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Dedication to Willburt D. Ham

A Quarter Century, Not a Raised Voice

BY ROBERT G. LAWSON*

I.

I was a second-year law student, a transfer to the University of Kentucky from Tulane University, when I had my first encounter with "Burt." Twenty five years ago when I walked into Professor Willburt D. Ham's corporation class, I knew very little about him except that he had law degrees from Illinois and Harvard. As a transfer student, I had no access to the information that always filters down from one generation of law students to another. And yet, on this first day, I could see that there was something special between this man and his students. The next year, as a third-year student, I enrolled in Professor Ham's course again, having divined the nature of that special relationship.

Looking back, with the benefit of my own teaching experiences, I can see that Burt Ham was extremely knowledgeable in his fields of study, knew exactly what he wanted to accomplish in each lecture, had the capacity to organize his thoughts to a point of perfection, and was able to capture and hold the attention of the students. But what I saw back then—the basis of that something special—is far more revealing than anything one can find in performance evaluation forms, computer printouts, and standard deviations. It was really very simple at the core. Burt Ham taught; students learned. He was not just a presider over a class. He was a teacher.

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II.

Having later returned to the College of Law to join the faculty, I had a chance to observe him from a different vantage point. After twenty years as a colleague I still marvel at his success in the classroom and would like to patent the formula for his relationship with students. His students have a respect for him that is universal, an affection that is clearly extraordinary. I am still not sure that I understand the chemistry of this relationship, but I believe that I can describe some of the critical ingredients.

Burt Ham has a genuine love for teaching that has survived the wear and tear of four decades in the classroom. Nearly every teacher experiences classroom fatigue at some time, but not Burt Ham. I doubt that he has ever been less than perfectly prepared for an encounter with his students. He thoroughly enjoys what he does and does it with an enthusiasm that has not waned since he taught his first class in 1946. As a result, he creates an atmosphere in the classroom that ought to be emulated by every teacher. Nothing he says is perceived as trivial or irrelevant. Everything has a logical relationship and thus is understood and absorbed.

Another characteristic I have seen in him has a similar effect. It is very easy for a professor, because of his own intellectual interest in the nebula of the law, to neglect or obscure the certainty that exists in the legal universe. Among the ambiguity, controversy, and convolution that exists in the law, there is a massive set of rules that needs to be understood by aspiring lawyers. Professor Ham has been more sensitive to this need than most law teachers. He has succeeded in confronting the perplexity of the law in the classroom without creating the impression that perplexity is the essence of the law. Every day, as the students say, he teaches some law.

And then, of course, in accounting for Burt Ham's success, you come to the personal traits of the man himself. He is exactly what he seems to be—warm, patient, considerate, concerned, dedicated. I have never known a more even-tempered human being; in twenty-five years I have never heard him raise his voice to a single person. He has taught over three thousand students at the University of Kentucky, and to this day I have never

heard an unkind word about him from a single one. More than anything else perhaps, it is Burt Ham the person that accounts for the great success of Burt Ham the teacher.

III.

It is easy to wish Burt Ham well in his retirement. He has enjoyed his professional career, will continue to have a proper place in the life of the institution, and has the good health to enjoy a real change in routine. It is not easy, however, for the College to experience this particular retirement without a special sense of loss, for Burt Ham is truly the last of a generation of teachers.

The names of these true teachers are well known to several generations of students. Some in the group I have known only by reputation—Dean Alvin Evans, Professor Frank Murray, Professor Pinky Roberts, and Dean Elvis Stahr. Others I have known better, first as a student and later as a colleague—Dean W.L. Matthews, Professor Paul Oberst, Professor Roy Moreland, Professor James Richardson, Professor Richard Gilliam, Professor Fred Whiteside, and Professor Burt Ham. The group was small, distinguished, and highly dedicated. Its members shared an extraordinary sense of common purpose. Overshadowing individual ambition was a jointly held aspiration for an institution of special quality. These teachers sought excellence for the College of Law and turned the pursuit of that goal into a tradition that will persist long past the end of their era.

One thing about the group stands out. They considered it an honor to share their knowledge of the law with the young people who came to Lexington from all over the state and country. To them, teaching was not just an occupation; it was a calling. For many years, long after we became close friends, I could never bring myself to address Burt Ham as anything other than "Professor Ham." Now, I can see the reason. As much as anyone I have ever known, he deserves the title he holds. We may in our light moments think of him as Burt; but when it matters he will always be Professor Willburt Ham.

Tribute

BY PAUL A. WILLIS*

Professor Contracts. Uncle Burt. The Ringmaster. Terms of endearment bestowed on Willburt Dunn Ham by generations of admiring students . . .

I first knew Burt Ham as a student myself—23 years ago. In his own special, quietly methodical way, he revealed the mysteries of contract law to us. What first-year student can forget the carbolic smoke ball or Rose of Aberlone? His patience was both infinite and reassuring.

And Burt was there again in our second year to introduce a more self-assured class to the fundamentals of corporate law. Professor Corporations? If anyone in the state of Kentucky deserves that appellation, it is indeed, Burt Ham. Burt was a member of the Commonwealth's Corporation Law Revision Advisory Committee and authored every Corporation Law Survey published to date by the *Kentucky Law Journal*.

As an assistant in the law library, I soon discovered that corporation materials and other loose-leaf services in Professor Ham's areas had to be filed as soon as new pages were received. Before each class Burt would check each subject and case for current material in the appropriate loose-leaf service. On the chance that these might be a few days behind, he would also scan the Wall Street Journal and financial press.

Yet, Burt's awesome expertise in the area of corporate law did not alter the comfortable, accessible teaching style we had all come to depend on in Contracts. We all knew we were learning the law from a master—but a gentle one, who skillfully taught us the intricacies of stockholder voting agreements on "Circus Day" and who made the annual issuance of the *Fortune* 500 a red-letter day.

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And when we were in our third and final year of law school—suitably blasè and full of rediscovered confidence—there was Burt again, to teach us corporate finance and federal corporation law, and most importantly, to serve as a reminder and a symbol of our intellectual growth during those three demanding years. We were the same students who had thought we'd never understand what "consideration" was, and now we were mastering the law of insider trading and corporate takeovers. And Burt was there each step of the way.

I am a better lawyer because of Burt Ham. His methodical, non-histrionic explanation of a particular outcome—followed by an equally persuasive argument for the exact opposite result—taught us the law, and something equally valuable besides. My life has been further enriched from knowing Burt as a colleague, during my teaching tenure at the law school, and as a friend for all these years.

If I were to choose one term to describe Burt Ham, it would simply be "gentleman". In his professional capacity in the classroom, as a member of the faculty, and in his personal life, Burt Ham's conduct has always conformed to the highest standards of propriety associated with gentlemen in the best sense of the word. He is also a dedicated family man and justly proud of the achievements of his two sons.

The student staff who publish the *Kentucky Law Journal* wish to express their appreciation to Professor Ham by presenting these tributes, and I am pleased and honored to add my own. I join all those who have known and admired Burt Ham in wishing him and his wife, Rosamond, all the best in his retirement. It has been said that a teacher affects eternity, that he can never tell where his influence stops. Willburt Dunn Ham's legacy will endure in the many lawyers he has helped to educate.