant college, so for the men, 2 years of ROTC was required. The first 2 years. And then you had the option of continuing, if you wanted to. I enjoyed it, so I did continue. I guess I got to be an officer in the cadet corps, or something. We—it was far enough back so that we had—one of the required courses in equitation. We didn't actually have the horses to draw the artillery at that point. It was still the officers—and the officers had to have equitation courses. I had ridden some, in the past, but I wasn't any world champion at it. I remember going out one time on a cross-country ride. My horse was coming down into a draw, and sticking his front feet into the mud, and doing a cartwheel. And I went out of the saddle. I was upside down looking up, and the horse was upside down and bucking (laughing). And I—well, he ended up beside me, so we were all right. We did our firing practice up at what's now Camp-Fort Drum, New York. It was, then, Pine Camp Military Reservation.

Q. Did you ever get the love of the artillery, here—(laughing)—after your riding experiences?

MG Parker: Well, I like—I like the guns, I like the artillery. Anyway, when I finished—when I graduated from college—I well—I should say that we had an ROTC instructor—one of them at Cornell—who was very interested in promoting people who joined—men who joined the service. And we got to be friendly—and he was probably responsible, to a large extent, in interesting me in the Army as a career. But, anyway, when it became time to graduate, he was talking to me about going out on Thomason Act duty. Thomason Act duty was sort of like a probationary period, to see if you could learn to be a regular Army officer. But, the trouble was that you couldn't get married when you were on Thomason Act duty. I guess it lasted a year, or 2 years. Jane and I had been going together a long time, and I wasn't about to say we aren't going to get married for at least for another year. So, I wouldn't—I didn't do it. I was only—let's see, I was 20 years old when I graduated from college, and I could have gotten my commission right then. I joined the Reserves. I went to New York City—or, down in New York City, in Manhattan, and tried to sell life insurance. I sold a little bit, but not enough to make a living. A friend of mine at college had—had a year or so ahead of me, and he'd gone off to Harvard Business School, and he finished that about the time I was graduating. He was going down with New

York Life, and he persuaded me that I should come and try it, too. You know, logically it's a great business, but you have to be able to sell. He—he ended up vice-president of Metropolitan—or, New York Life Insurance. I lasted about a year or so—or, maybe less. I was really borrowing from my Dad to keep going, besides what I was making. Then I went over as a page boy for the National Broadcasting studios in New York City. It was quite a deal. They handled—most of the page boys were college graduates. The attraction, as far as I was concerned, was that if you were a page boy, you somehow had an inside track—they had a training course for radio announcers, and I'd done dramatics all through high school and college. I thought, well, I could be an announcer—I'd be another Graham Maxim. Unfortunately, I didn't get through the auditions, because I wasn't good enough. I didn't do too well. But, it was an interesting—it was an interesting job, for awhile. And then I got a job with a company called the Ruberoid Company. They make asphalt and asbestos roofing. I got enough money—a small amount of money, so we figured we could get married. So, we got married and had a tiny apartment down on West 22d Street, over near the Hudson River.

Q. What year was that, sir?

MG Parker: We got married in '39. I was a child of the depression period. That colors a lot of my attitude and thinking. My family was never badly hurt by the Depression, but it was—you know, the Depression was a pervasive thing, and you just couldn't avoid the scenes around you, and so forth. I mean, you've got to be—at least I did—you know, be very conscious of the cost of things, and you may be a little close with your money because of it. I know—on the other hand, we were still—we were so strapped for money when we got married, I think we figured out a—before we got married, we figured out we could get married and we could find a place to live in Manhattan for \$30.00 a month. Now, that tells you something about the period. And, I went out and walked the pavements looking until I found a place, out on West 22d Street. A little one-room apartment. And if you ever saw the picture "My Sister Eileen," this was the kind of apartment, because it was right—it was just below ground level, with the iron bars on the windows on the street. Drunken seamen would run up and down this street at night, sometimes, and there were days when you didn't want to let them know that there was anybody behind those bars, because you couldn't get rid of them if they knew you were there (laughing). But, we went through a period, there, where we had a great deal of fun. But, I think we had \$.50 a

week for recreation and food. It didn't hurt us. There was—you know, you could walk all over New York, and there were all sorts of things to do for nothing in New York. New York City was a great place for people who didn't have any money at all. Or, had a lot. In between wasn't so good. And because I had worked in the studios at NBC, I could get—through my friends, I could get tickets for broadcasts and we would pay off our little social debts when we'd take somebody to a broadcast and maybe see Fred Allen, or somebody like that. It was a very interesting period. And I remember I did go—during this period one summer, I went to summer ROTC—or, summer Reserve training up at Pine Camp again. And—so, anyway, it wasn't a particularly interesting job that I had. I was working in a sales office for the corporation. And they were one of these corporations that boasted about really taking care of their employees, but they didn't pay very much. I saw—it seemed to me that the war was—you know, we were going to get into the war, and I had a Reserve commission, and I said well, heck, as soon as the war comes, they're going to call me up anyway, so I might just as well take the step first. So, in September of 1941, I went on active duty. And I was assigned to an artillery unit of the 44th Division, the New York/New Jersey National Guard Division. And they were stationed at Fort Dix at that time.

Q. When did you meet your wife, sir? You established that you were engaged to her---

MG Parker: Well, she and I went to high school together. I guess we started going together when we were probably juniors in high school. We were active in both dramatic work and—what do you call it, now? The Forensic League? It was debating, and stuff like that. So, we had known each other there. And then, when I went to Cornell, she stayed in Saratoga and went to Skidmore College, there. And, of course, I have a couple of professors at Cornell—you know, I would say I'd like to delay taking an exam because of something that was going to happen at Skidmore, and they'd say, well, are you going to Cornell, or are you going to Skidmore (laughing). But, we started going together in high school.

Q. What got you into economics? Was that---

MG Parker: Well, that was—I thought that was interesting. I—I didn't have any set purpose at that point. You know, in those days, you sort of looked at going to college as what you ought to do, and then if you had the mental capability, and you've got the dollars together to go, you really ought to do that. And that was a pretty good assurance that you'd make out all right in life. You'd get a decent job of some sort. But, you didn't really sweat—most of my classmates didn't sweat

over, well, what courses shall I take, or, you know, is this particular line of study saleable. You just assumed that—you know, that you get a good general college education and you were set, that you could get the real good jobs. Well, when I got out of college, it was still the after affects of the Depression. Things had not really—the Depression was over, but things hadn't really picked up that much. There weren't a lot of jobs flying around, except for possibly engineers, but I think sometimes the engineers were having trouble. And I bought some of—I rather wanted to go to law school, and I had given that a thought, and they had a good law school at Cornell. But, my Dad didn't have enough money. It would have been a real sacrifice for him to try to get me through law school, and I thought that wasn't really quite cricket. And besides, if I'd done that, I'd have to put off getting married for another 3 years, and that didn't fly. So, I did have some thought of going to law school, at that time.

Q. What is your wife's full name, sir? I don't think I have that in here.

MG Parker: Jane Burnham.

Q. And how about your mother? You didn't mention her. Was she there with you on the farm?

MG Parker: Yes. My mother's name was Helen Sturtevant Parker. On both sides—my father's side and my mother's side—they used to say they were Dutch—they were of Dutch background. I think the truth of the matter was they were German. But, there was still that leftover—a lot of people didn't—would much rather say they were Dutch when they had German blood. It's sort of silly. My mother—my mother lived until—well, I think she died when I was in Berlin, and my Dad lived to be 82 or 83, and died, I believe, when I was in Washington.

Q. Did any of the other members of your family have any military service which got you into ROTC?

MG Parker: No. The only—my Dad had not had any military service. He'd been—what, 4F or something—bad eyesight. I guess I did have one uncle who served in World War I, that I can remember. Nothing much—you know, nothing much about that. So, I really—there was no military background in my family. One time, many years later, when I'd been selected for Brigadier General, I was smiling about it and talking about it once in a mess hall—in the General's mess in the Pentagon. And this crusty civilian, who was some kind of systems analyst, said, "Huh. Your name is Parker. Statistically, you've got a better chance of getting to be a general than whoever else." I don't know if he knew what he was talking about or not (laughing). I can tell you, that was

the first Parker in my line (laughing). Well, I did know a lot of Parker's later, that were in the service.

Q. What motivated that—you said you spent some time in drama, or in forensics related activities. Was that something that—

MG Parker: Well, I don't know. First of all, I always had a good speaking voice. A voice that would carry. And, so people would ask me—sort of look at me and say well, you ought to do this, or you ought to do debate, or something. Or, be in dramatics. And I enjoyed it. As I said, that was really for my major activities in high school. I wasn't an athlete. But, I did—there was the debating, and the declamations, and the dramatic work. And in college, I did quite a lot of dramatic work. I started out trying to be an actor, and they decided very quickly I'd make a better electrician (laughing). So, I got to be the head of the lighting department for the Cornell Dramatic Club. I'd—I was on the Cornell Fencing Team for 4 years. That was—that was the biggest athletic thing that I've ever done. I was on the Varsity Fencing Team for 4 years. That's a good—that's a good sport. Unfortunately, I couldn't do it now, given I don't have the desire to get into condition for it now.

Q. We don't have a list here, sir, but how about children? I know you mentioned your son-in-law.

MG Parker: Well, we have three children: two boys and a girl. The oldest--the older boy is Jeffrey. He was born in 1945, I believe. He's 40, now. He lives in Cape Cod. The younger boy is Keith. He lives up in New Hampshire right now. And he went through a period of, you know, communes, and so forth. So, he changed his name--his name is now is Change Parker. And our daughter is Melissa, and was the youngest of the three. And she's married to an Army Engineer officer. Their married name is Quesenberry, Q-U-E-S-E-N-B-E-R-R-Y. Gordon Quesenberry.

Q. When was Keith born, sir? Or, Change?

MG Parker: Well, I know that--they're about a year and a half apart. I guess it was 1946 would be his birthday, and I guess Melissa's birthday is--birthdate is '47. There's about a year and half between each one.

Q. I have trouble remembering my own age is 67.

MG Parker: I remember the dates all right, but the years get me a little bit mixed up. None of them--well, my older boy, Jeffrey--let's see. He--I'm trying to think. He had ROTC when he was in high school, and I--he went to--anyway, it'll come to me in a second, the name of the college. But, he did a--he had an ROTC commission, because he did a tour in the Transportation Corps. I don't know whether he would have been interested in staying or not, but he had an accident

with his motorcycle, and banged up his hand and arm, and they medically disqualified him.

Q. What is his primary line of work, sir?

MG Parker: Well, it differs. Right now, he's out of a job. He'd been a—what do you call it? He'd been a marketing manager for Coastwide Cruiselines. He ran a cruise ship—an intercoastal waters cruise ship. And he also had been, at one time, an assistant city manager for the city of Provincetown, Massachusetts. So, he gets—he gets around. He's looking for another job now.

Q. (Laughing). Did he ever partake of the benefits of the cruise ship job?

MG Parker: The cruise ship—well, the cruise ship ran aground.

Q. Oh, no.

MG Parker: And after that—they had a very stormy career. It was a brand new ship, and it didn't come out just the way they had figured it would. It was late getting out of the yards. One thing or another, they lost money. And finally, the man that owned it decided he would sell it to somebody else.

Q. And what is Keith doing, now that the world's—in conservative America?

MG Parker: Well, he's—Keith's always had a little different drum. Right now, he's—he's making things—he's got a little—he calls—business, called "Ancient Gardens," and he creates things.

I'll show you one. They're pretty good. I don't see how—he's not really making a living at it, though, I don't believe (getting up and leaving room, returning shortly with an object).

Q. Oh, wow.

MG Parker: Yeah, this is—

Q. Let the record reflect (laughing).

MG Parker: Yeah. That's a product of "Ancient Gardens" (showing object to Captain McFetridge and Captain Williams).

Q. It's very nice.

MG Parker: So, I think it was pretty neat, myself.

Q. Has he ever been out to California?

MG Parker: (Laughing). No. That's just red cedar, there. Yeah, it is. And he does some rather amazing things with odd pieces of wood, and so forth. He actually has a Master's Degree, from the University of New Hampshire, in Environmental Resource Management. And he worked for several years for the State legislature of New York State. This is the kind of thing he likes to do. And as I say, I think it's yet to be demonstrated that he can make a living at it. He does have some magnificent things.

Q. They certainly do a lot of that in California, especially in the area where Harry and I were living for awhile, in Santa Cruz and Monterey.

MG Parker: Well, it's very—it's really rather interesting. He sold two or three pieces for, like \$300.00 or \$400.00, you know, and I can see they're worth it. I keep telling—asking him if he really can tell whether he's made a profit on them or not. You know, he really can't because he puts so much time in them that—well, you know.

Q. Well, sir, you said you had the one brother, then?

MG Parker: Yeah. I had one brother, and he went through the agricultural college at Cornell, and he was a year ahead of me. And then he went up—well, a number of things—but, he ended up running the family farm up in—near Watertown, New York, where my Dad's family came from.

Q. And how about your spouse, Jane? What kind of family—did she come from Watertown, or what?

MG Parker: Oh, no. Jane—Jane's an only child, and her parents were divorced. So, she was brought up—well, first by a step-mother, and then by her own mother. So, she's essentially by herself. I think she may have a half-brother somewhere, who we never see. And, actually, I have—you know, with my mother and Dad dead, I have very few living relatives. I do have a cousin over here in D.C., but that's about it. My step-mother is still alive. So, we don't—we're not a big family group, that's for sure.

Q. You mentioned that she's working now in a local church. Did she work throughout the marriage, or was she mostly like most of her friends, a housewife?

MG Parker: No. When Jane finished Skidmore—of course, we didn't have enough money to get married, and she worked for a year or so. Her specialty is child education, and she ran a nursery school at Skidmore, and taught nursery school education there. Then we got married, and she worked for many years—she worked, while I was overseas in World War II, she had a job. She was running one of these day care programs for—so that women could work in the war effort. She didn't really take a job, then, until I came back from Berlin, and I was told I was on the brigadier general list. She—we were living in a—we'd taken an apartment in Arlington. We went to a christening for Del O'Roark's younger boy, for whom we were godparents. And at the christening party, Jane was talking with the pastor of the church, and he said he was looking for somebody to be his church secretary. And it ended up she went to work for him. And it's the sort of thing that she works—supposed to work 4 days a week. But actually, they're very flexible. And so she was able to—whenever I was making trips, and there was any possibility of going with me, she could just take off and go. So, it was sort of an ideal arrangement. So, when I retired, she did not

retire (laughing). I don't think she wanted to spend all her time in the house.

Q. During ROTC, was there anything unusual about the way it ran in those days, from what we're used to? Did you have summer camps that you had to attend, or was it pretty much just tied in with your academics?

MG Parker: Yeah. Well, it was—as I said, it was unusual. I don't know whether—how many are left of the land grant colleges. I believe they're not able to require—are they able to require the 2 years, or not? I don't know.

Q. I'm not sure.

MG Parker: Maybe Texas A&M does. They were one of the land grant colleges.

Q. (Laughing). I don't even think Texas A&M does that anymore.

MG Parker: But, it was very interesting, because it was, you know—we had a distinctive uniform. We had a sort of a gray uniform, with britches and boots of some sort. And, of course, all of the fellows on the campus, you know, turn out in those. You went to drill one day, and that was what you wore. And it was accepted; nobody thought anything about it. And, really, there was a certain prestige in continuing—in taking the last 2 years, because so many fellows were—had been

exposed to it, and I don't think anybody really—you didn't have—it was too early to have all that uproar about ROTC, you know, and it got a bad name and so forth. It just—it was just one of the campus activities that was well accepted. So, if you continued, and particularly if you got to be a cadet officer, that was a little bit of prestige. But, we did have to go for—summer training. Being artillery, you had to have firing practice, and that's where we went.

Q. Were you branch designated then, in those days?

MG Parker: Yeah. Yeah. They had infantry and artillery. The Army had an ROTC. I guess they had a naval ROTC also. I think we could be in that. Of course, at that time, there wasn't an Air Force, just an Air Corps. Well, I guess you could—now, I think there was more. There was Signal Corps—there was a—Signal Corps branch was a possibility. I do remember that. And I suppose Engineers, because there was a large engineering school on campus.

Q. What kind of artillery were they using? Was it caisson drawn?

MG Parker: Yeah. It was French 75s. They were the caissons, and—of course, they had just modernized. I recall we were—we didn't have the horses to pull the artillery anymore. So, we still—as I told you, we still had to take equitation for the riding ceremony. And it was—the mentality of the horse

artillery hadn't departed. I mean, the horse was still a romantic thing, as far as the artillery was concerned. But, the guns were French 75s, and that was what was used for target practice.

Q. Did the ROTC actually have those stables still there at the school?

MG Parker: Yeah. They had the stables, and a riding hall, and the whole bit. And they had some of the toughest mouthed nags you ever saw (laughing). But, I tell you, it used to be really funny. I, at least, had been exposed to horses. But, we got a considerable number of students that came upstate from New York City. And they weren't—they didn't know anything about animals. And it used to be funny. When you got there, and we'd go in for riding hall, and we'd have to ride without saddles around the inside of this riding hall. And they go to a trot, and a canter, and you could here the popping as the fellows went off their horses into the wall (laughing), right and left. But, there were a lot of these fellows that really didn't—it was funny. It must have been a terribly strange thing for them, and I'm sure they didn't really enjoy it too much, but I didn't hear too much complaint about it, oddly enough.

Q. How was the pay of a junior officer in those days? Was it something that would attract you for that reason, or was it pretty much—you had to go for patriotism (laughing).

MG Parker: Well—it's relative, of course. I mean, the pay—I can't remember what the pay was, but it was a pittance compared to what it is now. But, on the other hand, the pay, generally, wasn't so big. So in relation to the going things, it was low, as I can remember. But, it wasn't a factor, really—or, too much of a factor. The idea of going into the regular Army—you sort of accepted—well, you weren't going to get paid a heck of a lot. You weren't going to get rich. But, on the other hand, it would be steady, and you could probably—if you stayed with it—you'd get a good retirement. That was about the way people looked at it, as far as the business side of it.

Q. Did you have to—when you decided to go active, did you have a specific obligation you had to sign up for, or how was your initial signing on taken care of?

MG Parker: Well, I was trying to think. At Cornell, in the ROTC, you had a—if you took the 4 years—the final 2 years, you got your ROTC—your commission—your Reserve commission, and you had a period of obligation so to speak, in the reserves. I don't believe—I mean, if you didn't want to, you could have ridden it out and not been at all active a bit, because, they didn't have that many Reserve units. You had to really look around if you wanted to be active. I joined—I went to the regular Army later on, really after World War II was over. I was a Reserve officer on active duty during World War II.

Q. When you decided to go active, then, you said before that the war looked like it was coming, so it was—you know, get involved early. What was the perception in America at that time? I know that things were actually happening overseas. Was it an inevitable feeling, or was it just that it might be a better move to be a part of, and be a leader in, this thing, in case it happened?

MG Parker: Well—you know, I can't really say what the mood was. I suppose that—as far as I was concerned, and as far as the people that I was—you know, my friends, were concerned, it was going to be inevitable. It wasn't very long before we were going to be involved. But, I don't think there was—in September of '41, of course—well, there was a lot of sympathy for the British, and the French, and the rest of them over in Europe. Concern over the problem of shipping in the Atlantic. And everybody was—I'd say, generally speaking, everybody was very sympathetic to the allied side. I don't think there was—there wasn't—people weren't worked up. There wasn't a lot of sentiment that we should be, right now, in the war. There was some, and some of the newspapers and publications, of course, would write editorials and articles about why we are going to be happy to do it, and we ought to do it now. But, there was no fervor for going into the war. Although, you see now that

the President had called up some of the Reserves and National Guard Forces, because the 44th Division had been placed on active duty. Well, before I came. They'd been on active duty—they were supposed to be on active duty for a year. I think they had been on active duty for, perhaps, 6 months or so, before I came on—before I came in.

Q. Were you at Fort Dix when Pearl Harbor was bombed, sir?

MG Parker: Well, I was still assigned to the 44th. Actually, I was out at Fort Sill, taking a course—the battery officer's course out there, when Pearl Harbor came along. We had—I had gone on duty at Dix, and been there for awhile, and then we went down to North Carolina, on the Carolina maneuvers. And then—I guess—I don't know how they worked it in those days. It seemed to me it was like the units recommend people to go to service schools of various sorts—or had a quota, or something. Anyway, I was told that I was going to report out at Fort Sill. It was sort of interesting, having been in the—my first unit experience, really, with the citizen soldiers. I got a pretty good respect for the caliber of the National Guard soldiers. We had some awfully good NCOs, and troopers, and a good many good officers, although they tended to be overaged and gray. And then, you did have some that were obviously in the higher ranks that were political appointments, that you couldn't see that

they had any ability at all. But, you know, in my perspective—where it was, down at my worm's eye view, as a Second Lieutenant, I thought the captains and the majors were pretty darned good. And, certainly, the chiefs and sections sergeants were excellent. Again, a little old perhaps. But, I was actually assigned to the 44th for quite some time. When we moved, I went to the course at Fort Sill, Pearl Harbor occurred, I came back to the unit—they had moved from Fort Dix to Camp Clayburn, Louisiana—and I rejoined them there. And then we moved, again, to Fort Lewis. By this time, the war—you know—the war really began heating up, and there was sort of a wry joke about "join the 44th Infantry Division and see the United States."

(End of first interview, taken on 27 November 1985.)

ORAL HISTORY INTERVIEW - MG PARKER (Continued - 13 Jan 86)

Q. Sir, I believe we left off at—just after you'd come on active duty with the Field Artillery, I believe it was, and then you were located at Fort Sill, Oklahoma, during the time Pearl Harbor was bombed. What training were you undergoing at that time?

MG Parker: I was attending the battery officer's course at Fort Sill. My wife had gone—we had a little room in Lawton, Oklahoma,

and I remember we were having a leisurely breakfast on late—Sunday, and we got the news about Pearl Harbor over the radio. Being a brand new officer, and not knowing much, I called up the adjutant at the post and said, "Hey, I'm reporting in. What do you want me to do?" He said finish breakfast. But, that course lasted, oh, I guess until—I'd gone out there in October, and finished up around January or February. And then I went back to the 156th Field Artillery, and that's part of the 44th Infantry Division. At that time, they'd moved to Camp Clayburn, Louisiana, and we did some training there, and then they moved the Division to Fort Lewis, Washington. And the move was by train. And there I was, in Alexandria, Louisiana, with a car and my wife—a young wife. As a matter of fact, she didn't drive. I guess she did drive, but she wasn't very experienced (laughing). So, they made an arrangement that married officers would—well, officers who had cars could have—could make an arrangement with an enlisted man to drive the cars out to Fort Lewis. Well, the arrangement I made—I—we got the First Sergeant's wife, and—and my wife, and then we picked out a couple of pretty steady soldiers with some mechanical background—and they were to drive the two ladies to Washington. Well, they started off all right. Before they reached the first checkpoint, the brother of the

most experienced mechanic, of the two soldiers, died in New York City. And when I got word to him, he took off, without asking, and went to New York for the funeral. That left one soldier, Pasquale something-or-other, to drive these two gals across the country. And you've got to remember, this was—this was World War II, and soldiers had to carry their rifles with them all the time—be in uniform all the time and carry their rifles with them all the time. The description of the trip across country—in the first place, the car was, I think, a '32 Chevrolet that wouldn't go too fast. So, this soldier had to stay with two women, across country. I went out on the troop train. I got to Fort Lewis, and it was only a day or two later when the car came chugging into Fort Lewis. I have never seen a more relieved soldier (laughing). He came up and saluted, and he said, "Lieutenant, I'm here." And he was so happy to have that trip over with. And the 44th Division was scattered up and down the coast of Washington and Oregon. We were defending the United States from invasion. It's hard to believe, but in those days, there was a fear of Japanese invasion. One time, I was with a group and we were on the coastal watch on the beaches south of Grays Harbor, Washington. It's 26 miles of continuous sand beach, there, and it was regarded as a prime invasion point. The beach

was really on a little isthmus, and you have to go over bridges to the mainland. I can remember one day that the Division artillery commander came out and told us all the intelligence reports, to be brave, and if we had any of our dependents over there we'd better send them back across the causeway to the mainland for the next few days, which we did.

Q. Were you the battery commander at this time?

MG Parker: No, I was—I was a pretty junior officer, really. I can't remember. I think I was probably an exec in the firing battery, I think. Something like that.

Q. What type of artillery were you using?

MG Parker: We had—we had 105 millimeter howitzers, truck drawn, by this time. At one time, there—the things they'd done were quite interesting. Along this beach, there would be big sand dunes, and some of the sand dunes had been hollowed out to make chambers, and then they'd have slits toward the ocean for firing points, and they'd put old French 75s—artillery pieces—in there, and they would man them with infantry soldiers from an infantry cannon company. I forget what kind of a weapon they had, ordinarily. But, I can remember once that I was detailed to go and oversee one of those firing points, because—to make sure the infantry knew how to fire the thing. And there were two or three officers. We

stayed in a house, a little ways from the firing point. One night, we were settled down, and then, KA-WHOOM ! A round from our guns up there. We rushed down, and—"hey, what happened? What happened?" Well, we saw a light off there, in the water. And so they fired. It turned out they were fishing boats. You know, U.S. fishing boats. We had been—they'd all been told not to show any lights at night, but they were pretty careless about it, and they didn't think there was much danger. We didn't have any trouble afterwards (laughing). They didn't hit anybody, but we didn't have any problems afterwards about lights being shown. Then we went up on the Quilcene Peninsula, overlooking the Straits of Juan de Fuca which come in from the ocean to Puget Sound, and we protected that for awhile. And about that time, I was transferred, suddenly, to the 75th Field Artillery Battalion. I joined the 75th—well, I don't know. It was in Seattle, or right around Seattle. They were in port, getting ready to leave within a day or two. The 75th was an old regular Army field artillery battalion, that was a horse drawn battalion, had been down in desert training in southern California, and they were there when the Japanese made their attack on Dutch Harbor—the air attack on Dutch Harbor. Well, that caused the War Department to scrape up all the troops they could find—make available, and send

them to Alaska, to the Aleutians. In the space of 2 weeks, they took the 75th Field Artillery Battalion from desert training with horses, gave them trucks, and put them on a ship headed for Alaska. And I joined them in the port of embarkation. The reason was that there was a rule, apparently—a War Department rule, that a battalion couldn't be shipped overseas with more than three military academy graduates among the officers. And, this being an old regular Army outfit, had to drop off some officers and replace them. There were about three of us lieutenants who were levied up from available resources from the 44th Division. We loaded the battalion on a chartered Alaska Steamship Company cruise boat—cruise ship. Of course, it wasn't any Love Boat in those days (laughing). We tried waiting—we were told we wouldn't have any escort going up, so we—they made a floating hedgehog of this thing. We took our artillery pieces and tied them down on the decks, pointing off in all directions, and we took the .50 caliber machine guns and fastened them to the superstructure. We were really a formidable weapon (laughing). And, so, off we went. And we were told that if we went one side of Vancouver Island, that there was a Japanese submarine on the other side of the island. Well, we never did find out. But, we had no problem. We went up. A couple of times

during the daytime, we'd throw something overboard and have firing practice to see if we could hit it. Of course, I had to leave my wife. Jane was with me out in Washington. She was a camp follower. These orders came up very suddenly, so I had to leave her to get home to the east coast by herself. She went back to Fort Lewis, and some sergeants—people we'd met—took care of her and saw that she got on—as a matter of fact, got her on a train headed east.

Q. Did you have household effects that you had to manage somewhere, or were you travelling pretty light?

MG Parker: No. No. We were just out of suitcases, that's all. We were moving a lot. We seldom stayed in any one place for a long time. Whatever the little old Chevrolet would hold is what we had. As a matter of fact, we were in Quilcene, Washington, when the news came that I was to be—that I was being transferred and that I was going overseas right away. And I had to drive the car down to—well, Seattle or wherever it was. I know it had two flat tires on the way down (laughing). But, it was really—it's hard to bring up the—it was such a period of uncertainty and excitement out there on the west coast. They'd taken all of the Japanese people out of the area. I didn't get involved in that evacuation. Some of our division people did. It was kind of

a sorry mess, because—you could see other people around, snapping up the business opportunities that were—that had to be left behind when the Nisei were moved, and it was very unpleasant to see the profiteering.

Q. Was it the press, or—you've already explained there was a real threat. Did the press, at times, play up on that, such that everybody generally agreed that this thing had to be done, or was there still—

MG Parker: You mean the evacuation?

Q. The evacuation.

MG Parker: Well, the public attitude on the west coast was anti-Japanese. I don't—I suppose, really, that public opinion was quite level-headed of the political leaders. They almost—I don't know how seriously they were afraid that the Japanese—there was some worry about it, after all. But, the people on the west coast, they were just afraid of the Japanese. Anybody that looked like Japanese, or Asian, they were afraid of them. Plus the fact that there was, I think latent hostilities—racism, and it existed even afterwards, and I'll mention it again, but the Japanese had not been widely accepted. They were hard workers, and they stuck to themselves a lot—to a large degree, and certain economic classes of the others—of the caucasians, anyway—resented the prosperity of the hired work. So, it

was a big motivation for those squeezing them out, and as I said, it was a sorry thing.

Anyway, to get back to this trip to Alaska. I bet we were the first unit ever to run to Alaska. This was a rather small cruise ship, and didn't really have any deck space for exercises, but we all had outside—the outside cabins, and narrow deck space around the cabins. So, almost every hour of daylight, there'd be one unit or another running around and around this ship. It just was—as I said, the whole thing. We had a very—I'll mention him later—but, we had a very good battalion commander, Lieutenant Colonel Jake Steward, a regular Army officer, and we had good officers. And this was an experienced unit. And as far as the battalion commander knew, we might have to fight our way ashore, because there was very little knowledge about what had happened at Dutch Harbor. Anyway, we finally got up there. We went to Dutch Harbor. I had to go in the dispensary, in the hospital there, overnight, 'cause I had an inner ear infection. And then they took us to another little—a little port, and put us on—transshipped us to—well, I want to say a ferry boat—to barges. And then we landed on the island of Umnak by barge. They ran these big barges up on the sandy shore. They didn't have a port there, they just had to ship everything in by barge. So, we got there just after

the 4th of July, and I guess that would be 1942. And we were there for 21 or so months. And, the—the island of Umnak, where we went, had a—had a small air base on it, that had been hacked out, and had P-40 fighter planes. As a matter of fact, when the Japanese planes from the Japanese carriers made their attack on Dutch Harbor, and were returning to their ships, they were intercepted by P-40s from this base. And I don't know that they shot down any Japanese, but according to what we read later in histories, this—it startled the Japanese. They hadn't known of any air support in the vicinity, and these were obviously land-based planes, and where did they come from? And that was one of the reasons why they, perhaps, didn't press the attack on Dutch Harbor any longer than they did. This air group—this squadron, or whatever it was—was commanded by Terry Chanault's son, and they had the tiger emblem painted on the fronts of the P-40s, as his dad had done. The place had not been really garrisoned except for the air base. And then, this excitement and the attack—well, they brought up troops, and they put additional troops on Umnak, and then they put additional troops on Adak. First, the Japanese would have to take this one, without any real resistance down there. We hadn't had a garrison to any extent, anyway.

Q. What were the larger unit—I mean, was this part of the 75th Field Artillery?

MG Parker: Well, the 75th Field Artillery was simply a battalion. And so, we went there—we were supplying artillery support. There was an infantry—probably an infantry regiment put there, about the same time, but there was no—the overall command was kind of scattered about. I never did really understand who commanded all the troops. I mean, I suppose the regimental commander did, but you couldn't have told it. Any you have to remember, I was a lieutenant and it was all very new to me—and I was doing what I was told to do. But, it was an interesting period, there. The weather is bad. We were there two winters. The first winter we lived in tents dug into the ground, and you'd wake up in the morning and shake the snow out of your boots before you put them on. We didn't have cold weather gear to start with. We arrived in—

Q. Desert gear (laughing)?

MG Parker: (Laughing). No. It wasn't desert gear, but it was just ordinary wool and canvas puppies. As a matter of fact, when I joined the 75th all of the the officers were still wearing boots and britches. They all had those expensive field boots, at \$60.00 a crack in those days, which was a lot of money. And they wore those for a long time. I don't

think Colonel Stewart ever gave up his. And a lot of the soldiers were still wearing boots and britches. A little later on, we got more appropriate clothing to wear. We—it never got down below zero, in the tents. But, the main thing was the winds were ferocious. And it would blow rain and snow, absolutely horizontal. It didn't come down, it came across. And there aren't any trees on the island, because the trees, you know, couldn't stand the winds. The vegetation—there's no trees. And it would get icy—it would get wet and then freeze a little bit, and get icy. We eventually built quonset hut accommodations for ourselves, and they were down into the burm—with the ground pulled up around them, and they were pretty comfortable. And I can remember trying to get up on the level, and just go across a road to the bathhouse on one of these nights. I had to get down on my hands and knees to get across the road. And that same night, a soldier was blown about 4 miles across the island. He couldn't get a grip on anything. And finally, he was blown up against one of the abutments at the airfield, and I guess that's about all that kept him from being blown out into the sea (laughing). But, it was in—but, I think the only point I wanted to talk about there was the history—the very well led unit that I was in. I learned something from them. There were about 10,000 troops on this island, and it was dull. There was no

entertainment. There was nothing really, except what you did yourself. Pretty extended—the winters were long, and dark, and dreary, and we had—there were lots of suicides. People—not only suicides, but depression and mental health problems. But, not in our unit. The infantry had a heck of a lot of trouble. I think it's not so much in the Air Corps people either, because they were really doing something. They were flying—flying bombers by that time. But, our commander kept this artillery battalion constantly busy. We were building things—we never stopped building things. We built roads—there was an unending supply of volcanic ash, because there was a big extinct volcano there, and we just drove up and loaded the trucks with volcanic ash, and came down and spread this stuff and compacted it. And after you built it up far enough, then you were out of the mud. So, we just went day and night. You wouldn't believe some of the things we built. We built—eventually, we built a bathhouse, with flush toilets and showers—hot showers. We did all this by ourselves completely. At one point, I was—I guess I became the battery commander for Service Battery, because the previous—the Captain had stepped in a hole and broken his leg, and got transferred out. That was about the only way you got out of there, was to be injured in some way (laughing). I went over scrounging around the supply yard,

that was on the island, and discovered great big diesel—or, oil ranges—cook ranges, for mess halls. Big old things, just laying out—sitting out there in the wet, rusting. So, I said, well, you know, we could put them to use. And sure enough, they let me—let us have them. We ran the big wrecker over from the motor pool and hoisted these things up. And we got one for—one per battery, and set them up in—really, under tents, with a base, and we had these oil fed ranges. They were, you know, magnificent things. Back in the States, when you went to Fort Lewis or someplace like that, your mess hall had coal fired ranges. Dirty old things. These were beautiful (laughing). But, there the things were. You see, nobody else—no other unit had the initiative to go out and look for these things. That was the difference in this particular unit. They were always busy, always improving things for themselves, and we had no—we had no problems. We had no disciplinary problems, no mental health problems. We had very little medical problems, as a matter of fact. The battalion surgeon explained to me that because there hadn't been any people living there. These were, essentially empty islands. Shepherders—sheep on the other side of the island, but no people. And, so, the soil was nearly sterile. You cut yourself and got dirt in it, you didn't get an infection. It was a very interesting experience. The

first woman to land on the island was a performer that came with Bob Hope. He stopped on one of his trips. His plane landed and he put on an impromptu performance over on the airstrip. Francis Langford was the first female to show up on that island, with 10,000 soldiers. The chief amusement was poker games. And it was very interesting. Right after payday, there'd be all sorts of poker games, and as the month went on, the winners would move the new games and, gradually, by the end of the month, practically all the money in the battalion would be taken, passing over two or three poker tables. And, of course, we had to censor the mail—the soldier's mail, and—you know, the amount of money in money orders that went out of that place was fantastic. We had—the soldiers in the battalion, of course, were all very old, experienced people. A lot of them had been in the so-called pineapple Army in Hawaii, and they just—they were extremely capable. The Sergeant Major of the battalion had 25 years service. The kind of a man who just lived for Army regulations. Of course, the Army regulations weren't as extensive as they are now. But, literally, you could go in—if you had any kind of a problem, you could go to the Sergeant Major. And if you approached him reverently, and said, you know, Sergeant Major, I've got a problem, and I'm sure there must be something in the

Army regulations. Can you give me a steer on where to look? And he'd say, well, lieutenant, AR so-and-so, page so-and-so, paragraph so-and-so, says—and he'd quote it verbatim. The man knew, by heart, huge sections of the Army regulations. Now, if you were snotty, you wouldn't get the time of day. You wouldn't get anything. But, my First Sergeant, when I took over the Service Battery, had 15 years of service, corporals with 10 years of service—and these people—not many of them had very much education, necessarily. We didn't have a very high percentage of high school graduates, I assure you. But, they were extremely capable in all sorts of pursuits. When we wanted to build the bathhouse, we found people that knew how to do plumbing, and knew how to do the masonry, and everything. I should mention that our first bathhouse on this island was a most ingenious thing. There was a stream coming down, and we built about a 14 foot diameter water wheel, which would lift the water out of the stream, and run it down through oil drum heaters, and by gravity down to shower heads in a tent. So, we had hot showers. But, that really—you know, that took some doing. We had some officers who—we had—the officers were really in two groups. We had some of the old timers, who had been West Point graduates, and then we had a number of officers who

had come on Thomason Act duty out of Stanford University, and some of them were engineering. And, so there was that kind of, anyway, we were there, and we finally got out of the place. They shipped us back, and they shipped us through this port of Seattle, I think, and put us on a train, and we went down to Camp Van Dorn, Mississippi, which is about 40 miles from Baton Rouge.

(A rest break is taken at this point)

Q. Sir, during our break, you indicated that you had some more comments that you'd like to make on your tour in the Aleutian Islands. Something about your legal experiences there?

MG Parker: Well, I guess you'd call it a legal experience. While I was in the Aleutians, I was appointed to a special court-martial—a member of a special court-martial. This was my first experience with any kind of a court-martial. It wasn't one of the soldiers from our battalion. It was a post special court. I can't even remember the offense at the moment. But, I do remember that before we got ready to vote, the President of the court said something to the effect of—gentlemen, the Post Commander has told me that he wants this man put away. And having told you that, I shall vote as my conscience dictates, and I expect you to do the same. I think the man was acquitted. I'm not quite sure. But, that

was the—that was my first example of command influence in a court-martial. We—I mentioned earlier the poker games and all the money that was on that. Some of the soldiers would send \$20,000.00 a month home. This—this really is insane, that—and the United States Army, I guess, is finally breaking away from it, but they did it, I guess through Vietnam. The idea that soldiers had to be paid in cash, at the end of the month, wherever you were. You know? And it was—a lot of our soldiers we had in this battalion didn't have many dependents. There were a good number of them—the Army was their family, and that was it. And, so, there was a lot of money handed out over the pay table every month, in those days anyway. Well, we—I know about the money going home because we had to split the job of censoring letters among all of the officers. I can remember one time—I guess I was, by that time, a battery commander. I picked up this letter and read it, and the soldier was writing home to his brother, and he was asking him to send up some marked cards. And, of course, the mail was sacrosanct. You couldn't just—well, I thought about what in the world? So, I called the First Sergeant in and I said, "First Sergeant, do you know so-and-so?" "Yeah." "Well, who does he play poker with?" Well, he told me—he named off several other soldiers. And I asked how he did—

did he win a lot, or lose a lot. He said no, no, he loses most of the time. And I looked at him and I said, "Well, if he starts to win regularly, will you let me know?" And he said yes, sir, and off he went. I don't know whether the cards ever got there, but I can guarantee you that it wouldn't have done the guy much good. Anyway. So, we came back, and we went on—we were shipped down to Camp Van Dorn. Now, Camp Van Dorn was a kind of a hell hole. It was out in the boonies. You had to get over some pretty bad roads. The only place a soldier could go for entertainment was, like, Baton Rouge, which was 40 miles away. And they'd pack them into the buses, and they could hardly breath, and haul them in. And they had used Van Dorn for the training of black soldiers—black troops. And—and there was—it was deep south. And if there wasn't anything for the white troops to do, there wasn't anything for the black troops to do, that's for sure. As a matter of fact, this was before my time—it began before I got there—but, I heard later about it from General Decker—they had some mutineers at Camp Van Dorn, called the Van Dorn mutineers, and General Decker was the prosecutor of—for these trials. So, anyway, we were there for several months, and then we—we moved around, and the battalion was finally moved to—we went to Florida—I can't think of the name of the post right now—

where we used the school troops for training infantry soldiers. And that was interesting, too, because a particular—the commander of the training center insisted that the artillery fire rolling barrages. Now, a rolling barrage has not been used since World War I. But, he insisted that, as the final training exercise, where they were going to have a combined arms—the Air Force was going to give support, and so forth—that the artillery would fire a rolling barrage, and the infantry would advance behind it—the infantry trainees. Well, of course, we sweat blood over that. That—that really upset us. We had people standing by every gun with a gunner's quadrant, and put it on there every time we layed the thing for another round. We got out of it without killing anybody. We had a few rounds that went short, but they never hit anybody. I should have mentioned that all this time in 75th Field Artillery Battalion, there was very little turnover of personnel. You might have guessed that. We were up there in the Aleutians for the better part of two years, and there was no—most units in the States, and other places, were being cadred—they'd been pulling out people as cadre for new units to be formed. But, being overseas, we just weren't cadred. I think we may—we lost a few people from illness, or family problems—got a compassionate transfer. So, essentially, the

same group of people that came—went up to the Aleutians came back, went to Van Dorn. At Van Dorn, we had two trials in the battalion. We had a couple of sergeants that got drunk downtown, and on the way back to post, they saw some hose displayed at the hardware store, and they thought—ah, we need—that's just what we need to wash down the guns. So, they went and took the hose. And we had two summary courts. Those were the only two courts-martial we had in the battalion in over three years, when I was with the battalion. The only trials. And, I was a battery commander for Service Battery, and then later on for Headquarters Battery, for—oh, I've forgotten the time frame—but, two to three years, and I very seldom would open the battery punishment court. Very seldom give an Article 15. It was just handled by the NCOs. I mean, they took care of each other. This business of the sergeants getting in trouble there near Van Dorn—that was unusual, because they would see that the fellows who were getting drunk—or, looked like they would get in trouble were taken home. They just took care of each other.

Q. Do you think the lack of a large number of these kinds of events was because of the peer pressure, maybe?

MG Parker: Oh, yes. Definitely. It was peer pressure, and it was a family—as I said, it was a family that took care of itself.

And when there was—there were little peccadillos, they were taken care of. It's like this business of the—of the poker game. Now, I don't—I don't think anything ever came of that. But, I am sure that there would have been some quiet persuasion, correction, done there. Anyway, we did our little bit there in Florida, and then we were sent up to Fort Bragg, where we were re-equipped. The same battalion, now. And we were re-equipped with 155 millimeter howitzers, tractor drawn, and we were prepared for shipment to Italy.

Q. Sir, I have a question for the time a little bit before that. Was there a problem—you know—with your changing over from those horse drawn artillery to tractor drawn and truck drawn artillery? Was there a problem with drivers during this time frame, or were most people trained to drive?

MG Parker: Well, most of them were. I don't think there was really any problem with the drivers. There was a little personnel problem. What do you do with a stable sergeant? Well, I had one of them. They'd been converted to mess sergeants (laughing). And he wasn't the best mess sergeant, but I'll tell you, when he said jump, the kitchen police jumped, because he was a big bull of a man. He was what—he had saved up a good bit of money from poker games and whatnot. When we got back to the States, I think he blew

all of it within about a week. He hit the ground running, and he went drinking the first night we were in—if they had any leave at all, or anytime off—pass. He came in—I came in in the morning, and we were supposed to have an inspection in the barracks by the Colonel. And I got in early, and the First Sergeant said—I guess I was a captain by this time—anyway, he said that Showalter's pretty drunk. I don't know what we're going to do with him. And I said, well—I said to get four or five of the biggest privates and have them haul him into the cold shower and see what you can do with him. And they did. And finally came the inspection, and here was Showalter. We had put sunglasses on him, and propped him up against one of the pillars in a downstairs room in the barracks, with his back against that, more or less at attention—green all around his face. And the Colonel came through, and walked—stopped in front of him, looked at him and said, "Hard night last night, Showalter?" "Yes, sir." The Colonel sort of grinned and walked on out of the room, and Showalter just collapsed, right there—just melted on the spot. But, he was—as a mess sergeant, he was a real terror, I'll tell you. We had some marvelous mess sergeants. We ate well in those days.

Q. Now, you mentioned that you were together for a great deal of time, and, of course, the Army's gone back to that, in the

last years, with the regimental system, and so forth. Did you think that was something that they should have done?

MG Parker: Well, sure. I don't know whether—you know, how feasible it is to do it, but it's perfectly clear that if you have long enough to get to know the people that you're working with and for, and the people that are working for you, you have a much better chance of having a well run unit. It's perfectly clear. We knew—you know, between the NCOs and the officers, we knew what family conditions were for every soldier in the outfit. Whether he was having marital problems, and so forth. As I say, it developed—you can call it esprit, or family feeling, and that was very important about trying to have good behaving soldiers. We did have one problem when we got ready to leave Fort Bragg to go to Italy. By this time, we had a different battalion commander, and he'd been with us all along, but he'd been promoted. He was a West Point graduate. And he was very anxious to have on his record that he had commanded a field artillery battalion in combat. So, he was very anxious to get this unit through its training and on the ship, and to Italy. Well, there was a little policy that there was supposed to be a pre-embarkation furlough. I forget whether it was two weeks, or whatever it was. But, most of—a great many of our soldiers were based—were home based on the Pacific

coast. So, for them to have their pre-embarkation furlough, it might mean a month delay between travel time and the furlough. And this colonel decided, on his own, that he'd just skip that. There wouldn't be any pre-embarkation furlough. And we, the officers—the battery commanders, were unhappy about it. We didn't know, exactly, what to do about it. But, one night, about 40 or 50 of the soldiers descended on the chaplain. And the next thing we knew—I mean, to tell him about it. And the next thing you know, we had an IG inspection coming down from higher headquarters. Nothing happened to the colonel, but the soldiers got their furlough. That was one case where I know that all of us who were battery commanders were somewhat disappointed that we hadn't been tipped off, any of us, by the NCOs or the other soldiers that they—that they were to a point where they felt that they had to do something to get their rights. And, so we were completely surprised ourselves by this mass visit to the chaplain. But, they got their furlough. And, in fact, it probably—probably prevented us, our battalion, from getting into the fighting in Italy. We went over and landed in Naples, and were put on a little coastal ship, and taken up to the port of Piza. We got our equipment out, you know, and were sent up to the line, north of Piza. And we did get into position. I can

remember we were—the battalion commander went forward, and I went with him because I was the Headquarters Battery commander. We were taken forward in a jeep, with somebody to show us where our position would be. And as we drove up this valley, the guide, or whoever it was—liaison officer—said that all of the Germans are over there on that side, and they're over there on that side, and they're up there. And we're driving right up a little wide open highway, up the middle of the valley, and we were wondering why aren't they shooting at us? Well, because they're short on ammunition and they don't have air cover, and they're very reluctant to use their artillery. So, we went back and we brought the battalion up, right up in broad daylight, on this road in the middle of the valley, and wheeled into position. There were a couple of rounds spotted off somewhere in our vicinity, not close enough to hurt anybody. And I think all but one gun in that battalion finally got to fire a round in anger. I think that was about the extent of it—of the actual firing. Right soon after that, the German resistance broke. We were south of the Eppinines—we were credited with being in the Eppinine campaign. German resistance broke, and they retreated rapidly back across the Po Valley. The allied armies—mostly U.S. where we were with some British on the other

side—chased after them as fast as they could go. They—the artillery was ordered off the road, so as not to delay the trucks carrying infantry. There wasn't any need for artillery, it was a question of getting the infantry forward. And it was an interesting exercise. Of course, you had to cross a bridge over the Po River. And for quite some time, we were just sitting off to one side while other units were funneled across the bridge. And finally they said okay, we're giving you a time frame to get across the river and get a certain distance beyond your bivouac position—or, rest position. So, that meant we had to run these tractors at high speed for that. They were probably going 30 miles an hour, which was close to top speed for these big tractors, because they had tracks like a tank. In order to keep the timetable we were given, we had to really take off and go. We got across—we got to the other side, where we were going, and then we stopped there. We couldn't have gone any farther because it had—the continuous high speed had melted the rubber guides, or something, on these tracks, and we were pretty well stalled there, mechanically, because of that. It was a very interesting exercise to see this business of crossing the Po.

Q. You gave an account, the other night, that there was a real unusual array of allies, at that time—a real mix of units.

They had pulled some British and Canadians out and replaced them with a Jewish brigade, a personnel combat team—the 442d—some New Zealanders, some Canadians, South Africans, Indians, Polish, Ghurkas—did this have any affect on your unit? I mean, in that small an area, that you could still function around the language barriers?

MG Parker: No. Of course, we came in as a separate artillery battalion, which meant that we didn't have a parent—a big parent unit. We'd be attached to a Corps artillery, or an artillery group command. So, most of our contact would be with 155 howitzers, and not direct support. Most of our contact would be with the other artillery units. We did see the Nisei, the 442d Combat Group, a little bit, and we saw a couple of units with converted anti-aircraft—soldiers. One time, we were sent over into a separate valley. There was a U.S. infantry regiment over in this next valley that reported it was getting resistance. And they had enemy in front of them on all sides of them, and they needed artillery support. So, the roads weren't very good, and they figured that this tractor drawn outfit could go over, and we did. We went over during the night. There was some pretty rough terrain. We got over there and it turned out there weren't any Germans anywhere around. Well, again, that's in war time. That happened to be a black regiment that was

there. When the fighting officially stopped in Italy, they assigned our battalion the job of looking for, and securing, German supply dumps. The object was to secure these supply dumps of German material, keep them from being raided by the locals, so they'd be available for use in support of the German prisoners of war. And our battalion—we had a—we set up a headquarters at Lake Gardena, and we had one detachment at Brenner Pass. That's quite a ways up through the Alps to get there. And we were just scattered along the highways between Gardena and there, looking for these supply dumps. There was one interesting place that I found—or, we found. It was a medical supply—a German Army medical supply place. The contrast was very interesting. The American medical practice as far as our soldiers were concerned was based on pills. We had a pill for everything. The German medical practice was based on ointments. And, so, we found this German supply dump, and it had huge rooms full of great huge tubs of ointment—ointment for this, ointment for that. You can't believe it. And we also found another—we'd put a guard on the thing, and the guards started getting annoyed by the local Italians. They wanted to get in, and they wanted to buddy up with us, and so forth. Well, it turned out there was some narcotics supplies in that place, and the Germans had been

selling off—some of the German soldiers had been selling off a little bit to the locals, and now the supplies were cut off. They didn't like it a bit. I found another supply dump. I was out with a driver in a jeep. What they'd do is they'd give us—we'd get information that at certain coordinates to look for certain kinds of supplies. It was an engineer dump. I went over there with a driver, and there was a big wall—a big wooden fence around the place, with a locked gate. So, I said—well, I'm just going to see what's inside. I climbed over the gate and jumped over. I hit the ground, looked up, and here's this German war dog, about—oh, I don't know—a 100 feet away, with his ears back and his teeth showing, at a charge. He wasn't just growling or anything, he was headed for me. I had my .45 with me, but the holster was buttoned, and I could never have gotten that thing out. Well, fortunately, a German soldier stepped around the corner and called the dog off. Most of the—you know, the Germans were beaten, and they weren't going to cause any trouble—most of them, anyway. But, I learned my lesson, and I didn't go into another place with the holster buttoned (laughing). He gave me a scare.

Q. When were you brought back to the U.S., after securing all of these fires—when were—was your unit formally taken back as a group, or did you come back individually?

MG Parker: The unit was still there, and they started the program of returning people to the States, based on points. And that was—you know, various things like that, at the time—overseas, and I don't know what else. Anyway, the character—the unit was pretty well broken up after that time. A whole bunch of us had enough points to be returned to the States. I went back to—first, to Florence, and I was given command of a unit there, and all the unit consisted of was 100 or 200 soldiers who were all, like myself, waiting for a ship to come in at some port. So, we didn't have anything to do. We'd—my job was to be sure—we were living in an old factory building—in the morning that it was policed up and everything was shipshape, and then I signed the passes and everybody left on pass. Then I could go on pass myself. We were there in Florence, under this conditions, for about a month. And then they bussed us down to—I think we went out of Naples again, put us on a ship this time—we were all just, you know, odds and bods on the ship. I was a captain, and I was kind of senior, so I was made commander for a hold in the ship, which was filled with Air Force—Air Corps officers—lieutenants, mostly. Flying officers. And I was supposed to make sure that they kept the place clean and swept. All they wanted to do was play poker and craps all the way home, and there were some big games going on,

on that ship. Well, we were—we had just gotten out beyond Gibraltar, out into the Atlantic, when the news came of the bombing of Hiroshima. And we were very much relieved, because what they had told—what we were going to do, supposedly, was we were all going home—see, we were being shipped—just a whole bunch of officers being shipped home, and we were to have 30 days leave in the States, and then we would be collected and used as replacements for the expected casualties in the Pacific, for the invasion of Japan. So, when the bomb went off, of course everybody realized that there wouldn't be any invasion, and we were pretty happy about that. When we got into the States, I had some leave—and I was assigned to the Field Artillery Replacement Training Center at Fort Bragg.

Q. Could you have gotten out of the service at that time, sir, or were you still—(pausing)?

MG Parker: I don't know. I might have been able to get out, maybe. I don't know. Not right away, perhaps. I wasn't anxious to get out. As a matter of fact, I did go about this—after I was at Bragg, I took a few days leave, and I went up to New York City and visited the office where I used to work, in the Ruberoid Company. I was sort of turning over in my mind whether I'd like to try and get integrated into the regular Army, because they were developing a program for that, or

whether I wanted to go back into civilian life. Well, I saw my old boss in New York City, and he said oh, yes, yes, yes. He said that our policy is we're happy to take all our veterans back, and you can come right back here and we'll put you right back in the job you were in when you left. Well, this is what—5 years ago, and I was drawing very little money when I left, and I'd been used to better things in those 5 years—and that wasn't very attractive. I like the Army, and that tipped the scales, so I put my application in for integration into the regular Army as an artillery officer. The replacement center at Bragg was—was an interesting experience. I was in command of a training battery. Our particular field of training was—was wire communications. And, what made it a hairy situation was that the Army was being demobilized, and so there was absolutely no continuity in the cadre—in the NCOs at all. I think I had this training battery for 9 months, or thereabouts, and had six mess sergeants during that period. And, of course, each time we'd transfer property and so forth. It was very difficult to run an outfit. Along the way in here, a recruiter came down from the Pentagon looking for officers to fill up the Intelligence Division on the War Department General Staff. And of course, again, everywhere in the Army had been affected by

demobilization. What this chap did, he came down and apparently went through our personnel files at headquarters, and looked up all of the officers, at least in company grade, who had had college—were college graduates, and made us an offer. The offer was—at least made some of us an offer. The offer was they'd put you on TDY at the Pentagon for a month, and you'd take the month course at the Strategic Intelligence School—Strategic Intelligence Course, for a month. And depending on how you do in that course, we'll see about assigning you to the Intelligence Division in the Staff.

Q. What was your rank at this time, sir?

MG Parker: I was still a captain. Well, with the difficulties of command, there, I was ready to leave Bragg. I couldn't see anything good coming out of staying there. So, I grabbed the chance, and I came up to watch. I was running scared, because I wasn't going back to Bragg. I came out at the top of the school, and it surprised some people. I made friends with another student there, a civilian who was a pretty smart cookie—he had a lot of academic qualifications—and he was real surprised that I beat him out. He was number two, but he hadn't had the motivation that I'd had. So, I got my assignment to the Pentagon. I got a commendation medal, but I also had to get a sizable survey approved

(laughing). And it was—you know, I told you some of the difficulties of keeping track, and also, in the kind of unit we were in, did you ever try to keep track of lineman kits, with the trainees handling them? It was murder. So, I remember—but the thing that was the real expensive items, when we started counting property and getting ready to turn over, was the blankets. We were short a pot full of blankets—wool blankets. And I didn't know what I was going to do, really. I had a supply officer, a warrant officer, who said well, let me see. And he went down and apparently put the squeeze on some buddy of his, and he—he got a bunch of blankets from somewhere. Now, I'm not sure whether they were there in our battery two days after they were counted or not, but that was the old game (laughing). You know, you borrowed stuff from some other unit, and they were there to count, and as soon as the counters left, they went back. Anyway, I had a sizable—even so, a sizable survey to get approved. I remember when I finally got a letter, after I'd left and I was up in Washington, I got a letter from the battalion commander down there at Bragg, and he said, "Here's your commendation medal and citation, and you're damned lucky to get out of there without having to pay for that property. Let that be a lesson to you." Anyway, I finished the Strategic Intelligence Course as the number one

student, and of course, then the question was where are you going to be assigned on the staff. So, I thought—I'd seen some of these operations, I thought one of the intelligence production areas would be interesting, like eastern Europe, Russia, and all of these. But, I was—they took me and they sent me down to see the exec in the division. And he was a full colonel. And he said, "Well, I think you've got a job here in the exec office." I'm kind of green, still, and I started to mutter a little bit, you know, and say that it would be kind of interesting to work in the production area. And he—he sort of reared back and said, "Well, I want you to know that if you're good enough to work here, we take care of the people that work for us." And it was clear, immediately, that I had no choice, and that I was going to work there. So, I was assigned in the Executive Office of the War Department, General Staff, Intelligence Division. I was a captain. Everybody else was colonel or lieutenant colonel. I guess there were about 10 officers, or so, in this group. But, anyway, I had my own desk, an outside window, a carpet on the floor, and a secretary.

Q. An outside window, sir?

MG Parker: An outside window. Those were the three marks of status in the Pentagon, and I think they still are (laughing). We did odd things, like we would take studies and so forth that were

produced in the Division, and we'd reduce them to a one page memo, summarized—you now, one page—a 50 page report—and all of these various important things. But, we did see a lot of interesting stuff go by, although they were sort of depressing things, in those days. Anyway, I've always said that they couldn't stand the social disgrace of having a company grade officer in the group, because I think within about 3 months—now, mind you, there weren't many promotions going on in the Army at this time—about 3 months, the promotions to major opened up. I was promoted, and I assume some other people, and the next day, the promotion list was closed again. Now, I figured I'd earned it anyway. I had lots of time in grade as a captain, and I should have been a major. A lot of people got fast promotions in—during the war, which I didn't get. That was—well, one of the reverse sides of being in an outfit that didn't change much, because there just weren't changes, and you didn't move up into a different position. So, I got to be a major. Actually, I was a detailed member of the War Department General Staff, as a captain, and that was quite a feather, supposedly. We had some interesting bosses there. The boss when I came was General Hoyt Vandenberg, who was an Air Corps officer. His father was a senator from Michigan, I believe, and Vandenberg came in to be G-2

of the Army. I wasn't present—I didn't see it, but I was told about it. He called the senior supports in—the colonels—looked at them, and said, "Gentlemen, I expect this office to run smoothly and properly, and I'm going to play golf every afternoon, and it will run." And he did. And he had the coldest looking blue eyes you ever saw. He didn't stay too long, he moved on. Then we had General Steve Chamberlain, who came in, and he was a very—very good man. He was the homeliest man I've ever seen, I think. He had an unfortunate affliction. He had a bulbous nose, worse than—what's his name? The comedian.

Q. W. C. Fields?

MG Parker: Yes. Red—yeah—red and so forth. It was terrible. He was a very nice man. One of the interesting things—at this time, of course, MacArthur was out of Japan, and he had a G-2 out there named General Willaby. And Willaby was full of bright ideas, and he was constant—and liked to build an empire out there—and he was constantly writing letters to the G-2 of the Army. Suggestions, telling him what to do, and so forth. And there was a continuing correspondence. Well, I was given the Willaby letters to answer. I was careful of how a captain, and then a major, was answering—writing these replies so that General Chamberlain could send them. I'd go around—I'd get one of these missives in from

the Far East, and I'd look at it, and I'd go around and talk to some of the senior colonels in the Division, and say—you know—what do you think about—what's this guy after this time? And they all knew him, and they all distrusted him completely. And they said he's crazy like a fox. You've got to look behind every word he writes. And then we'd work out an answer and give it to Chamberlain, and he'd send it on out. Many years later, I met the officer who was writing the letters for Willaby. He never wrote his own letters. I also met Bill Whalen, who came in the Intelligence Division, and he's notorious because he was an officer who was later convicted of supplying information to the Soviets. He was a—he was a pleasant man when I knew him. He came in—sort of—he was a—he was riding the coattails of a general—I've forgotten which general it was that came—and this Whalen was a major, or, maybe, lieutenant colonel. He'd just sort of ridden this man's coattails. He was sort of an unofficial aide and gopher, and whatever the general wanted. He didn't really have any purpose himself. He used to tell me about—you know, this is the way you get ahead. You pick out a general you think is going places, and you ride his coattails. Well, it didn't work out very well for him.

Q. I guess it was about this time that you started thinking about your legal career?

MG Parker: Yeah. First of all, I had a couple of minor contacts with the JAG office when I was there on the War Department staff. I'd forgotten what—I think the subject was censorship of units, and what we ought to do in planning for censorship in the next war, and so forth. I remember I had to go up to the Judge Advocate General's Office to discuss that point with them. I met General Green, and he was the TJAG at the time. They had a JAG officer working in the—I don't know what it was called—maybe the counter-intelligence branch of the Intelligence Division—Colonel Louis Shell. He was, I think, a lieutenant colonel. Anyway, I'd met these people, and I'd thought a little—I knew there was a program for sending officers to law school. I think I'd looked briefly at the regulation, and concluded that, well, it wasn't quite planned for. Jane was in Walter Reed Hospital to have our third child, our daughter, and in the bed next to her was the wife of a JAG officer, also having a baby. We got chatting—she got chatting with the lady, and, later, I met the officer. He said why don't you try for the JAG—for legal training. And I said, well—you know—it's not the right—it's out of phase, and it's too late to try for this year. And he said oh, no, that he'd heard that they had a space or two left, and that I could go up and he'd introduce me to somebody. I filled out the application, and they sent me up

to—I think up to New York to take the LSAT. This was in the spring—late in the spring, before I took the LSAT. And then, in about—in the end of June, or thereabouts, they said okay—they called me in to see Brigadier General Hoover, the Assistant JAG. He sat me down and he said, "Okay, you'll do. We've got one place we can send you, and that's Stanford. Will you go?" On my preferences, I'd put down schools on the east coast, since I was a Cornell graduate, and my orientation was toward the east coast. I'd put down Penn, Harvard, and some Ivy League stuff. He said that there was one place they could send me, and that was to Stanford. The officer who really got me encouraged, and pushed me into making the application, was Colonel Jim Booth. He's retired now, but he was a JAG colonel when he retired. There was a very—by this time, you know—I got orders to go to Stanford. By the time the orders were issued—oh, I've forgotten the exact thing—but, the orders said I could have travel, travel by private auto. And, yet, they gave me a reporting date of about 7 or 10 days from the date the orders were issued. And I always played things awful straight and conservative, but I wanted to move the family. We were living in Bethesda—we had rented a house in Bethesda. We had the three little children by this time, and I couldn't see getting out there by myself and leaving

Jane to try and move things. So, I just said okay, I'm going to take advantage of the loophole that says you can travel by private auto. And we quick piled the car full—I had an old baggage trailer. I turned the keys to the house over to my landlord, who lived next door, and said we'd made arrangements for the movers to come, will you let them in and see that they get the furniture out, and we took off. Of course, we couldn't travel very fast. I think when the—finally, on the date I was supposed to report—I was supposed to report to Presidio—maybe I was supposed to report to the JA in Presidio—that date, I was in Wahoo, Nebraska—(laughing)—that night. So, I dutifully—I called my mother-in-law. I couldn't figure out how to call Presidio. I called my mother-in-law, who was in New York City, and I said, "Will you call the Staff Judge Advocate, 6th Army, in Presidio, and tell them that Major Parker is enroute, and reporting himself in from Wahoo, Nebraska." And she did. It caused tremendous confusion, as I discovered later. We got on out to Palo Alto, and discovered that the law school didn't start for another month. You know, there was absolutely no reason for early report date. I had a month to look for a place to live. I bought a house. I never mentioned—again, this is where the Army sort of takes care of their own. One of the officers, a regular Army officer—I

guess he was a lieutenant colonel at that time--who had been in this executive office in the Intelligence Division with me, had gone out to Stanford the year before to the School of Business Administration--that was one of those Army detail things. So, he was--he had a house, and lived there, and he very kindly took our whole family in, and we lived with him for a month. Now, it was a real imposition, but it was a real saving for me. I must say, there's a great tradition in the Army of taking care of it's own. Well, I think it's time to take a break.

Q. Yes, sir, let's do that.

(A rest break is taken at this point.)

MG Parker: Anyway, I started Stanford Law School in the summer of 1948. That means I'd had 7 years of service--active service, and I was a major with a wife and three little children. And I'd been out of school, out of college, for 10 years. It was kind of a rough transition back, really. Stanford Law School was, at that time, an excellent school, with excellent faculty. It had largely an in-State reputation for many years. California has an integrated bar, and they have a system of accreditation of law schools, in the State, which is based on the percentage of the graduates who pass the California bar on the first try. And, that was the, you might say, the preeminent test of the law schools in California.

How many of them. Stanford was right up there, usually ahead of Boalt Hall—University of California—sometimes behind, but right up there. They had a faculty that—a really fine faculty, but they were geared to teaching about California law, and their sights were set pretty locally. But, before I arrived, and maybe because I—maybe because of this—they'd gotten a new dean, and the dean was Carl Spaeth. Carl Spaeth was a protege of Nelson Rockefeller, in the State Department, and he was an easterner, and he was an internationalist. I don't know just how they happened to make him dean of Stanford Law School, but there he was. I have always suspected that with, probably, Spaeth's influence, that caused Stanford to give some spaces to the Defense Department for students. I'm not sure. Anyway, the focus of the law school was being changed by Spaeth when I got there. There were three Army officers who entered Stanford in that class: Wally Witcover was one, I can't remember the second man's name, because he didn't last. But, Wally and I graduated together in '51. And he—he finished up—retired from the JAG Corps as a colonel. It was a pretty strenuous period. You'll have to forgive me if I'm not too clear about certain things that happened—because I was sort of in—you know, between—first time I'd ever bought a house, and the house needed a lot of things.

We bought a house that didn't even have coat hooks in the closets, and we had to fix up the outside entirely ourselves. Between that and spending a little time with the family, and studying, I—quite frankly, I went around in kind of a daze for a good part of the time. I got along pretty well. I don't feel that I set the world on fire the first year. I didn't get all A's, by any means, but I got a couple, I guess. We had—an interesting fact—in the first year, the hair shirt for the students was Professor—I guess he was teaching, maybe, real property or trusts. I can't think of his name right now, but he was a self-appointed hair shirt. I think every law school faculty had one, at least they did in those days. And he was—he just loved to bully the students. And it was because of him that this third Army officer didn't make it through. He wasn't—the Army officer wasn't doing too well, and the Professor got on him, and words were exchanged, and before you know it, he flunked that course, which was one of the prerequisite courses, and away he went. I remember we had—we had one female in our—in our class, and this professor gave her a hard time. He used to bully her in class. I managed pretty well. I stayed in pretty clean sorts with him. We had—I think we had to take evidence in the first year. I can't remember. We had a magnificent professor of evidence. His name was John Hurlbut. And,

again, these professors didn't have any, as far as I know, any world-wide—any country wide reputation, but they were exceptionally good. This man was just tremendous. His—his classes were conducted with vigor and excitement, and you just really got carried away. And he'd get up there behind that podium and he'd swing from one side to another. It was really funny. One day, we had a group of visiting Japanese professors, law teachers, who came to the school and they came in the back of the evidence class. There were four or five men, and they had little notebooks. They walked in and they took out their little notebooks and their pens, and the man started teaching. They never got anything on paper. They were just awestruck. You know, here is this man, gyrating around the podium, and asking questions, and going on, and they couldn't believe it (laughing). They never could—they couldn't go for the notes.

Q. What size of classes did you have back then? Were they large?

MG Parker: Well, I'm trying to think. I guess those first year classes were, probably, a hundred—maybe a hundred and twenty—maybe—I'm not sure. But, the school was not that huge. Let's say there were 150 in entering class. There was probably 300 for the entire law school, perhaps 300. And, of course, with the tuition—you know, in the period—you went

into class the first day, and the professor said look to your right and look to your left. One of you, you know, will not be here at the end of this year. That was—the standard flunk ratio was one in three. And they—they made a determined effort to weed the students out. If you finished the first year, you were fairly sure that you'd finish the other 2 years, because they put the screws to you pretty well the first year. And I think they still do that.

Q. I recall that pretty impressive picture in your home, there, with the remarkable crowd. Was that the law review?

MG Parker: That was law review, and the first year. In the second year—one of the programs—the JAG program, sending us to law school—of course, we went to the law school during the school year, and then in the summer, you were supposed to find yourself work in a civilian law firm for experience. You couldn't get paid, so that was—you know, you could go down and offer your services to somebody. You learned the practical side of a law practice.

Q. Were you being paid by the Government, then?

MG Parker: Oh, yeah, we were on active duty. I was a major, and I was drawing major's pay and allowances. Wonderful scholarship. Also, at the end of the first year, I went to a law firm in Palo Alto. I didn't learn much from them about the practical side, except I remember going with some of

the staff and some of the lawyers down to a courtroom, and trying to find a client whom we'd never seen before. He had some proceedings coming up, and he had to file, but he'd never seen the lady himself, things like that. The main practice of these people was real estate. In fact, the man made more money buying and selling real estate than he did in the law practice. In the second year of law school, I was invited to compete for Law Review. And I remember I went up and talked to R. MacDonald Gray, who was the Colonel, JAG, SJA of the 6th Army. "You know, I don't know anything about law schools, and what you expect of me." And I told him that they said I should try to compete for the Law Review, and should I do it. "Oh, yes indeed. Yes, that's great." Do that. R. MacDonald Gray was a very interesting person up there at 6th Army. I might divert for a second here. I have never—ever since I've been in the JAG Corps, not as much now as it used to be, but when I came into the JAG Corps, it seemed like every colonel I met would, at the drop of a hat, tell you why he should have been a general. They were very uninhibited about it. And R. MacDonald Gray was one of those. My first visit to the JA Office at the Presidio I met him, and introduced myself, and I think within the space of 10 minutes, he had me sitting there in his office listening to his life history and explaining to me why

he should have been up there as TJAG instead of whoever it was. Anyway, Mac Gray said, "oh, yes, by all means, that's an honor. You should try for it." So, that was a little extra on top of the regular law school. I don't think my grades fell off any, but they still weren't on top. There were two or three fellows in the class that were clearly, you know, ahead of the rest of us as far as successful grades, and so forth. I wasn't in competition with them at all. We finished the second year. The method there was, I guess it was—yeah, the outgoing staff for the Law Review elected from among the candidates the new officers. And, so, I figured they'd elect Marshall Small, who was obviously the brightest one in the group, and somebody like that. And they elected me President of the Law Review for Volume III. That occurred in the spring. I contacted the JAGO and said, "hey, you know, I'm going to be the President of the Law Review, and aren't you not happy about that." They said "yeah." I said if it was going to be a strain, how about letting me go to the law school during the summer session, instead of going to work for this law firm. Let me get an extra credit or two from the summer session, so that I can sort of spread it a little bit, and they allowed as how I could do that. I might also say that the scholarship, so to speak, was for tuition. It didn't include books. You got—you were getting paid, so I

guess they figured you'd buy your own books, and books were expensive back then. But, I had a lot of GI Bill services and it was pretty obvious that I wasn't going to be able to use the educational benefits. So, I got in touch with DA and I said that I'd make them a deal. I'll trade you quarters of entitlement, if you'll pay for the books for my law school. And we worked out that deal. I gave up three quarters of entitlement—I mean, three years of entitlement, which I wasn't going to use anyway, and in return, the VA paid for my law books. I went to summer school at the law school during the second summer. In the third year, as I say, it was still pretty much a blur. I think that Volume III was pretty successful. We had a couple of interesting little things happen. Early in the year, there appeared—it became apparent that the note editor—the man who'd been elected note editor, wasn't going to cut it. He wasn't working at it. So, I was President, and we had a managing editor, and a couple of others. I talked with the managing editor, and I said, "Ed, what are we going to do?" I asked if he was going to shape up, and he said no, he's not going to make it. And I said, then, "let's fire him." And he asked how we did that, and I said tell him he's through. So we did. I told him he was through and off the Law Review. That made a big impression. Of course, I was independent. I was a little

older than some of them and I had my own means of support. So, I just told the guy—you know—"I'm going to have to replace you." And we did. It worked out pretty well. We had another episode, where one of our articles that we had prepared was a critique of the operation of the state laws of regulatory agencies during—dealing with savings and loan investments. What had happened was there was a loss of value of the real estate in the State, and a lot of savings and loans outfits became very shaky. And a lot of small investors lost their money in the savings and loan. Some of the big cheeses managed to come out with a lot of pass-ups. So, we wrote—there was a critique of that. Naturally, we thought—and one man, who had a lot of money, however, said he was going to sue the University. The Law Review was copyrighted by Stanford University, and he said he'd sue the University. I'm not sure, but I think he was also on the board of trustees. He owned expensive property in San Francisco, and he was a very wealthy person. A lot of his wealth had come out of manipulation of this savings and loan episode. We were lucky. The faculty, of course, closed ranks behind us. The Law Review was autonomous, theoretically anyway. We were—the faculty didn't have anything to say about what we printed and what we did. I talked to the Dean, and said—you know—we think

this is fair comment, and I don't really think there's a danger of losing the suit, but if you'd like to have the house counsel for the University review it, that's fine. If there was any really substantial danger of a loss to the University because of the article—this was before it was printed—we'll certainly consider changing it. And, so the house counsel looked it over and came back, and he really didn't think there was any likelihood of the University losing the lawsuit. But, then he had a few changes he'd like to see made. I went down and told the Dean—I said no way, we're not going to make any changes. I agreed—we agreed that if there was any likelihood—substantial likelihood of a loss for the University, we'll see then. The opinion is no, and we're not going to submit to editorial changes. Big deal (laughing). I think—actually, it wasn't Spaeth at the time, I think there was an acting dean, at the time. And he—of course—"aren't you being kind of hard-nosed," and—well, yes, I suppose so. But, we should. Anyway, we—I went up—I was invited up to San Francisco to talk to this man. He tried to sell me on the idea. He tried to sell us on the idea of not publishing it. I said, "no, we think it's fair." He also tried to get some action from the board of trustees. But, when he did that, he ran into other members of the board of trustees who were calling in newspaper publishers. And they

wouldn't have anything to do with that. So, we published it, and we sent him—when it was off the press, we sent him a copy of the magazine, and we didn't hear anything more about it. But, in the course of trying to get ready, as President of the Law Review I wrote to the Harvard Law Review, and said hey, have you ever had any experiences like this. Have you ever been threatened with a libel suit. And they wrote back a rather unhelpful letter, saying—in it they enclosed—they said some phrase about "I guess you folks are the Harvard of the west," which irritated the heck out of us (laughing). And if in fact Stanford is rated better than Harvard at the time, now, I think that's great.

Q. One thing we found in one of the recent Law Review articles—in a comment obviously written by someone knowledgeable in military justice, in discussing jury selection and the pros and cons of having a random selection versus people identified and selected by the commander—did you have a hand in that, or was that written—

MG Parker: What year was that? When was that? Would it have been Volume II?

Q. It was in a volume during the time that you had been at Stanford. I'm not sure, I probably have the dates mixed up.

MG Parker: Well, I don't—in the center of the Law Review, we did the tribute authorship, because—you know, it's like other law

reviews. In the time it gets through being masticated, you don't know really who wrote it. But, I did write an article about military justice, and I've carefully kept still about that ever since. It was a little wild, perhaps. I think I cited the Confederate Army system, with some approval. I did write an article. That was when I was a candidate for Law Review. My name is not on it.

Q. Did you have any burning conclusions about the jury selection process?

MG Parker: No, not really. That was an intellectual exercise. I really didn't know a heck of a lot. That's one of the points I tried to make. I hadn't had, really, zilch experience with courts-martial in the Army. Just because of my particular, you know, troop experience, I just hadn't been exposed to it. I really didn't have any feelings about it, one way or the other. I'd seen that one little episode I'd told you about, that didn't amount to anything. It was interesting. When I was getting ready for graduation—again, because I was independent—I had a job waiting for me. The Dean—Dean Spaeth called me in and said—you know, talked to me about—he had certain jobs that he had dug up, particularly one that was in the east, where he wanted to place people—new graduates, and he wanted my suggestions about which one of my colleagues might fit into which jobs. I could be

regarded as unbiased because I couldn't compete for any of those jobs anyway. One of them was being a clerk on the Supreme Court, and he had a job for somebody big on Wall Street. And—that was sort of interesting. The two outstanding—really outstanding brains in the class, Marshall Small—and I suggested—I think the dean had already decided he would be good for this clerk job. And the other real smart one in the group was—oh, Ed somebody. Anyway, he was the man who'd come up the hard way, and had scraped through his education, and he had worked for the grape pickers in California, organizing them and so forth. Quite a background of activism. But, he was a very bright man, and he struggled and practically starved getting through law school. So, I told the Dean—I think the man for this job in Wall Street is this fellow. He—you think he can do it? And I said I knew he could do it, I don't know whether he will or not. So, he offered him the job and asked if he was interested. And Ed came over—he didn't talk to me. He talked to Jane. And she said, "well, Ed, I think it's time to start eating for a change." And he took the job. I guess he was a success. He was a big wheel in his law firm, divorced a couple of times, and followed the pattern of a lot of these corporate lawyers. I don't know if we did him any favors by steering him in that direction.

Q. You had a couple more people that worked for you at the Law Review that turned out to be pretty famous.

MG Parker: Yeah. A year behind—in the class following us, there was Sandra Day O'Conner and Bill Rehnquist. And they were candidates on the Law Review when I was the President of the Law Review. Again, I say, things are kind of blurred. I can remember them, but I can't remember anything really outstanding, except that Sandra Day was young. That was the impression. She was very bright, young, unsure of herself. And I think I explained to you once before—there was quite a dichotomy in the students at Stanford in those days. There was a large group of us who were older, were veterans of World War II. See, I would have been about 30. And there were some that were around my age, and some even a little older. And then there was the other group, who were the young ones, like Rehnquist, and Sandra, who were coming straight into law school from undergraduate. They hadn't had any military interruption of any sort. And, in fact, I think in Sandra Day's case, they accelerated the program, so she'd only been 3 years in undergraduate, and then started law school. So, by comparison, she was probably—she was young. She was probably 23—22 or 23 years old. And she was kind of lost for awhile (laughing). But, very bright, and so was Bill Rehnquist. I didn't get to

know them very well. Later on, I was attending a meeting—I guess it was the Federal Bar Association in Washington—Bill Rehnquist was, at that time, was—oh, what's the title—counsel in the Justice Department. He was making the talk. He got up and said, "I'm a little hesitant, because my old Law Review President is here, and he's probably going to criticize my talk." So, he hadn't forgotten me, anyway. I didn't get to know him extremely well.

Q. How did the preparation for passing the bar—both of us here took it in California—since that was the ordeal of our lives—

MG Parker: You probably will hate me, then. I did not take the California bar. I was admitted to the California bar without taking the exam. See, I was in law school, and Korea was going on. There were fellows being called up to go to—particularly Reserves—being called up out of law school and being sent into the service. And, they hadn't taken the bar exam. So, there was quite a push by veteran's organizations to do something for these people who'd been dragged out and thrown into the service, and their law career had been interrupted. So, they put in a bill that would, you know, get them the privilege of getting into the bar without the exam. Now, that naturally was opposed by the California Bar Association. They didn't like the idea of all these people getting a free ride. So, they couldn't stop it, but

they chopped it down as much as they could. And it finally came out of the legislature, and was signed, something along the line that if you were in your final year of law school, and you were called to duty in the Armed Forces before the date of the next bar exam, you could be admitted—and you graduated from an accredited school, you could be admitted to the California bar, without taking the exam. Well, when I graduated from Stanford, I was assigned to Presidio. Witcover originally was going to be assigned to Presidio. He was an eastcoaster, and he wanted to come back to the east coast. And I said, well, I'm planning to take the California bar, so I'll stay here. So, he got JAGO to switch us, and I was assigned to the Presidio, and I would study for the California bar. That would be my job until the bar exam. There were only two of us there. There was Colonel Bill Bircholder, who one time later was the Commandant here. He had graduated from Boalt Hall, University of California, and I was from Stanford. We were there in the Presidio, in the JAG office, off in a corner, working on the preparations for the bar exam. There was an Air Force major who had finished, I think, also, at the same time, and he was assigned to some Air Force headquarters there. But, he hadn't started studying. And he was getting a little antsy, and he conceived the idea that we should get admitted without

taking the exam. So, he came around and talked to us, and we said, well, sure, we'll join you in a petition. Let's give it a whirl. And we drew up these fancy arguments, all of them very self serving. We said number one—you know—it's true, we were called to duty. Of course, we sort of glossed over the point that we were on duty. We didn't prevaricate. We were on duty, but as soon as we were graduated, we were assigned so-and-so. Then we went on and pointed out that we were really rather bright people, and we'd probably pass the bar exam anyway. That there were only 14 of us—of the class that we were representing couldn't be any larger than 14, so it really didn't make a lot of difference. And this was the clincher of the thing—that for each one of us that was given status as a California lawyer, there probably would be another California lawyer that wouldn't have to be called up. So, we turned in this pleading, and the Air Force officer went down and appeared before the committee of Bar Examiners, down in Los Angeles, and argued orally, and low and behold, they bought it. So, in October, when my classmates were starting the bar exam, I was also in Los Angeles being sworn in before the Supreme Court of California. It never was a great point, but there were some, as they called themselves, legitimate California lawyers in the JAG Corps that were not too happy about this business

(laughing). Plus the fact, you know, that—also, the California Bar Association waived dues for us, as long as we were on military duty. And this went on for several years, after Korea was over, even. We got a free ride as far as dues were concerned. We didn't take the bar exam. In fact, they refunded my advance payment for the bar exam.

Q. I wish they'd refund my payment for the bar exam (laughing).

MG Parker: See, I didn't have the experience of taking the California bar exam. I'm so sorry about that (laughing). The fact that I didn't have to take the bar exam, and got admitted in October 1951, meant that I had more time for some JAG training. And they were very good to me at Presidio. The SJA at the time was George Gardes, who later became a brigadier general in the JAG Corps. And we had—he had a very competent group there. A number of them were what we called the "hand-cuffed volunteers." They were lawyers who had finished World War II, gone to law school, gotten their degree, and had started practice, and then had been dragged back on active duty during the Korean War. They were a little bitter about that, but they'd had some practical experience, and they were good lawyers. So, what they did—what General Gardes did was to expose me to as many aspects of the JAG business as he could. I attended a

number of trials, and did a little bit—not very much—of minor trial work. I wrote up a few claims. And when I was—I'm not saying the trial—in that trial period there, there was an incident that stuck with me, and really is nothing new, but it's the old business about never asking the question on cross-examination unless you know the answer. There was a case of a, I think, an officer who had been absent for a long period of time, and been apprehended by the San Francisco—the California police agent someplace, and this policeman arrived—he didn't look like—he looked like he might be the police commissioner. He was obviously a well educated man, dressed well, and so forth. And he took the stand and he gave this most explicit, detailed story of the apprehension. How he went there, how he got up to the apartment and had a warrant, and thus and so. In great detail. And the JAG officer who was the defense counsel got a gleam in his eye, and he said—this was 6 months ago—"How long have you been on the force?" "Well, I'm a career policeman." "And it's been 6 months and you remember all of this?" "Oh, yes. I remember." "How many apprehensions have you made in this last 6 months?" He figured he couldn't possibly remember. The man said "one." And he was Chief of the Sabotage Squad of San Francisco. So, it wasn't his ordinary business to go around apprehending

people. And, oh, I've never seen a more crest-fallen defense counsel in my life. It was a beautiful exhibition of, you know, how to cross-examine the way you shouldn't. I've kept that with me forever afterwards. I never made that mistake. I was sent out on TDY a couple of places, for training. I went down to—from Presidio down to Frenchman Flats, when they were having the atomic tests down there. Basically, I was sent down there with some Government checks, and I was supposed to pay off claims—the civilian claims. Not the bomb blast, or any other acts that had occurred. I don't think I spent any money. But, while I was there—there was a lieutenant who got into difficulties over payroll, and was tried, and I was his defense counsel. That was my first job as defense counsel, certainly in an officer's case, and may have been the first job as a defense counsel in a general court. A couple of interesting points about this—one is I had been well impressed with the need for careful investigation. What had happened was that this lieutenant that had the payroll to disburse, and he'd paid off the soldiers in camp, and then he was supposed to go downtown, to a couple of places—the hospitals and so forth—to pay soldiers who were not on duty at the station. In the course of things, he got diverted and sat in a bar and drank up a lot of booze, and was missed. And the military police were

frantically looking for him, assuming that he'd absconded with the payroll. A great hullabaloo. When they finally picked him up in the evening, they counted—first, they counted the payroll, and they said he was short. And, so—oh, boy, this was a federal case. Then they recounted it and discovered that he wasn't short, except that these soldiers probably didn't have their money out there in the hospital. And they put all of these dereliction of duty, and all these big charges against him. I defended him. One interesting—he was a white officer, and he was working with a transportation company, and the transportation company was almost entirely of black soldiers, and had a black officer there. And, so, I started talking to witnesses, and I talked to this black officer—a very intelligent man—and he said—he looked at me and said, "What do you want me to say?" Just like that. I mean, no hesitation. If I'd said swear up and down to this, he'd have sworn up and down to this. And I said, "no—(laughing)—I think we'll get along with the truth, here." As I was investigating, I found that these soldiers were not short money. And I asked them—I said where did you get the money. This lieutenant—this black officer had paid them. He'd found out that the white officer had shorted these two people, and he said can't let that happen, and he went out and paid them. He confused the issued, is

what he did. But anyway, we had—I went through this thing, and I was really just gratis. Tom Marmon was the JA out there. I said, "Tom, you know"—or, "Colonel, what do you do about challenges? I don't know any of these people. Everybody out here is on temporary duty. They're only here for two or three months at a time." He—of course, he's the SJA—he said, "Well, I don't know. I could tell you a couple of rules of thumb. One is challenge the senior officer, some people think. Some people think challenge the West Pointers on the panel." And I forget what the third one was. But anyway, I looked at those three clues he gave me, and they all pointed to one officer. So, I challenged him. Probably was a good move. The lieutenant was convicted of dereliction, and got a restriction. And I follow-up by saying that after he was off restriction, he got into trouble again, back at his home station—(laughing)—so it didn't do much good. Then another temporary duty job they gave me—they sent me over to—oh, a post over around Richmond. I can't think what the name of the post was, now. But, there was an area where they were—I think they were getting soldiers together and shipping them in and out through the port. There was a post JA over there. A nice man, but rather ineffective, who'd gotten way behind in his job. They were trying a lot of cases, and they were trying them by special

courts, for BCDs, and they just were all jammed up. So, I was sent over there on loan, to work for this lieutenant colonel, and try to help him out. I learned something about writing up reviews of special—BCD special courts, and so forth. And also, I got to be the unofficial legal advisor for a WAC unit, and that was very interesting. They had special problems. A WAC captain came in to me one day and handed me some statements. I started reading, and these two gals decided all we want to do is get married and have children, to each other. I looked at the packet, and said don't ask me how they're going to do that (laughing). But, they had no real bad acting people. I mean, we'd run them through a BCD, and special courts, and of course, it took so long to get them reviewed, there was actually one female soldier—got a BCD, and before they could get approval back on the first one, she was in trouble and tried her again, and have her another BCD, which was sort of stupid, you know. They did—we did strange things in those days. But, that was an interesting thing. Then, I was transferred to Europe. Originally, I was assigned to USAREUR headquarters. And again, you know, I'm still a fairly inexperienced officer in trial work, and I wanted to get trial work. And they gave me some trial work. USAREUR, in those days, was—held a large general court jurisdiction. The major units—the

divisions and corps, and so forth—all had their own jurisdictions they operated them, but all the odds and bods in the post camps and stations were—in those days, a lot of them would come under USAREUR, and they were using what they called trial team. They had law officers—two or three law officers, and these law officers would move around. They might be in England, and then they had defense counsel and prosecutor—they'd send us out. I remember once going out to Wuerzburg, and I was the defense counsel for a case or two there. We'd usually have two or three cases to do. You'd come in, pick up the file, and start interviewing the witnesses and get ready. In a day or two, the law officer would fly in from someplace, bringing the court reporter with him, and by that time, the prosecutor and defense counsel was supposed to be ready. He'd go ahead and try the case, and then you'd move on to another place. I did this for about—oh, I guess, two, or three to four months. And I got several cases—a number of cases, that gave me some fairly good experience. And then I was assigned to 7th Army headquarters, in Stuttgart. That was—that had some influence. The SJA in 7th Army was Connally. And Connally was a very, very excellent JAG officer. He had practically—I was told by a number of people—he had practically run JAGO when General Green

was TJAG. As one law professor told me, he said Green, as a lawyer, was an excellent cavalryman. Of course, Green was the JA out in Hawaii when they had trouble with a civilian problem out there. Anyway, during that period, Connally had been the power behind the throne in JAGO, and extremely competent. Also extremely abrasive, and made a lot of enemies. You know, he—now, he was colonel, and he was the Judge Advocate for 7th Army. And again, ready at the drop of a hat to tell you why he should have been TJAG, not a colonel in 7th Army. Maybe with some justification in his case. But, he was good to me. He was unmarried at the time, I think. I don't know. We didn't see each other socially very much. Occasionally. I was doing mostly defense counsel work there. I'd been there for, oh, two or three months. We had a case that came up—I've forgotten exactly what it was about—but, I was the defense counsel, and I was very irritated. They had a system where if a case arose in a unit, they'd send the case into 7th Army for review and referral, if necessary. And they'd get the panel for the court from the unit where the case arose. That was—it was sort of a psychological idea, that you weren't going to place your problems on somebody else. If you generate a court-martial case, you've got to supply members. Well, that was less than good from the defense

counsel's point of view. You'd prefer a different venue (laughing). And I had this one case—and I can't remember now about the details of it—but I felt that they had stacked the court on him. I really felt that there had been shenanigans back there in that unit. They had stacked this court-martial. So, I went hammer and tongs at the panel, and I had dug what I could about the people, and I did my best to disqualify a number of members of the court, before I even used the other disqualification. I tried to disqualify for cause. In fact, I managed to so irritate one of the men that I was after, that he spoke incautiously and the other members of the court decided they better not have him around. I can remember I walked out in the recess one time, at noon time, and walked back into the JAG office there, and they asked how is it going, and I said we don't have a court yet. And I said I think they stacked the deck. So, we went on and finally got the court—a court, and we finally got the case tried, and the soldier, as I recall, was convicted, but he didn't get anything much more than a slap on the wrist, by the time we got through. And I—well, that's not going to sit very well with the powers that be. As is so happened, the next morning I got word that Colonel Connally wanted to see me in his office. Connally had this—he'd always been very decent to me, but he had a reputation

of a terrible temper, and it would just let loose. And I thought, oh boy, he's going to be really upset about this case. He called me in and he said, "Hal, I'm going to sent you up to 2d Armored Division." Boy, he's sending me to the boondocks to get rid of me (laughing). He said, "The JA there has been there a couple of years, and pretty soon it will be time for him to leave. When he leaves, you can be the JA." Boy, that was really something. So, I guess he wasn't too displeased. He was very nice. He sent me up there for further training, you might say. I went up to 2d Armored Division at Bad Kreuznach. Now, during this period, Jane was still back in the States. In those days, you couldn't get your family over until you had quarters. There was a 7 month delay at that time. I was all these places, at Heidelberg and Stuttgart, and I was on TDY, or I was by myself when I got to Heidelberg—I mean, to Bad Kreuznach. The JA there—the Staff Judge Advocate was a Lieutenant Colonel Samuel Hogan. And he was another one of these officers, of the group that I was in, that had basically started out as a combat officer, and then gotten sent to law school. Now, Hogan was—they said he was the only man that got through Columbia Law School without taking evidence. For some reason—he was a very independent sort of a guy, and he either didn't like the

evidence professor, or he didn't think he needed to take evidence. Maybe he thought that the course he'd had at the Academy was enough, on evidence. Anyway, he got through Columbia Law School without taking any evidence course (laughing). I was sent up there. I heard from a staff member, later—he said Hogan was talking to somebody, and he said that they're sending up this major from 7th Army to learn to be an SJA. So, I'm going to let him work, and I'm going to hunt pigs. And that's what he did. He loved to hunt, wild boar particularly. And his hunting partner was the Division Commander. So, afternoon after afternoon, Sam Hogan would go off and sit up all night in the hot—high seat, and the next day he would come wandering in, kind of bleary eyed. Don't misunderstand me. The man was bright. I was running the JA office. I was learning while I was running it. Occasionally, I'd get something that I just didn't know what to do with, and I'd come and present the problem to him, and he never looked up a book, he never did anything, but he had good insight. He said, "Well, Hal, let's look at it this way." He was a very, very perceptive guy. But, it really—you'd be horrified, now, with the conflicts of interest that we had. We were a division JA office, and we had a lieutenant colonel SJA, I was the major, and we probably had—oh, I don't know—six or eight defense—or,

JAG officers for prosecutors and defense counsel. I was the law officer for most of the cases. Because Hogan was turning the job over to me, I'd sit there and go through pretrial on these trials, and decide whether or not they ought to be referred to trial, and then turn around and sit as the law officer. I could see that this was a big problem. I'd call the other JAG officers and I'd say, "look, you know, this is what I'm doing. You know this." And I said that, "at any time—at any time you feel that there's a possibility of prejudice, or that you could do better, you just tell me and we'll get a law officer from Corps, or some other place. No hard feelings." Well, the truth was that I was a better—well, I don't know—a more sympathetic law officer than they could get from Corps. So, I sat in practically all of the Division cases, as the law officer. And as I say, you never could get away with it today. I don't think we did anybody an injustice, but it certainly would look bad on the record. They had the Division SJA office at Kreuznach, and they had combat commands at Baumholder, and Sandhofen, and so forth, and we'd go out—well, we'd go out for a trial, have the defense counsel and prosecutor go down a day early. I'd get in the car and drive down someplace for a number of miles, we'd sit on the case all day and get through at about 6—or, maybe a series of cases—get through at 6 o'clock in

the evening, have the drive back to Kreuznach, and then, maybe, the next day do the same thing over again. It kept on, and on, and on.

Q. You were a lieutenant colonel during this time, sir?

MG Parker: I was a major. I was a major. By this time, a fairly senior major.

Q. Your band of JAGs there—did they specialize for a period of months, or years, as a prosecutor, then defense?

MG Parker: No. No, we were switching them back and forth. I guess I sort of liked the idea of switching back and forth. I didn't really like the idea of concentrating as defense counsel. I felt, and I still feel, that if you're a competent trial counsel, you'll handle either side. I never was—I can remember some people that got—what I call prosecutorphobia—if they'd been in the job for a long time as a prosecutor. By and large, if you switched them over to defense counsel, they were just as rabid a defense counsel, within a day or two, as they had been prosecutors before. I—some of the time, I didn't like what I saw. For example, when I was on the trial team, working out of Heidelberg—I remember going out with a trial team, a soldier was being tried for molesting little boys, or something. It wasn't nice, but it wasn't a brutal thing. I don't know whether the man pleaded guilty or what, but it wasn't a long trial, and he was convicted, and he was

given—oh, I don't know—a punitive discharge and a couple of years, or something like that. And going back to Heidelberg in the car that night, the officer who'd been the prosecutor for the case was just ranting about the inequity of that sentence. It should have been at least 15 years. I mean—and I saw that happen with a number of officers who—and there were officers who considered themselves as prosecutors. Not many would consider themselves as defense counsel. A few would. But, there were those who felt they were specialists as defense counsel, and they would aim for being—I mean, prosecutor—and they would aim for being a prosecutor in any big case that came up. That would be a plum, and I just didn't like the psychology of it. So, when I had an influence there in the Division—and the officers themselves seemed to be happy about it—so we'd switch back and forth. You'd be the defense counsel for a week or two, and then turn around and be the prosecutor. It worked. I don't say the other doesn't work, but it worked this way, too. We had one interesting case I'll just mention briefly. We had—of couse, this was an armored division, and we consumed thousands and thousands of gallons of gasoline. And we had a bunch of soldiers we put on trial. They probably would have gotten away with it for longer, but accidently, somebody had stumbled on a group of

soldiers with a truck load of gasoline in jerry cans, transferring to Germans out in the woods. And so these fellows were apprehended, and we were trying them for stealing the gasoline, and whatnot. And it was very interesting. We tried them—well, in the first place, the physical evidence—we had the back of the courtroom stacked with all of these empty jerry cans, and an absolute strict order that nobody could smoke within 50 feet of that courtroom (laughing). And the other point that came up was that I think they were trying them for the theft of—something like 20,000 gallons of gasoline, or something like that. And we couldn't prove that there was one single gallon missing. I mean, the control over fuel of an armored division, in those days anyway, was such that you couldn't identify that you'd actually lost 20,000 gallons. I mean, we had them. There wasn't much that they could do. I mean, there they were, caught red handed, with all of this gasoline that they were turning over to the Germans, but we couldn't prove that we were missing a single gallon. So, anyway, I was up there, and I worked with Sam Hogan. I relieved—I thought he was a very interesting fellow. He—he is an example of one of the difficulties of the system of selecting officers and sending them to law school. Sam was an armor officer in World War II, with some distinction. Some of the

stories of the Battle of the Bulge refer to Hogan's task force. He was a good combat commander. Then he came back and for some reason went to law school. And here he was, a division SJA, and they used him in the Armored Division—because of his previous experience in combat, they used him as an umpire for maneuvers, and so forth. And I felt—it was obvious that he had trouble keeping straight in his mind whether he was really a lawyer or an armored officer. Anyway, he got mad, finally. He didn't like the fact that the Board of Review had reversed a number of cases—of his cases, and had written and had gotten a chit from the JAGO, from TJAG, saying, hey, you know, that's not very good if you sent these cases up here and they all get reversed. And he had words about it. And he said well, if you're going to treat me like this, I want to go back to the armored. So, he went back to the armor branch. As I say, he just really—he wasn't convinced that he was—and besides that, he thought he had a better chance of making a star in the armored branch. And I think that there were a number of us that were selected for law school and went to law school, who—some of them had that level of problem. I didn't. I didn't have a distinguished combat career. I think I learned something, but I didn't have all of those credentials as a combat commander. The same fellows that did, I think were not well advised to go into the JAG Corps.

Q. He kept extending, I guess, or something. Did he ever leave?

MG Parker: No, he kept extending. He liked to hunt pigs (laughing).

Q. And you were doing a good job?

MG Parker: Yeah. He made no bones about it. He spent the minimum amount of time in the office. We got along fine. I'd had good communications with some of the officers that were in that JAG section—they were a fine bunch—and they were happy as clams. Anyway, after—well, I don't know how long—I'd been there, maybe—again, maybe 9 months or so. I got a call from Colonel Connally down in 7th Army. In his gruff voice, he said, "Hal, my exec is going to leave, and I'd like you to come back down here and work for me." And I really didn't want to. I said, "Well, Colonel, when you sent me up here, you said you thought I'd be ready to be a division SJA when Sam Hogan left." "Yes, I know I said that. They said Sam doesn't want to leave, that he wants to extend." And I said, "Well, you know, if we could possibly work it, I'd really like to get that SJA experience rather than come back to 7th Army." So, I guess—that was the end of the conversation, and about a month later, the SJA from the 1st Division was moved down to be the exec at 7th Army JAG section, and I was given the SJA job at 1st—by that time, I'd been promoted to lieutenant colonel, and I went

over to be the SJA at the 1st Infantry Division in Wuerzburg. I guess—that was good experience. It was on a smaller scale. When I go—before I retired, and when I went around to see the JAG offices, there's just no comparison, really, the amount of legal resources that a division Judge Advocate would have, and his branch offices, and all this other stuff. The 1st Infantry Division, we had an SJA, an exec, again, five or six—maybe seven or eight lawyers—company grade lawyers, and the supporting staff, and that was it. And we had regiments in Aufshafenberg, and Bamberg, and we had to travel a lot. To cover—we usually tried the cases in the area where the combat command—where the regiment was. But, it was good, and the 1st Division was a famous old division, and it had a lot of people in it that, you know, moved on up. Bruce Palmer was a regimental commander, for example. I learned a couple of things. One was that I had the first commander—the division commander that I worked for in the 1st Division, was Major General C. T. Lanham. His nickname was "Buck" Lanham. He was an academy graduate, and he'd fought in World War II as a commander in the 4th Infantry, I think. He was a man of real intellectual capacity. Just brilliant. As a matter of fact, he was a poet. He had a wide association among literary people, and a lot of

correspondence. He preferred to keep this out of public view. The image he tried to project was very macho. He was a small man.

MG Parker: He was an artist in swearing.

Q. (Laughing.)

MG Parker: No. No, seriously. He was just absolutely put out. You would think—some people thought this man couldn't say two words without cursing. The truth of the matter was, I had seen him—he had a thing about Article 15s. He called it his "Article 15 trials." You know, you'd write up—I'd bring in the file on the guy, the proposed action and reprimand, and so forth—and there was no question of his signing it and sending it to the guy. The guy had to come in and face him. And it was a trial. He'd stand that guy there and he'd talk to him, ask him questions, and if things didn't go the way he'd want, he'd just rip the rubber off, with never a swear word at all. Just a beautiful command of English, a terrible power. And then he finished up—"And furthermore, I'm now signing the official reprimand," and he'd hand him that. On the other hand, I saw him occasionally chew the guy out, listen to him, and then tear it up. "Okay, don't ever do it again." So, when he talked about Article 15 trials—he asked me once—he said, "What do you think of them, judge?" I said, well, that they're unique. I really had an

imprint, because people hated him, and he had a vitriolic tongue, and people were scared of him. He could—well, and he also was very hard on the staff. Many of his staff were in fear and trembling. They hated him. I found out one very important thing: his mind was so quick—chock full of conclusions so quick—I brought in a case to talk to him about whether to refer it, what kind of charges, or what action to take, I had planned the presentation—the oral presentation so that I got—within the first 20 or 30 seconds, I got across the idea of what I wanted him to do—what I thought he should do. If I didn't, before I'd know it, he'd come to a different conclusion and then I'd have been in dutch, and I'd have a terrible time trying to reorient his thinking on it. But, he was a very bright man. He really had, in his staff officers—the G-1 got along well with him, and I got along well with him, most of the time. I guess the G-3—the G-3, because he was the operations man. But, the others were really in fear and trembling of him, I'll tell you. We had—in Wuerzberg in those days, we had some requisitioned quarters—German houses had been requisitioned. It so happened we were assigned a house right next to the General's house. The General had this big house. It had a sentry box, and usually there was a sentry there. Then we had the house next to him. On the wall

facing the General's house, there was a big chimney, all covered with ivy. One time, my older boy—Mrs. Lanham caught my older boy climbing up the ivy on the outside of our house (laughing). She sent the sentry over to get him down (laughing). Anyway, that was a very good experience. Lanham was a man to watch. We had a warrant officer—Lanham was a great man for public relations. I'm not sure, but he may have gone into public relations with a partner. We had a warrant officer who had been in the 1st Division—a chief warrant officer—since World War I. He was way past the age for retirement, but they kept getting Congressional approval for him to stay on. He was "Mr. 1st Division." And he was a nice old man, but he didn't do much anymore. And he had a young female protege, a ward or whatever, who lived with him. And he'd actually bring her around to the division social occasions. And none of us inquired—you know, wanted to inquire very deeply what this relationship was. Sort of, you know, offensive. But, then we got a new division commander, and the first thing I know, the division commander called me in and said, "Judge, do you know that that girl is not really his ward?" I said, "Yeah, I think so." Somebody had started tackling it, you know, and the general had gotten all excited about the morality of it. And it took the combined efforts of the G-1,

the chief of staff, the SJA, and a couple of other staff officers, to talk the general out of throwing "Mr. 1st Division" out of the division. We finally moved it over and rid of it (laughing). My exec in the 1st Division, there in the office, was Bob Miller--Robert E. Miller. He was a major at the time, and this is where I began associating with him. He was an extremely good officer, and he worked with me and for me a number of times afterwards. And then, in 1955, I was--I came up for Leavenworth--to be a student at Leavenworth. Now, the problem--there was a problem as far as JAG was concerned. You see, I'd never been to a basic course at the JAG School. I was passed the time, really, when I should have gone to the advanced course at the JAG School. The question was would they send me to the advanced course at the JAG School, or would they let me sort of go along with my contemporaries and go the Command and General Staff College. And they elected to do the latter. I would have been--see, I was a lieutenant colonel, and I had been a division JAG--Staff Judge Advocate for a couple of years. So, they said--well, okay. I guess you probably have learned on-the-job training, so we'll let you go off to Leavenworth as a student. I think, probably, that was the sensible thing. But, I will say that I missed out on some things by not coming to the JAG--in not

being sent to the JAG School. I think there were a number of activities that just never came up when I was on-the-job, that I really didn't know anything about. And if I'd come to the JAG School, I'd have learned more about the SJA job than I really did on-the-job. And in addition to that, I missed the close association with other JAG officers. So, I never had any—I didn't have any buddies from the JAG advanced class. You know, it's very strong throughout the Corps to remember each other and so forth. I didn't have that—that association. I wasn't exactly a lone wolf, but some aspects of that I did miss. It was a result, of course, of time phasing—or grade phasing, about where I was when I got out of law school and came on duty as a JAG. Already a major, and moving along that way.

Q. Were you short personnel in Europe at all, when you were the SJA, or were you pretty well filled?

MG Parker: Well, we were—we were short. We had a couple of officers I remember, in the 1st Division, who were lawyers, but they were not JAG officers. We were allowed to draft them into the JAG office and use them for counsel. They were qualified, no question about that, but they were not JAG officers. I forget whether they were detailed in JAG. I know they wore the brass. As I said, the resources were not as—anywhere near as deep—I mean, the job really wasn't

quite as extensive as it is now. It wasn't important enough. We had lots of cases. It seemed like we were trying a lot of general court cases, and special BCDs, and so forth. We had some civilian attorneys, usually. I had—I forget—one or two in Wuerzberg, and another two at 2d Armored Division, and they mostly wrote reviews. The only trouble with that was that except for one man that I had in Wuerzberg, these fellows were always looking over their shoulders, and didn't want to take a chance on being reversed on appeal. And so, where there was an issue, their solution would generally be to wash it out there in the written review, at the convening authority level. And maybe wash out the case. So, I'm not convinced that that was a good arrangement. I had one civilian attorney who worked for me in Wuerzberg who was a very scholarly man, and there was never a problem with him. If he came down on the side of saying that this one wouldn't stand, then I could believe him. The other ones—it was liable to be just a matter of choice, where they'd rather say that than have the case go up and have the Board of Review reverse something. And they thought that would look bad on their records, which I don't think anybody was ever really concerned with. I was never very happy about the civilian attorneys we had. The caliber, as a general rule, wasn't as high as you might see it in those days. They

were inclined to be old settlers. They'd been in Germany forever, and didn't want to ever go back to the States. Some of them got to be pretty heavy drinkers. We were busy, but we didn't have the volume of work, and we didn't—I don't know. We got along. We were a very happy group, and there was plenty to do. But, I don't think it was as big a job as the division SJA job now.

Q. At the Command and General Staff College, were you senior to most of the combat arms guys going through at this time?

MG Parker: I was among the senior ones. I think there was one colonel who was section head for our group. It's still arranged much as it was then. We had a section of about 50 officers. There were other lieutenant colonels. The age group and the grade was much higher among the students at Leavenworth than it is now. Very much higher. I know when I went to Leavenworth, the commander of the armored battalion from 1st Division also went. He was a lieutenant colonel. So, there were lots of lieutenant colonels. I suppose, maybe, the median grade was—must have been—there must have been more lieutenant colonels than anything else in the group. I enjoyed the year. I guess I finished up somewhere around 55th in the group. In those days, they used to publish class standings at Leavenworth, at the end of the year, and I guess periodically through the

year. They had a suicide of two, and then they stopped publishing class standings for awhile, and I think they've gone back to it. I don't know. But, there were a lot of stragglers—engineer officers, particularly, were bound and determined that their careers depended on being number one in the class. The division commander, when I left to go to Leavenworth—it wasn't Lanham at that time. I can't remember his name right now. He said, "Judge, let me give you some advice. You go to class and you listen carefully. You go home, and maybe you read some of the text, and then you have a martini and relax. Don't work too hard." He said, "It worked well for me" (laughing). I didn't go for martinis, particularly, but I kept that in mind (laughing). I was very careful not to commit myself to say, well, I'm going to beat out these other guys. I'm just happy to cruise along. As I say, I ended up—I was roughly in the upper 10 percent, someplace. It's interesting, you know, the capacity some people have for deluding themselves. I can remember a class situation—we were at long tables, and we were doing some nuclear problem, or something, and I had an officer here, sitting beside me. I don't know what branch he was from. We were sort of working together in the class exercises, and we'd work out something, and it would be—then they'd give the school solution for that phase. And

most of the time, we were pretty much out in left field (laughing). And this guy next to me would say, "Boy, judge, we maxed that one, didn't we?" You know, how could he make such a statement (laughing). I don't know. We were way off the target. It was funny. Still it was a good time. It was pretty nice. I enjoyed that.

Q. It sounds like you probably had a good time.

MG Parker: Yeah. Well, I finished the course at Leavenworth in June of '56, and I was assigned to JAGO. I'd been to Washington before, but not as a JAG officer. When I came into JAGO, I think the first person I went to see was probably Ken Hodson, I think, who was the Chief of Personnel then. I asked about what kind of assignment they were thinking of giving me. I had talked to, I think, Colonel Connally, and he'd said that if I ever got to JAGO, I should go into Administrative Law. So, I mentioned this to Ken, and he laughed at me and said, "Well, you've already been picked to be the Chief of Opinions Branch, in the Military Justice Division. General Jones picked you, and if you want to argue, well, you can go see him." And, of course, I didn't have any argument to make. I didn't know anything about Opinions Branch. So, I was—I took over Opinions Branch from George Prugh, my predecessor there. And George, when he was in the Opinions Branch, had been heavily

involved in what they called the Recap K Program—handling of the prisoners' return from Korean hands, and the question of whether they had been guilty of misconduct, and so forth. He'd been very active in screening the files, working with the Justice Department. There wasn't a lot of that left when I took over.

Q. Were those for military prosecutions, sir?

MG Parker: Yeah. Criminal military prosecutions. The Opinions Branch was a rather unusual little operation, I discovered. It was sort of being used as a brain trust for the front office. At least for the Assistant JAG for Military Justice, and to considerable extent by the TJAG. Hence, the interest in the recruitment of who was going in there. General Jones was a brigadier general, then, and he was the Assistant JAG for Military Justice, and it's under him. So, he made his selection of George Prugh, and he selected me from the records to replace George. Later on, I discovered that I could use the interest of the hierarchy in that little operation by getting recruitment of other officers when I had vacancies. We always had first—I say we had first call on what looked like the special brains coming out of the JAG School classes—basic classes. We had only a few field grade officers and quite a few captains. And it was generally staffed with some really bright young talent. And

we handled military justice problems that didn't get handled anywhere else. We always joked about it and said well, if they're too tough to solve somewhere else, they come here. I don't think we ever solved them either. We handled correspondence for the TJAG and The Assistant JAG, frequently. At one point, I remember General Hickman, who was TJAG, saying, "Hal, you write more like me than I do." Which, you know, is very probable. General Decker came in and replaced General Jones as the Assistant JAG for Military Justice, and General Jones moved up to be the Assistant, and those two gentlemen weren't very compatible. They had opposing ambitions. So, anyway, most of my time in the Opinions Branch, I was working pretty much for General Decker. The Chief, Military Justice Division, usually was pretty tolerant. He understood the situation—and for awhile it was Colonel Richard Tibbs, and later on it was John O'Brien—and they knew that was the way things were arranged. The general had a pipeline down to the Opinions Branch, and as long as I kept them advised of what we were working on, and kept them in the picture, they didn't worry about that kind of thing. I should say—early in my job there in the Opinions Branch, I got to meet General Caffey, and this was a rather strange situation. At the time I got there, General Caffey was still

in office as the Judge Advocate General, but he was a nonperson. He had displeased the administration, and while he was still left in office, apparently it had been decreed that he was persona non grata in the upper offices, and he just didn't have anything to do. He used to come back in the Opinions Branch and sit on the edge of a desk and tell me about how many troops he commanded on the beaches of Normandy, where he commanded the whole beach area, and so forth, because he said he had more troops as a colonel than most generals ever commanded. See, Caffey was another one who had a split personality. He'd been an engineer officer, and then he got his legal training and became a Judge Advocate officer. When World War II came along, he asked to go back on duty as an engineer. So, he served in World War II as an engineer officer. Then he came back into JAG. I don't know the details, but for awhile, he was lightly regarded by some of the other senior officers in JAG, apparently, and then suddenly, he was first one-star, and then two-stars. And a lot of other people had to leave the Pentagon, I think including my friend Colonel Connally. But, when I got there, General Caffey had made that famous indiscreet speech to the home folks. He was, I think, Georgian, and he went down—he was invited to speak to the Legislature. He made the mistake of talking for home

consumption—he spoke against integration of the armed forces, apparently. This hit the fan, and—of course, President Truman had recently issued a decree that the races would be integrated in the Army. General Caffey was really honest, and he used to spend some time talking with us—with me, at least, back there. Anyway, when General Decker came along, and the Assistant for Military Justice—of course, he'd been to the JAG School. I worked for him for, at least, a couple of years I guess, pretty much directly. I carried his briefcase to a lot of conferences. He used to take me with him to American Bar Association meetings, and Criminal Law Section, and so forth. I think he kind of hoped that I'd catch on to that kind of work, and move out by myself. But, I didn't. I think he was—Ken Hodson did. But, General Decker had hoped—he didn't have much luck with me. But, General Decker was a man who just continuously spun off ideas. He would come up with ideas six times a day. Most of them—a lot of them weren't very good. So, he'd call me in usually—and he didn't bother going to the chief of the division—he'd call me in and he'd outline this idea he had, and what did I think of it. I'd take it, and we'd go back in the Opinions Branch and kick it around for awhile, and see if we could make something of it, see if it sounded pretty good, and see if it might work.

Eventually, I'd go back and I'd—most of the time, I ended up telling him, as politely as possible, that I just didn't think it would work. It was a little bit uneasy position to be in. In fact, he took to introducing me to his friends as his "No man" (laughing). Now, that's not really the reputation you would like. But, I think we got along pretty well. I think he wanted somebody to look at his ideas, and I was his subordinate, so—you know—he could always say well, let him give his opinion, and if I don't like his opinion, I won't pay any attention to it. So, it didn't bother him too much if I came back and said I think there's this problem and that problem. He was very nice about it. I can remember once in a minor—a very minor thing. He was writing up his personal biography for some company. I don't know whether it was going to be a preface to a book, or a book review. Anyway, he said, "You know, Hal, I was the prosecutor for the Van Dorn mutinies. And you know we handed out 1500 years in sentences. Don't you think that would look good in there?" I said no, general, I don't think you ought to emphasize how many years of imprisonment you got—you'd given to soldiers. He said okay, and did something else. I think that was really—I'm not sure whether he was serious about that or not. We had another, you might say, client in the civilian world at that time, who kept coming back to the

Opinions Branch. There was a lady lawyer, active in the Washington area, who got going in a court-martial arena—started out, anyway, at the appellate level—Ms. Madeline Defina. And she drove the people in our Appellate Divisions, particularly Defense Appellate Division, completely bonkers. She was a very emotional person. She always assumed that her clients were innocent, and they were being stabbed. She always assumed the worst about anybody, and she'd take on so many clients she couldn't possible do any real work on the cases herself. She'd cannibalize the work that the appellate lawyers were doing, and then she'd turn around and criticize them for not doing a good job if they lost, which—you know—frequently they did. It was a very uncomfortable relationship between the—particularly the Defense Appellate Division and Ms. Defina. And of course, every time she'd run into a hassle with them, then she'd be calling me. I can remember she'd call me up, and I'd answer the phone, and she'd say, "You can turn on your tape recorder, now. This is Ms. Defina." And I said, "Well, now, Ms. Defina—you know, I don't have a tape recorder here." "Well, I don't know why, because the Chief of Defense Appellate has a tape recorder, and they tape record every call I make to them. They don't trust me." Of course, I knew why they didn't trust her. You couldn't

depend on her word for anything. She'd come over and she'd get into my office, tell me her troubles. She was a case. But, you couldn't ignore her, because she was gunning for publicity, she was representing, really, quite a large number of soldiers on appellate—in appellate level, and it was very difficult to deal with her. I remember once, she came in and she was—she started on her usual line about everybody in the JAG hierarchy was conspiring against her clients. She said something about Colonel Tibbs, who was the chief of the division. I said, "Well, now, look Ms. Defina. I realize that you are probably sincere in the things you say, and you sincerely believe them. But, you have to remember that I know these people too, and I can tell you, categorically, you're wrong about them." I told her I'd listen to you and you can say what you want. I'm not going to yell at you, I just don't agree with you on this thing. That day, she walked out of the office, and my secretary came darting in and she said, "What did you do? Ms. Defina just went out and she was smiling." I said, "Well, it was her good day" (laughing). She had started out to be a Catholic nun, she told me. And the Mother Superior of the order, at some point, told Madeline she thought her calling really would be in the lay area, perhaps as a lawyer. And—so, that's how she left the order. She went and studied law. She had a long story about

how she had a disagreement with some priest, and he had a stroke right afterwards and went right into the hospital. He couldn't move, and she went in to assure him that she had forgiven him. She took some holy water with her. When she left, he was smiling in bed. General Decker heard that story and said, "Hal, if that woman comes toward me with water in her hand, I want you to block her off." That was funny. All through the period, there was a lot of turmoil and churning around. There really was a churning about changes in the Uniform Code--the UCMJ. I don't know how many committees--ad hoc committees, and so forth, we had going. Everybody had an idea. It would usually filter its way back to the Opinions Branch, and somebody would have to spend some time on it. We didn't--I can remember one situation where there was an ad hoc committee formed by the three JAGs--the JAGS for the three services. And we must have spent--I was one of the representatives for the Army JAG. I think the chief of the division--Colonel Tibbs was the chief, at that time, and I was helping him. I think we must have spent two months or so sitting down, day after day, with the Air Force and Navy JAGs, working out what we thought might be an improvement in the Uniform Code. And there was a lot of resistance sometimes from one service or another. Finally, we came out with a consensus.

I can't remember the details, now, but it was, I thought, a pretty sensible thing. It went over to the Air Force, and the Air Force JAG was reported as saying, "That's not what I sent you over to that committee for. Don't bring me this nonsense." That was the end. It was very difficult to get a uniform position with—among the three services. The Navy was perhaps the most conservative. They didn't want to change anything. They wanted to stay complete—they just didn't want to even have a Uniform Code in the first place. And the Air Force was more flexible, more innovative. But even so, we couldn't completely get together with them. And General Decker—he'd come up with new ideas. He got a lot of work out on this business. Later on, they had the Powell committee. Before that, I'd like to mention that among the cases—among the things that the Opinions Branch had to do was rework up the—write up the cases that had to go to the Secretary for approval. Death cases and officer cases, and so forth. Usually, we'd have one of the lieutenants—in those times, one of the lieutenants would take the case and write it up, and come up with recommendations, and then have to sell it to the TJAG, or Acting TJAG. Frequently, they had to go with the TJAG to the Secretary's office and, on some occasions, make the presentation to the Secretary. It was very interesting

work. And we had a number of death cases coming through the chain in those days. I suppose, maybe, six to ten, while I was in the Opinions Branch. And they were always difficult things, because while we were not involved in the litigation of the appeals and so forth, we were involved in the final execution. We had an open line from the Pentagon to the death house at Leavenworth. It was always very traumatic. The general didn't like them, and none of us liked these cases. I remember talking to General Decker, and he said—you know, in peacetime, it's really not worth it. He would have done away with the death sentence right then, as far as he was concerned. Usually, the executions were years after the event, and if the guy didn't fight tooth and nail in every kind of federal court, and every place else, then he wondered what happened to his attorneys. It was very—it was kind of traumatic business. You know, originally the State of Kansas did the executions for the Army. They did them over at Lansing. Then we had a case that hit the fan, got a lot of publicity, and it came out in the newspapers that Kansas was doing the dirty work for the Army. The Governor of Kansas said no more. So, they built a scaffolding in the Disciplinary Barracks at Leavenworth. I don't know whether the thing's still there or not. Some of the other kind of cases, of course—as I said, we had the

cases in the military justice area where nobody had been able to find a handle on them, and didn't like what was happening, and they'd filter into the Opinions Branch. I always liked the remark that General Jones made to me, early on, in dealing with such things. They were usually controlled by Army regulations. He said, "You follow the steps. You find out what the facts are, and you find out what the regulations are, and apply the regulations and see what the result is. When you finish all of that, then you stop and say 'Does the regulation make sense? Does it arrive at the right conclusions?' You never just stop at the fact that, yes, you've got the facts, and they've properly applied the regulation. That isn't good enough." I thought he was very good on that point. Another thing we had to do was write speeches. This took up a considerable amount of time. We had to write speeches for generals. It was quite a trick. Most of the time—General Hickman, for example, was very easy. He'd say he wanted to talk about so and so, and you'd assign somebody, they'd write a speech and take it into the general. If he like it, then fine, that's good. He'd take it the way he got it, and he'd give the speech. But, General Jones, for some reason, I guess, he was maybe a little unsure of himself, of his own judgment. He was very difficult. You'd write a speech for him. You'd present it to him, he'd

look it over, and—that's good. That's good. And then he'd go off and find some buddy somewhere—it might have been a lawyer, it might not have been a lawyer—and he'd talk to him about the speech. And if that guy didn't like it, or criticized it, then we were back at square one. You had to start all over again. And this was—I can remember one time—we had an assignment to prepare a speech for General Jones, who was going to give it up at the Academy, and he particularly wanted to make a good appearance there. So, I talked to the lieutenant who got the job. He worked on it, and he came in to me and said he thought he had a good idea. He said, "You know how difficult it is to get the General to stick with a speech." he said, "What I'll do with this one is I'll write the speech, and then I'm going to tape it. Then we'll have the general listen to the speech. If he likes it, of course, he's already heard it and then he won't change it." So, we tried it. We took it in, and said, "General, you wanted a speech. Rather than reading it, when you can't get the full import of it, let me turn on the tape recorder here, and you can hear it." He sat back and listened to it, and said that was just fine. We gave him the transcript. He took off for West Point. That was probably a Friday. Anyway, Sunday night he was staying in a motel waiting for his appearance, and he got worried about his

speech, and tore it all up and wrote whatever he said (laughing). I don't know, what a mess. So, he was difficult. General Hickman was a very well balanced TJAG. He was easy to deal with. He made decisions. He was a fair man, and he didn't ever want to see anybody get any undue punishment. He was just a pleasure to work for. Jones was more mercurial, as you might suspect from my description. General Decker was nice, but again, he jumped around so much that he kept you on pins and needles. I had some really good help there in the Opinions Branch. I got—we had some vacancies, so I got Bob Miller, who'd been my deputy X in Werzberg, the 1st Division. I got him brought up to the Opinions Branch, when he graduated from the advanced course. I asked him who else he knew that would be good, and he suggested a Dennis York. I'm not sure I did Bob Miller any great favor, because he got out of the JAG advance course here, and I think he'd signed up to go down and take the parachute course and probably be the SJA in a jump job. I had the clout, through the general, to get that changed. I think Bob liked the work in the Pentagon, but I think he always sort of wanted to jump out of airplanes, too. This man, Dennis York, who I think was a captain when he got out of the advanced course and brought him up to the Pentagon—he wasn't a very big fellow. He was kind of short

and a little on the stout side. He had kind of a squeaky voice. The first time General Decker saw him, in the Opinions Branch, he called me in and said, "Hal, this fellow York. He's not very military looking." And I said, "Well, yeah. But, he was the tail gunner on x-number of missions during World War II." Well, that took care of that. If he was military enough for that, he was military enough for Decker (laughing). He later became Decker's special assistant in the Pentagon. One of the big, big efforts we had, restructuring the Uniform Code, was the Powell Committee. I think this was Ted Decker's idea. The idea was to get a user's appraisal of the Uniform Code and how it works. The idea, I suppose, was that if we could get commanders behind the change, that it would be—have a better chance than just the lawyers, who were messing around with the Code again. I wouldn't say it was a joke, but I think—clearly, the Army staff, and the Navy staff, and the Air Force—they weren't greatly impressed when the TJAGs came around, saying they thought we ought to change the Uniform Code. Unless they could show something grievous happening—if you just wanted to make a change to improve it, it was too difficult to get any attention. On the other hand, the people who wanted to make the changes that we would consider somewhat

radical—oh, such as changing most criminal jurisdiction to civilian rather than military courts—those kind of people could get a hearing very quickly and get right into Congress to the committee—through a staff member of the committee and get attention. But the service TJAGs—service lawyers—had a problem of getting attention, and I think General Decker's idea—a very intelligent idea was to involve some commanders who were of some stature, and use their leverage to try and move things along. So, he and General Hickman got together and picked names—you know, decided who they'd like to see on this committee. The people that would have some—make some contribution and have some impact. And then they took the plan up to Secretary Drucker and got him to buy it and appoint the committee. And, of course, since the Opinions Branch is the resource for the TJAG and Assistant JAG, I was appointed as the recorder to the committee, and I took York and a Lieutenant Higgins for another helper, and there was the three of us. We did manage to scrape up a very excellent secretary, I guess through the Secretary's office and we had on the Powell committee the Deputy Adjutant General, so we could get some other kinds of administrative work done, outside of our own resources. And the committee met—I guess it took us about three months, from October

something to January something, probably. It was a very strenuous period, as far as I was concerned. I had been through Leavenworth, and we had developed out there—you know, they taught you how to approach problems, and how to set up stuff—work. And I actually found it useful to follow their method—their steps in planning. So, the first thing we did—we worked up a questionnaire. I say "we," it was done really in JAG. I don't mean that it was confined to just the three of us on the committee staff, because what we were doing here was involving as many people as possible, and getting the JAGO—using them for ideas and help. We worked out quite a detailed questionnaire to go out to commanders. We also asked for input, I think, from all JAs. So, when the committee—at the first meeting of the committee, we had this questionnaire ready to submit to the committee, to see if they liked it so we could send it out. We also had planned presentations for the committee about JAG—people from JAG, and a number of different things—the incidences of discharges—punitive discharges, and rates of courts-martial throughout the Army, and all the statistics and so forth. And some things about—say, the Federal Youth Corrections Act. Anything we thought might be helpful to the committee. We had lined up the Army's chief psychiatrist, Colonel Glass, who gave the committee

some insight into people who got into trouble. It was pretty strenuous, but the committee was a very—they were willing to work along, pretty well, and they didn't mind sort of following the path we'd given them to work on. They weren't any rubber stamps. General Powell was a lieutenant general and, I guess, the Deputy Army commander. I'm sure that somebody that Decker had known in the past, because he always called him Herb. The book over there says that General Westmoreland became the best known one, later on, but—he had the Secretary of the General Staff of the Army, and just soon before this committee was formed, he'd been given command of the 101st Airborne Division. General Easley was the Deputy Adjutant General. We had a General Rush, who was from Transportation. A lot of these people I had never heard of, but they all were good, intelligent workers. I don't know—what we came up—what we were shooting for—the JAGs were trying to present was to bring to their attention the fact that the way the law was going under interpretation by the Court of Military Review, we were going to have to have lawyers on both sides of the special courts, and you were going to have to have both lawyers in the inferior courts-martial. And, of course, at that time, we said we didn't have the lawyers, and we didn't foresee getting the lawyers for it. What we really meant

was, first, we'd never get the spaces out. So, our effort had been to—was there a method, a system, that we could suggest, which would give the commander control of what we call "correctional problems," and let the criminal problems get into a court which was run by lawyers. In the Powell Committee, the solution which we presented was to do away with the summary and special courts completely, and have a general court which would be, as it is now, run by lawyers. The trade-off was an increased Article 15—a rather considerable increase—including something called "corrective custody," where a commander could put a soldier into a sort of limited type of custody or confinement, without a court-martial and without a criminal record. One of our chief arguments was that too many soldiers were getting records of convictions, which turned out later to be treated by employers, and other people, as federal convictions on their records, for things that, while they deserved correction, they weren't really very criminal. So often, we'd find that—you know, the news was coming back from the civilian sector that, particularly in a period when jobs were a little scarce and employers were being picky, why they would just say no, we don't want you because you've got a record there of a special court conviction, and so forth. We borrowed the idea of

correctional custody in the structure of the Article 15, to a considerable extent, from the Canadian Army. General Decker at one point made a trip up to Ottawa to give that a little personal study and talk to the Canadian Armed Forces people, as to how they thought it worked. When you look at the Powell Committee, you see they presented a study of charts which showed the extent of the commander's powers in a number of different armies around the world. We sort of were building up to this, through presentations before the committee, and we finally got to the point that the committee was generally accepting the idea, of course, that yes, they thought that commanders probably could handle more authority without abusing it. And if so, maybe we could do some of these other things. I remember we'd just finished a session in the afternoon, and we were breaking up and—I remember General Westmoreland was walking by me, and I said, "Well, what do you think, General? Do you think the committee wants the staff to come up with a first cut at an Article 15?" "Oh, yes. Of course, That's what you should do." So, I think this was a Friday night, or something like that. We worked all weekend, night and day really, trying to put together—trying to bring together a specific package of things that we—you know, these were not new ideas. We'd been kicking them around with General Decker

and General Hickman to a considerable extent, but more with General Decker. So, Dennis York, Tom Higgins, and I worked it over, and we finally put this thing all together. And when the next time the committee met, which was on a Monday or Tuesday, or something like this. It was a short fuse. We had it all cleaned up and ready to go for them to look at. I can remember little, light Tom Higgins saying, "You know, this must be what it was like to work for the New Deal. Stay up all night, drink coffee, and write laws." That's what we were doing, we were trying to write new law for them. I think it was a pretty good effort. The committee actually bought the proposal, almost carte blanche. I mean, they just went most all the way on it. As I said, naturally it wasn't new to Decker and it wasn't new to Hickman. We'd laid a lot of ground work, so they went along with that. And then when it came to the question of the courts-martial, there was a good bit of discussion. These commanders—these were all experienced commanders. You know, do we really have to have? Do we need a summary court and special court? There was a lot of reluctance to change something that has been embedded in the system for a long time. And we keep hammering back at them—hammering in—never going against them, but reminding the members that they were lay members, the direction in

which the Court of Military Appeals opinions were going, which were surely headed for demanding the intercession of lawyers at all stages of courts-martial. Finally, I can remember, at one point—I don't know which general it was—it's a good thing I don't remember—sort of sitting back a little bit and said, "Okay. I'll go along. We'll turn over the trials to you lawyers. Just don't tell my friends that I voted for it" (laughing). But, they—I think the committee members—and as I say, they were a very astute group. And they could see what was going to happen if they didn't change. So, they bought it. Then there were a few other aspects of the—as far as I was concerned, the chief aspects of the Powell Committee report that I was interested in—and I think this was true for most of us at the working level in the Military Justice Division—we thought we'd come up with a reasonable proposal for Article 15 powers, and we were really anxious to get rid of summary and special courts. We could foresee, then, that we could handle the general courts in a true lawyer-like fashion. And there were some other things that came into the report. One of them was a rather—I think was rather innovative, at least it was quite different. What we suggested was splitting the review of sentence away from the review of the case itself—the timeliness of the case. It wouldn't involve the appellate

courts in a rehash of the sentence. The technique for that was to emphasize that this was an indeterminate sentence anyway, and to set up a separate review chain for sentences. But that, I think, was not a bad idea, but that was sort of an excess idea, as far as I was concerned. Then we had some other things that were really, probably, responses to specific cases from the Court of Military Appeals. And I personally didn't—you know—again, I'm just a worker. I didn't really think that some of it was very good. They did get involved, and I must say because it was raised by the generals from the JAG Corps in this sort of silly business of not adding additional lawyer—judges to the Court of Military Appeals, and they should have a military background, and so forth and so on. I thought that was kind of counterproductive. A couple of the other general's weren't really very hot about that idea, but, then, they finally went—it was written in such a way that it was not a head on attack on the Court of Military Appeals. Although, certainly, it looked like they regarded it as an attack on them. But, we toned—I say "we," those us on the writing—doing the writing on the staff toned it down as much as we could, trying to make it as palatable—General Hickman was awful keen about it, but it was General Decker's idea, really. The Army had been entranced, I guess, by Judge

Latimer. Latimer had military experience, and I think he was a good judge. But, he looked at things, and he thought about the necessities of the military operation, and he would take those into consideration. Then, when you got Homer Ferguson on the court, he didn't have that background. So, it was missing, and there was a big change. I frankly thought that we could get along with Ferguson's opinions, better than we could with some other judge's opinions. Ferguson—even though, sometimes, his opinions struck me as being a little reaching too far, at least it was positive. It was something that—you knew where you stood, and you could alter your procedures to take it into account, and be fairly certain that that would do it. Whereas, some of the other judges would write opinions and they'd waffle around, and they'd hem this and haw that, and you were left wondering what in the hell can we do. But, there was no question about it. The Army JAG people thought that Latimer—the sun rose and set with Judge Latimer, and I guess the other military lawyers did too, on the whole. He was a friend of the service, and they were greatly upset when he had reached the point where he could be out voted and so forth, and it caused some difficulties. I might add that Judge Latimer was from Utah, and I guess he was a Mormon, because this Madeline Defina I mentioned finally

was suspended from practice before the Court of Military Appeals, because she wrote in her brief—one of her briefs an attack upon the Mormon church. And pretty directly at Judge Latimer, saying that anybody that would believe in the teachings of the Mormon church can't have much in the way of smarts. And it ended up in her being suspended. Of course, we'd been trying to get her out of our hair for ages, but she finally did it by overdoing her brief. Okay, I'm going to stop for a rest.

(A short recess was taken at this point.)

MG Parker: The one abortive effort that I mentioned, that came before—I think before the Powell Committee—where the lawyers from the three services sat down over a considerable period to try to hash out some mutual changes—the Navy lawyers went a long ways to crawl in with the other services. They agreed that certain things could be done. Specifically, the idea that you had to—the Navy lawyers were willing to agree that you didn't have to try every sailor out on the ship where he was. If he was with this destroyer in the Indian Ocean, the captain could put him in the brig if necessary, until he got to shore, or he could be transferred to a larger fleet unit where they had the means to try him. This was a stop and start operation. The lawyers frequently would get together, then the Navy couldn't sell any of that to the Navy

line. They wiped it out. To be truthful, I think the Navy JAGs were a little bit weak-kneed about—you know—going to their line officers, and talking bluntly about it. I might be wrong, but that's the impression I got. And then the Air Force—the Navy JAGs never seemed to have much clout within their own service. In the Air Force—General Harmon, for example, professed to have a lot of clout, and maybe he did. He was there long enough, you know. He was TJAG for 12 years. When they first broke off from the Army, he became the TJAG, and he kept it for three terms. And you can imagine what that did to the people behind him. Well, they always said they had great influence and great support from the line of the Air Force. But, they weren't really anxious to go in. Harmon really—there's one book that tries—sort of portrays Harmon as a liberal thinker, we'll say. From my observation, he was nothing of the kind. He was—he didn't want to make any changes unless he had to, either. Unless, perhaps, it was getting a third star. This was always a hope for the JAGs of the services. You know, TJAGs should have three stars instead of two. Big hope (laughing). In the Army, it really caused some heartburn when they finally made the IG of the Army a three star slot. So, that made some of us in the Army unhappy about that. We figured that TJAG was a much

bigger duck in the pond. Anyway, the Powell Committee report got a fairly good hearing within the Army, and that's about as far as it went. The Navy—I don't think—I think it was correct that they didn't even circulate it to their commanders, although Secretary Drucker sent it to the other services, saying I like this, and I'd like you to give it consideration. Later on, some of the provisions concerning Article 15s got picked up and put onto this bill—or something that had defense approval, and so on.

Q. I just have one other question for you, before we leave this area. Just your personal opinion, if you have one, on the summary courts-martial. All of the same things said here, 10 or 15 years later, by senior officers that they didn't—some of them didn't like it, didn't want to use it. And, in fact, I was at Fort Lewis for awhile, and they don't use summary courts-martial there. In Texas, they did. It's sort of a function of the commander, I guess, at the time. Did you come to any conclusion then, or later on, as to whether or not these things ought to be retained, or if we could do away with them?

MG Parker: Well, I have a conclusion. I've had a conclusion for years and years that we don't need the summary courts-martial. The power of the generals—the commanders on the Powell Committee agreed to that, if they got additional Article 15

powers, which they now have. It's been JAGO—the TJAG policy, for several administrations at least, that the use of the summary court could be reduced. Unfortunately, I ran into this on some of my inspection trips, as the Assistant TJAG. You get commanders who want to use it, frequently instigated by their Judge Advocates—their Staff Judge Advocates. And I've never—I can remember going into 3d Infantry Division, in Germany, a number of years ago. And Will Persons, I guess, was the Judge Advocate for USAREUR. Anyway, we went in there and the SJA was briefing us, and he was telling us about cases, and Lordy, here's a line graph with the summary courts a mile high. And there are letters out from TJAG, and I think even from the Secretary—or, Chief of Staff, saying let's cut down on the summary courts, and that was one of the brainstorm, was to get the Powell Committee to approve the changes. And it just so happened that the finishing of the Powell Committee sort of coincided with the time for me to have a change of station. General Decker said that he would send me out there, to Leavenworth, to be the first one on the faculty. I got some nice commendation letters from the work as the recorder. General Easley pleased me. He wrote a letter and said that it was the most—the best sustained staff effort he'd ever seen. I thought it was very insightful

(laughing). And Decker, of course, gave me a boost for it, and General Hickman, too. So, the next assignment, then, was out at Leavenworth, on the faculty there. They hadn't had any JAG officer on the faculty. The course—it was up to me to block out, chart out. I think—I've forgotten just when I'd arrived there. It must have been close to being—it must have been the summer, it must have been July, because it was hotter than Hades when we arrived. The first thing I had to do was go and buy some window air conditioners. And then we had to write the course and have it ready for presentation. I guess we started in September. Fortunately for me, I think, they had decided—they weren't quite sure where to put this JAG officer. They finally put me in the Department of Command, and that was a good place to be. I wouldn't have fitted under tactics or something else. And so I wrote the course plan, and prepared the backup material that I had to. They had their own print plant and everything else there. It's like any other educational institution, compared to the JAG School, too, I'm sure. It's quite a chore to get your course content and plan approved by the faculty committee, and so forth. But, I had the advantage there of coming in with outside support, and they didn't know quite what to expect—quite what they should expect from me. On top of that, one of the senior

colonels in the faculty review business had been a—was a colonel that I had met in the 2d Armored Division, and we'd kind of crossed swords a few times, but we had some mutual respect. So, he sort of eased up on me, and we got the thing approved through. My thought was—and I had talked it over with General Decker of course before I left, and with General Hickman too—that we knew that they had the instruction at West Point. We didn't want any more of that. What they're doing there—or still doing now, I think—as General Decker said, they're trying to make jackleg lawyers. This was one problem that I ran into frequently. You'd find a West Point graduate who thought because he had had a course in evidence at the Academy, that he—that was all there was to know. So, he would question the lawyer's judgment on whether the evidence would support charges or not. So, we wanted to get away from that kind of thing. So, the course was called "Legal Basis of Command." It was conceived as sort of a jurisprudence approach. That is, in the sense of not mechanics, really, but why. That was the idea behind it, was to try to get across to these potential commanders not just that there were limitations, but why there were limitations built in to the power they exercised, where these limitations came from, and then what the extent was. So, what I did was—there

were a lot of courses there. You prepared a selected reading for them. Of course, most of it is excerpts and quotations, and so forth, from pretty good people on the whole, quite a few pieces of cases which were significant, and then I wrote introduction and transition parts, and so forth. I think—I was quite pleased with the way it came out. It wasn't—I thought it was not too technical, but it gave a pretty sound scholastic approach to it. I don't think many lawyers would find much to argue about, even though the stuff was written—oh, it's written to catch their interest and be pretty simple. Their techniques, as you will learn or already know from the courses—this was a required course, in the beginning, at Leavenworth. It was not for credit, but everybody had to take it. I had a given number of hours—I forget how many hours. There are guidelines as to how much homework you can give. You can give so much reading that's required reading, and then you can add nice to read, and stuff like that. So, what I did was to—I tried to pick out the stuff that would intrigue people, and was readable, and sort of tease them into going beyond the bare requirements. I was pretty successful, I think. I heard—a couple of students would come up to me and say, "Damn you, Judge. I spent the whole night reading 'Legal Basis of Command' when I should have been doing something else"

(laughing). You know, I don't know which please me. They got a lot of good response from the students at Leavenworth on this. I was the only lawyer—the only JAG officer, and I was in the Department of Command. I had to recruit four other—or, three other instructors. There was an artillery officer there, who was a Louisiana lawyer, who was a competent fellow, and I could get him for one instructor. And then I got a couple of other good instructors that I felt would stick to the course. You know, there are always some that are—no matter what subject they teach, they're teaching—they're displaying their personality. I mean, they got up and put on a performance, and it's Joe Blow instead of "Legal Basis of Command." But, I got some good ones. They had an outline and—they had a verbatim lesson plan, of course, that was to be followed. I didn't have too much concern about the non-lawyers teaching it. All the feedback—of course, I heard them do their rehearsal, and I heard a few questions sometimes. And I thought they did a pretty good job. The material was written so you—I felt you didn't have to be a lawyer to understand. And it wasn't a nitpicking kind of case analysis. We had just magnificent response from the students. They thought it was great, at least the ones that ever said anything about it. I had one friend, now, who was a student at the beginning of the

course, and then he stayed on the faculty. He said—what does he call it? He thought the course wasn't any good, but I was the best teacher they had. Now, that didn't please me. I would rather not be considered the best teacher. I thought the course was the best course they had. Of course, not having a test in it—that helped, too. I had arranged it so—since I was using the non-lawyer instructors, basically we'd be doing four classrooms at a time. But, in that block, I'd set it up so there would be at least one block, where I'd take the whole four classrooms together, and we had one of the lecture rooms that could handle it. Then, a couple of times we had the whole student body all together in the library. So, at least they had a chance, if they wanted to, to ask questions of me. I made sure that there were some—some of the things, where I actually got to put over myself, and knew exactly what they were getting. A lot of the students—of course, in the nature of things—they went on to be colonels and generals. As I would go around visiting the various commands later on, I would run into some of the graduates who remembered the course favorably. I'm really proud of this job as much as any job I ever had. I think it was what General Decker and General Hickman wanted, and I think it came out well. When I left there, I made sure that Bob Miller took over the job. So, I was pretty sure that it

would stay much the same for another 3 years or so. I think now that it's an elective. I'm sorry. I think that that was not the idea. The idea was that, by God, every commander needs to have this exposure. There was always great competition, of course. There always is great competition for instructional time. We fended them off, but there's—and there's also—always one of these institutions—I don't know whether they have them here or not—something they call an educational advisor. Somebody who's got a doctorate in education, and therefore knows more than anybody else about curricula and so forth. And I'm afraid that some such person as that said oh well, this obviously should be an elective rather than a core course. But, nevertheless, it served a purpose I think, for quite a considerable time. And as I said, a number of these fellows, people that I remember as my students out there, went on to become generals and commanders at various levels, and it did some good with them.

Q. Was the title of the class, sir, the "Legal Basis of Command?"

MG Parker: "Legal Basis of Command" was the subject of the course. I don't know whether it is now or not, but "Legal Status of the Military" is printed on the front of that, so that may be—it's later, perhaps. (Looking at a document). No, it says '59.

Anyway, "Legal Basis of Command" was the title of the course. I don't know where this came from. It was printed in 1959, and this was in '62. I was there, on the faculty, for the class year of '60, '61, and '62. For 1963 and 1964, I went to the Army War College. I was, I think, rather fortunate to be out of Washington during that period, because there was—they were arriving at the change over for TJAG from General Hickman, who retired. The chief competitors were General Jones and General Decker. It was getting to be a pretty hot contest before I left the Pentagon. They kept a very close eye on each other. I remember—General Decker had a peculiarity. He would—he never had enough time in the office to do all the things he wanted to do. So, he'd grab you and he'd say, "Come on, Hal, and walk down the corridor with me. I got to go down to the men's room. Come on, I want to talk to you." You'd go down to the men's room with him, and he'd talk over his ideas, or he'd walk up to the Secretary's office, where he expounded his ideas. That was commonplace. One day that happened, and I came back and my secretary was sort of grinning a little bit. She said, "You were no sooner out of sight when General Jones popped in and said, 'Where's Hal Parker going with Ted Decker?'" They watched each other like hawks (laughing). As I say, there was no love lost. They were real competitors. They

were both Academy graduates, from different classes, and they had, you might say, different constituencies. And I think it was kind of bitter. The part I didn't like—a number of the officers and I—was that there was a tendency to go around—one lieutenant colonel friend of mine said—you know—so and so collared me in the hall and asked who are you for. You know, if you're not for me, then you're for somebody else. For Heaven sakes, here we were, at the most lieutenant colonels, we had no influence in the palace politics at all. It was insane. JAGO had not been noted for it's clean transitions. I think we're in much, much better shape than we used to be. We don't have, as far as I can tell, the battles of the inner sanctum that you used to have. We had the problems where General McCaw got crossways with General Engle, and that was kind of a bad episode. I never did know—no way could I tell who was right and who was wrong, but the result was that the—we had—and General Engle was pretty much put on the sidelines, really, for a substantial period of time. Everything went around him. And the word gets around. It makes the Corps look bad in the eyes of the rest of the staff people. They know what's happening. Some of them take sides—and some of them know the individuals concerned and take sides. Some of them are highly indignant that General Engle should

have been treated in this fashion. As I say, I was not there when they made the transition from Hickman to Decker, and I was glad I wasn't, because I would have been squeezed. Both General Jones and General Decker considered me to be a protege of theirs. Jones because he brought me into the Pentagon and I worked for him first, and Decker because I had worked for him directly for quite a length of time. He, you might say, had invested some time giving me some training. I was mighty happy to be out of that. General Decker was promoted—well, I know he was promoted when I was still at Leavenworth.

Q. Who was the ATJAG at that time, sir? Do you remember off hand? I suppose General Jones obviously didn't make his second star, then.

MG Parker: No. General Jones moved—when I came in in '60, General Jones was one star, military law—Military Justice. And then he moved up to be two stars, ATJAG. The Assistant. And General Decker came in, of course, from being down here, he came in with one star. There was competition. General Hickman was a very nice gentleman to work for. He was a smooth, even tempered person. General Hickman loved to go to the horse races. He had a JAG officer, Stan Rabinowicz. Stan—he wasn't really in the Opinions Branch, but he worked out there. And every once in awhile the

buzzer would go and General Hickman would say, "Stan, let's go to the races." And they'd go up to Laurel or someplace, and enjoy the races.

Q. Did you transfer, then, from Leavenworth? Was there an interim assignment, there, or did you go straight to the War College, then?

MG Parker: No, I went from Leavenworth to the War College. I graduated from the War College in '64. Now, any questions on any of that?

Q. Well, is there anything unusual that—these days—were there ever two students at—the Army War College?

MG Parker: Just the Army War College, at Carlisle. I'm trying to think. I don't think we had another JAG officer there as a student. I'm trying to think. I think by that time we had a JAG panel on the faculty at the War College. That was one of General Decker's initiatives. But, I never could see that the JAG on the Army War College faculty did anything to advance the Corps. It may have, because he had the contacts with the members of the faculty, but the Army War College faculty doesn't teach. It's sort of a strange thing. Their teaching is done more by guest speakers and planned exercises, and so forth. Your faculty members there had very limited roles, as far as actually instructing was concerned. That JAG that was on the—I didn't see

much of any result from him. But, I guess we had—I think we had a JAG probably at the Industrial College at the same time, and perhaps one at the—what do they call it—the Defense College? The Joint Defense College.

Q. Were you an O-6 at this time, sir, before you hit your next job?

MG Parker: Yeah. I was promoted to O-6 before I left Leavenworth. As I mentioned at lunch, I thought I put in my time. I was 10 years as a lieutenant colonel, and I thought it was time to get promoted (laughing).

Q. And after the War College, then, I guess you went to be the SJA at Berlin. Is that correct?

MG Parker: Yeah. That's right.

Q. Good fortune?

MG Parker: Yeah. That was sort of funny, too. I don't know why—I don't know what I had in mind—I never had been one to try to steer my career. I had friends who spent a lot of time thinking about what job they should have next. I'd never been in that category. Only once or twice have I tried to move it one way or another, because obviously, when I went to law school—but, as far as the assignments go, I've only tried a couple of times, and I never had any luck. I remember when I was told I was going to be the SJA in Berlin, I kind of complained a little bit. I think I asked—I

wanted to see General McCaw, who was TJAG at the time. I guess I had the idea that they ought to send me over to be an SJA in Korea—the 8th Army SJA. I think that's what I thought would be an appropriate job with my skill (laughing). So, I went in to talk with General McCaw. He listened. I fortunately was not very vociferous about it. I had sort of appealed to—I don't know whether Ken Hodson was—where he was, but was somebody in personnel, and I thought Berlin was really a little too small a job. I saw General McCaw, and later he told my contact—he said, "If Hal Parker isn't careful, he'll talk himself out of a good job." I shut up and went off to Berlin. It—you know, as it turned out, it was fine. It was an interesting assignment. Obviously, it did me no harm. You fellows wouldn't know it, but time had changed a lot in the JAG Corps. I don't know whether some of your old history teachers referred to it or not, but we're—you know, we're much more professional and better than we were. For example, in the personnel side, for years—no matter who was Chief of Personnel in JAGO, DPT now, there was a female civilian employee who really considered herself the power behind the throne. Her name was Eileen Burns. And it was a standing joke that—at least if you were a major—a field grade officer—if you got a Christmas card from Eileen, you knew your career was in

good shape (laughing). If you didn't— (laughing). I mean, she was a Tarter. She would have access at various times to the TJAG, and I thought they'd never get her out of there. I'm sure that the officers that were—you know—her boss, on paper, were all anxious to move her on out. But, this was a standing joke. And they never did get rid of her until she finally decided to get married. She finally decided to marry a retired JAG officer who was over in Europe. And finally she left, and they could run the—low and behold, they discovered they could run the personnel office without her. We had—you know, we had characters in the JAG Corps. We had—I don't know. I may have mentioned it to you at home—like, the SJA at—well, maybe it was Hood—who got into a spitting match with the provost marshal, and the one side drew support from the police officer's association, and the other side drew support from the district attorney's of the State. And it was a slamming match. The provost marshal tried to arrest the—to apprehend the JA for thus and so, and the JA—it was a scandal. There was talk about somebody was rustling cattle. We had people that were heavy drinkers, that were a scandal in the Corps. We may have them still, but they don't make the waves—they don't make the visible waves that they used to (laughing). We had practical jokers. You couldn't believe some of the types we

had in the JAG Corps. It's a less colorful group, I think, than we used to have. We had a lot of professionals, but we had some real clowns in there. Used to enjoy it sometimes.

Q. Well, in Berlin—was there anything in particular to note about your tour there?

MG Parker: Well, I was a full colonel when I went to Berlin, which was fortunate. I understand from Colonel Rice that they've just decided to go back to assigning a full colonel there, after a number of years. Of course, there's only a brigade of troops there. Usually, there's a couple of battalions of infantry, an armor battalion, and stuff like that. So, it's a small command. That's the Berlin Brigade, which is really the troop command. Then on top of that is the headquarters, with the US Commander, Berlin—USCAB Headquarters—which interfaces with the British and French headquarters. And also, with the US diplomatic personnel in Berlin. They don't have an ambassador in Berlin, of course, but they have a minister heading the—well, it's a minister grade diplomat heading the diplomatic representative there. Technically, the minister is subordinate to the military US commander, because that's the way it's set up. It's still a military occupation. As far as the Russians are concerned, if there's really a brouhaha, it's up to discussion between the commanders of the military people and not the diplomats.

I'm sure the Russians are probably in much the problem we have. The diplomats don't see it that way. As far as they're concerned, the military is an unnecessary adjunct, and they'd like to run things their own way. So, it's a very complicated staff situation. It helps a lot for the SJA, who is assigned as the Judge Advocate for US Commander—not the JA for the Brigade—who serves as that, also. That was one of the problems when they talked about downgrading the slot. They were thinking in terms of—well, he's the JA for the Brigade. And there isn't a lot of court-martial business. There's some—unfortunately some, but the troops that come into Berlin—at least in the past, there's been a screening system to try to keep real bad records out. The Berlin Brigade is a really spit and polish, well trained outfit. It does a lot of training, even though they spend most of their time in this landlocked city. So, the discipline and morale—and it's a nice place to be. The discipline and morale in the troops is usually quite high, and the incidents of trouble is fairly low. And if the JAG was there to worry about courts-martial, there wouldn't be all that much. But, there are other things going on. There's a lot of intelligence activity. We used to joke about spooks—watching spooks. My predecessor as JA there, I think, got too heavily involved in that stuff. He got to be an amateur spook himself. He

spent a good deal of time looking through—I'm told, anyway—looking through opaque glass so he could view people being interrogated, and all that sort of nonsense. I never felt a dire need for that. The State Department had, when I was there, one lawyer on their staff. We had an uneasy joining and working relationship with him, because he was inclined to think that if you were in uniform, you didn't know any law. It really is—it's not an awfully good job, but it's kind of a delicate place to be, and I think it's a good idea to have a full colonel there. I know, for example, one thing. I can remember we had one battalion commander there—I would preach to that man and I worked with him. He wanted to court-martial people all the time. And I worked with him. I told him if he wanted to try—if he court-martialed them, let's try and suspend the sentence sometime. Let's see—you know, this guy may shape up. He's got a pretty good record. I worked for weeks on him. Finally, he said, "Judge, maybe you've got something. I'll suspend this guy's sentence." And wouldn't you know it, the guy fouls up immediately (laughing). But, I never could get this battalion commander to take, what I thought, a reasonable approach to the law problems. And wouldn't you know, he got to be a major general later on. And he got to be a major general commanding at Benning, and he had a couple of command

influence cases. But, I don't take any responsibility. I tried my best to try to get him to see the light.

Q. Well, then came the big moment, I guess. You are moved from the SJA in Berlin.

MG Parker: Yeah. I came back in a normal rotation in '67—1967. I got back—I was assigned to—I guess my orders said USALSA. I got back to Washington and I went around to USALSA and talked to—it was Wally Salzman—Colonel Salzman—oh, yeah. Colonel Ackroyd—Bill Ackroyd. He was the chief of USALSA, I guess, at the time. I kind of got a cold shoulder from him. I went over to the Pentagon, and I said—you know, what kind of job am I going to do at USALSA? What is going on? And everybody seemed to be ducking me. I said—I got into—I finally got in to see General Fuller, and I came away infuriated. He said, "Oh, yes. You're Parker. Where do we have you?" Here I am, a full colonel in the Corps, and I'd just been ordered back to JAGO. Sure enough, the Assistant didn't know who I was (laughing). Well, it was early in the day and I was fed up. We were staying with the O'Roarks—Jane and I were staying over with the O'Roarks. I said to heck with them. So, I got in my car and went back to the O'Roarks' house. I went in and said, "Jane, they don't want to talk to me." And about that time General O'Roark called and said the list was up, that I

was on the brigadier list. I found out later, from Larry Fuller, that he knew this. He saw me, but he wasn't permitted to release anything to me, and he didn't know what to say. So, he gave me the impression that he didn't even know who I was (laughing). That was funny.

Q. Did you know, or did you have a feeling at that time, who you were competing with for that spot, or did you know you were in competition for the one star?

MG Parker: Well—you talk to my wife, and she'll say she didn't know. It was a complete surprise to her, because we never talked about it at all. And I honestly didn't spend much time thinking about it. I really thought that the job in Berlin wasn't going to advance my cause, particularly. So, I wasn't—I didn't suspect that the reason I was getting this run around was that they had good things for me. I was pretty concerned. I knew—I felt that I did a good job, and I had a good record. Eileen Burns told me once that I had the best lieutenant colonel record in the Corps. But, that was sometime before. I didn't feel in competition, particularly. On the list there were 23 names, and I was 23rd. That's the way the order—Lew Shull was the other one, and he was up there around eight or ten, or somewhere on the list, and I was number 23. So, I got into the job as the Assistant JAG for Military Law, but I was not promoted for a year. When

you see that article there, where I was a colonel, I probably was the Assistant JAG for Military Law at that time.

Q. The list wasn't approved at that time?

MG Parker: Well, the list was approved, but they only promoted as vacancies occurred. The list was approved and got through the President and the Senate, and all that. But then it was just a question of waiting. I don't know. See, General Hodson was TJAG, and he tried to get the powers to be to frock me—you know, put on the star, even though you don't get paid. The Navy has done that for years, and the Army had been doing it to limited extent. But, they wouldn't do it to a staff officer. Apparently they did it over in Germany—in Europe for commanders, or something like that, but they wouldn't carry their staff officers. So, I did the job as the Assistant JAG for Military Law, with a captain's—colonel's pay for a year, and without the added clout the star would have given. That was really what—I would love the pay, but the extra clout would have been a little bit of a help at times.

Q. Well, let's take a break right here, and then we'll do our last thing this afternoon.

(A short recess is taken at this point.)

MG Parker: The people that were most pleased with my promotion to brigadier were the people in Berlin, in the JAG office. They

had a staff of mostly ladies—German ladies who'd been working for the JAG over there for ages. They were just thrilled with that. Now Del O'Roark had made it, and I'm sure they're convinced that they're the king makers. If they should ever get a third one, they'd be impossible. Most of them now, I guess, have quit the job over there. We've been very fortunate. We've had awfully good folks working with us, both the officers and the civilians. We made a lot of good friends, and kept track of them and so forth. When I said Del O'Roark worked for us, and he worked for me in Berlin. Ask him sometime about Rose Range. There was a rifle range in Berlin, which had been owned—which was owned by a German shooting club. This was a pretty posh affair, apparently, in the old days—an aristocratic sort of thing. You had to be somebody to be in that shooting club. And then along came the Nazis, and they pretty much took over. Goerring was put on the board of directors, and so forth. So, when the allies occupied Berlin—they were identifying property, and they were—they were either requisitioning it, or taking it over. Rose Range was a piece of property that they decided—that the allies decided had been German Nazi property, and therefore taken without compensation. If they were requisitioning it, there would be compensation. We had a lot of houses in Berlin which we

used for quarters for officers and so forth. The owners didn't have any choice, but they were paid—they were paid substantial rents by the West German government for these quarters. But certain property, like Rose Range, was just requisitioned without compensation. Well, this became quite a thing among certain Germans in Berlin, and all the time I was there, there was a constant effort to get the property back from the US forces. And they did everything they could think of—going through the State Department people in Berlin, and going to the ambassador—the US Ambassador in Bonn. West Germans are a very influential type. And they didn't like the idea that it was—you know, whenever it came up to us, we'd say that this was Nazi through and through, and that really made these people mad, because they didn't want to be associated by name. Anyway, at one point we were having trouble. Particularly, we felt that USAREUR headquarters really didn't understand what it was all about. So, I had Del O'Roark write a study on Rose Range, which we sent down to USAREUR. And it was a good study. It laid out the evidence and so forth quite well, and was a very substantial help in fending off the thing. I'm not sure—the Germans may finally have triumphed. They may have Rose Range back. But as long as Del and I were there, they didn't get it back (laughing). That was a bone of contention.

Q. All right. Working our questions back to the Pentagon, and you just pinned on the star. Was there anything special the JAG Corps—this was the '60s—anything that strikes you as being particularly important during that time, I guess, in relation to the Vietnam War?

MG Parker: Yeah. I was trying to think. I don't think the—when did the Vietnam—when was it really in motion? I've forgotten the dates.

Q. It wound down in about '73 or '74.

MG Parker: It was still brewing up. I don't think it had become quite the public—

Q. Not until '68.

MG Parker: For another year or so. We had—I don't think we had any unusual problems to begin with. But as the Vietnam business built up, we began to get a public outcry about courts-martial of various types. We had to deal with a lot of correspondence. The stuff would get sent to the White House, and be referred over to the Defense Department. They have—and I suppose they still have—they had a certain guideline that they require if they refer letters over to a department, it's got to be answered within such and such a time, and signed by somebody of such and such title, and so on. It was a real problem. Then we began to get cases coming out of Vietnam that—of course, it wasn't for us to

deal with directly, but we would get the repercussions from it. There was a case that came up over in Vietnam, which involved the commander of a Special Forces unit. The allegation was that this Special Forces unit had determined, by themselves, that a certain Vietnamese—I believe it was Vietnamese—was a double agent. They just took him out in a boat and shot him, loaded him up with chains, and dropped him. So, that came up in the Special Forces side. Now, there were people taking sides—this was still within the service, pretty much. That one didn't get much exterior publicity. I think it got some, because every once in awhile, there'd be a civilian defense counsel from the States would get called into one of these cases over in Vietnam, and then that would get extra publicity. But, this one was kind of difficult, because there was a tendency in the service—you know—they'd say well, that maybe—you know, may they had to do it, or something like that. And of course, the lawyers were pretty well convinced that they didn't have to do it—and that the guy should be tried. I think they finally tried that colonel, but I'm not at all sure he got convicted. I believe General Abrams sent it to trial—or, that it was sent to trial. General Abrams did not—was not of the opinion that it was a thing they should have done. And then the—and of course this Jeffrey MacDonald case came up on Fort

Bragg. We were well removed from that, but you'd be surprised from the way the ripples go. The MacDonald case was—got a lot of publicity. The dead wife's father initially was sure that his son-in-law was guiltless, and that he was being prosecuted by the Army—or, being investigated, and wrote letter after letter to the Secretary of Defense, and Army, and every other official in the Government that he could think of. The Attorney General, the President. And, of course, we had no part in the investigation. We had to keep our hands off it. But, we were aware of what was going on, and it was kind of a poorly handled investigation down there at Bragg. Eventually, I think it petered off through the Article 32, and it didn't go to trial. Initially—initially, the parties at Bragg had tried to get the US Attorney in the case because it was federal jurisdiction, not state. They weren't interested. And then for some reason they did. They reversed their stand. Of course, they tried the case in federal court. The guy was convicted. And along the way, the father-in-law changed his mind and decided after all—after all of this campaigning—and I mean he was a real gadfly. The number of letters that man could write. He finally changed his tune, and said yes, he was sure now that his son-in-law had killed the family, and still says that. And of course, the MacDonald case is still churning around.

Q. It was on TV this morning, I think, on the Today Show.

MG Parker: It's amazing what life this thing has. Of course, it was a strange case. It was a case where they didn't have any direct evidence, and they fouled up the crime scene. This is one of the things that happened. So, it was a poor example of law enforcement to begin with, and then it gave the JAG people fits down there. That went on for a long time. Then we had the My Lai incident, over in Vietnam. That was an albatross for us for—well, for a year or more. Word came back—the evidence started to come back from Vietnam about what had happened with My Lai. My recollection is that it came into the Department of the Army first—all this information. Statements had been taken in Vietnam, and so forth, and it came filtering in—it came back to us. General Hodson—I remember after the thing had been studied the best we could there in the Pentagon, I went with General Hodson—we went up to see the Chief of Staff, and then up to see the Secretary, and explained to him what we knew about it. It appeared that it had to be turned over to a general court-martial convening authority to decide whether or not to prosecute. But, at our level, reading the evidence, it would appear that there were some cases there. It was interesting. The Deputy Chief of Staff was General Bruce Palmer. I'd known him before. He wanted to know in the

worst way to find some way to dump that case. Well, from an image point of view, his instincts were quite correct. No doubt about it. I don't think the My Lai case did the Army any good at all, strangely enough. But, the Chief of Staff—and then later, we went to see Secretary Reasor. General Hodson laid it out for him. The Secretary said, "Well, how did this guy get to be a lieutenant in my Army?" He said there's nothing we can do but send it over—I forget where we sent it to—3d Army, was it? Anyway, the thing took for ages to drag its way through the court. We had—I guess you'd call it a watching bird. I think the only thing is, is that one time, the prosecutor allowed as how he thought he would charge Calley with war crimes. It got to me and I called him up. I didn't call the prosecutor, I called the JA, and I said, "I refer you to the regulations that say you don't charge war crimes when you can charge substantive crimes otherwise." And I said that that was what it said. So, they backed off and charged murder. It was a lesson really. The American public just does not want to be told that it's soldiers have been guilty of—he was probably guilty of brutality. They just didn't want to hear it. And you just can't imagine the number of letters that flooded in while this trial was going on. And this went on for months. And the tenor of most of it was—you know—you have no business

trying this young man. You sent him off to fight for the United States, and what do you mean you're going to try him now. Of course, most of them didn't know the facts. Our answer—we usually put in a fact sheet—a summary of the evidence that had been introduced in the trial. And that shut up some people. Others—they wouldn't even read it. They'd come down anyway. One interesting correspondence was a nun from some cloistered order someplace. She wrote a couple of times and finally, when she got the fact sheet and so forth, she said—she wrote back and she said that—I still think it's wrong, but I'll pray for you. I think I signed the letter on that one. But, it was a bad thing. I don't know what the answer to that is. I just don't feel the Army could escape. I think we had a responsibility to try it. I don't think you could ignore that kind of thing. The evidence—if you read the case or any part of it, you'd know once the thing got under way, it was just beyond the pale. And why it went that way, I don't know. In wartime—during World War II, we had some episodes. We had the episode in World War II of the mock court-martial of the Germans who were alleged to have killed the US soldiers—prisoners in the Battle of the Bulge. And that was—there were really some hard feelings about that. I never got as big of publicity of this thing, because the people of the—what was done was

nobody executed these people on trial. They were just made to believe they were on trial, trying to frighten them into confessions and so forth. In the My Lai episode, I think when the information had come in from Vietnam, I went to Germany on an inspection trip, and part of my job was to go to the US Commander in Europe and explain to him what kind of evidence was coming out of this My Lai case, and prepare him for the publicity that would occur. I think—I think Bob Miller went to Saigon to see General Abrams and tell him what the likely progress was going to be. Abrams had sent the information, sent the evidence over, but of course, he no longer had jurisdiction over the individuals. They'd all returned to the States, and they wanted to inform him what was going to happen. But, none of us, none of us were prepared for the public outcry against that trial. Even when the evidence was coming out of the trial and being reported briefly, people just wouldn't read the evidence. I don't know. There's no less, except you just have to be aware that if you do what you think is right, you may be castigated for it (laughing). That's all there is to it.

Q. Was there any impact in the Pentagon on the two secondary issues that came out of that? One was the allegation of covering it up and not reporting it right away; or two, the Law of War discussion, and how come Calley can get over there and not know—profess not to know what he's doing?

MG Parker: Well, of course—one of the things that came out of it, of course, was the reinvigoration of the Law of War teaching. Quite a bit of work there with the films that were done. I think we did a fine job. I think we're ahead of most every other country, now, on what we—at least trying to make it—bring it across to the soldiers as to what their responsibilities are. I think that was about the only real outcome of the thing. There were investigations of officers, you know, in the chain above Calley, as to whether they had deliberately obscured the evidence. As I recall, nobody was tried, but the one general—it didn't do him any good. He was supposedly slated for better things, and he retired.

Q. General Koster.

MG Parker: Who?

Q. General Koster, I believe.

MG Parker: Koster. That's right. He'd been the Commandant of Cadets at West Point. So, it sort of finished his career. We had some other things—we had some other cases that would come up occasionally. We had things like—there was one thing called Firebase Marianne, which was a debacle where a lot of US soldiers got killed in a surprise attack on the base. That never came to trial. We had an investigation about dereliction of duty, and whether the division commander should have done this, and who was responsible

for letting down their guard, and so forth. That was sort of interesting. The Deputy Chief of Staff for Personnel in the Army—in the staff at that time, was Dutch Kerwin—Lieutenant General Kerwin. And I guess I must have been in the Chief's office, but they were talking about this thing, and they said, "Well, who's the best artilleryman here on the staff? I guess it's you, Dutch. So, you ought to review this file, and tell us what you think about this." He took the file. Pretty soon, he was down, and he said, "Hey, Hal, you've got to a little of this reading, too." It was one of those things where, I think, eventually the commander gets retired. The division commander was a friend of mine. A man who'd been a general officer in Berlin. It was another case where he finally decided that it was no use sticking around any longer. He wasn't going to get promoted anymore. I don't know that his—he certainly—you know, from the point of view of the military, the commander is responsible if it happened on his watch. It's true. He didn't prevent it. I don't know whether there was anything more he could have done to prevent it or not. Of course, there was still motion for changes in the Code. As I recall it—let's see, '67. We had the Uniform—we had the rewrite of the Manual, I think. It was '69. We had the Military Justice Act of 1969, and the rewrite of the Manual. I remember I

took a briefing team to the Far East—Saigon, Tokyo, and so forth—to give them a briefing on what the law meant, and what the Manual changes were. That's as close as I ever came to be in the fraternity of those who wrote the Manual. This is another one of my standing jokes. It seemed like every time we talked to a colonel, or somebody in the JAG Corps, he'd be quick to tell you that he wrote the Manual—this or that manual, or he wrote—he wrote the chapter on evidence. I can understand it. Those were quite some tasks. But, it was like a touchstone. If you hadn't written the Manual, or an identifiable piece of the Manual, you didn't join the club (laughing). Decker wrote the Manual, and Hodson wrote the Manual (laughing). I never got to the point where I could say that I wrote the Manual.

Q. Well, I guess there were still disturbances in that time, too.

MG Parker: Oh, yeah. Well, we probably deserved this effect, of course. During the period, the Pentagon was more or less under seige. We had activists who were always—they were coming up to the main entrance and spilling cans of what they called blood on the pavement and the entrance. And then they actually had an attack—that's when they got the whole mob of people around the Pentagon and were going to force their way in. I remember—I think it was the weekend—I remember going into the Pentagon that day, and

you could see all of these people all around the open spaces, picnicking and—you know—Del O'Roark has a description. He'd say, when he was at the University of Kentucky—let's go have a riot. Well, this is sort of like it was around the Pentagon. Let's take the kids and Ma, and go down and have a picnic and have a riot. And the crowd would just build up and build up, and they had the military—the troops came to protect the Pentagon. They had the big emergency committee thing, where the Assistant Attorney General comes over and sits in with the Army on the civil disturbance bit, the Chief of Staff was there, and we've got a JAG representative down in the Ops Room. It never came to anything, of course. But there were a lot of people, and they stayed around all day. I guess there were a few times where they kind of got a crowd and tried to force their way into one of the entrances. No shots were fired, as near as I can recall. When it got dark, they sort of drifted away. The picnic was over. I did have, once, the only sit-in in the general officer's suite in the Pentagon that I know of, during the Vietnam War. I say general officer suite. I don't know whether I'd been promoted by that time or not to brigadier. I may have been still a colonel. We had a—there was a soldier who was—I forget whether he'd been tried or was about to be tried—the case had gotten a considerable

amount of publicity. I'm not sure if it was one of those fragging cases, or what it was. But, the soldier was going to be up for very serious charges. And it had been in the papers a lot. I had a call, and it was from an attorney representing his wife. She had a lot of questions about the procedures and what was going to happen to her husband, and how could she find out. I said she could come over and we'd have somebody talk to her and explain how everything worked. So, an appointment was made, and I guess in the early afternoon she appeared, and she had with her the lawyer and two friends--male and female. I didn't use my office because Brigadier General Bob Williams, the Assitant JAG for Civil Law, was away, and his office was adjacent--was empty, so we put them in there, fortunately. We brought in some people to sit down and tell them what was what--what was going on. I had spoken with the people to start with, and then I left and let some other folks in Military Justice carry on. And about--along about, oh, 4:30 I guess, I think I stepped out of the office and when I came back, I had a note from this lawyer, and he said, "I'm leaving. I'm sorry to tell you I think your guests are going to stay." So, that's what had happened. The lawyer bowed out--he got out of the way, and the other three people said they were not going to leave until they saw the Secretary. I

guess it was a little earlier than 4 o'clock. If you wanted to try to see the Secretary on short notice would be a difficult thing. And besides, I'm sure the Secretary didn't particularly want to see them. There was no reason why he should. So, we told them if they wanted to, they could make an appointment to see the Secretary—here's the office number to call and so forth. That's not really what they were after. They were going to stay right there in the office. I told them—I said, "I think you're very discourteous. We treated you fairly. You said you wanted information, and we took the time and made the information available. We were as courteous to you as we could be, and I think this is a poor way to repay us for doing this." They were adamant. I stayed around until about 5 o'clock. They were still in the other office, and I said, "heck, I'm going home. I'm not going to stay (laughing)." We had made arrangements—we had notified the building police that we had unwanted visitors, unwelcome visitors. I turned it over to the building commandant, or whatever he's called in the Pentagon. I told him that it was his problem to get them out (laughing). What they did was they waited—coincidentally, along about this time we began to get newspaper people calling us—where's the sit-in? What's going on? It seems that these folks, before they came to

the Pentagon, had let some of the news media know that there was going to be a sit-in at the Pentagon. So, they intended all along to do this and disrupt—well, they didn't disrupt us very long. As I understand, around 6 o'clock at night, when the building was closed and most of the people had gone home, they came—the police came with wheelchairs and just put the three folks in the wheelchairs, wheeled them down to the entrance and said so long. That was the end of it. They didn't really get much—as a matter of fact, I think the reporters had all gone. They didn't play up the story. But a side line—I think I may have mentioned to you that the attorney did tell me about these two folks that had accompanied the wife. The two were pacifist activists. They marched in all of the antiwar protests—parades, and chained themselves to fences, and all that. Then their son went to college and took ROTC, had gone to Vietnam and had gotten killed in Vietnam. So, they were really a tragic couple. So, that was the sit-in at the Pentagon. That was of some interest. The reason General Bob Williams wasn't there in his office, as I recall, was I think that was when he was over in Europe sorting out the problems with General Shull. General Shull, as you remember, was on the list with me. He had been assigned as the Judge Advocate General at USAREUR. He got into

difficulties there for personal things he did. General Williams was sent over by the TJAG to try to sort out what had happened, and square things out with the USAREUR commander, and make recommendations as to what they should do about Shull. I think that's where General Williams was at the time. General Shull was relieved from the job in USAREUR and returned to the States. We had a message come in from USAREUR, inspired by General Williams who was over there, and it said that General Polk was sending Shull back, and he understood that I was available to come over to be the JA over there. Polk was the US Commander of Berlin when I first arrived there—for about 3 or 4 months I serve for him in Berlin. I didn't care, really, whether I went to Berlin or not—up to USAREUR or not. I went in to see General Hodson, and I told him—he said, "I suppose you want to go." And I said, "It's up to you. I'm here in a Military Justice job, and things are hot and heavy. If you think I'm more useful here, catching some of the static here, than I would be in USAREUR, that's the way it will be. I'm not going to ask for anything." So, he thought it over and said he thought I had better stay here. He asked who we've got that we can put into the job. If we pull Shull off, who are we going to put in the job? Then he said George Prugh, who was over in SHAPE—not SHAPE. It was the command

above USAREUR. He was down in Stuttgart, and the only objection to Prugh would be if there's a collision sometime between the commanders of—like Polk in USAREUR, and this commander up above. There's not always good feelings, but let's send Prugh. They accepted him, and that's when George Prugh moved over to take over the job at USAREUR, and I stayed on in OTJAG.

ORAL HISTORY OF MG PARKER - Continued (14 January 1986)

Q. I think we stopped, sir—we had finished up with your tour as a brigadier general, and you were telling us about some of the policies, and some of the problems in dealing with civil disturbances, in the late Vietnam era. When were you promoted to major general, sir?

MG Parker: In 1971. You asked me earlier if I had anticipated being promoted to brigadier general, and I told you that I hadn't. It was a little different as far as the second star was concerned. I guess I was the only brigadier general who had been on the job for four years. So, quite frankly, I sort of hoped to get the top job. I knew, of course, that the board had met, and that the results would be coming out. I was down in Fort Gordon, at the Provost Marshal's School. They had some sort of a do, and I went down to give a speech. Just before I was due to go and give the speech, I had a call from General Fuller—Larry Fuller—to tell me that they had announced that Prugh was to be the TJAG, and I was to be the Assistant. I was despondent. I knew that George Prugh had some good credentials, but I figured well, after all, I was on the selection board that picked him—that selected him to be a brigadier. So, I was quite a bit senior to him, and that was kind of a surprise to me. In talking to George later, he told me it was a surprise to him, too. He said he

had sort of reconciled himself to the fact—he had drafted a congratulatory message to me, and I had to send one to him. We had not known each other closely, but we had been friendly over the years. There was no great problem. The job of the Assistant Judge Advocate General is a little difficult to specify. It's a bit amorphous, because it really is do whatever the TJAG wants you to do, and be ready to take over if he's away. And that's about it. I don't know of any—in my experience, of course, I hadn't been really close to the top before, except to see General Fuller as the Assistant JAG for General Hodson. I had not seen the operation too much before that. So, I don't know how it worked. But, a lot depends on the personality and desire of the TJAG. I don't think General Hodson gave General Fuller an awful lot to do. General Fuller used to look at an awful lot—a number of things that went into the front office to the TJAG used to go through General Fuller. And as a matter of fact, those of us who were—believe in trying to push papers up, kind of thought this was an unnecessary step, a kind of a delay. I think General Prugh tried to give me a little work to do. He sort of assigned the Reserve activities to the Assistant TJAG. And in fact, when we wrote the regulation concerning the JAG Reserve activities, I think it did—I think it still does—say that this will be supervised by the Assistant

Judge Advocate General of the Army. It was a good thing. As a matter of fact, at one point, we were having debates within the staff about Reserve spaces, and what was needed and what we could have. The fact that we had a regulation with a clear head to it, was of considerable value. It impressed the people who were dishing out the spaces that, perhaps after all, we knew what we were doing with this thing. To a large extent, George left whatever supervision—and it wasn't a lot—of the JAG School to me. Not any of the big decisions—that wasn't the way he worked—but the day to day contacts and activities. Lord, I was on the highway between Washington and Charlottesville week after week. My car knew the way blindfolded, because I was down here to talk with the graduating classes, and down to welcome the people for the seminars and the short courses, and the reserve courses, and the whole bit. So, I got a pretty close contact with The Judge Advocate General's School, and, of course, sat in on the—listening to their budget concerns.

Q. Can I go back, sir? At this time, were there six general officers on duty in the JAG Corps—the TJAG, the Assistant TJAG, and four one stars, or what was the set-up?

MG Parker: Well, I'd forgotten about that, and that's an interesting thing. I don't know—you really ought to get General

Hodson. I'd forgotten the exact timing, but General Hodson felt that the Chief Judge of the Army Court of Military Review should be a general officer's slot. In fact, that it should be a major general's slot. So, he invested a very considerable amount of effort into getting this achieved. I got to give him credit for doing it. I don't know who else could get credit for getting a general officer's space there. But, general officer's spaces are jealously guarded by the Department of the Army, by the Chief of Staff, and so forth. To get a general officer's space, it really has to come from someplace else. I was—really, I was surprised that he managed to accomplish it. He didn't manage to accomplish the two stars, but he got the one star. I was always a little doubtful if it could be defended. Over the years it has been. Of course, he's very astute. He made use of the fact that we now had a separate—separate law officers—separate military judge was eventually the title, and it had to be independent and so forth, and it had to have a senior leadership. It couldn't be done by The Judge Advocate General directly. I think he did a magnificent job of persuading the Army that this space was needed. Then, of course, he was appointed the first one. Again, to be perfectly honest, I was in some doubt about the wisdom of this, of a TJAG moving over there and taking that job,

where he was actually subordinate to the new TJAG. I wasn't at all sure that that would work out satisfactorily. But, I think it did. General Hodson, as I say, is a very astute man, and he knew the problems that would exist. I don't think he ever—he always paid appropriate lip service to his superior, The Judge Advocate General, and he didn't try to run away with the empire, which could have happened with somebody else. And it worked out, I thought, very smoothly, to the benefit of the Corps. George Prugh went along with it. As I recall it, this happened just about the time George and I were talking over our new positions, and I remember voicing a few concerns to George. He didn't—he had been away from Washington. He'd been over in Europe at the job there, and hadn't been close to the maneuvering as I was. And as it turn out, I think he was right and it worked out all right. General Prugh was, in some ways, a little bit like General Decker. He was an idea man—and I say "was," because I'm talking about his tenure, not about his life existence. I'd forgotten who it was—maybe General Hodson—before General Prugh was selected to be general, he said if you put George Prugh in a brand new position—never been occupied by anybody before—within three days, he will have a backlog of work (laughing). He just, you know—revolved, and ideas came off. He was right. Within three days, he'd

have an agenda and be behind time on the agenda. He was that kind of a guy, and he was a hard worker himself, basically. I've got to say that any of the ideas that—if there was any innovation while I was Assitant JAG, it was probably George Prugh who came up with it. He spend quite a lot of time trying to open channels of communication, and listened to the younger JAG officers, particularly the ones that were around in the Washington area. We used to have luncheons, and bring some of the junior officers over and touch hat with them. Of course, always—anyway, on any travelling and trips, whether he was doing it or I was doing it—that was one of the great objectives, was to get as much feedback as possible from all levels of the Corps. And quite frankly, to take my case, to take Jane along to get feedback from the wives. Sometimes, she'd spot things that way that you might otherwise miss. So, George worked very hard, and he was very receptive to ideas. I must say that many of us thought he was too receptive to ideas (laughing). He was a little bit like Ed Decker, in that case. He'd go and listen to some of the JAG captains, and he'd come back and say let's do so and so. And the rest of us—no, you don't need to do that. Of course, we had already reached the point where we had the separate—you know, we'd gone through the trial period with the separate law officers. That started way

back under General Hickman, as I recall it. And we got it worked out, and it gradually evolved to the military judge status, eventually, which I think would have been—was that in the '69 revision to the Code?

Q. The '69 Manual, was it not?

MG Parker: So, that had worked out. For a long time, the idea of a separate defense counsel chain had been cooking along, spurred by sporadic reports of defense counsel not being given freedom of action, not being given proper recognition in efficiency reports because he was on the wrong side of the case, and so forth. Different people have different perceptions about how much of a problem this was. George listened to the captains and concluded that it was quite a problem. Now, I must say that his—as far as I could tell, his experience as an SJA, as well as mine, we'd never had a problem of that sort. We'd never been confronted by an officer who claimed that he was—because he was acting as defense counsel, he wasn't being treated properly, wasn't being given the proper professional range. I had this—as I mentioned, I had this one officer in Berlin—I mean, in Wuerzberg who saw himself as primarily a defense counsel. He didn't say that he didn't have room to operate, but I felt that he was—you know, that he hadn't learned to perform in an ethical manner. He was of the belief that if he was the

defense counsel, any trick he could work was legitimate. The people who were the prosecutors couldn't depend on him. If he said he'd do so and so, he didn't think it improper to lie to them. What witnesses were going to appear, anything of the sort. I think you're always sort of captive of your experience. That's not an original statement. My experience, as I explained earlier, had worked out very well with switching people back and forth from prosecutor duties to defense duties. And never any complaints from the people who did the defense work. The officers seemed to be very pleased with the opportunity to do both things—to go back and forth. They never said that they had any problem—any conflict, emotionally or professionally, going from one viewpoint to the other. The second part of my experience was with one guy, and the only one that I ran into, that had this, what I considered, twisted concept of what a defense counsel was and what he should be able to do. With that background, I was leary of a separate defense counsel chain system. I was perfectly willing, in fact anxious, to swat down an occasional misbehaviour on the part of an SJA. My idea was that if you get an SJA, and you find—and you should be able to see it—that he has improperly rated an officer because of his defense work, then hit that SJA over with head with a 4 x 4. I didn't like the idea, particularly, of

setting up a separate structure, because I wasn't at all sure about what we might be spawning in the way of tactics and attitudes, if you got people in there who looked upon themselves as, primarily, defense counsel. That was all a matter of my experience. So, when the idea of the separate defense counsel system was being floated, I was among those who—you know—consciously trying to hold it back. One of the things we did—I furthered I think, because I wanted to hold back the general idea, was we tried to experiment with a separate chain of rating, without having the formalized one of separate defense counsel. I really didn't like to see us go that far. But, that was better, in my estimation, than going the whole way, as near as I could tell. Really, the separate defense structure after dates my service. I mean, I don't hear that any of the evils I was afraid of have occurred (laughing). I was undoubtedly wrong in opposing this structural change. But in general anyway, I'm a very cynical, skeptical person about the value of structural changes. I just don't think they're necessary. I remember way back when I was in—first on the Army staff, and the Army and the Navy and the Air Force were—or, Air Corps—were haggling about the unification, and this was when they were about to create the new Defense Department. I was—I had access to the papers that General

Eisenhower was writing to the Chief of Naval Operations, etcetera., etcetera, etcetera. And somewhere along in this process, I came across a statement—I think it was General Eisenhower who made the statement when he was Chief of Staff—that if you have people who want something to work, the structure won't make any difference. It will work. If you have people who don't want it to work, then the structure will not correct that, and that really stuck in my mind. That colored my attitude a great deal toward structural change, regulatory changes, and so forth. I was never very convinced that they would really do the job that people thought they would.

Q. I'd like to go back, sir—if we could, for just a minute—to when you were talking about when you were appointed the Assistant Judge Advocate General. As members of the Corps, we all—before both The Judge Advocate General, this past year, and The Assistant Judge Advocate General, came into power at the same time—or, were appointed at the same time—the members of the Corps heard several rumors about the President changing the list at the last minute, the Secretary of the Army holding up the list. Was that same type of rumor going on back then?

MG Parker: Well, the general process of selection is well known. There's a board of some sort, and the list is established, and it goes

to the Chief of Staff and he gets a whack at it, and it goes to the Secretary of the Army and he gets a whack at it, and it goes to the White House. I think in most instances—I'm leaving out the Congressional side of it, because that came into effect sometimes, but not with the JAG. I think in most instances, the board probably filters on through the chain and comes out about the way it went in. But, there's no question about it. Alterations can be made. And I think they may have been made at various times, but nobody that I know knows the facts. I always thought that General Caffey became the TJAG, regardless of the board, because he was a classmate of General Eisenhower at the Academy. Now, that's speculation. But, it was certainly a very unexpected and unusual appointment. The fact that the two people are selected at the same time frequently means that the two top competitors end up in harness. It's like the state election, where you may get a governor elected from one party and the lieutenant governor elected from another party. You know—ideally, I suppose that's not the best solution, and my observation is that—probably, that's the reason why there's been uneasy relationships, I think, frequently in the past, between TJAG and the Assistant TJAG. That they were head and head going down the stretch, and the one guy got ahead, and the other guy

didn't, and it wasn't forgotten. Again, that's speculation, but that's my feeling about it. I felt that George Prugh and I, coming out of the situation of competitors, had a very good relationship. And I think we worked very well as a team. That's the job of the Assistant. I give myself credit for that, although George was very considerate. But, the guy who is The Assistant—he'd got to adjust to the process. I tried to influence George many times—separate defense counsel, for example—and many other minor things. And he always listened to me, but he had his own ideas. I'd say that more than half the time, they didn't agree with mine. Little things like assignments. It used to be a sort of a joke, in a way—I think my recollection is correct—PPT & O would come up with the assignment. I'm talking, usually, about a colonel's assignment, or something like that, that the TJAG would be more directly concerned about. Maybe I'd hear about it from PPT & O, or not. The general program was that PPT & O dealt directly with the TJAG on all personnel assignment problems, and only occasionally would I know what was going on. But, we had certain occasions, for example, where you'd have a colonel who was dug in at a certain installation and didn't want to move. Bill Suter, or whoever was PPT & O, would have the idea that it was time for that guy to move. And if he carries out his threat to

retire, then so be it. So, occasionally, I'd get sort of brought in to see if they could add a little extra weight. And it was sort of a standing joke, because we had in one case—PPT & O and me—I think I may have been active for awhile. We had this guy who said move me, and I'll retire. We just about had it set. He was going to retire (laughing). And General Prugh came back from wherever he was, from the hospital or something, and the guy got him on the phone and told him a long, sad story, and George bought it (laughing). George was kind of a soft touch, and you could get to him occasionally on some of these things. I don't think the fellow deserved to stay there, but he did. He stayed for considerable more time at that station. The TJAG has to make a number of trips. When he's gone, there's got to be somebody to take over the statutory job—which was the Assistant TJAG—and you have to make the decisions that are required, and still—you know—try not to upset the TJAG's policies. It won't work if you try to establish a whole new philosophical standpoint while he's away. And George was away a lot of the time. Between trips, and then this trouble with his hip, where he had a hip replacement, he was out of action for quite awhile. There—I don't know the number of days, but I would expect that I might have been the acting TJAG for one-third of the days when he was the

TJAG. It might be that many. As I say, we didn't have any--we didn't ever have any problems, because I was aware of where my privileges would stop.

Q. That leads back to the question I wanted to ask, about how the personnel situation was in those times. In 1974, you were again Acting TJAG and addressed the JAG conference. And I was taken by one of the quotes that sounded like it had been extracted from this year's JAG conference; that there was a necessity to do the same or more, with less. The usual constrained resource problem. Only, I believe that it was probably more of a real problem. What's your opinion, sir?

MG Parker: Well, I expect that if you go back and look at the transcripts, or the agenda from JAG conferences, you can go a lot farther back than this, and you'll find the same subjects being repeated. I think, for example—you seldom have as many resources as you think you need. Particularly, if you have a belief that there are other functions, other jobs, that you really should be doing. I would say that this was one of the characteristics of General Prugh's tenure, and his personal approach. General Prugh was quick to see other business that the JAGs should be doing. I could go back and I could probably find and pick out some TJAGs in the past who were in office and perfectly content to see the

thing move along in the same old channels. Many of them would look at military justice as being their primary purpose, and that's not true of George Prugh. He saw other opportunities for the JAGS to do, and wanted to push out into those fields, or he saw opportunities to do things better, particularly in the Legal Assistance Program. If you've got that kind of person generating business, you're going to have a hard time keeping your resources up with them. Trying to get spaces in the Army—it's a big organization, it's a great battle for spaces. I think the present Corps, the leadership, is to be applauded for the way they've convinced the Army of the necessity for the number of Judge Advocate officers that we have. I think that's tremendous. Of course, the structural changes also—like the separate military judges and the separate defense counsel structure—those tend to use up more spaces also, than the old, sort of freewheeling operation. But, I want to say that General Prugh and I both agreed that we felt the Army was trying too many courts-martial. There were too many—too much emphasis on military justice. Now, we're both realists. We knew there was an irreducible minimum, and there were things, crimes, that had to be dealt with and had to be tried. But, I think George was in agreement. I am certain he felt that we just tried too many cases, to the detriment of other legal

jobs that needed to be done. And this is where this conflict for resources comes in. For example, the Legal Assistance Program. I don't think anybody, any lawyer, could disagree that there is much more that we could do for soldiers through the Legal Assistance Program. For awhile, the argument was made that we didn't have a statutory basis for it. I think we've got that corrected now, as I recall. I think we've got—the civilian bar is pretty well agreeable—reconciled. There was a period, you know, where there was a little hostility. For example, if you wanted to get Reserve JAG officers to do legal assistance, there were a few occasions of resistance or skepticism, along the lines of why should I be doing this kind of work for the Army for free, when it's my livelihood, and I could be doing this kind of work for the same people for a fee. I think most of that is overcome. I think the climate is—was right for increasing and improving the Legal Assistance Program. The big sticking block was the matter of legal resources. We've not overcome it, and the reason we haven't overcome it is because we're trying too many courts-martial. Another area that was competing for spaces was, of course, the contract law area. We substantially, over the years, defaulted from the contract law business. We let it be taken over by civilian attorneys—Material Command, the Engineer Corps,

and other places. Now, during World War II, for example, I've run into old timers—JAGs who actually served as Judge Advocate officers during World War II. And these are the areas where they were predominate, really. They didn't have the great work on the courts-martial. They had work at the appellate level, but the great bulk of the work of the lawyers that were employed was in the logistics area and contract area. But then, after the war, the JAG Corps shrank, along with the rest of the Army, and the attitude was that the chief job of the Judge Advocate General's Corps was to try cases. So, the narrowed resources were concentrated on that, and gradually we lost our expertise to the large extent. And these jobs were filled by civilian attorneys. Now, it seems to me that the pendulum is swinging a little bit. Perhaps we can move back into those areas, but it's going to take some time to develop the JAG officers with the appropriate experience, before they can really, adequately, fill some of these top jobs. Of course, another aspect of that is that all the JAG officers who became expert in contract matters, government contracts and so forth, were prime targets for recruitment by civilian law firms. That's another thing. We lost more field grade officers, perhaps, to such recruitment than any other specialty. But, I hope that this trend is being reversed. And

again, as I say, it's an area where there obviously is an upper limit where you can't get more spaces. If the choice has to be between the new light division and a division sized JAG Corps, there's not going to be any doubt where the choice is made. So, you've got to find some way of using those resources where you think they'll do the most good. Now, this goes back, of course--this was, for me, the philosophical basis for let's get rid of the inferior courts, particularly when it became apparent that it was going to sop up legal spaces--legal work. Granted, I think the JAGs, as a whole, like the trial experience. They like that work. But, I felt that that was not the best use to be made of legal talent. I don't think George Prugh thought that. I think--certainly, I think General Decker--and I give him credit. He started from the old school, where the court-martial--the criminal law was the thing. And yet, I think that from the time he was TJAG, he also was convinced that there was just too darn many cases being tried. And he tried to convince the powers to be of that. We succeeded there, but we didn't succeed in the wider arena, where it would have been necessary. The other services were not--were not really much impressed about it. I don't know whether they didn't try as many cases. I think the Navy didn't have as many cases to try. The Air Force tried an awful lot, but they

always seemed to do a little bit better as far as the legal spaces were concerned. That's a long, sort of rambling, discussion of something that I feel very strong about. And as I say, I think it's—I think probably it's a view held by General Suter and General Overholt, and probably has been held by General Clausen, too. Ever since, probably, oh, at least General Hickman's tenure, I think we've all been trying to push that way. General Hickman was one of the early Judge Advocate Generals, that I can remember, who had a considerable background in other than military law. General Brannon also had—he was the Assistant JAG of Procurement Law. But, over the years, if you look at it, you'll find that most of the TJAGs came up the ladder through the military justice supervisory job.

Q. Did he have a philosophy on how the leadership of the Army can reduce those cases? I know there are factors you can't control. But, to a large extent there are those, but does this go back to your philosophy learned in your field artillery days, that, perhaps, we need to power down the resolution of those kinds of problems?

MG Parker: Well, you know, it's interesting. I got a lot of mileage out of the fact that I'd been in this artillery battalion for three years, and they had two summary courts in the entire three years. Colonel Connally loved that story, and every chance

he'd get, he'd get some commander, and he'd say, "You know, I've got an officer here who was with an artillery battalion, and they had only two summary courts in three years." It was always a great example of what could be, in approaching the ideal. General Decker used to make use of the same thing. You wouldn't have much argument from commanders either. That is the ideal, and your good commanders don't want to have courts-martial. They interfere with operations, they divert attention from other things (laughing). The situation—the circumstances, I suppose, just don't permit it. You've got a—now, you have an enlisted Army, but when you had a draftee Army, you took pretty much a cross section of the population. You had people getting into trouble. We got some awful good people by draft, too. We got some people that were probably more talented than you would ever get to enlist. Now we think it's great if you can get the high school graduates, and get a good percentage of them as enlistees. In the draft, you were getting college graduates. now, they weren't very happy, but they did good work. The question is, how do you get somewhere near the ideal in the command manner, and it's just traditional wisdom that if you could build the feeling of community and family in a group, that your discipline would improve. That's old hat. The only trick is

to be able to do it. Now, one thing is to keep people together longer, and as it--this happened to us, in that one example. That makes a big difference. Maybe some of the things they're trying now will accomplish that, but I don't quite understand this regimental system as achieving this unity, this continuity, in the smaller unit. Maybe it will, and maybe I just don't understand it well enough. I don't think—I never was impressed by the fact that we were developing something where there could be a regimental crest and a regimental flag, and that would be the tradition, and we'd all, in this one group, would be associated with this great tradition. I don't think that makes a lot of difference. Maybe it does. Much more important is how long are they in the same group of peers. Also, how long are they working for the same noncommissioned and commissioned leaders. That's the crux of it. That's what that little example of mine means to me. I don't suppose we'll ever—we won't come anywhere near the ideal that that was. And then, what do you do? Do you try people—well, you have to try some people. If they commit crimes, there has to be punishment because there should be, essentially, a treatment of the crime that was at least equal to what would happen to the same person in the civilian community. You can't have people go into the service and

getting away with murder, so to speak. But, if they won't—then, if you go by those, what do you do with the rest of them? Now, interestingly enough, one of the witnesses that we had before the Powell Committee was a Colonel Albert Glass, who was the chief psychiatrist for the Army in those days. And he addressed this problem to the Powell Committee. I thought it made a lot of sense. Glass was a—I guess he was an excellent psychiatrist, but he was certainly a man who didn't talk in jargon. He said, "What you need to do is if they can't perform, then the Army should say thank you for trying, we're letting you go. If you look like you might be able to hack it later, come back and see us. Forget any attempt to give punitive consequences to him. Just terminate the employment." And that was his approach to the nonproducer—the failure to produce. Whether it was from psychological reasons, or drugs, or lack of mental capacity, or lack of motivation, just simply tell them that as your employer, we just can't find you satisfactory, so we're going to shake hands and away you go. Of course, the services have not been willing to do that. Habitually, we felt that when people—people should be banished from the service, and the general public should be aware that they've been banished, so we want to put a lable on them, and we'd say bad-conduct discharge, undesirable discharge, and so

forth. I think, probably, that's been a mistake. That's historical roots, and you'd never persuade the upper echelons of the Army, for example, or the other services either, probably, that they could do away with the dishonorable discharge or dismissal on the part of an officer. But, anyway, that would be—I think we've tried to use—we have used the criminal justice system in the service to eliminate nonproducers, not for the true purpose it was intended—not for punishment of crimes, but for the purpose of eliminating nonproducers. And that's why we had—in my mind, why we had so many of the inferior courts, many more than we need, and it clogged the system to Hell and gone. Of course, when we went into the—we got a little bit away from that with the administrative discharge program, that's become quite popular. Unfortunately, as you know, all too frequently they use—the inferior courts were used as a stepping stone to elimination for administrative reasons. Again, they were not willing to say goodbye and God bless you (laughing). Not willing to do that. You failed us, and so we've got to put a tag or some kind of penalty on you, then we'll let you go. Well, then, of course, you had this program after Vietnam, where the President decided that, under pressure, there were so many undesirable discharges—I guess he went to bad-conduct discharges, too—that they ought to

be reviewed to see if some of them should be upgraded. That was done. We had some JAG officers that participated in that review. I think, probably, it was a good thing. There were just too much--there were too many consequences in civilian life that followed from a characterization discharge from the service. It doesn't--there needed to be some way. We had things that would come up, for example--I think it came up in this program--one that strikes in my mind--we had a--no. Yeah, I guess, maybe it came in. It's a good example anyway. In World War II, a soldier served adequately--maybe not with distinction. I don't think he got any kudos. But, he served adequately and honorably through a large part of World War II. He came back to the States and he was in a replacement depot or personnel center, waiting for discharge. It was red tape--it didn't turn fast enough. So, he left and went home. He went home, established himself in a civilian community, and got married. He was a minor, as I recall it. Eventually, as a minor, he was injured, and his fingerprints or something came trickling back, and there it was, he was a deserter. Low and behold, he ends up getting a bad-conduct discharge from the Army. Why? And there are other examples, and I think it was a very healthy thing to review those characters of discharges, and it ought to be done, probably, periodically.

Q. Would you like a break, here, sir?

MG Parker: Yes.

(A short recess is taken at this point.)

MG Parker: Now, I retired in '75, and I elected to stay in the Washington area and not look for another job. I'm—of course, I was licensed in California, and if I wanted to practice anywhere else, I had to go to the problem of getting recertified. I just decided not to do it. So, I have, essentially, ceased all legal activity. The only legal organization in which I've stayed active is the Interamerican Bar Association. This is an association of, really, private lawyers in North and South America. And I went into that when I was a brigadier. Larry Fuller had been in it, and he sort of recruited me, because they have a military law committee in this organization. And it's the only place where there was any possibility of direct association between the US military lawyers and military lawyers of the Latin American countries. So, I went into that, and I was Chairman of the Military Law Committee for awhile. Later, I went on the Board of Governors for the organization, and I still am. Right now, General Overholt is the Chairman of the Military Law Committee. I think he wants to pass it on to somebody else, so you'd better go and volunteer, because he just has too busy of a schedule to keep up with it. It's an interesting

organization, and it has a varying degree of success in trying to get these meetings between military lawyers. It's very interesting. A lot of the latin countries—or, many of the latin countries don't have officers in uniform, as we do. When you get a lawyer, and he'll come from the Brazillian Defense Department, or something—maybe a civilian. We had the Judge Advocate General of the Chilean Army for awhile. I never was certain whether he was truly a, you know, a career officer, or simply a lawyer of stature who was put into a uniform and given this title. But, we've had some interesting meetings. They fluctuate in their attendance. Initially, we used to be able to—the US used to be able to dig up a few funds to help with the attendance of the Latin American officers, and that stopped a long time ago, and it's cut down the attendance. I hope the Army will stay active in it. Right now, I understand the Ops people in the Army, and the Chief of Staff's office, are interested. At the present time, there's sort of a climate of extra interest in Latin American activities. I think from what General Overholt has said, there is some support from within the Army staff for the JAG to keep active in this, and I hope we will. I continue to be on the council, and our last meeting was in Acapulco, and our next meeting in in Quito, and the next meeting after that is Buenas Aires. It's

all very fine, except I don't like to fly in airplanes, and that's a long ways, sometimes. But, that's the only legal activity that I've kept up with at all.

Q. How many years—you had about 35 years service when you retired, sir?

MG Parker: I had about 33, plus a month or two. I enjoyed the service in the Army. I enjoyed every minute. I like the artillery. I think I could have been happy to continue in the artillery, if I could have mastered the techniques of missiles and so forth. It's nothing I ever confronted. And I certainly enjoyed the service in JAG. I think it's a great, great career. One of the great blessings is that I think it's a place where you can practice law without being under the pressure of economic considerations. You're not fighting for a fee, and I think, therefore, you can practice law the way a professional should do it. I'm just convinced that it's a great career, and I've always been a great promoter, as far as the JAG officer is concerned. One of the—one of my points with them, when they talk about whether they should get out of the Corps or not, my first question has always been—well, do you like what you are doing? If you like what you're doing, it's not the time to leave. If you really get to the point where you don't like what you're doing, and you don't see a chance for change, okay. Then perhaps, we can't

satisfy your aspirations. And I've always been—I don't know—not pessimistic, but I've always told the officers that worked with me that if you're looking for a JAG career and you do what you're supposed to and do a good job, you ought to be able to look forward to a career, ending as a full colonel. Beyond that, it's too much a matter of luck. There's no point in looking at yourself as a future Judge Advocate General of the Army. We have had people like that. I may have mentioned it earlier, but I had one man specifically who I think I told you—he got an early promotion, and then he didn't get the next promotion early. So, he quit. I don't think he made any bones about it. He considered himself to be a future Judge Advocate General of the Army. That's unrealistic at that point (laughing). If you can see your way to have a very interesting, rewarding career, and end up as a full colonel, then it's just fine. I think right now, we probably have the best overall group of general officers in the JAG Corps, that I've known. I've known many good general officers in the JAG Corps, but it seems like almost all the time, there was somebody on the other side of the scale, and I really just think that, as an overall group, it just has to be the strongest corps in the Army, as far as general officer leadership is concerned. To me, there just isn't a weak spot in the whole cog. So, I think

they'll do well with the thing. I don't really have any regrets about my service in the JAG Corps. As I said earlier, I was disappointed that I didn't get to be the TJAG. When you look back on it, you really can't—I've thought about it, and you can't be disappointed, because—you may have noticed, through my ramblings, that I've sort of had a lucky career. I just sort of floated along, and people were good to me, and I moved ahead and so forth. Here's a guy—I went through World War II in a combat arm, and scarcely got shot at. Very little danger to myself through the entire war. I didn't even go to Korea for the fighting there. I didn't go to Vietnam for the fighting there. I didn't have an assignment as, what I considered, that really difficult, big SJA jobs. But, I ended up getting a star, and moving on to a second star, and enjoying the whole thing. So, you know, how lucky can you get? That would be the whole thing. George Prugh put in his time in Vietnam. He worked for Westmoreland. He was Westmoreland's Judge Advocate in Vietnam. More power to him. I didn't try to—Wil Persons went to Vietnam, they all went to Vietnam (laughing). And I was back there at the Pentagon, defending the Pentagon from the assault of the unwashed (laughing).

Q. It's hard to be too disappointed with two stars, sir.

MG Parker: Well, that's right. Two stars is the same pay as the other guy gets, and not so much responsibility (laughing). I think that's a good place to stop myself.

Q. Well, thank you very much, sir.