Meeting of the North Caroliniana Society
Honoring William Brantley Aycock
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Introductory Comments Honoring William Brantley Aycock
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It is indeed an honor and a privilege to be with you today as the North Caroliniana Society honors William Brantley Aycock.

The North Caroliniana Society is itself worth honoring, for its efforts to promote increased knowledge and appreciation of North Carolina’s heritage through its encouragement of scholarly research, writing, and teaching related to the State’s history and literature.

Bill Aycock is among many other things a scholar of history. Bill’s own devotion to understanding history… while also making history… makes today’s tribute a particularly meaningful one for all concerned.

I’m sure that Bill would say, with John W. Gardner, that “history never looks like history when you are living through it.” I’m glad, however, that today we can look at the big picture, and appreciate how this extraordinary man made history that is cherished by us all.

As I look out at this audience, I fear that I am but an amateur historian charged with speaking on our collective behalf about the many contributions Bill Aycock has made in his 90-something years as a Tar Heel born and a Tar Heel bred.

The task is an even taller one, because Bill’s life is so intertwined with the life of our beloved University and alma mater over nearly a century’s span.
Willa Cather—Virginia born and Nebraska bred—wrote that “The history of every country begins in the heart of a man or a woman.” I will try in the next few minutes to reach to the heart of the matter…tracing Bill’s heartfelt devotion to learning and to truth, and his role as a champion of those values over the years.

**Commitment to Learning**

Bill is learned. He’s also an exceptional teacher whose skills have endowed generations of law students with insights about the Rule in Shelley’s Case, the complexity of federal courts, and the perils of unfair trade practices.

What sets Bill apart from many other esteemed faculty are his deeper insights about learning and the ways he has embodied a commitment to learning throughout his life.

Bill understands that learning… and the learner … are the point--rather than the ego of the teacher or the words coming forth from her mouth. He also understands that the nature and significance of learning is not easily quantified. As William Butler Yeats so wisely stated: “Education is not the filling of a pail, but the lighting of a fire.”

Bill appreciates the high expectations set by the citizens of our State from the University’s inception, and calls all of us (students, faculty, staff, alumni, admirers and even opponents) to rise above our own expectations for ourselves.

He has taken to heart the challenge set by William R. Davie in the University’s charter: “Whereas in all well regulated Governments, it is the indispensable duty of every Legislature to consult the Happiness of a rising generation and endeavour to fit them for an honourable discharge of the social duties of life, by paying the strictest attention to their education.”

Bill’s commitment to and deep understanding of learning has been reinforced by many forces throughout his long life.

*Family History.* It’s clear that Bill’s family valued learning. In his oral history, Bill recounted how deeply his father longed to return to school. Working as a farmer and running a small store for many years, he returned to law school at age 40 and took pride in whetting his son Bill’s desire to follow
in his footsteps. Bill’s mother was likewise devoted to books and the intellectual life. She formed a book club with friends in 1923. Each member chose and purchased a book a year, then exchanged the books round-robin so all had the opportunity to read them. The club incorporated new members over the years and was reportedly thriving nearly 70 years later.

Unconventional Study. One story that I’ve loved concerns Bill’s devotion to milking cows in his youth, a job he began in about fifth grade. I’m tempted to think that perhaps he foresaw his future role as Chancellor, even then. James Dean may have had it right: “Studying cows, pigs and chickens can help an actor [or most anyone] develop his character. There are a lot of things I learned from animals. One was that they couldn’t hiss or boo me.” Looking back, Bill concluded that the opportunity to milk cows morning and night for years along with his lawyer-father was about something more than earning some spare change. In retrospect, he said that he believed his father wanted to find a way for the two of them to spend time together. Bill credits his early development of good judgment to these daily exchanges with his father about topics of moment. I’m sure that he also learned patience and a willingness to engage carefully, courteously, knowingly, and calmly with nervous students in later years.

Schooling. Bill loved school and had wide-ranging interests. In high school, he reputedly took a course in domestic economy, something unconventional for young men at the time. When it came time for college he knew he wanted to attend “State College” in Raleigh, located relatively near his home town in a setting where Bill hoped to be able to find part-time work. He had no desire to study engineering, but enrolled in the School of Education where he could major in history and be forgiven the high cost of tuition ($80 per year!) so long as he pursued a teacher certificate. Bill’s leadership talents were recognized, as he rose to become student body president at NCSU and a top leader of the National Student Federation. He was chosen to be part of a group invited to Washington, D.C. to meet with President Roosevelt, at Mrs. Roosevelt’s request. She understood how important it was for the President to engage with young people and learn their ideas. This commitment to hearing out student views was one that Bill himself embraced during his later years as Chancellor.

Devotion to History. Bill subsequently followed history professor, Hugh Leflar, to Chapel Hill, where he dove into work on a masters’ in history. By Bill’s accounting, he wanted to supplement his undergraduate
experience at NCSU with a period of deep and intensive intellectual study in the area he loved. He was intrigued that the Agricultural Adjustment Act had been passed as part of the New Deal legislation, something the press treated as the first occasion on which agriculture had been regulated. Bill wondered about the truth of that assertion, and wrote a thesis documenting a forgotten truth: the British authorities and colonial legislature in Virginia had regulated tobacco production before the American Revolution. He finished his work in record time, graduating in 1937, after just a year. Bill then returned to Greensboro to teach history and to help pay his sisters’ way through school.

**Unconventional Education.** Before long, however, Bill was asked to take a better-paying job in Raleigh with the National Youth Administration. He served as an administrator for programs that brought together local communities, private parties, young people needing work, and government funds. He was involved with residential training programs and projects such as building meeting places for the American Legion. It was during this time that he met his beloved Grace Mewborn who was then working for the state Commissioner of Agriculture. They married in October 1941. Grace became his beloved and life-long help mate, and mother to his wonderful children, Nancy and young Bill.

**Military Service, with an Educational Theme.** Bill enlisted immediately after Pearl Harbor. He’d gained military experience through ROTC during his time at NCSU, and by a strange set of circumstances became a Company Commander right at the start. He was assigned at several points to provide training to others. His most memorable assignment was to help train a new combat team of approximately 650 Japanese-American troops who were kept segregated because of supposed security concerns. Bill’s troops were needed to serve as replacements for the 442nd Combat Team who served so valiantly in Europe. In his 1990 oral history, Bill spoke with deep pride about the courage and talent of his troops, who had established many records for excellence while at Fort McLellan. Bill went overseas in December 1944, where he commanded the Third Battalion of the 446th Infantry, under General Patton, following the Battle of the Bulge. He was highly decorated, receiving a Silver Star, a Bronze Star, and the Legion of Merit.

**Law Study.** As World War II came to a close, Bill at last had the chance to study the law, a goal he had longed for with all his heart. He stood at the top of his enormously talented and legendary class, the UNC Law
School class of 1948, filled with returning veterans who have shaped our nation and state. You’ll hear more about that in a bit. I can’t resist telling a story shared by Judge J. Dickson Phillips, a member of Bill’s law school class, in order to show the depth of Bill’s thirst for knowledge and his influence on those around him. According to Phillips:

One winter day we woke to find that we'd had one of our rare hip-deep snowfalls overnight. I looked out the window of my house on the Pittsboro Road on the south edge of town and went back to bed. In a little my wife looked out and came back to tell me that she'd just seen Aycock walking up the middle of the road from his house three miles out, up to his hips in snow, headed for school.

Here was a man who the winter before, under the compulsion of war's circumstances, had been trying to stay alive and avoid frozen feet in the Ardennes, and who now under no compulsion but that of felt duty, was plowing through Ardennes-depth snow to go up and talk about "last clear chance," or the Rule in Wild's Case or something equally inconsequential over the long haul.

As usual, his influence was felt. Under the compulsion of shame, I struggled out and up the hill, following the path he'd plowed. I'd like to report that on that fateful day some great revelation of the very essence of the law was given us as a reward for our devotion to her calling. Alas, as I recall it, nothing happened out of the ordinary. Only a handful of students and a mere remnant of the faculty showed up.

Law Teaching. Before long, the law faculty sought and gained a new faculty position, one that was then immediately offered to Bill some months before he graduated. He accepted immediately, and turned his love of learning into a legendary commitment to helping his students learn. He dove in to preparation, and emerged as a beloved teacher and noted scholar, who wrote on issues of property, unfair trade practices, and military law. Once the school’s McCall teaching award was established, he won it five times, and legend has it a new rule was imposed that required the award (selected by graduating seniors) to be rotated at least once in a while. Bill’s love affair with the law, law students, and law teaching began before he became Chancellor and continued after his return to the law school in 1964. His law school classmate, law faculty colleague, and dean, J. Dickson Phillips, described Aycock’s impact in the following terms:
The law professors of course were …impressed by and appreciative of Aycock's dedication and learning, as well as of his consummate good manners in the classroom. In class, Aycock, true to his nature, was not one to show off. Neither was he one to show up anyone--including the professors--though we all knew that frequently he could have if he'd wanted to. Not only was he not in the showing-off or showing-up business, he quickly became a sort of de facto adjunct professor. For a while I thought that when any of our professors turned with an expectant look to let Mr. Aycock supply the answer, they were simply pursuing some variation of the Socratic method--asking a question to which they of course already knew the answer in order to help the unlearned at least learn to think.

Alas, one day the scales were caused to fall from my eyes, courtesy of Aycock's unannounced, unsought role as back-up man for beleaguered professors. One of our great professors, an absolute master of his subject, was nevertheless likely to become a little flustered in class if pushed too hard and from too many quarters at once. On this occasion, some earnest students had pushed him into a pretty hard corner. But there, blessedly, sat Mr. Aycock, as ever minding his own business. As the professor turned in obvious relief to get Mr. Aycock to set things straight, it all suddenly came clear to me: Aycock wasn't being enlisted to impart knowledge that he shared with the professor; he was the only person in the room who had it figured out.

I hope that I’ve illustrated the sources, depth, and strength of Bill’s devotion to learning. In 1957 he brought that love of learning to a larger multitude, upon his appointment as Chancellor. He served with distinction for seven years, concluding his service in 1964. During this period, he continued to keep his eye on the ball—the University’s educational mission—as he endeavored to expand learning opportunities for students and others across the state. While much could be said about all he did, let me focus my remaining comments on another powerful theme that runs through Bill’s life, one that was especially visible during this important interval: Bill’s abiding devotion to truth.

**Devotion to Truth**
Truth is a much praised value. Cicero said: “Nothing is more noble, nothing more venerable than fidelity. Faithfulness and truth are the most sacred excellences and endowments of the human mind.” Others have linked truth-telling to safety. Charles Dickens said “There is nothing so strong or safe in an emergency of life as the simple truth,” while Mark Twain noted: “If you tell the truth, you don’t have to remember anything.” Albert Schweitzer recognized the centering power of truth, saying: “Truth has no special time of its own. Its hour is now—always.”

Bill’s commitment to truth is perhaps the foremost theme that links the many speeches he gave while Chancellor. Bill understood truth as central to learning and teaching, as the goal realized when statements and propositions mirror reality and legitimate facts. For those coming of age in the current era, he was no champion of “truthiness,” a term coined by Stephen Colbert and defined by the American Dialect Society in January 2006 as “the quality of preferring concepts or facts one wishes to be true, rather than concepts or facts known to be true.”

Bill’s concept of “truth” transcends mere technical reality, however. He has lived a life devoted to truth, in the sense of “sincerity in action, character and utterance.” He thus adhered to a leadership philosophy akin to that of Thomas Jefferson, who said: “I was bold in the pursuit of knowledge, never fearing to follow truth and reason to whatever results they led, and bearding every authority which stood in their way.”

*Early Evidence.* Even before taking on the Chancellor’s mantle, Bill had become involved with challenging situations that called for judgment and candor. He was tapped by Frank Porter Graham to go along on a United Nations-sponsored peace-keeping mission to Kashmir, which was experiencing significant clashes involving India, Pakistan, and the local population. He also worked closely with the senior American military officer on the mission--General Jacob L. Devers, who had commanded an Army in Europe during the final months of World War II. Bill was charged to read and summarize key documents and to serve in other ways as Dr. Frank’s personal aide. While much of that work has never been made public, in light of the United Nations’ decision not to invite a public report by Dr. Frank, some evidence of Bill’s role can be seen from a reference letter from General Devers, quoted in a tribute to Bill penned by Dean Henry Brandis:
Aycock is a young lawyer whose good judgment and common sense have already established his reputation in his specialty. . . . I was impressed with his ability to go right to the core of any problem we were tackling out there, and come up with the right recommendation.... His capacity for working eighteen hours a day, if pressed, with the heat well over 100 degrees and the humidity in the 80's, was an inspiration to all of us. . . . Better than anything else, I liked Aycock's great personal integrity. At times he disagreed completely with Doctor Graham's or my views, and he always had the honesty to say so. An officer with less principle would not have had his courage.

Bill’s capacity to take the heat, as well as his commitment to truth, was evident throughout his Chancellorship.

*Aspirations and Goals: Bill Aycock’s Installation.* Bill was installed on October 12, 1957, in Kenan Stadium. He spoke of the University’s history and accomplishments, and noted “how the institution reflects the never ending struggle to fulfill the highest hopes and grandest dreams of its founders.” He then went on to cite key challenges, ones he had clearly studied and considered in depth.

*Enrollment Growth.* He noted that the universities in the south were expected to see enrollment increases of 85% by 1970, as the baby boom came into full flower. He went on: “In light of these facts, one proposal has been to institute rigid birth control retroactive to 1945. Some propose freezing enrollment at or near the present level. Those who do not do so forget that our leaders, over the years have taken our people – rich and poor alike – to the top of the mountain and promised that every child shall have an equal opportunity through education to develop his leadership qualities. This promise is in keeping with the historic mission of America. We must provide a favorable environment and an opportunity for each person to develop his personality and to realize his just aspirations. At the same time we must remember that as numbers increase there must be increasing emphasis upon self-discipline, self-restraint and a high sense of obligation to one’s fellow man. Although the goal may be distant, it is grand enough to be seen by lifted and farsighted eyes; and it marks the direction in which we must travel. Fathered by rebellion against oppression, mothered by vision of freedom, this University, an instrument of democracy, the capstone of public education in this State, a cultural center for all of our
people, and a place in which leaders develop, must continue, in the faith of our fathers, to keep the faith with our youth. The people of this State must decide if we are to increase our enrollment or turn away our high school graduates who give promise of capacity for intellectual growth and achievement – those boys and girls who have every right to expect the privilege of continuing their educations in their own trusted State University. Those of us in the University, entrusted with the responsibility to maintain and improve the quality of educational opportunity, stand ready to grow. We insist, however, that to grow in size and deteriorate in quality is the worst possible course. We are eager to admit each qualified student who applies provided we are given the resources to grow greater as we grow larger.”

Academic Freedom. Bill also addressed academic freedom in candid yet ringing terms, foreshadowing his stands in later days.

Academic freedom is not a subsidy granted by a higher authority to provide intangible compensation to teachers. Moreover, it is not a fringe benefit created to soothe the alleged sensitive nature of those who teach, work, and live in the University. These freedoms are not absolute. There are limitations, such as the laws of libel and slander which apply to all.

In addition to legal limitations there are pressures of various types – economic, social and political – both direct and indirect – which are imposed on many people engaged in seeking and stating the truth. Academic freedom is freedom of speech, freedom of the press and freedom of religion on the campus. We recognize and accept the legal limitations such as the laws of libel and slander, but we reject the economic, social and political pressures which fetter research, publication and teaching. Because we are so vigorous in rejecting these latter limitations we are correctly accused of being sensitive about academic freedom. Further we insist that alleged abuses be investigated fully; that due process be afforded and that the freedom of all of us shall not be curtailed because of an alleged or actual abuse by one of us.

In these areas we are sensitive because we know it is impossible to have a true university without academic freedom. This can be
understood only if academic freedom is considered in the context of the mission of a university. A true university must seek out, examine, assemble and interpret facts. It must seek new ideas, new forms of knowledge, new values and new artistic standards in order that mankind may continue to grow in understanding and wisdom. Implicit in the creative mission is the duty to examine the bases, the foundations and the assumptions on which present knowledge rests. This duty is not limited to certain categories of knowledge but extends to all.

An institution of learning cannot be a university if it undertakes to fix or freeze knowledge or doctrine merely because it is suitable to some individual or group, however highly placed. Long ago Voltaire said: “By what right could a being created free force another to think like himself?” May I add: and by what authority does one say that he has found the final truth for the youth of our land? History does not record a single successful effort to fix or freeze knowledge. The discovery of truth is yet so far from the high noon of achievement that it must still have upon it the dew of the morning. It is not our function to implant in students a standard pattern of beliefs and attitudes – even our own. Each person’s soul is unique and his own mental processes are a reflection of that uniqueness of soul.

Research. Bill foresaw the important challenges facing the nation as it witnessed the launch of the Russian Sputnik satellite. He stressed the need for UNC to develop as a research university at a time when American universities had relied heavily on received wisdom from Europe.

A university, like most other institutions of learning, is engaged in the transmission of knowledge. A university, unlike many other institutions of learning, emphasizes the discovery of knowledge. Thus a university is a center for both teaching and research. This combination provides an artistic and creative atmosphere in which scholars can develop and to which they are attracted because scholars are motivated by an insatiable desire to discover the truth as well as to unfold its beauty to others. Some scholars, primarily teachers, select a university because the research facilities will enable them to improve the quality of their
teaching. Other scholars, primarily researchers, come to a university because the research facilities enable them to study in the library and the laboratories and to contribute something which may become a significant part of the world’s knowledge. Only those universities which have adequate research facilities are in a favorable position to become a community of scholars.

The importance of well organized research programs in our universities is not widely understood. Our country relied heavily on European scholars to provide us with discoveries in basic science until the two world wars reduced the flow of knowledge across the Atlantic to a trickle. Fortunately our leaders in government, in industry and in education realized that without basic research we were doomed to intellectual and technological stagnation. The universities, including our own, in cooperation with government and industry, expanded research programs, and basic knowledge began to flow at an accelerated rate from the well springs on the campuses. The development in research in recent years at Duke University, at our brother institution in Raleigh and on this great campus stimulated Governor Luther Hodges to visualize a great Research Triangle in which there could take place a surge in the advancement of knowledge. In the geographical center of this triangle a home is being prepared for industrial research. This triangle may serve to splice together the individual strands of excellence and to create a mighty force in the future development of this State.”

Bill concluded with a prayer that highlighted his core belief in the significance of truth:

Give us the desire to search for the truth  
Reverence to know the truth,  
Courage to protect the truth,  
And wisdom to practice the truth  
So that we may, together, advance on this earth  
Nearer to the goals of mercy,  
Love and understanding of all mankind.  
Amen.
Desegregation. Bill’s term as Chancellor spanned the period 1957-1964. This was an era in which desegregation proved a central force in shaping the University and the larger society. The University’s ability to navigate what might have been troubled waters owed much to Bill’s commitment to justice and his awareness of the power of simple truths.

At times, Bill found it appropriate to speak out and confront political forces that might have intruded on the University’s own efforts to move into a new era of racial justice. One such moment came during the 1960 gubernatorial election. At that time I. Beverly Lake and Terry Sanford competed for this position during a hotly contested presidential race. Lake’s campaign manager criticized Governor Luther Hodges, asserting that WUNC-TV had been used to transmit a network program which instructed Negroes on ways to conduct successful sit-down strikes at lunch counters. The campaign further criticized the University for allowing Langston Hughes, the brilliant black poet, to speak there. All these charges appeared on May 15, 1960 as reported in the News and Observer. Bill knew his alumni and he knew the times. He framed his response to such race baiting in terms that called forth unifying obligations to protect alma mater, wherever the views graduates might have on the merits of desegregation. He also knew his moment. Speaking at the annual Alumni Luncheon on June 6 he said:

Those of us entrusted, for the time being, with the leadership of the University of the people have a duty to express forthright concern when the freedom of the University is threatened. The context and the manner in which such threats appear are immaterial. No time and circumstance can dictate apparent indifference or command silence on so vital an issue as the freedom of the University.

A governor of this State possesses tremendous potential power to bring to bear on all state-supported institutions many kinds of economic and political pressures to induce conformity to his personal notions of freedom. Moreover, the governor is Chairman of the Board of Trustees of the University. Thus the attitude of a governor concerning freedom in the University is a matter of great importance to the people of North Carolina. If a governor should attempt to dilute freedom in the University, it would be tantamount to an attempt to destroy it.

This institution was fathered by rebellion against oppression and mothered by a vision of freedom. It has become an instrument of
democracy and a place in which the weak can grow strong and the
strong can grow great. The process of youth maturing in an
environment of freedom is always an erratic one, a sometimes turbulent
one, and frequently a disturbing one to those whose memories of their
own youth have faded. Yet, generation after generation of young men
and women have gone forth from this campus to provide sound
leadership throughout the length and breadth of this land.

We must not – we cannot – allow our precious heritage – a free
university – to be infringed upon by an individual or group from
whatever position or by whatever disposition. We shall not sit idly by
and permit this to occur. My plea to you is that in the spirit of our
fathers, all of us in the University family join hands with each other and
with all those who hold freedom dear to guarantee that this great
instrument of democracy – the oldest of our state universities – shall
not be molded to suit the notions of any single person or social group.
This, my fellow Tar Heels, is the most important issue facing the
University.

In other respects, Bill was matter of fact in describing a period in which
his shrewdness, common sense, and good judgment led him to find pragmatic
solutions when others might have foundered in the face of daunting events.
He recounted several anecdotes to Frances Weaver, who interviewed him for
his oral history.

[On one occasion, a] safety officer came to my office in South Building
and said that a group of people, mostly blacks, including a few
children, were marching on the campus. And that he had told them that
they couldn't do it. And he asked me what to do about it. I said, "Well,
you'll have to go back and tell them that they can. And make a request
to them that, because young children were involved, that if they would
march on the sidewalk, rather than on busy Cameron Avenue, it would
be better from a safety standpoint. And secondly, that we hoped they
wouldn't disturb the classes that were going on, but they were certainly
welcome to come to South Building and march around South Building,
or otherwise make their protest known. And that was done, and they
made their march. It was not a large group of people, but they were
certainly welcome to appear on the campus. It’s a long time ago, but
that's the only incident that comes to my mind.
Bill also recalled dealing with some very pragmatic issues of assuring equal opportunities to University students.

We had a contract with a bowling alley for our students in physical education to have classes in physical education and bowling. The University did not have any bowling alleys at that time. And we made it very clear to the proprietor of the bowling alley that he would have to take all students, black or white, because that was the contract with the University.

Another example concerned his efforts to work with the faculty in making integration proceed smoothly in the educational enterprise.

I don't recall any problems. North Carolina Memorial Hospital had been open to all races from the very beginning and that included all the facilities in the hospital. The only question that came to my attention about the hospital had to do with a black medical student, and this was the situation. In the third year, at that time, medical students started going on the wards as a part of their education. Medical students would go in groups with the interns, residents, and faculty members. And the question arose of what to do about a black medical student treating a white woman. This matter was resolved -- at that time it was a very sensitive question -- by the doctor asking the white woman, in private, if she would object to the black student being in on her treatment. In that way we knew that some would say that it would be all right and some would object. But the point is if enough of them said it would be all right, then the medical student would get the well rounded education to which he was entitled. Once that procedure was followed, nothing ever came of it in the sense that there was never any objection from the black medical students to my knowledge or objections from any of the white women. That was a long time ago, but it was a very sensitive question at that particular time.

At the end of Bill’s term, there had been important progress in racial integration. As he and Frances Weaver discussed in his oral history, the University kept no formal record of students’ race during his tenure as Chancellor. Someone did keep a personal tally. Bill reported that when he began as Chancellor in 1957 the University had 15 black students (six undergraduates, one law student, two social work students, and a medical student). By 1964, when he left office, there were 82.
**Athletics: Maintaining Perspective.** Bill’s term as Chancellor was marked by turmoil in another arena. Intercollegiate athletics had risen in prominence and become a major challenge that Bill Aycock and his law school classmate, President William Friday, took by the horns. Bill Aycock’s commitment to truth was evident in how he dealt with athletic oversight, enforcement actions involving the NCAA, his approach to basketball coaches, and his response to problematic conduct by student athletes.

**Athletic Oversight.** Bill’s view of college athletics was clearly grounded in his beliefs about the primacy of academic values and the academic mission of the university. While a student at NC State, Bill had observed the tendency for coaches to push the edge in order to gain an advantage that would contribute to competitive success. He understood that athletic boosters among the alumni could also push the line so much that the University’s integrity could be put at risk. Early in his tenure as Chancellor he took pains to clarify the role of an athletic committee (composed of alumni, student, and faculty representatives) that advised the athletic director on issues of implementation or administration, and a faculty committee that played a critical role in advising him on institutional policy. He also did not hesitate to speak truth to those who tested his mettle early in his chancellorship. In his oral history, Bill told the following story, concerning his encounter with an alumnus who had views on who was boss. Bill set him straight. Bill was introduced to a booster he had not met. When the alumnus was told that Bill was the new Chancellor, the following colloquy ensued:

[The alumnus said] “Well, Chancellor, I’m down here for a meeting of the Educational Foundation, and it may interest you to know that we have come to fire the Athletic Director.”

[Bill] said, “Yes, that's a matter of great interest to me because I have just been informed three months ago that I would be responsible for the Athletic Director. So as you go to your meeting, you announce that you've got one little hurdle to cross and that is you're going to have to get rid of the Chancellor first. That will not be much of a problem because I just got here, and I'm not looking to make a lifetime career of it.”
The NCAA. Bill became Chancellor just after UNC won the NCAA basketball tournament in 1957. At that time the campus and the basketball coach, Frank McGuire, were riding the wave of a perfect season (32 wins and no losses) and widespread national acclaim. By 1960, however, some storm clouds were on the horizon. The NCAA preliminarily informed Bill that the school was under investigation for illegal recruiting and illegal support of athletes in the basketball program. Bill understood that the school’s integrity was at stake. He insisted on digging deeply to investigate the facts underlying the charges and personally represented the campus in related hearings, with the help of a young assistant basketball coach named Dean Smith. After careful review of all relevant evidence, Bill and Smith were able to clear up most of the issues that had been raised about vouchers submitted by McGuire during an era in which recruitment and entertainment expenses were paid through the Student Audit Board. One voucher lacked adequate documentation and justification for what appeared to be excessive entertainment expenditures, however. By the third NCAA hearing, Bill concluded that the NCAA had fair grounds to conclude that violations had occurred with regard to that voucher, and determined that it was best not to appeal but rather to take the requisite medicine. With the advice of the faculty athletics committee, he determined that UNC should withdraw from the ACC tournament as well (since under the sanctions the team would not be allowed to play in the NCAA tournament). This initial experience working with Dean Smith led Bill to name him as head coach when Frank McGuire moved on within a year.

Student Issues. Not long after the sanctions issues were resolved, some irregularities were discovered in relation to the “Dixie Classic,” a basketball tournament sponsored each year by NCSU. The tradition was for four teams from North Carolina (UNC, NCSU, Duke and Wake Forest) to meet four nationally prominent teams from outside the state. A point shaving scandal emerged, linked to gambling activities in New York City. Allegations were made that a UNC player had met with a gambler and had encouraged another star player to meet with them to accept a bribe to change the outcome of a game. As the facts came to light the star player had accepted $75 during the meeting but had not taken a bribe. Bill had asked the star player in question whether he knew anything about the matter and the star player had three times denied it, very likely out of loyalty to his teammate who had made the
approach on behalf of the gamblers. Finally, Bill learned for certain that the star player had accepted the $75 payment and called him in to the Chancellor’s office once again, at which time he confronted the student star with clear proof of his misdeed and the student confessed.

Bill believed that it was necessary to address the problem of the player’s lies, and referred the matter to the dean of students and student government. The newly-elected student government proceeded to consider the issue without undertaking an investigation, and then found the star player not guilty (even though the player had admitted his guilt in the prior meeting with Bill). Bill was deeply concerned and perplexed, even though he knew that the challenge faced by the students was a big one. In his words: “I might say in all fairness to them, this was the first case, I believe, of a new student council, and to be confronted with a charge against an All-American basketball player was not exactly the easiest way to get into the administration of student justice.” He asked the president of the student council and the president of the student body to explain to him what had happened, and they said they felt they couldn’t try the star player since the other student athlete (the friend who had led the star player into temptation) had unilaterally withdrawn from the University at that time. Untutored in the ways of the law, the students felt that under their rules a verdict of “not guilty” was the appropriate resolution.

Bill knew that the students should simply have concluded that they lacked jurisdiction and left the matter in Bill’s able hands. Because they had declared the star athlete “not guilty,” however, issues of respect for student governance then compounded the mix. Nonetheless Bill called the star athlete to his office, told him that his repeated lies had put the integrity of the University at stake, and suspended him from school. (Bill recollected that he had been happy to recommend the star for eligibility to play with the NBA since “he was a well reared young man and had made a mistake”).

Shortly afterward, Bill was roused from sleep by an assistant dean of students who said that a group of students had assembled and were about to march on Bill’s house. As Bill recollected in his oral history:
I said, "Well, just tell them to wait down there. I’ll come down where they are." So I dressed and drove down, and there was a group present out in front of the dormitories. I said, "I understand you want to talk to me." [The student leader] said, "Yes, I do." I said, "Well, we ought to get a little better situation then this.” The safety officer, Mr. Beaumont, was there, and we arranged for him to open up Gerrard Hall. So that was announced to the group that we would all meet in Gerrard Hall. So by the time I got there the place was packed to the rafters. So I asked the president of the student body and the president of the honor council and the dean of student affairs, Charles Henderson, to come up on the stage. Then I proceeded to explain to the group exactly what had happened and as to why I had felt it necessary to do what looked like an overruling of the student council, but was not in fact. But, I went on to say in no uncertain terms, it was not a technical matter with me. That the integrity of the institution was involved, and it simply was not something that could be dealt with on the basis of any kind of a technicality. And that I had done it, and I would do it again under the same circumstances. And I was pleased that when I left a couple of hours later, I was given a standing ovation.

In the wake of these events, Bill worked with Bill Friday and NCSU’s Chancellor Caldwell to rein in what seemed to be ongoing problems in the athletics realm. They decided that student basketball players should be barred from participating in summer camps (where those with gambling ties had tended to make initial contacts), and recruitment should be limited for both basketball and football much more stringently to the ACC area. They also decided to curtail the number of basketball games, permitting only two games outside the conference apart from post-season playoffs. Although these steps might seem modest, they were important in setting a tone and reaffirming the balance of power between academics and athletics. As Bill recalled in his oral history:

The last three years of my administration, everything went along quite well. …Overall, it was a good experience and working with a lot of wonderful people, and I have no regrets about the fact that I had to be a little bit tough at times, much to the chagrin of some of our very strongest boosters. But there isn't any question
that you can run a big time athletic program in accordance with
the rules and regulations, provided that all the way you've got
strong people. You've got to have coaches, an athletic director, a
chancellor, and a board of trustees, with an assist when it's
necessary from your student leadership, your student newspaper,
and your student council. If you're strong in all those areas, then
you can overcome the mischief of big time athletics. It's not easy.
[It] [n]ever will be easy because different schools compete with
each other. And competition, for example, for athletes simply
invites trying to get some kind of edge. And there are so many
rules that prevent you from getting the edge, that you've got to be
willing to lose a player rather than to violate the law and the
spirit of the rules for the NCAA.

The Speaker Ban. No recounting of Bill’s commitment to truth would
be complete without some observations about the Speaker Ban and Bill’s
actions in its aftermath.

As noted earlier, Bill had made academic freedom a center piece of his
comments at the time of his installation address. While he undoubtedly
sensed the risks to free inquiry that were in the wind during this period of
anti-Communist fervor, he could hardly have known that his courage in
championing the principles of academic freedom would mark the final
chapter of his Chancellorship as well as its start.

On June 25, 1963 the North Carolina General Assembly adopted
legislation intended “to regulate visiting speakers at state supported colleges
and universities.” The act stated that “No college or university, which
receives any State funds in support thereof, shall permit any person to use the
facilities . . . for speaking purposes, who: (A) Is a known member of the
Communist Party; (B) Is known to advocate the overthrow of the Constitution
of the United States . . .; (C) Has pleaded the Fifth Amendment of the
Constitution of the United States in refusing to answer any question, with
respect to Communist or subversive connections . . .” The act further
specified that “This Act shall be enforced by the Board of Trustees, or other
governing authority, of such college or university . . .” The bill had come out
of nowhere in the very last moments of the legislative session, catching both
Bill Friday and Bill Aycock by surprise.
Bill’s response was careful, for he knew what he was up against. He took counsel not only with Bill Friday but also with Henry Brandis and John Sanders. They developed a lawyer’s analysis of problems with the legislation. At the same time, Bill moved ahead to meet with the executive committee of the Board of Trustees, convincing them with his powerful advocacy to allow him to address the full Board. By the time he did so in late October, he had brought along a potent resolution adopted by the Faculty Council, decrying political tampering with the educational process and forecasting the woes that would afflict the campus as learned societies declined to hold meetings there, and faculty members departed, reducing the University’s prestige. While continuing to hew to his long-asserted position that the University and he, as Chancellor, were committed to complying with the rule of law, he recited a lawyer’s litany of the legislation’s ambiguities. What was “the” Communist party? What did “known” entail? What did advocating the overthrow of the Constitution mean if violence or force were not involved? How might the law apply to a student from elsewhere who visited a friend in a dorm?

Having mustered support from the Trustees, Bill hit the road. He gained support from the state’s major newspaper editorial boards, with resulting editorials that echoed his clarion call. Within a month he gave a rousing speech to the Greensboro Bar Association. His topic was “law and the University.” He pulled no punches, stating that although “it is inevitable that some laws have defects, rarely is it possible to get a law passed which ignores the generative principles of the law and at the same time contains so many ambiguities that its technical details are woefully lacking…. The manner in which ‘the law’ was conceived, drafted and passed is not in keeping with the traditions of a representative form of government.” Sounding like Sir Thomas More (as depicted in “A Man for All Seasons”), Bill went on to say: “Nevertheless it is a law. We must not pick and choose the laws we shall obey. Whether wise or unwise we must abide by them to the best of our ability.” He proceeded then to outline the numerous ambiguities in the act, making a lawyer’s case to fellow lawyers about its many flaws. He elaborated on the difficulties that might be had in endeavoring to enforce it, before refuting, chapter and verse, assertions that Chapel Hill had become a hotbed of individuals intent upon overthrowing the government. His eloquence grew to a crescendo as he came to his closing:

There is no member of this audience who, if informed that some foreign power was about to take over and strip us of our fundamental
freedoms of speech, religion, and press, would not respond to the call to arms. What difference, may I ask, if we accomplish the same results by our own ignorance, misunderstanding and inaction? For me, I prefer to fight—win or lose, I would hope that the lawyers of North Carolina will be worthy of the words of Pericles to the widows of those brave Athenians who had fallen in battles: “Thus choosing to die resisting, rather than to live submitting, they fled only from dishonor, but met danger face to face, and after one brief moment, while at the summit of their fortune, escaped, not from their fear, but from their glory.” Otherwise, the glory of North Carolina—its fervent passion for freedom and truth—will be exchanged for false security against our fears.

The Legislature did not withdraw from the brink until some considerable time had passed. The work of Bill Aycock, Bill Friday and others led by 1965 to the appointment of the Britt Commission to study the speaker ban law. Bill again spoke with fervor, noting at the outset that he appeared at the Commission’s September 1965 hearing as a faculty member, but noting that he hoped to “remain accountable” for decisions he had made as Chancellor. Ever a lawyer’s lawyer, he made his case against the Speaker ban in three parts, contending that there was no need for the legislation, that it was difficult to enforce, and that it diluted a fundamental principle of freedom. No longer constrained by the office as Chancellor, he repeatedly quoted noted WRAL commentator Jesse Helms on the perils of censorship and the importance of considering that “an element of control over one medium of communication today might well tomorrow lead to attempts to impose such controls on all media.” Concluding, he quoted J. Edgar Hoover: “we must be absolutely certain that our fight is waged with full regard for the historic liberties of this great nation. This is the fundamental premise of any attack against communism.” In Bill’s view:

“We can fight subversion without sacrificing a fundamental principle of our freedom for what is, in reality, false security. North Carolina has come a long way short on cash but long on freedom. The Speaker Ban is a mistake…. It was motivated by love in an endeavor to protect students in state institutions from communism. But this love is overly protective. It is a mighty blow against freedom. It will take much time and great effort to upgrade the economic status of our people, but little effort and no money will be required to restore to North Carolina its high place among those people in the world who believe in freedom.”
Bill’s advocacy for repeal was potent, but he did not leave the matter to himself alone. In due course a challenge by university students, aided by faculty, and leaders of the Greensboro bar, gave the act its death knell. Bill’s leadership, along with the leadership of Bill Friday, played a crucial part throughout this difficult chapter in the University’s and the State’s life. Throughout it all, he maintained his commitment to speaking truth to power, and preserving the welfare and integrity of the University he so loves.

**Conclusion: Bill Aycock, Our Champion and Citadel of Truth**

It’s now time for me to bring these remarks to a close so that you can hear from the “real article,” our beloved Bill Aycock.

Bill has been, is, and will be someone who will forever be deemed a “champion.” By “champion,” I mean, not only someone who shows marked superiority and rises to the top, but also (as Sir Walter Scott said) “one who does battle for another's rights or honor.” Bill has surely battled on behalf of all of us. He’s pushed back ignorance, worked to assure educational access without regard to wealth, sought after fairness, campaigned for academic freedom, and held firm for the priorities of educational excellence when other interests held them at risk. He’s championed learning in its very best sense, and stood up for truth.

While Bill has been an advocate and a warrior in time of need, he’s also been a champion of a somewhat different sort. Let me close with a Cherokee story, one told by a Cherokee Elder about two wolves.

A Cherokee Elder was teaching his grandchildren about life. He said to them, "A fight is going on inside me... it is a terrible fight between two wolves.

One wolf represents fear, anger, envy, sorrow, regret, greed, arrogance, self-pity, guilt, resentment, inferiority, lies, false pride and superiority.

The other stands for joy, peace, love, hope, sharing, serenity, humility, kindness, benevolence, friendship, empathy, generosity, truth, compassion, and faith.

This same fight is going on inside you, and inside every other person,
too."

They thought about it for a minute and then one child asked his grandfather, "Which wolf will win?"

The old man simply replied, "The one you feed."

Bill has always understood which wolf we need to feed. It is the one that makes us stronger, better, more generous, more enlightened, and more committed to seeking after truth.

Please join me in recognizing our beloved Bill Aycock.
Remarks by William B. Aycock
Meeting of the North Caroliniana Society

When President Whichard came to my apartment at Carolina Meadows and informed me I had been chosen for the 2007 award by the North Caroliniana Society, I was shocked and pleased.

My first contact with the Society was in 1984. I was honored to participate in presenting the award to Bill and Ida Friday. It is my good fortune to know many of the recipients of the award. Further, I have been fortunate to know President Whichard for many years. He is among the most outstanding public servants I have known.

Judith Wegner, who presents me to join this group, is more than a colleague on the faculty of the School of Law; moreover, she was my dean.

In another forum, I remarked that I had several deans and held each of them in highest esteem. But I added that Judith Wegner was the only one I really loved.

She was instrumental in securing funds for the Law School addition. She arranged to have the fountain and garden in front of the building to be dedicated to Grace Mewborn Aycock, my wife of 55 years.

In the fall of 1945, for me and most of the Class of 1948, it was out of the military and into the classroom. It was not uncommon for us to band together in study groups, especially at exam time.

Our group varied in numbers from time to time, but five of us continued contact for 61 years. In 2006 we lost William Archie Dees Jr. Our circle was broken.

Dees, pro bono, was a member of the School Board in Goldsboro, the N.C. Board of Higher Education, the Board of Trustees of the Consolidated University and the first chairman of the UNC Board of Governors, when all 16 of the public institutions were brought under one umbrella.
John Richard Jordan, who developed his own law firm in Raleigh, was the third chairman of the Board of Governors. As a member of the N.C. Senate, he was one of the few in public life who on the record was opposed the Speaker Ban Law.

James Dickson Phillips Jr., while he was a practicing attorney, was invited to join the Law School faculty and later became Dean. After that, he was appointed judge of the U.S. Court of Appeals for the Fourth Circuit.

William Clyde Friday and I completed the five, all bonded by the University and our interest in education. Friday has become a legend and a leader in education and a star on UNC-TV.

While I was a student, I had many lasting memories. One of them occurred during our second year as students in the Law School, Professor Herbert Baer completely lost his voice. He wrote me a note, asking if I would try to carry on the class. His beautiful notes became my “Edgar Bergen.” After six weeks, he recovered and I returned to my seat in the class.

The source of my lasting memory was the performance of the class. We all knew the importance of working together. In effect, we had a big seminar and were able to cover the material. I realized our success when Professor Baer informed me that my exam was second best. The best paper was written by Livingston Vernon.

In 1947, Dean Wettach informed me that the Law School had been granted a new position, effective July 1, 1947. He further stated that the faculty had decided he should offer this new professorship to me.

I was delighted, but I hastened to inform him that I would not graduate until February 1948. He replied, “We will hold it for you.” My response, “I would be honored to accept.” Thus, I joined all of my professors in February 1948.

A memorable event occurred soon after I joined the Law faculty.

In 1951, Dr. Frank Graham was appointed United Nations representative to India and Pakistan, seeking to settle their dispute over who was entitled to the state of Kashmir. It was a rich experience for me to work with him and the professional staff assigned to him by the United Nations.
We made several trips to Pakistan, India and Kashmir. Dr. Frank worked on the project for 19 years, and its settlement is yet to come. When I returned home, I was invited to speak about this subject throughout North Carolina. I was pleased to make 40 appearances, informing people about the nature of Dr. Frank’s work.

Henry Brandis followed Dean Wettach as dean of the UNC School of Law. When Stanford University Law School invited Brandis to join its faculty as visiting professor, I was asked to serve as acting dean. I accepted. It was a joy to work with my colleagues in that role.

In 1957, William Friday, president of the Consolidated University, asked me to succeed Chancellor House who was retiring. I was honored to take a turn at this post. But we agreed that I would return to my work in the Law School. The seven years I served as chancellor were indeed memorable, especially working with a dedicated staff.

Our memorable experiences are too numerous to list. I will mention only two or three. One was the celebration on University Day of the one millionth volume for the UNC Wilson Library. This volume was presented by Frank Borden Hanes Sr.; he was chosen for the award of this Society in 2002 and he also served on its Board of Directors. Dean of the Faculty James L. Godfrey worked closely with Librarian Jerrold Orne, and magnificent progress occurred during the period 1957 to 1964.

Dr. Henry T. Clark was the administrator of Health Affairs prior to and after my seven years as chancellor. After World War II, rapid expansion in that area began and continues today.

The dean of the new School of Dentistry had applied through channels for a grant for dental research from the National Institute of Health, which sent a committee to look into the request. When the group arrived in Chapel Hill, the chairman came to my office and said he had never heard of research in dental schools. Dean Brauer had already informed me that some of his faculty had joined with members of the medical faculty in research in the area of dental jurisdiction.
At the end of the day, the committee chairman came to my office and informed me that the full amount of the request would be recommended by his committee. It was approved.

A special occasion involving Dean Smith lingers in my mind. On the 25th anniversary of his tenure as head coach, his players wanted to have a reunion in his honor. He agreed, provided only the players, Woody Durham, Grace and Bill Aycock were invited.

I will always remember the admiration, appreciation and affection these players and students manifested for their coach and teacher.

A coach has an opportunity to teach more than his or her sport. Further, it is possible to teach about the game of life. In both, Coach Smith is a master teacher. For this, his former players regard him as the captain of their lifetime Hall of Fame.

The Speaker Ban Law enacted by the N.C. General Assembly in 1963 is the saddest memory.

John Sanders, director of the UNC Institute of Government, and his colleague Dexter Watts conducted a study of this law; that information proved helpful to Attorney McNeil Smith who represented students in the court action.

Former Student Body President Paul Dickson, challenged the law, filing a lawsuit before a three-judge federal court. Citing the law’s vagueness, the court declared it void.

The faculty and especially the press helped in an educational program about the harm of this law. That program was effective, in that no appeal was taken in the case.

Since there had been no public hearings on the proposed law, we had no chance to point out its flaws. That made the public education program all the more urgent.

In 1997, John Sanders received the award of this Society.
After mandatory retirement benched me, I continued to go to the Law School. When Judith Wegner became dean, she decided to update the history of the Law School, and I worked with her on that project.

Albert Coates, a faculty member and director of the Institute of Government and the second recipient of this Society’s award, had written the history of the first 100 years (1845-1945).

The period of 1945 to 1995 needed to be covered. Students, especially Martin Brinkley and the staff of the UNC Law Review, faculty and dedicated staff all contributed. During this time, I learned that I had a total of 100 colleagues among the faculty members. Of these, I had maximum high regard for 97 and minimum high regard for three.

I am grateful to President Whichard, Vice President Powell, Dr. H. G. Jones, President Friday and other members of the Society. For this occasion, the presence of my friends uplifts my spirits.

This award is the polestar — the brightest star of all among the constellation of my memories of the University. It has illuminated my twilight years and enriched my life. For this, my family and I thank you.