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HENRY P. BRANDIS, JR.

RONALD C. LINK

Henry Brandis. Adeline McCall. Helene Broun. Albert Coates. The past few weeks have been sad ones in the history of the extended family of the Law School.

In the October 1988 issue of the Law Alumni Newsletter I wrote that one of my favorite activities when visiting with law alumni was to hear stories of the Magnificent Seven or the Great Eight—that nucleus of seven or eight law professors who taught at Carolina for three or four decades and who through devotion to duty and dedication to each other laid the firm foundation on which this great law school now stands. That nucleus consisted of Henry Brandis, Millard Breckenridge, Albert Coates, John Dalzell, Frank Hanft, Frederick B. McCall, Maurice Van Hecke, and Robert Wettach. The deaths of the last survivors of the Great Eight—Albert Coates and now Henry Brandis—mark the end of a truly remarkable era.

Accounts differ as to who first applied the term, the Great Eight, but it could not have been better chosen. Henry Brandis was a *great* human being. He embodied all that is best in North Carolinians: keen intelligence, love for the State, abiding loyalty to its people and ideals, reverence for learning, concern for others, and a progressive attitude toward relations between the races.

When I joined the faculty in 1971, Henry Brandis was near retirement. His mind was still sharp and his health vigorous, but his hearing was not. Unable to take questions from the class, and thereby deprived of the teacher's lifeblood of two-way communication with his students, Henry retired from the classroom. But, as he once put it in a memo, he would be "retired but never retiring." And he was not. We continued to seek and value his counsel—not because he was someone you had to touch base with, but simply because he gave sound advice. It was part of the received wisdom of the Law School that young faculty should submit their articles to Henry for editing. He was an elegant stylist, and his quick mind could detect flaws and inconsistencies in reasoning, whatever the subject. And who among us does not have a story of Henry, a twinkle in his eye, appearing at his office door to read a new poem or a literary reference constructed to destroy the spurious reasoning of a decision he was annotating for addition to the Brandis revision of *Stansbury's North Carolina Evidence*?

When I joined the faculty I became a sometime player in a longtime law faculty poker game. It was dealer's choice. I thought I knew poker, but I had never played the game Henry always chose: Flipper. I have pondered whether that choice revealed anything of Henry's character. In Flipper, each player receives one card down and one card up. The hole card and each one like it are wild. Before each subsequent card, the player either leaves his hole card down and takes the next card up, or flips (hence Flipper) his hole card up and receives

the next card down. The game is played high/low; after all five cards are dealt, each player declares whether he is going high or low or both. The dealer declares last. The turns of fortune in Flipper are sudden and dramatic. I hated Flipper; Henry loved it. Why?

I think there are three reasons. First, no one could beat Henry at it; he was smarter than I; the best a player could hope for was to split the pot with Henry. Second, the game favored the dealer, because he declared last; oftentimes everyone preceding the dealer would declare the same way, leaving the dealer an automatic half of the pot by going the other way. But this tells us something else about Henry—his uncompromising integrity. Because everyone was free to choose Flipper when his turn came to deal, there was no *unfair* advantage in choosing Flipper. Third, the game was the most fun of any we played, and Henry loved the fundamental pleasures of life: friendship, laughter, and the companionship of his colleagues.

Earlier I mentioned the recent deaths of Adeline McCall, widow of Freddy B. McCall, and of Ken Broun's mother, Helene, because they remind us that a law faculty is more than the professors; our families have a profound influence on us and our work. Martha Louise Miller Brandis continues to bless us with the same appealing graces as Henry: intelligence, grace, good cheer, and strength of character.

In preparing these remarks, I read the tributes Henry Brandis paid to several of his deceased colleagues, for one can tell much about a person from what he valued in others. Listen to these tributes paid by Henry Brandis. To each, could not the name of Henry Brandis be perfectly added?

"Of all the many law teachers I have known, Maurice Van Hecke is the one I wish I could have been."

"[Bob Wettach's] heritage will continue to affect profoundly his surviving colleagues. Of this I am sure, because I have his old office; and there will be a continuing challenge, never successfully met, to grace it in the way he did."

And finally, "The highest virtue to which individual man may aspire is common decency toward his fellow man. Walter Navin — with humility and grace — manifested that virtue to a superlative degree. Particularly for that reason he leaves a glow in our hearts which his death can neither quench nor dim."

Henry Brandis, Jr., 1909-1989, law teacher, dean, friend.