Historic Decision: Meet Mark D. McGarvie, A New Instructor With Old Interests

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Recommended Citation
Available at: https://digitalcommons.law.buffalo.edu/ub_law_forum/vol13/iss1/22
Mark D. McGarvie, who joins the UB Law School faculty this academic year as an instructor, found his own way to the seventh floor of John Lord O'Brian Hall. After 14 years of law practice, he returned to his first love — history. Now both disciplines are coming into play, as McGarvie teaches research and writing and legal history at UB Law, and embarks on a legal-history biography project with fellowship support from the University.

Raised in Milwaukee, he studied political theory at Northwestern University in Evanston, Ill., then law at Marquette University Law School in his hometown. After two years practicing labor and employment law with a Milwaukee firm, he joined the Equal Employment Opportunity Commission, litigating federal court cases out of the agency's Chicago office. "It was a great experience for me," he said, "to be able to act as lead counsel in litigation with only two or three years experience."

His work was noticed after some high-profile discrimination cases drew press attention, and he was recruited to become corporate labor counsel for Baxter Healthcare Corp. in Deerfield, Ill., the former American Hospital Supply Co. He and his staff handled affirmative action, labor relations, and employment discrimination cases for the 62,000-employee multinational company. He insisted on "pushing every case to the limit," McGarvie said — refusing to settle out of court, or consider arbitration, in order to discourage nuisance suits. "One of my proudest moments," he remembered, "was when I had beaten another lawyer for the third time. She was in tears, and outside the courtroom she said to me, 'That's it — I will never, ever sue you again.' At another time, we won 54 summary judgment motions in a row."

But that love of history wouldn't go away. McGarvie decided to return to Marquette for a master's degree, then went to Indiana University to pursue a doctorate in history, focusing on the intellectual history of the Early Republic. He will receive his Ph.D. this year.

What drew McGarvie to UB Law? "I was impressed by the faculty," he said. "They really seem interested in a broad-based understanding of law. A lot of law schools seem to be like business schools in orientation. They address law from a practice or institutional orientation. But people here are more inclined to see the law as a substantive body of academic material. The depth of people's reading, their outside academic interests, just fascinated me."

And, he said, the school offered him the freedom to write. His doctoral dissertation, dealing with the separation of church and state in the nation's early years, has just been accepted for publication. Also due out in the fall is a 24-chapter history of American philanthropy for which McGarvie was co-editor. And his three-year project here at UB Law combines law and history: It is a biography of St. George Tucker, a noted legal scholar in the Early Republic. "It is a case study for the existence of a transatlantic legal community and the developing differences in English and American law," he said.

Francophiles might also note that McGarvie will be spending breaks and summers in Paris. His wife, Blythe, works as chief financial officer of Société BIC, whose holdings include the company that makes Bic pens. ■