

## IN MEMORIAM

### H. MALCOLM MACDONALD

H. Malcolm Macdonald was a member of the faculty of The University of Texas for more than fifty-three years. He arrived fresh from a Ph.D. degree from Harvard in 1939, served four years in the U.S. Navy during the war, and retired as a Professor in 1981, at which time he became Professor Emeritus. He died in Austin on Saturday, July 5, 1997.

Dr. Macdonald was born in San Francisco in 1914, the son of Dr. George C. Macdonald and Helena Zaun. He attended private preparatory school in San Francisco and graduated from the University of San Francisco in 1935 with an A.B. degree. Thereafter he earned an M.A. degree from Harvard in 1937 and a Ph.D. degree in 1939. He joined The University of Texas as an Instructor in government in 1939 and was promoted through the ranks, being named Professor in 1952. At various times over the years he served as a visiting professor at other institutions, including the University of San Francisco, the SMU Law School, Pomona College, and the Claremont Graduate School.

He served as chairman of the Government Department from 1953 through 1966, and again from 1971 to 1975. In 1967 on the death of his colleague, Alton Burdine, Dean of the College of Arts and Sciences, he served for several months as *interim* dean, and in 1994 he received a Presidential Citation from President Berdahl in recognition of his long devotion to and support for the University.

Macdonald had been an officer in the Naval Reserve before the war, and on its outbreak he was immediately called to active service. The story goes that on December 8, 1941, he appeared on campus in uniform—and off he went. He served with distinction as a naval officer in the American, European, and Asiatic theaters, and following the war he was briefly an instructor at the U.S. Naval

Academy. When he returned to the University he was named Liaison Officer for ROTC programs and was very diligent in that role, which he performed from 1946 until 1994, long after his retirement. At the end of his service, a conference room in Steindam Hall was named in his honor.

His interest in the Navy, however, transcended his ROTC responsibilities. He remained active in the Naval Reserve and wore his uniform to campus once a week, finally retiring as a captain in 1971. He took his naval obligations very seriously and decorated his office with various naval memorabilia. His posture and attitude invited occasional efforts to puncture the punctilio, and one story that made the rounds right after the war—no doubt exaggerated in the re-telling—had him insisting on being called “sir” by a student who was a returned veteran. Having made his point, Malcolm felt a little sheepish and explained that he had become accustomed to such treatment because he had been a Lieutenant Commander during the war. The student assured him that he understood perfectly because he had been a Commander himself. *Sic transit gloria.*

Dr. Macdonald was initiated into Alpha Tau Omega social fraternity shortly after he arrived in Austin, and for a long time he played an unusually active role as chapter adviser and occasional chaperone. He was much stricter as chapter adviser than he was as chaperone. For many years, every new pledge was sent in for a far-ranging conversation with Dr. Mac, and he followed their progress with assiduous interest. Indeed he advised, counseled, and badgered quite a few generations of ATO pledges and almost always with good results.

Macdonald cherished his Scottish heritage, often flaunted his customary Scottish thriftiness, and always claimed (sometimes literally) a close kinship with the Lord of the Isles. For many years he was Vice President and Trustee of the Clan Donald Educational Trust. At the same time he was a devout Anglican and an active member of the All Saints Episcopal Church.

Dr. Macdonald was also an active member of several organizations which, though not strictly part of the University, had a strong academic character. For more than fifty years he was a

member of the Harvard Club of New York and the Army and Navy Club of Washington. In Austin he was an early member of the Headliners Club and of the English-Speaking Union, which he served as president, and for nearly twenty years he was president of Town and Gown.

His major responsibility at the University was surely the chairmanship of the Government Department, which post he held for a total of seventeen years. But beyond that role he was known in even wider circles for three other responsibilities that he performed over a long period of time. The first, as mentioned, was his role as Liaison Officer. The second was his thirty-year chairmanship of the Commencement Committee, which made him *ex officio* the senior marshal of the University. He will be remembered by many for the flair and dignity with which he carried the mace at Commencement and for his flowing crimson robe, a mark of his academic career at Harvard. And third was his contribution as book-review editor for the *Southwestern Social Science Quarterly*—which later became the *Social Science Quarterly*—from 1947 until 1994.

Malcolm was for many years a strong supporter of various University activities, and it now appears that his devotion took a very tangible form. His will contained several quite substantial bequests to several programs in which he took a special interest—including gifts to the Department of Government for scholarships, to the Humanities Research Center for acquisitions and conservation, and to the Chair in law and jurisprudence that had been created in his name.

Dr. Macdonald was a diligent and thoughtful student of comparative law and jurisprudence and also of modern political theory, especially the varieties of European socialism. He was devoted to his students and maintained an always current appreciation of the literature of his fields. He was the author of some twenty-seven books, monographs, or articles, and in his many years of teaching he touched many students' lives in a positive and lasting manner.

His two courses on jurisprudence became famous on the campus and *de rigueur* for prospective law students. In the fall he gave a course on continental jurisprudence based on the

Roman law, and in the spring a course on Anglo-American jurisprudence based on the English common law. Pre-law students flocked to his classes because they had learned from the grapevine that they would learn things there that would give them a head start in law school. And they did.

Dr. Macdonald was an excellent lecturer and a tough and demanding teacher. He gave a lot to his students and he expected a lot from them. He seemed to exult in his self-appointed role as an academic curmudgeon, though his sense of humor had a habit of showing through. He almost never gave A's, and only a few B's, and he always enjoyed the reputation that these habits generated. His hard-nosed principles coupled with his black hair (black at least in the early years) spawned the sobriquet "Black Mac" by which many of his former students remembered him—with a mixture of annoyance and great affection. No student ever emerged from his classes, whatever his grade, without a real appreciation of a first-class teacher hard at work.

Toward the end of his life one of those students, Mrs. Patricia Kelso of San Francisco, established a Chair in honor of Dr. Macdonald, and his friends are proud that the College of Liberal Arts will enjoy and benefit from the H. Malcolm Macdonald Chair in Comparative and Constitutional Law, a fitting tribute to a diligent and conscientious scholar, a faithful and interested colleague, and a long-time devoted faculty member at The University of Texas at Austin.

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Larry R. Faulkner, President  
The University of Texas at Austin

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John R. Durbin, Secretary  
The General Faculty

This Memorial Resolution was prepared by a special committee of Professors William S. Livingston (Chair), James R. Roach, and Lorene L. Rogers.