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In 1946 the University of Michigan law faculty regained its pre-war strength upon the return of those of its members who had been otherwise occupied during the preceding years. The members of that faculty were seasoned teachers, participants in the exciting developments in legal education during the twenties and thirties, large figures in the law school world, in all respects imposing personages. Seventeen in number, their teaching had served the needs of a student enrollment that reached 641 in 1940. In 1946, however, they faced the pent-up demands of the many whose education, lives, and career aspirations had suffered an interruption of up to five years. From a wartime low of 203, the student enrollment surged to 1030 in 1945-1946, and peaked in 1947-1948 at 1113.

Those of us who then began our law studies at Michigan witnessed and benefited from an important passage in the life of the school. In 1946 and 1947 seven new teachers joined the faculty. They were of our own generation, senior to us by no more than a few years; most of them taught their first law school classes in our presence. From the beginning they shared the podium on equal terms with their distinguished senior colleagues. In time they became the nucleus of the post-war faculty.

Marcus L. Plant was one of the seven. A native of Wisconsin and graduate, B.A. and M.A., of Lawrence College, he had earned his J.D. degree at Michigan in 1938, practiced law in Milwaukee and New York, and served a year as an attorney for the Office of Price Administration. On joining the faculty in 1946 he was asked to share the burgeoning first-year burden in Torts and Criminal Law. In subsequent years he added corporate and commercial law subjects to his repertoire, but his interest was attracted primarily to Torts and related subjects, and he soon became the school's mainstay in that area. In the early years he shared the subject with Paul Leidy, who had few peers as a socratic law teacher. Mr. Leidy — he firmly rejected any other title — had assembled a Torts casebook that was printed locally for use by Michigan students. Upon Mr. Leidy's retirement in 1951, and with his encouragement and approval, Marc

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revised and updated the book and had it published for general distribution. Though it contained fewer than 700 pages, it was acknowledged by a distinguished authority to be one of the most teachable books in its field.

With that groundwork completed, Marc turned to those subjects that have figured most prominently in his later work. He was appointed to a committee of the Michigan State Bar on comparative negligence, helped to draft a proposed statute that was submitted to the Legislature, and thereafter represented the committee's views to various bar, legislative, and judicial groups. While the proposed statute failed of adoption, the effort was part of the gradual evolution of professional opinion that led to the adoption of the comparative negligence position by judicial decision many years later.

Marc was also involved, as a member of the State Bar Committee on Workmen's Compensation, and as a member of the Governor's Workmen's Compensation Study Commission (of which he was for a time the chairman), in continuing efforts to improve the substance and administration of the Michigan workers' compensation law. This interest is also reflected in his academic work. For many years he has offered courses and seminars in Worker's Compensation. In 1963 he and Professor Wex S. Malone of Louisiana State University collaborated in the publication of a casebook on the subject; in 1974, with Professor Joseph W. Little of the University of Florida, they expanded their coverage to include other legal protections for workers, and a second edition of that book, entitled *Workers' Compensation and Employment Rights*, has appeared within the current year.

Another major and continuing theme in Marc's career was first stated in the early fifties when he became interested in the relationship between law and medicine. Burke Shartel had for some time delivered an annual series of lectures on medical jurisprudence to students in the Medical School. For several years Marc collaborated with Professor Shartel in delivering the lectures, and he continued the series upon Professor Shartel's retirement. In addition, he gave similar lectures in the School of Nursing, addressed innumerable medical and hospital groups around the nation, and initiated and continues to offer a popular seminar on medico-legal problems in the Law School. His extensive work in this area led also to the publication in 1959, in collaboration with Professor Shartel, of a treatise on the subject, *The Law of Medical Practice*.

The most colorful and least probable aspect of Marc's career has been his involvement in the governance of intercollegiate athletics. Not long after Marc joined the faculty he was appointed to the Uni-

versity of Michigan Board in Control of Intercollegiate Athletics, and became its secretary. The Intercollegiate Conference of Faculty Representatives (the "Big Ten") had functioned under the tutelage of Ralph Aigler seemingly from the beginning of time. When Professor Aigler retired, Marc succeeded him as the University's faculty representative to the Conference and as the University's representative to the National Collegiate Athletic Association, positions that he retained for twenty-four years. In due time he became the secretary of the Conference, served on many important committees of the N.C.A.A. and as its president from 1967 to 1969, and as a member of the United States Olympic Committee from 1969 to 1972. During those years he was one of the more influential figures in the country in the self-regulation of intercollegiate sports, one whose counsel was instinctively sought in times of crisis. Curiously, he is not an avid sports fan. It was not the struggles on the playing fields, but the problems and controversies that pervade that aspect of university life, and the personalities who inhabit that world, that commanded his interest. He was dedicated throughout his long service to the defense of amateur and academic values against the incursions of the market place.

Marc is a practical minded person, lawyer as much as academician, a fact that helps account for the esteem in which his counsel was held in athletic circles, and his success in explaining the law to medical audiences. It has much to do also with his success in the classroom. His students cherish the wealth of anecdotal material he adds to the casebook fare to make the subject come clear and alive, and the way he calls upon his own experiences and those of his former students and other professional acquaintances for that purpose. With fewer than sixty class hours to cover the basic first-year topics he moves briskly through the cases at a pace that sometimes leaves the students breathless, but they tell me that his class nevertheless benefits more than most from a classroom dialogue conducted in an atmosphere free from fear, joined by an unusually large proportion of the class, and frequently continued in the corridor and in visits to his office. He appears to them to be less concerned with abstract doctrine than with the cases, and from him they learn well the importance of attending closely to the facts and to the decisions. At the end of the term they enter the examination room with a good feeling, in the belief that they have learned what it was all about and can face with confidence what lies ahead. They give him very high marks as a teacher and as a human being, and remember him with

affection. In conversations with alumni graduated in the last three decades, his is one of the names that most frequently arise.

The approach to the law that his students perceive in his teaching is also apparent in his writing, in which support can be found for the observation made by others that what courts do often makes more sense than what they say. The clarity of his analysis, his fidelity to the facts, and his appreciation of the capacity of the facts to limit the law-making character of the decision have frequently shed light upon a law left murky by the explications of the decision-makers. Broad generalizations, philosophical digressions, manipulation of the materials to fit personal ideology, are not his style. His approach may seem cautious, but if so the caution is that of the careful lawyer, central to the lawyer's craft.

Marc Plant is a gregarious person. He moves easily and effectively in many diverse environments, among students, alumni, members of the practicing bar, the medical professions, and the athletic circles already mentioned, and has collaborated closely and fruitfully with men of strong and diverse personality: Leidy, Shartel, Aigler and Malone, to mention only a few. He has succeeded on numerous occasions in helping people with conflicting views and interests to find common ground and basis for agreement. He converses freely and easily on any subject in which he has an interest. As his friends well know, he has an inexhaustible supply, garnered obviously in fields more fertile than his immediate environs, of anecdotes and outrageously funny stories; his delivery would be the envy of a professional entertainer. Despite all this, he is a private person. He does not talk much about Marc Plant or Marc Plant's achievements; his inner self is not on public view. Consequently it is likely, to my regret, that this brief note errs significantly on the side of omission.

Honoring Marc Plant, the *Law Review* honors one of its own. A member of the *Review* in his student days, he was also for five years the Chairman of its Faculty Advisory Board, at a time when the person in that position had much to do with the continuing health and vigor of the enterprise. This issue is dedicated to him because his thirty-fifth year of service to Michigan brings him to the appointed time of transition to the ranks of the emeriti, a badge he will richly have earned. I am grateful to have been permitted to join in this salute to an admired colleague and longtime friend, and venture to speak for all his colleagues in wishing him the best as he enters upon this new phase in his life and in his relationship to the School.