

## DEAN PAUL MARCUS

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In some ways, it seems odd to be writing a tribute to Dean Paul M. Marcus. He is not dead, he is not retiring to become "technically inert" because of some rule requiring mandatory retirement, and he is not leaving the University of Arizona permanently for some foreign clime. Indeed, he is in his early forties and I suspect the best is yet to be in his already distinguished career. On my own sixtieth birthday, while I was still Dean of the College of Law at Illinois, our law review published a series of tributes and dedicated an issue, complete with picture, in my honor. This led to several phone calls inquiring as to the cause of my untimely demise and expressions of heart-felt condolences, *i.e.*, these friends did not read the tributes attesting to my ongoing vigor but assumed the worst. I trust this will not happen in Paul's case but let me stress—Dean Marcus is still "ert" and liveth in the flesh in Tucson.

In other ways, it is quite appropriate to honor Paul at this juncture in his academic career and I am pleased to join in the chorus to sing his praises for an outstanding performance as Dean and Professor of Law. Academic administration is a difficult art but it can be creative, challenging, and satisfying (at least for a reasonable period of time). A person can labor mightily as Dean as well as elsewhere in the law. Good managers of the academic enterprise are not too hard to come by but inspirational leadership of faculty, staff, students, and alumni is a rarer quality, much to be prized. In addition, the ideal Dean should play a key role in the total university and interpret the importance of law to other disciplines in the grand enterprise of higher education. Paul possesses all of these qualities in abundance and that is why he has played so key a role in the continued development of the excellent University of Arizona College of Law.

Of course, I did not observe Paul in his day-to-day activities at Arizona but I watched with pride from afar, read the numerous college publications, and visited the law school on several occasions during his tenure as dean. We at Illinois had a vicarious take in his progress since he had "prepped" in Champaign-Urbana for the position he was to assume in 1983. It was apparent, almost from the start of his tenure at Illinois, that Paul was destined for a deanship at some stage in his career. We saw him leave Illinois with true regret but were happy for Arizona. After all, institutions are sometimes

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known by the quality of their exports as well as by the excellence of those they retain. In Paul's case, we had no doubt about our contribution to a sister law school. He did not disappoint either us or you.

Paul joined the Illinois faculty as an Assistant Professor in 1974 after service as a Law Clerk for the United States Court of Appeals, District of Columbia Circuit and practice with Loeb and Loeb in Los Angeles. He advanced quickly through the academic ranks and became a Full Professor in 1980. Some people are to the teaching manor born and Paul possessed this precious trait. He was a popular teacher *ab initio*, tough but fair, and endowed with an empathy for his fellows—faculty and students alike. He even understood the thorny crown a Dean must wear and cheerfully participated in the committee structure of the College and campus without viewing such duties as an imposition on his teaching, research and public service responsibilities. In short, he was a delightful colleague who viewed himself as a key player in an important academic enterprise. It was these qualities, fully demonstrated in his nine years at Illinois, which foreshadowed his leadership role at Arizona.

Colleges of Law have a *raison d'être* beyond the education of the next generation of professionals however. Research, writing, and reasoned development of law and the legal system lie at the heart of the modern American law school. There are great teachers who do not write over much; there are great researchers and writers who are mediocre teachers. This truism should not be allowed to obscure the fact that teaching and research are two sides of the same coin. To teach well one must delve deeply into his or her field and must have some ideas about the improvement of law in a rapidly changing society. "Delving deeply" is but another name for research and the product of that research needs to be communicated not only in law reviews, books, etc., but in the classroom itself. The Dean, if he or she is to be a true academic leader, needs to appreciate the vital role of research and writing in the development of a productive law school. This is difficult to do unless the Dean has labored in those vineyards personally. Indeed, once a professor has learned the true joys of teaching, research, writing and public service as interlocking pieces of the professoriate, it is difficult to tempt him or her with the more dubious joys of the all-consuming deanship, where one may look like the "boss" to the outside world but looks suspiciously like everybody's "employee" on the inside.

This little exegesis on deaning has a point in this tribute to Paul. He not only understood the importance of research and writing in the life of a law school but he was a practitioner of the art and a successful one at that. This is not the place for me to list his bibliography but it includes numerous law review articles and books, mainly in the criminal law field. Moreover, he has managed to continue his scholarly work and teaching even while being a full-time Dean. The lure of those professorial joys has obviously proved too great however and that accounts for his decision to move off the woolsack after five years of superb leadership.

Paul does have a serious problem, however. What does he do for an encore? This also gives me a problem. How do I end this heartfelt tribute to Paul? Normally, one puts all of the accomplishments in the past tense,

states that the world is a better place for Professor X's having lived, or bemoans the fact that "statutory senility" has driven Professor Y into premature retirement and robbed the world of his magnificent virtues. None of this fits and I cannot utilize my "boiler plate" clauses without creating the apprehensions I expressed in the opening paragraph of this tribute. I, like the reader, will simply have to wait for the next installment. As a child, I revelled in the movie serial "The Perils of Pauline;" as a law professor who is facing mandatory retirement, I will watch with anticipation for the next episode of "The Progress of Paul." I will make a small prediction, however. Paul can do just about whatever he decides is most important in the next three decades of his life. It is pretty difficult to do better than Professor of Law but, even so, I will not be surprised if Paul follows the administrative siren again at some point. This is not because that route is better or more worthwhile but because the challenge, like the mountain, is there and because Paul *is* good at the job!

Although this is a tribute to Paul Marcus, because that is what the *Arizona Law Review* editors were good enough to ask me to write, it is, at least *sub silentio*, a tribute to the Marcuses. Becca was, at Illinois, very much a part of the team and we tended to think of them in that sense. I am sure that tradition endured at Arizona and that Becca symbolized there, as here, the warm, friendly hospitality that helps keep a law school working together to achieve its common goals. In any case, a tip of my bowler to Paul, Becca and their growing family. May they have a grand sabbatical and return with their intellectual batteries recharged, ready to climb the next mountain, whatever it may be.

