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# Albert Coates

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## ALBERT COATES

This issue of the *Law Review* is dedicated to Professor Albert Coates, who finished 45 years of full-time teaching in the Law School this year, and begins two years of half-time teaching next year. He is a man whose contributions to both his students and their education, and to the people and State of North Carolina have been both invaluable and immeasurable.

Albert Coates was born August 25, 1896, near Smithfield, in Johnston County, North Carolina. He attended the public schools in Smithfield, obtained his undergraduate education here at the University of North Carolina, his legal education at Harvard Law School, and came to the faculty of this Law School in the fall of 1923. In 1928 he married the former Gladys Hall of Portsmouth, Virginia, and they have made Chapel Hill their home for 39 years.

When he began to teach law, Professor Coates observed that the students did not get a taste of the actual functioning of the law as it works in society—in the office and the courtroom—and that there was a wide “gap” between the law in the casebooks and the law “in action.” He understood the great need for young lawyers to have some understanding of the law as it actually functions, because he felt that the practical aspect is one facet of the “seamless web” that makes up the law. He understood that this involved the workings of law in the framework of the everyday life of the people for whom the law does its work.

More than most, Professor Coates felt the need for bridging the “gap” between “classroom and courtroom, Law School and law office, law teacher and lawyer.” In his phrase the students “learned the words, but didn’t learn the tune,” and he felt that learning the “tune” should be part of the legal education. Having realized his problem, he set out to do something about it.

First, he expanded his areas of teaching from Criminal Law to the courses of Municipal Corporations, Legislation, and Family Law. These courses involved the subjects and problems that went to make up the framework of society and government in which we live—necessary considerations for the student if he is to get a clear understanding of the functions of law. He started going to school

to law enforcing officers, and then to other officials working on the job in city halls, county courthouses, and state departments—working as an apprentice in their offices on weekends and holidays and in summer vacations—studying the “law in action.”

The Institute of Government literally grew out of Professor Coates' Law School classrooms and brought about a working partnership between those classrooms and state and local government centers throughout North Carolina. He was the founder of the Institute and its guiding light for 30 years. He was its director from the time of its founding in the late 1920s until his retirement in 1962. The things he learned had a definite influence on his teaching at the Law School. They helped him to bridge the “gap” with which he was concerned, by enabling him to pass on to his students the things he learned from city, county, state “and federal officials.” Thus, in rendering a public service by establishing the Institute of Government, Professor Coates also rendered a service to his students, and “tied the Law School classrooms into the city halls, county courthouses, state departments and federal agencies in North Carolina.”

Professor Coates used with a great deal of wit, zeal, vitality, and above all, effectiveness, a wide variety of illustrations drawn from his studies of the law in action to drive home to his students the “pegs” in the framework of the law. By doing this, he gave them a greater understanding and insight into the legal concepts and problems with which they struggled. All these things brought to Professor Coates' classes their distinctive and interesting flavor. His great vitality and interest in the subject were transferred naturally to his students, instilling in them a great thirst. He made the student think, and at the same time gave him something to think about. In doing this, Professor Coates accomplished his purpose of teaching the law in its “seamless web,” while at the same time holding the interest of his students without frustrating them.

One of his favorite teaching devices was the use of hypothetical cases—starting with a simple case, going on to add a complicating element with each new case, and then calling on the class to identify the point of the case in the case book in the scale of illustrations he had given. “It is helpful,” he would say, “to look at the law in its setting, as well as in itself.” One day he was discussing the common law doctrine that a man could not kill in self defense until he

had retreated till his back was to the wall. "That," he said, "is the line between guilt and innocence." He put a series of cases, running in his words, "from the obvious to the obscure" and then asked: "Where do you draw the line?" One student who had followed the vivid illustrations rather closely answered: "I would draw the line at the bottom of Strowd's Hill." The class exploded in laughter, and as quiet was restored, Professor Coates said: "You have got my point exactly. A long distance runner might need to go further, and a short distance runner might not have to go so far. But when you run out of breath at the bottom of Strowd's Hill, your back would be to the wall and you could turn and kill in self defense. You could draw the line at that point."

A student could not be inattentive on Professor Coates' class without running risks. One day he woke a student from his reverie with a question and the student asked him to repeat the question. Whereupon Professor Coates called upon the class to join him in one verse of a favorite song with these words: "I had a dream, dear; you had one too. Mine was the sweetiest because it was of you. Come, sweetheart, tell me, now is the time. You tell me your dream and I'll tell you mine." This student returned to Chapel Hill for his class reunion in June after many years absence and told this story and said nobody had ever caught him napping on duty from that day to this.

At his home, in his office, and anywhere, Professor Coates was always open for discussions with his students on anything, be it frivolous or serious, that they wanted to bring up. One day one of the students standing around him put to him this question, "Do you believe in Resurrection?" Professor Coates replied, "Oh, yes, I'm a living example of it. I have been killed by my enemies and sometimes by my friends, and buried, and raised from the dead over and over again. The Lord hasn't let me down yet, and I don't believe he will. If he does it will be too late for me to do anything about it."

A former student introduced him to a meeting of lawyers some years ago by saying, "Professor Coates is the only member of the law faculty who has not changed a bit in the fifteen years since I sat in his classroom." To this, Professor Coates replied, "That is easily explained, for I am the only member of the law faculty who is a perfect case of arrested development."

The head of a civic club years ago wrote Professor Coates ask-

ing him how few people he would be willing to talk to about the Institute of Government. Professor Coates replied that he tried to follow the example of the Master who said, "where two or three are gathered together in my name, there will I be also," and then added this observation: "some of my friends say they have seen me walking along the street talking to myself about the Institute of Government and that this was the most interested audience I ever had."

Classes under Professor Coates provided both a learning experience and a stimulant, often with a sharp sense of humor, a combination that makes a student look forward with anticipation to the next day's class. He will be sorely missed, and never forgotten.

Nor will Mrs. Coates be forgotten. Professor Coates tells the story of walking by the Law School shortly after he brought Mrs. Coates to Chapel Hill as a bride and hearing one of the students standing on the steps comment to the group: "There goes tidewater Virginia and rainwater North Carolina!"

Law students appreciate the fact that she spent three summer months in research for a history of the Law School written by Professor Coates for its hundredth birthday in 1945, and published in the North Carolina Law Review.

Her charm and the role she played in her husband's work are illustrated by a story that appeared in the Reader's Digest some years ago. She had been working in the North Carolina Room at the Library from morning until night, month after month, doing the research on a study of student government. Professor Coates would drop in often to talk with her, and this practice was noted with some uneasiness by a coed working at the desk. One morning the coed came to Mrs. Coates with a smile, saying, "Now I know who you are. For a long time I thought you were Mr. Coates' secretary, and I felt so sorry for his wife."

Space here is too short to recount the many contributions this man has made to his State and to the students in this Law School. However, suffice it to say that few men or women have ever rendered such lasting service to North Carolina as has Albert Coates. This is attested by the student award of the Dialectic and Philanthropic Societies in recognition of "public service"; by the O. Max Gardner award by the Trustees of the University to that member of the faculties of the Consolidated University of North Carolina

who had rendered the most distinctive service during the past year; by the John J. Parker award of the North Carolina Bar Association "for conspicuous service to jurisprudence"; and by the recent award from the State of North Carolina for "his creative accomplishments in the field of public service." He has taught a great percentage of the lawyers in this State. Those of us who were privileged to be in his classes will remember him forever. We are truly grateful that Professor Albert Coates was a part of our legal education.