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EUGENE KUNTZ—A PROFILE OF THE PERSON

HAROLD W. YOUNG*

A rose, is a rose, is a rose; and
A person, is a person, is a person . . .

Gertrude Stein and Harold Young

More Than a Bite of Life

Most of us who have had the benefit of knowing and being associated with Eugene Kuntz call him Gene. I shall take the liberty of continuing that custom in the few pages that follow. I shall quickly add the name of Rose, Gene's wife. It is a union that has endured for so many years and has been filled with so much of life's potential fulfillment. The many facets of the combined personalities of Gene and Rose are inextricably intertwined. They may be separable, but they are not separate. It would be artificial and ingenuous to pretend to separate them, for together they refract and reflect the light of Gene, the Person, as much so as do two precious stones placed in a single setting. Hereafter, in this modest effort, where for the sake of brevity, I may at times mention Gene alone, please make the appropriate association of Rose in your mind.

The Fun of Learning to Teach

The embryonic lawyer, the law school student seeking to earn the first degree in law, is wont to make an oft-repeated assertion that he or she "just can't wait to stop all this studying and learning." Of course, the seasoned lawyer knows full well that reading, studying, comprehending, analyzing, organizing, synthesizing, and, ultimately, learning are but some of the most important tools used in everyday lawyering. Just as in the final analysis a law school student must learn the law for herself or himself, so one who would seek to teach others to learn the law must develop the art of helping others to learn. Developing this art is, most assuredly, difficult. Former Dean Page Keeton of the University of Texas Law School, himself a legal educator for more than four decades, has often commented that any person must be imbued with a certain amount of perversity in order to undertake to teach another adult anything. Needless to say, Dean Keeton is using the word "perversity" in the sense of the high degree of dedication one must possess in order to invest oneself in the hard

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task of seeking to learn to communicate with understanding. Communicating with understanding is the essence of the teaching and learning process.

Gene and Rose set out on the law school teaching and learning career aspect of what would develop to be their multiple careers in 1947. That summer they went to the College of Law of the University of Wyoming, located in Laramie. There Gene quickly began to develop not only Dean Keeton's requisite degree of "perversity" but also that quality of teaching and learning which is the Siamese-twin of communicating with understanding. This latter quality is involved with perception, that is, perceiving and applying the teacher's half of a mutuality of respect—a reciprocity of seeking to attain understanding. In their few years at Wyoming, Gene laid the touchstone for acquiring a technique that would allow him to share with thousands of students and lawyers the benefits of his learning and reasoning. But equally as important, and perhaps even more important, Gene and Rose commenced an approach that might well be characterized as the "balance-wheel" of their lives.

Within easy sight of the University of Wyoming's campus, and within a short distance thereof, was the Medicine Bow Mountain Range. Gene and Rose were attracted to the white slopes of the Medicine Bow Range. They learned to ski there in the late 1940's, well before the national interest in skiing developed. This ability to combine what is fun professionally in the classroom or the courtroom with fun in athletically demanding physical activities has been a hallmark of the fullness of their lives together.

Before going to Wyoming, Gene had armed himself with two law degrees, a glimpse of private law practice, and a stint of several years in the navy. Gene and Rose left Laramie with the bedrock for a lifetime of teaching and learning and with a way of life that would transcend even that with a heightened appreciation of blending the mental processes with the physical processes.

The Complete Lawyer at OU

More than three decades ago, Gene and Rose came to the University of Oklahoma College of Law from Wyoming. Building on the foundation he had established at Wyoming, Gene quickly developed a master teacher technique. His mastery of the interaction between learning and teaching in the classroom brought the law of oil and gas and oil and gas taxation to the forefront among the most consistently heavily enrolled courses in the College of Law. Likewise, his teaching methodology remained among the most highly respected and effective through this current semester, his last to be with us as a teacher.

During the latter half of the 1960's, Gene served as Dean of the College of Law. These years, which covered the bulk of the Vietnam War and its aftermath, were beset by severe administrative difficulties. Policies promulgated in Washington intended to have a direct impact on military operations being conducted over a world away impacted very heavily on legal education in Norman. Wide fluctuations in law school enrollment produced all of the problems attendant upon administering in the face of the uncertain or the unknown.

During 1970-71, Gene was selected to serve as a Special Justice on the Oklahoma Supreme Court. With that service honor, Gene rounded out the tripartite of lawyering—teacher, administrator, and jurist.

But, what of the fourth dimension? Legal writing is difficult, demanding, and has a relatively small readership compared to more popularized forms of writing. However, in law libraries located wherever the legal fraternity encounters problems related to exploring for, drilling, producing, or processing oil and gas will very likely be found the volumes that comprise *Kuntz, Law of Oil and Gas*, a very popular and monumental legal treatise. From the early 1960's to the recent time, much of Gene's and Rose's time has been dedicated to preparing the manuscripts and updating the pocket parts of *Kuntz, Law of Oil and Gas*. Perhaps, through some fortuitous happenstance or by design, the name *Kuntz* is embracive enough to include both Gene and Rose. For the most visible evidence of the oneness of the two are the countless days that Rose has spent in the law school buildings working with Gene on a wide variety of helpmate tasks, including the perennial copying, cutting, and pasting of reported cases. Just as the two went down the ski slopes in Wyoming *together*, so through the years they have *together* scaled the heights of reflected scholarship in publishing.

Culminating Gene's years of lawyering in Oklahoma, and in this final semester of his teaching, he has been selected to become a Fellow in the American Bar Foundation. This very signal honor is fitting; it epitomizes and symbolizes the distinction with which the *Kuntzes* have lived their lives in Norman, in Oklahoma, and in nationally recognized places.

A Yank at Oxford (Revisited)

In 1975 the Oxford University/University of Oklahoma Summer Law Seminar Program was established jointly by the universities. The initial session of the program was held in the summer of that year at Worcester College, one of the more than thirty colleges comprising Oxford University. The faculty for that initial session included three English dons (professors) and three American professors of law, all

from our law school. One of those from Oklahoma was, of course, Gene Kuntz, who brought to law students from law schools scattered throughout the United States his vast experience and knowledge of the law of oil and gas. (It is a side comment, but it is so singular it is worth mentioning, that during the summer of 1975 oil and gas wells were being completed in the North Sea Fields, and that by the end of 1980 the production therefrom would be in an amount sufficient to make Britain independent of imported foreign oil.)

Oxford has been a citadel of learning for centuries; some of its colleges were founded in the thirteenth century. So vast an amount of learning has left both tangible and intangible impacts on the entire city of Oxford. The varied buildings of the colleges and structures throughout the city reflect simultaneously some of the changes and some of the sameness which transcend the passage of time from medieval times to the present day. All of this leads to learning through hours spent leisurely experiencing the beauty and symmetry of the inner grounds and courtyards of the many colleges, through trodding the streets, pathways, and parkways where the scholars who have produced so much scholarship and learning have trod, and, perhaps most important, just the opportunity to live for a while in a country whose people, while very similar in many ways nevertheless are equally as dissimilar through many customs that are differently rooted from ours. One need but visit a historic pub to realize that “the pub” is an institution for which we have no counterpart.

Rose had, of course, gone to Oxford with Gene. She participated in making brass rubbings, another English activity for which we have no equal. In essence, brass rubbing involves reproducing on a special kind of paper the image of a brass likeness of a deceased historic personage. They embellish crypts in churches throughout many areas of England. The end product is unique; two particularly handsome ones make striking wall hangings in Rose’s and Gene’s home in Norman. The opportunities from travel offer learning possibilities that equal those of the classroom and living in Oxford. Gene and Rose traveled frequently with somewhat special emphasis on London, Canterbury, Coventry, Edinburgh, and Blackpool—a seaside town situated on the Irish Sea, where Gene had spent some time while in the navy.

The Great Wall of Oxford

As mentioned above, Rose accompanied Gene to Oxford, but—as not yet mentioned—she did so with a fiberglass cast on her leg, the result of an accident in Norman. Her participation in all of the learning, traveling, and experiencing mentioned above was not diluted by her having to wear the cast, but one evening in Oxford she and

Gene were severely tested. Worcester College is situated on the far western side of Oxford, while Lady Margaret Hall—where the Kuntzes resided in the summer of 1975—is on the eastern side of Oxford. The several miles between the two are most conveniently and pleasantly traversed for the mile closest to Lady Margaret Hall by walking through University Park in the Norman Manor portion of Oxford. University Park is surrounded by a wall, perhaps seven or eight feet high, with a gate at the western edge of the park for convenient access to the Central District, and a similar gate at the north, adjacent to Lady Margaret Hall. One evening during the summer, Rose and Gene passed through the western gate before it was locked, although they knew the time for locking the gate was close. At something less than a trot and more than a saunter, they covered the path to the north gate, which, lo and behold, was locked! After some gate-rattling, they assessed the alternatives—spending the night in the park or scaling the wall. Fortunately, it was readily apparent that many persons had preceded them in similar plights, for there were developed notches or grooves on their side of the wall, which they felt surely would exist on the other side. One by one they ascended the wall, using the footholds to get to the top, and clambered happily and safely down the other side. Gene and Rose, once again, had scaled the heights!

Gene's overall assertion, oft-repeated, about the summer of 1975 is that it represented the single finest educational experience he had ever enjoyed. Rose has always concurred. A few summers after that initial experience, Gene and Rose returned to Oxford, again for Gene to teach in the summer program. Their comments have been uniformly to the effect that repetition does not make Oxford lackluster.

Persons of Faith

Gene and Rose personify and manifest the myriad hues and shadings of persons of faith. Central to the many facets of their combined personalities which this effort has attempted to reduce to writing is a deep, abiding faith—faith in God, faith in themselves, faith in other persons, faith in life. Had they not shared so deep a faith, they could not have experienced so much that their multifaceted personalities have allowed them to enjoy. Gene's bearing, classroom manner, and the brevity of his reasoned, persuasive remarks at faculty meetings all stem from a deep wellspring of conviction and faith.

Of Things to Come

As part of a much deserved vacation, Gene and Rose plan to visit New England during the early autumn. More particularly, they

plan to visit Vermont, considered by many persons to provide the height of autumnal beauty as the season changes. If all goes well, they will spend a yet undetermined number of days bicycling to view the trees, as well as the forest. Time marches on—and so do the Kuntzes, but, fortunately, to the beat of a different drummer.