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## Russell C. Dunbar: A Wise and Understanding Heart

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## RUSSELL C. DUNBAR: A WISE AND UNDERSTANDING HEART

FOREST J. BOWMAN\*

(The following is excerpted from a eulogy delivered at the College of Law's Memorial Service to Judge Dunbar by Professor Forest J. Bowman on March 19, 1982.)

In the Old Testament we read how King Solomon, as a youth, was visited by an angel of the Lord. The angel asked the newly-anointed king what he needed most to rule. And Solomon replied: "Give me a wise and understanding heart."

We have gathered here today to say goodbye to an old friend who, above all else, was possessed of a "wise and understanding heart." And on occasions like this, when we try to say what Russ Dunbar meant to us, words tend to abstraction and we find ourselves trying to compose tributes which somehow fail to capture the essence of a man's lifetime of service to his profession and his fellow human beings.

I find myself today unable to articulate as I would like, how this witty, bright, energetic and, above all else, fun-loving, man touched my life in the more than a decade in which I knew him well. Part of the problem, you see, is that there really is no meaningful way to measure with any degree of precision those elusive qualities of moral courage, decisiveness, fairness, patience and humor which were, after all, what Russ Dunbar was all about.

Yet—despite this lack of precision—there was a certain something that set this man apart. Russ Dunbar had a passion for certain things . . . for living life to the fullest . . . for standing up for what he believed . . . for fair play . . . for bringing out the best in those with whom he worked and played . . . for a decent regard for rules . . . for not being so stuffy that he failed to see the humor that generally lurked just below the surface of most situations . . . and, perhaps most important of all, he had a passion for the law. . . .

We live in difficult times. Not many people talk anymore in terms of "love" or "honor" or, as did Mr. Justice Holmes, about "living to ends outside ourselves."

Yet, I think Holmes was right. I think most of us are better than we think we are. And if it is true, as Holmes said it was, that "any man's calling is noble when nobly pursued," then Russ Dunbar's various callings—as a practitioner of the law, a public prosecutor, a judge and a law professor—were noble indeed. For he obviously chose, years ago, to follow Holmes' dictum: to "live to ends outside himself." And, in truth, all of us are here today to say goodbye because we have been the happy beneficiaries of that decision. . . .

All of us have inherited something real from Russ Dunbar . . . a tradition

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of service to the public . . . a sense of our own folly and the humor that goes with us . . . an appreciation for the basic goodness of people . . . and a knowledge that life needn't be a long tragic struggle against painful odds, but that it can be lived as a kind of celebration . . . that life can be as Russ Dunbar made it—"fun." For, despite the loss of his father at an early age and many tragic losses along the way, he was the eternal optimist.

I've thought about that a lot these last few days and I suspect that's why he chose the law as his profession. For all of us who have chosen to follow the law are optimists in a crazy world. And as a token that we're not too far off course, I give you the words that were read at the funeral of Justice Holmes, words which he himself had used many times before:

We accept our destiny to work, to fight, to die for ideal aims. At the grave of a hero who has done these things, we end, not with sorrow at the inevitable loss, but with a contagion of his courage; and with a kind of desperate joy we go back to the fight.

And so we go back to the fight. And for those of us who love the law, as Russ Dunbar did; and who love life, as Russ Dunbar did, the battle will never be over.

There is no ponderous moral to be drawn from all this. For one thing, Russ Dunbar would never have tolerated a ponderous moral, especially not, I suspect, from me.

I can only say that, if life is a journey—and I for one believe that it is—then we should all consider it our great, good fortune to have walked at least a part of the way with that happy warrior, Russ Dunbar.