IN MEMORIAM
KEITH E. MORRISON

Keith E. Morrison, William Stamps Farish Professor of Law Emeritus at the University of Texas School of Law, died February 8, 1998. He joined the faculty of this school in 1948, retired in 1980, and assumed emeritus status. He remained active in affairs of the school until shortly before his death. Professor Morrison was survived by a daughter, Megan Morrison Sawyer, her husband, John, and their daughter, KateLynn; a son, Bruce T. Morrison, his wife, Mary, their daughter, Michelle; and a brother-in-law, Bruce Smith. Keith's wife, Tegwen, died in 1991.

I. The Early Years

Keith was reared in a rural community in Kansas. After graduating from high school in Hoisington, Kansas, he attended Bethany College in Kansas and obtained a Bachelor of Arts degree from the University of Kansas, where he was inducted into Phi Beta Kappa. He commenced law school at the University of Kansas, but his legal education was interrupted in the second year by ill health. He moved to Wyoming, where he spent two years on a sheep ranch, acquired a Master of Science degree from the University of Wyoming, and became an agricultural economist with the Wyoming Agricultural Extension Service. In the early 1940's, Keith returned to his goal of obtaining a legal education. This time, he enrolled as a new student at the Yale Law School. Again, his legal education was interrupted, this time by his military service in World War II. When that service ended, he returned to Yale to pursue the seemingly elusive goal of obtaining a law degree. This time he succeeded, graduating in 1948 at the age of 38. He not only graduated but was a top student. He was elected to legal education's equivalent of Phi Beta Kappa--the Order of the Coif. Professor Myres McDougal, one of Yale's giants, reported to Dean McCormick, when Texas was considering extending an offer to Keith to join this faculty, that Keith "is just about the best man that [Professor] Lasswell and I have in a very able group in Law, Science and Policy." That
seminar attracted graduate students in law and the most outstanding candidates for the Bachelor of Laws degree. Several participants in that seminar went on to become professors of law.

Even this brief report of Keith's education is not complete without reference to his self-education. He was a thoughtful reader of serious books, especially the classics, which he from time to time would undertake to discuss with like-minded faculty colleagues. We surmise that much of this reading occurred while he was herding sheep in Wyoming. The 75,000-acre ranch provided a minimum of distractions, allowing Keith to become an extraordinarily well-read shepherd.

But Keith was no ivory-tower dreamer. His self education included experience in the practical world of business, particularly in agriculture, as evidenced by his appointment in 1945 to the Hoisington National Bank Board of Directors.

II. Scholar and Teacher

One might have expected, in view of the breadth of Keith's educational background, that he would choose to do research and teaching in fields of the law having substantial policy content. He did teach Constitutional Law for a time, but turned his efforts primarily to practical legal aspects of taxation by the Federal Government. It is clear, however, that in addressing tax law, Keith considered tax policy of enormous importance. It was characteristic of Keith to inquire into the goals of laws, the extent to which laws accomplish those goals, and the wisdom of those goals. This is borne out by his article, "Widow's Election: The Issue of Consideration," 44 Texas Law Review 223 (1965). The editors of the Texas Law Review generalized: "This article should be of great assistance, not only in calling attention to unsuspected pitfalls, but also in defining and proposing resolutions of the problems in this troublesome area of estate and gift taxation."
An indication of student views of Keith was the portrayal of him at an Assault and Flattery production by the students. These annual productions typically are roasts of various aspects of the law school, with special attention to the faculty. In one show, a student named Pevsner, inspired by the movie Patton, in which George C. Scott plays the General, appeared on the stage before a huge American flag as "General Keith Morrison." An imposing figure, in full military attire, "General Morrison," with uplifted crop, forcefully and profanely exhorted his students to engage the Internal Revenue Service in battle. One may infer that they regarded Keith as strong, serious, demanding, and not to be trifled with. His bushy eyebrows may have contributed to this image. Students might have viewed him somewhat differently had they known that Keith sometimes entertained his children and grandchildren by raising and lowering his eyebrows independently. In any event, it is clear that the students regarded Keith with respect and affection--not as one having the undesirable traits of George Patton.

III. Influence On Educational Policy

Keith's participation in faculty meetings was low-key, but effective. He spoke in calm, measured tones. We do not recall that he ever raised his voice or became agitated. But the meaning of his words was forceful. On more than one occasion, he politely demolished some inadequately thought-out proposal that had appeared to have much support. He often made his point by Socratic-like questions, rather than by assertions.

Technological advances related to education interested Keith when the computer age was in its infancy. In the 1960's he served on committees of the University of Texas, as well as on regional and national organizations, concerned with these issues. One of these was the American Bar Association Special Committee on Electronic Retrieval. The University of Texas provided a substantial grant to support his investigation of implementation of a legal information system.
Threats to academic freedom at this school during the Vietnam War were addressed by Keith. We doubt that he ever marched in protest, wrote letters to the editor, or promoted the signing of petitions. Typically, his involvement was quiet, but effective. Chancellor Ransom appointed him to serve on a special committee of legal advisers to address problems posed by the student unrest, particularly academic freedom issues. A major controversy was the eviction from the campus of the Students for a Democratic Society (SDS). The special committee concluded that the SDS had been denied due process. The committee also gave advice regarding revision of related rules of the Board of Regents. In addition, Keith participated actively in academic freedom initiatives of the Texas Classroom Teachers Association (TACT). For a time, he served on TACT’s Executive Committee.

When Keith joined this faculty, American law schools had not yet applied, at least to a significant degree, the discipline of economics to the study of law. Today, faculties of most law schools have one or more faculty members who have degrees in economics, and many law school courses have a significant infusion of economics. Keith must have been one of the earliest law professors with an economics degree, here or elsewhere. We have no doubt that his teaching of courses in tax law was influenced by that background. We do not recall that Keith promoted increasing this law school's involvement in the law and economics movement, but he probably did.

This report would not be complete without calling attention to the leading role played by Keith in developing the highly regarded annual University of Texas Law School conferences on Federal taxation. He was engaged in the project from its beginning and continued to support it during the ensuing years.

III. Faculty Colleague
The informal interaction of faculty members can significantly promote, or retard, the mission of a law school, depending on the nature of that interaction. Fortunately for us, Keith's contributions to our informal relationships were highly beneficial. While having coffee in the faculty lounge, or going out for lunch, Keith usually enriched our understanding of some significant subject. Here, too, his approach tended to be Socratic. We felt challenged, but not abused.

Despite his rigorous analytical exchanges, Keith was a congenial companion. He was a fine story teller. We recall being regaled by his accounts of the lonely lives of Wyoming shepherds.

Keith was very helpful to colleagues in critiquing their research in progress. In one instance, his advice persuaded a colleague to continue a project that the colleague was on the verge of abandoning.

Following his retirement, Keith continued to come to Townes Hall regularly and converse with us as before. He appeared at most law school functions. We miss him.
This memorial resolution was prepared by a Special Committee consisting of Professor Corwin W. Johnson (Chair), Dean M. Michael Sharlot, and Professor Charles Alan Wright
Bibliography of Keith E. Morrison

Authored Works

“Taxation Seminar.” Austin: University of Texas School of Law, 1965. [KF 6289 A2 T34] [Taxation: Minor]

Edited Works


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Articles


Reviews


Contributions


“United States and Other Governmental Regulations Affecting Farm Leases,” Ch. 67 in Stayton Texas Forms (Kansas City, Mo.: Vernon Law Book Co., 1962), pp. 633-635, §§5831-5834. [Farm Leases: Minor]

