IN MEMORIAM: DEAN JOSHUA MORSE III

Michael Horowitz

September’s New York Times carries the obituary of a truly great man—a term I use clinically and advisedly as one who, during a lifetime in Washington, has seen the term overused, abused, and debased.¹

Dean Joshua Morse III’s obituary is worth reading for the lessons it offers about the meaning of moral courage and the means by which history can best be made. It helps make clear what Josh taught: that with grit and commitment to principle, each of us has the power to change the world for the better.

I was one of the two Yale Law School graduates noted in the obituary who Dean Morse first recruited to the University of Mississippi School of Law. And, at limited risk of seeming to boast—for it was Josh who made all that I and others did possible—I was the person who, with his guidance, helped mentor and recruit such extraordinary African American law school pioneer students as Justice Reuben Anderson and the Honorable Constance Slaughter-Harvey. And it was Dean Morse who, at certain cost to his well being and while fully protecting mine, allowed me to invite Senator Robert F. Kennedy to speak there—a turning point in Mississippi life, politics, and culture that the obituary rightly noted. Dean Morse took the heat for establishing the law school’s joint programs with Harvard, Yale, Columbia, and New York University law schools, which he allowed me to coordinate. He took even more heat for working with me to develop a summer program that sent law school students, like Dean Emeritus Samuel M. Davis to northern, inner city legal service offices. My Pearl River County mentor also made the law school a long-term center of excellence and leadership by

appointing such faculty members as John Robin Bradley and Robert Khayat.

Josh was a special friend to my roommate when I taught at the law school—then an Assistant U.S. Attorney, now a distinguished judge of the Fifth Circuit Court of Appeals—who used to celebrate when he could keep a jury out for more than one-half hour before it inevitably acquitted thugs accused of racial violence. And talk about taking heat: Josh made the law school a welcome place—an oasis—for Department of Justice Civil Rights Division lawyers suing the State for acts of segregation and racial injustice. He knew that in introducing those lawyers to our students he would create dialogues that would inform and soften the views of each towards the other, and he also knew that in so doing he was doing what great universities do at their best.

At the time, and probably still today, the law school was the most important institution of higher education in all America relative to the community it served. As such, and in many other ways, Dean Morse was a central figure in the life of a state that was both accurately and patronizingly seen as America’s central battleground in its struggle to achieve racial justice. Dean Morse taught outsiders like me that Mississippi was so much more than its caricature—and also helped slay the dragon that taught many young Mississippians to be ashamed of where they came from and to be without hope for the state’s future. The native shrewdness about human nature that so many Southerners possess—qualities that made Josh a highly successful trial lawyer—helped him teach our students about the strengths within themselves that would serve them well in all places and settings. A wonderful story teller with an unhurried style and a memorable laugh, Josh understood and exemplified why the South has been the greatest source of America’s literary genius. He showed us all how, once freed of overt racism and at-all-costs segregation, Mississippi’s rooted culture possessed critical strengths that could help America achieve greater racial accommodation and harmony and lead us all in many other ways.

That race in America has become so centered on such issues as quotas, income redistribution, and Black Caucus agendas is, to me, a sad fact. For this reason alone, there is urgent need to find men and women who, like Dean Morse, can help America make
progress without lasting bitterness and in ways that make winners of all. Those of us lucky enough to have been influenced by “the Dean” know that when we share the lessons he taught us with the young men and women with whom we deal, we honor both our country and the still vibrant legacy of our great friend and mentor.