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CLARENCE MORRIS

JEFFERSON B. FORDHAM†

It is a greatly cherished privilege to contribute to an issue of the Law Review honoring Clarence Morris. There is so much to be said in appreciation of this gentle and wise man that I have serious doubt that the combined expressions of all who contribute will do him justice.

Whatever others have to say, I should like to share at once my perception of the whole man. Clarence Morris is the mature embodiment in human personality of love of beauty, powerful intellect, profound wisdom, warm compassion and the capacity to perform with individuality and solid accomplishment in shared enterprise.

I knew of Clarence Morris long before the time I first met him, more than two decades ago. For he was already a nationally known scholar who stood among the leaders of American teachers in the field of Torts. Our paths converged in Chicago at Association of American Law Schools meeting time. It was in a period during which people still made trips at some length by rail. He and I found ourselves in a group that headed for the Chicago Loop after the meeting ended at the Edgewater Beach Hotel, well up on the north shore. It turned out that we had some time upon our hands before our respective departure times, so we went to a movie. I have not the slightest recollection of the movie, but the impact Clarence Morris made upon me was indelible. There was a rare human spirit.

† Professor of Law, University of Utah. Dean and Professor of Law Emeritus, University of Pennsylvania Law School. A.B. 1926, J.D. 1929, M.A. 1929, University of North Carolina; J.S.D. 1930, Yale University. Member, North Carolina, New York, Ohio and Pennsylvania Bars.

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In the early spring of 1952 the members of the faculty of the University of Pennsylvania Law School shared with me, as dean-elect, their awareness of a need for a visiting professor for the coming academic year in the fields of Torts and Jurisprudence. My prospective colleagues embraced my suggestion that we try to lure Clarence Morris from Texas. He and his animated and charming wife, Bill, mulled the thing over and finally decided that he should accept. So it was that Clarence Morris and I arrived on the scene at the same time—in the summer of 1952.

Long before the academic year ended, it was overwhelmingly clear that Pennsylvania should do everything it could to make the association lasting. There was no senior faculty opening. But it was easy, in this instance, to have a new one created. That was accomplished, and the visit from Texas was extended for twenty years and more.

I am not going to try to cover the whole ground, but I will refer to some of the notable contributions of Clarence Morris to law at Pennsylvania above and beyond superb performance as a teacher.

Soon after his advent at the school, Clarence, by force of his interest in the relation of law to other behavioral sciences, served as chairman of the Association of American Law Schools Committee on Law and Psychology. It was not long before he was relating his experience and thought in this field to potential educational and research developments at Pennsylvania. His initiative reached fruition in the establishment in 1955 of a Law and Behavioral Sciences program at the school, keyed to Criminal Law, Evidence and Family Law and involving regular and sustained participation by a psychiatrist. This, as I am informed, was the first such venture in any American law school.

Clarence Morris has set a notable example in his characteristically warm human interest in law students as individuals. There has always been a friendly path to the door, whether of his office or his home. Many are the students who have, as individuals or in small groups, shared hospitality in the cultivated and relaxed atmosphere that pervades the Morris home. I am told that some have even essayed to contend with the Morrises at bridge, a hazardous enterprise indeed, as this chastened "witness" does solemnly depose. But always there was good conversation which might even touch upon law.

Professor Morris has pretty well run the gamut of committee service in the Law School. Here I choose to speak particularly of his concern for the students in relation to their financial problems. He was a keenly interested and resourceful chairman of the scholarship com-

mittee. Minority students as a group were more likely than not to have very real financial needs and it was Mr. Morris who took the lead in making a helpful unofficial response. With the active help of several faculty colleagues, he brought about the creation of a special fund to assist minority students. Knowledge of individual contributions was something confined to the treasurer of the fund, but I have the impression that all members of the faculty supported this worthy Morris undertaking.

Clarence Morris has not been alone in the law faculty in his interest in the arts. It is safe to say, at the same time, that he has been and is unsurpassed in the strength and sensitivity of his interest. The enduring creative efforts of Morris, the aesthete, is the Hsieh-Chai (Sye h jai). As a student of legal thought of imperial China he came upon one recondite item that particularly struck his fancy. At a time prior to what in the West is identified as the Christian era there was a magistrate in China, Mr. Morris learned, who was served by a most unusual goat-like creature endowed with a single horn. The Hsieh-Chai had the super-delphic capacity to sense when one appearing before the magistrate was lying and it was his wont to signify this by butting the mendacious individual.

Clarence Morris conceived it to be highly fitting that the rather stark open area in the 1962 addition to the law building be embellished by a notable work of art. So he shared his knowledge of the Hsieh-Chai with his friend, Henry Mitchell, of Philadelphia. Mr. Mitchell is a gifted sculptor. He made a mock-up, which pleased law school folk and friends immensely. That was the model of a large sculpture which Mr. Mitchell created in Italy. The "goat" is more than a work of art; it is a part of the tradition of the school. The awareness that this symbol of law is quite detached from rationality might provoke sly remarks, but I must say that the characteristic strikes me as quite delightful in context.

I have heard Clarence Morris ranked at the top of his professional group as a teacher of Torts. Doubtless, this sort of rating is not clearly demonstrable. Nor may I speak from direct observation. But from what I know of him I can see how it would be supported. In him one finds commanding knowledge of the subject, an acute critical faculty, lucidity of expression stemming from lucidity of thought, down-to-earth awareness of the realities of human experience and the philosopher's capacity to see things in the large.

Perhaps, as some contend, an individual may be a superb law teacher without being a productive scholar. All I have to propose at this time is that quality research and reflection that find expression in

a medium subject to the scrutiny of one's peers are very likely to do much more than enhance a teacher's knowledge. Good students certainly test a teacher's mettle. But, apart from the ultimate testing by his peers, scholarly writing and publication involve extra demands that the worthy scholar must make upon himself.

The nexus is plain enough. Clarence Morris is a highly productive scholar. As such he has been much a part of the intellectual "actions and passions" of his time. His writings have had the quality and range of interest to stimulate republication of several of his books. All this reveals that that he is a tested, educated man, that he has developed notably the two basic elements in education—the capacity to appreciate and the capacity to express or communicate.

In the final analysis, the matter is simply this—I am grateful that Clarence Morris is my friend.