

Babe

by the Hon. Johanna L. Fitzpatrick

My interest in the law began with two men — Atticus Finch and Babe Levenson. Atticus was, and still is, my favorite fictional character, and my father, Babe Levenson, is just my favorite. Two different characters — one an educated lawyer, one a self-made man with a seventh-grade education — were so alike in so many ways. Atticus Finch said “The one place where a man ought to get a square deal is in a court room.” I believed him and that led me to the law. My father lived the “square deal” credo. He tried to give everyone a fair shake in his workplace, no matter who or what they were. Scout, Atticus’s daughter described her attitude about people in just the way Babe would have: “I think there’s just one kind of folks —folks.” He looked for the best in everybody.

My father, Babe Levenson, was a bit of legend in Birmingham, at least in the Jewish community. In 1934 he married my mother, who was a Southern Baptist. Neither family took this too well. His father, “The Old Gent,” was a Jewish cantor who emigrated in the late 1800s from Russia as a result of the pogroms. My mother’s father was a Baptist minister. As you can imagine, this was a difficult relationship. After many years some type of truce occurred, because I have a very clear memory of the two grandfathers sitting in the kitchen of our house arguing with each other. Who knows who won? It might have been a draw because my brother ended up as an Episcopalian, and I followed The Old Gent.

Babe was born in 1900, the youngest of five children. When he was fourteen he left school to help support his family and at an early age became a merchant. He was the adventurer in his family. He traveled all over the country and supplemented his income by becoming a card player — an excellent card player. He lived in Los Angeles in the late 1920s and early 1930s, and often

played poker with Howard Hughes and Louis B. Mayer. He said Hughes was a “big talker and a small bettor.”

In 1936 he moved to Birmingham, and opened Levensons, a dry goods store. He sold everything — rubber girdles to furniture. The store was located in an old building with an elevator you had to pull with a rope to make it go up and down. He taught me at age six to “work the floor” — sell anything to anybody. That was an education that I could never have gotten in school. It was the first lesson in “folks is just folks.” In 1960 he opened a new, modern department store, Tillman-Levenson, that merged the old dry goods — buy a deal, sell a deal at a discount — with department-store regular goods. It became the Southern prototype of Loehmann’s or Filene’s Basement. It was a great success. People loved getting the deals, and they loved talking to Babe. He would sit in the front of the store and talk to anyone who came in. He knew their children and their problems, and he learned the history of his customers. There were only two rules at the store. Everyone was to be treated politely, no matter who they were (or what race they were), and bathing suits and evening gowns are the only things that can’t be returned. Both are good policies.

Every May first was \$1.00 wig day. The store would open at 8 a.m. instead of 9:30. People would line up in the parking lot, and when the doors flew open, five hundred women would rush in and start grabbing wigs. I have never seen anything else like it. Any color, any style, any length. I remember one woman yelling, “Mr. Babe, that woman took my wig.” He said, “Now, dear, Miss Martha will find you one just like it.” “No, Mr. Babe, that was MY wig, the one I wore in here!” I don’t know what he did with that one.

When I was ten years old, my parents divorced and Babe raised me as a single parent. No one else I knew had divorced parents, and certainly no one I knew was raised by a single father. I think knowing how hard he worked to raise his children alone gave me an understanding of divorce that was a beacon for me during my years on the bench. He raised me to appreciate the opportunities I had and to put whatever talents I had to good use. He was a man who thought there was nothing his daughter couldn’t do. If she wanted to be a lawyer and there weren’t any women lawyers, well it was time there was one. If I wanted to be Atticus, I could. He was a gentle, kind man who did the best he could every day — an example I tried to follow. He died in 1978, before I went on the bench, but I know he would be

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thrilled that I realized my dream in Virginia. I think of him just as Scout did her father: “It was at times like these I thought my father, who hated guns and who had never been to any wars, was the bravest man who ever lived.”

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