I first met Alan Watson in the spring of 1980. I was at the time a student in the joint law and philosophy program at the University of Virginia. One of my philosophy professors was the late David C. Yalden-Thomson, a Hume scholar of the first rank. Although Alan had taught as a visiting professor at Virginia and other American law schools, the occasion of his being in Charlottesville when I met him was a social visit with Yalden-Thomson, whom we all referred to affectionately as “YT,” and with whom Alan was a very close friend. I was eager to meet Alan, who had just moved to the United States to assume a position at the University of Pennsylvania Law School.

It is not an exaggeration to say that by age forty-seven, when I met Alan, he had already achieved the status of being one of the top legal scholars anywhere in the world. He had been on the faculty of Oxford University and then, at age thirty-two, was appointed to the Douglas Chair of Civil Law at Glasgow University before assuming the Chair of Civil Law at the University of Edinburgh. He had amassed a body of scholarship that was unparalleled in its quantity, quality, and breadth. He had established an outstanding reputation in Roman law and jurisprudence, and it was clear that he was in the process of doing paradigm shifting work in comparative law, starting with his 1974 book, *Legal Transplants: An Approach to Comparative Law*. So it was with great excitement that my partner, Anna Charlton, and I accepted an invitation from YT to join him, his partner Barbara—a lovely person who passed away in 2012—Alan, and several other law professors and students, for dinner at YT’s one weekend.
We had a wonderful time. I remember very distinctly my first impression of Alan. He was a brilliant and talented man who had held some of the most prestigious academic positions in Britain. But he was thoroughly modest and kind, and did not in any way stand on ceremony. Through the many hours of discussion that covered a wide range of topics, Alan never once disagreed with anyone without first pointing out what he regarded as the positive aspects of her or his contribution, and his comments were always gentle even when his disagreement was sharp. And he did not talk down to the students; indeed, he related to them exactly as he did the other professors at the gathering.

Although we talked about a number of topics that night, I recall only three. We talked about H.L.A. Hart and his book, *The Concept of Law*, and I remember that Alan had a very interesting take on Hart’s characterization of nineteenth-century legal philosopher, John Austin. I was particularly interested in that topic as I was then writing my M.A. thesis on Hart, and I can say honestly that apart from my discussions with Hart himself, whom I had met at Oxford and with whom I corresponded, the most interesting discussions I had about Hart were with Alan, starting that night.

The second topic that I recall was Alan’s expression of disappointment that academia had so much to do with the meaningless and petty matters and so little to do with the values that are supposed to animate it. I remember his saying that people who controlled what were regarded as important committees or who were otherwise politically active within the institution were often more highly valued than those who produced scholarship. Although Alan thought that this concern characterized both American and British law schools, he believed that American law schools suffered from the additional problem that many legal academics were anti-intellectual in principle. Even those who were more theoretical and less concerned about the practice of law limited their theoretical concerns and rarely engaged in true interdisciplinary work. He attributed this to the fact that law was taught in the United States as a professional, rather than an academic, subject, as was the case in Britain. He was sharply critical of American casebooks, which he claimed provided abridged cases without any context. Although I was horrified by Alan’s criticisms of American legal education, I have, after twenty-eight years as a law professor, come to the conclusion that his observations were largely correct.

The third topic, and the one that occupied most of the evening, was the fact that Anna and I had recently become vegetarians and declined to eat the meat served as the main dish and, instead, ate the wonderful salad and bean stew that YT and Barbara had prepared. When asked whether our food choices reflected some concern about healthy eating, we replied that we were not eating animal foods for moral reasons. In order to understand what
ensued, one must be mindful that both YT and Alan are Scottish and that one can take a Scot out of Scotland but can never take Scottish culture out of a Scot. Scottish food is heavy on meat, and many Scots are avid hunters. Alan was one of those avid hunters. He belonged to a hunting club when he lived in Scotland, and one of the reasons he was visiting YT on this particular occasion was that YT and Barbara owned a large farm outside of Charlottesville; YT had regular hunting parties, and Alan was there to participate in one.

So, as you might guess, a good portion of the evening was devoted to discussing the ethics of killing and eating animals. YT found the whole discussion amusing and clearly did not take it seriously but, as a lovely man who was never rude, he just sat there with an affectionate smile on his face and occasionally shook his head. Alan, quite surprisingly, admitted that he had not really thought about the issue before. He admitted that he found the issue to be troubling, but he could not imagine ever giving up eating animal foods or shooting birds and rabbits.

That’s my recollection of the first time I ever spoke with Alan Watson.

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Fast forward to 1984. After graduation, two clerkships, and a brief stint at a New York law firm, I decided that I wanted to enter academia sooner rather than later. I called Alan, with whom I had no contact since our meeting in Charlottesville. He happened to be on the appointments committee at Penn Law School that year, and although I was starting the interview process very late, he arranged for me to come to interview. I drove down to Philadelphia and interviewed, which included making a presentation on nineteenth-century notions of causation in tort law. The faculty lounge at Penn, then a very small and dark space, was filled with faculty, some of whom fell asleep during the talk and most of whom listened attentively but did not say much.

And there was Alan, who asked many excellent questions and made many compelling observations, all of which contributed to my increasingly sinking feeling there were many things that I needed to consider but had not in my presentation. I was despondent, thinking that he did not think much of the paper and that I was highly unlikely to get a job.

Alan had organized a dinner party for the evening of my interview day and, given my assessment of how the day had gone, I anticipated that the event would have a tone similar to refreshments after a funeral. Alan gave me directions to drive to his house, a lovely old rambling stone building in Mt. Airy, a suburb very close to central Philadelphia. I drove there with dread in my heart.
That evening, I was exposed to one of Alan’s most endearing characteristics. He put on a dinner party like no one could. And the evening after what I thought was the last time I would ever see Alan was the first of many parties I would attend. All of Alan’s parties were similar in that guests gathered in the large reception room that ran the length of the house, chatting in small groups and sipping wine or enjoying single malts. In winter months, there would be a fire in the large fireplace. At some point, we would make our way to the dining room and sit around the large table. The dinner conversation invariably focused on a topic in which everyone engaged. Dinner would often go on for about two hours, after which everyone would go back to the large reception room and continue conversation. Dinner parties at Alan’s would regularly start at 7 p.m. or so and continue until well after midnight.

That was exactly how that first dinner party went; Alan had even been considerate enough to remember that I did not eat animal products, and he had a special vegan dish for me. When, at about midnight, I said goodbye to Alan to start my drive back to New York, Alan told me that he very much enjoyed my presentation that afternoon. I was stunned and replied: “But there were at least three people who were asleep.” Alan laughed and said, “Gary, lad, that happens all the time; I am just glad that no one snored as they often do.”

Several days later, Alan called me to say that I would shortly receive a call that he thought would make me happy. He would not say more and a short time later, the Dean called and offered me a job. I was ecstatic. I called Alan to thank him, and he expressed his hope that I would accept and his certainty that we would be great friends. I was delighted at getting an offer from Penn, but truth be told, what made the decision an easy one was the thought that Alan really seemed to want me as a colleague. Having such a mentor is the dream of every serious aspiring academic. I accepted the appointment and started on the Penn faculty as of July 1, 1984.

In my first year at Penn, something happened that would change, and shape, my direction as an academic. Some unidentified people had broken into a lab at the Penn medical school in May of 1984. They removed from the lab a set of video tapes that were made by researchers themselves and showed some very gruesome head injury experiments involving baboons. Portions of the tapes seeming to show blatant violations of the federal laws that purport to regulate animal experimentation, including the failure to anesthetize animals properly, were made public by animal advocates. I got involved and, after reviewing the tapes, decided that my colleagues at the Penn medical school had acted wrongly and that I had to take a public stand against what they had done. I coordinated a statement made by a number of the law faculty calling for an official investigation of these experiments, and
began to represent, on a pro bono basis, animal advocates who were targeted as part of the criminal investigation into the theft of the tapes. My efforts culminated in my representing, in July 1985, a group of animal advocates who staged a three-day occupation of the National Institutes of Health (NIH) in Bethesda, Maryland, after NIH decided to re-fund the head-injury lab experiments. The sit-in resulted in Margaret Heckler, the then Secretary of Health and Human Services, ordering a full investigation, which ultimately resulted in the baboon experiments ending.

Needless to say, this matter proved to be very controversial on the Penn campus. And I was sharply criticized by many, including colleagues at the law school and elsewhere, who felt that I had been disloyal by taking a position against my own university. It was a difficult time for an untenured professor and, throughout, Alan Watson supported me completely and rushed to my defense whenever he perceived that my academic freedom was being threatened. When colleagues at the law school voiced concerns, Alan responded and always took the same position: that I had a right—indeed, an obligation—to speak up. Those who know Alan all regard him as a person of incredible moral integrity but not by nature a confrontational person. My activities, and his resulting need to defend me, required that he take controversial and confrontational positions. It turned out that the experiments at Penn were being conducted jointly with faculty at the University of Glasgow, where Alan had been a student and professor before going to Edinburgh, and where Alan still had many close contacts. Despite how uncomfortable all of this made him, he never once let me down.

After my first year at Penn, the office next to Alan’s became available and I moved in. Alan used to get to the office very early, sometimes as early as 6 a.m. (I confess that I was not that early a riser, but I was often in by 8 a.m.), and Alan and I started a practice of having daily talks about some matter or another. At the time, in the mid-1980s, Alan was thinking a great deal about the law that regulated slavery in race-based and non-race-based systems—work that would lead him to write *Roman Slave Law* in 1987 and *Slave Law in the Americas* in 1989. Although I was focusing my scholarship on intellectual property and law and science at the beginning of my career, I was beginning to think about writing on the legal regulation of animal use. Alan shared with me the results of his research on slave law, particularly race-based slavery, and the fact that the status of slaves as chattel property had a distinct impact on the operation of laws that purported to regulate the treatment of slaves. I was struck by the similarities between slave law and the law that regulated animal use. For example, both slave law and animal welfare laws assumed that property owners would act in an economically efficient way with respect to their property and established a default position that whatever suffering was imposed on a slave or an animal was
“necessary” because a rational property owner would not act so as to devalue the owner’s property.

The discussions that started in Alan’s office in 1985 were absolutely crucial to my thinking and led to my scholarship on the legal regulation of animal use in articles and my 1995 book, *Animals, Property, and the Law*, in which I argued that because animals are property, laws regulating their use and treatment would be ineffective and would permit animal owners to impose high levels of suffering on animals.

The five years that I spent at Penn were marvelous in large part because of my friendship with Alan. During the academic year, Alan would have his wonderful dinner parties on a regular basis, and although the guest list changed from dinner to dinner, Anna and I were on the permanent list. We both looked forward to these events, which were always lively to say the very least. Alan made a point of inviting younger and untenured faculty, and he often had dinner parties for students. The Penn students loved Alan, and his classes, which often focused on more esoteric subjects that were not on a bar examination or particularly useful to a Wall Street practice, were always full even though he usually taught at an ungodly early morning hour. He would often find it hard to get his own work done because his office always had a steady stream of student visitors (when I wasn’t there talking with him about slavery or animal law). Penn in those days was a somewhat formal place, and Alan was unique in being a senior faculty member who was truly accessible in every way to students. I remember well watching him interact with students in his office or at his home at one of his dinners. He never spoke a harsh word and always interpreted a student comment in the most positive way—often very charitably—and if Alan disagreed, his disagreement was expressed respectfully and in a way that resulted in a positive interaction for the student. Alan always took time to talk with the support staff and janitorial staff. I remember once one of the janitorial staff saying to me that Alan and I were the only two professors who knew the names of everyone on the cleaning staff and always said hello.

There is so much more I could say about my recollections of Alan at Penn, but I will discuss only two further because I think they provide insight into the sort of person that Alan Watson is.

The first event occurred early in my time at Penn. In the fall of 1985, the University of Pennsylvania Press published a four volume set of *The Digest of Justinian*, the most extensive and significant of the three compilations that Justinian had ordered to be prepared after becoming sole ruler of the Byzantine Empire in A.D. 527. Alan had edited the translation of this important work, assembling a team of thirty specialists to participate. It was a project that took seven years and that he began while still at Edinburgh. When, in 1985, the translation was produced, Penn held a large and formal
reception to celebrate. All of the University dignitaries were in attendance, as well as the leading scholars of the University. It was a major event. Alan and I walked together to the event from the law school and I could sense that he was anxious. I asked what was wrong. His response, which I still remember verbatim: “Gary, lad, you can’t imagine how uncomfortable these events make me.” When we arrived the Provost of the University gave a talk in which he went on at length about Alan’s world class reputation as a scholar. I could see Alan’s discomfort. He gave a brief talk, displaying his usual graciousness by focusing on the contributions made to the translation by his team of scholars and never once mentioning his own role.

Throughout the entire evening, it was clear to me that Alan would have been happier to be almost anywhere than at an event that was focused on him. He could undertake a project like coordinating the translation of The Digest, actually succeed in bringing it to completion, and be thoroughly uncomfortable with people praising him. Academia is not known for a surfeit of talented people without ego; indeed, it is known for large egos not necessarily connected with much talent at all. But Alan was a great talent who had one of the most constrained egos I have ever encountered, in academia or out. He could turn from translating The Digest to having a conversation with a student, secretary, or janitor about a personal problem and focus his interest and concentration as much in the later situations as in the former. Further, he could relate to them as Alan and not as one of the most important legal scholars and teachers of his generation.

The second event occurred at the end of my time—and Alan’s—at Penn. In 1988, the year after I was tenured, one of my female colleagues came up for tenure. Alan was on her tenure committee, and he became concerned that a concerted effort was being made to ensure that she was denied tenure and that the matter smacked of discrimination based on sex. Rather than say nothing, which is, unfortunately, how many academics would have dealt with the situation, Alan spoke up and stated his concern. That in and of itself, would distinguish Alan and demonstrate his integrity, but what made the situation even more noteworthy was that Alan did not particularly agree with the substance of the candidate’s scholarship. In fact, he disagreed with much of it. Moreover, the position that Alan took brought him into direct conflict with colleagues with whom he was close. But Alan, despite the fact that he was completely uncomfortable with the situation on several levels, took a simple and clear position: the outside evaluations clearly made the case for tenure, and the candidate was being treated in a most unfair and discriminatory manner. That was wrong.

In the end, the candidate was denied tenure. I was a strong supporter of the candidate and decided to resign in protest. I talked with Alan who, in a conversation I will never forget, said that he had come to the same decision.
I know how hard that decision was for him, but it was clear that he saw no other solution. Although I certainly did not undertake my own decision to resign my tenure lightly, I had been involved in confrontational situations with Penn from the moment I started. Alan had not. He supported me when he perceived I was being attacked, but those were still my controversies. I had not thought I could respect Alan more than I did before he decided to resign, but I was wrong. Alan had concluded that something very wrong had happened and no one could give him an explanation that he found morally acceptable. So he resigned his position—he was by then a University Professor at Penn—because, for Alan Watson, his academic career mattered, but not more than his sense of treating people fairly and decently.

We both went to public law schools, Alan to the University of Georgia, me to Rutgers University. We have both enjoyed enormously our new affiliations and the candidate denied tenure at Penn went on to have an illustrious academic career. So it all worked out, but I knew that once we left Penn, an important part of my life—my ability to see Alan on a daily basis and look forward to our discussions, his dinner parties, and everything that was our time together at Penn—would be gone.

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Since leaving Penn, Alan and I have stayed in regular and frequent contact. I have traveled to Georgia and have stayed with Alan, his partner Camilla, who is also on the Georgia faculty, and his daughter, Sarah. And although I love visiting with them, they always host dinner parties that remind me of those days at Penn and I leave in a wistful mood. Alan still has the table that was in his dining room at his house in Mt. Airy and whenever I am seated at that table in Athens, those past occasions resonate very strongly. I have given talks at Georgia; Alan has given talks at Rutgers. We have traveled to Spain and Scotland together. But it is not, and cannot be, the way it was when we were together at Penn.

Alan honored me by writing the foreword to my book, *Introduction to Animal Rights: Your Child or the Dog?*, which was published in 2000. It was clear that our discussions on animal ethics, which began on the night I met Alan in the fall of 1980, had provoked him. His foreword ended:

I met Gary Francione through my friend, and his teacher, Professor David Yalden-Thomson, with whom I shot duck and geese three days a week in Virginia. But it is years since I have hunted with any seriousness. I go frequently to our farm in South Carolina, intending to fish. But I cannot remember when I actually put my rod into the boat. There was going to be a
dove shoot on our farm, organized by a club, and I was asked to attend. I responded that I could not make up my mind. In the end, I did not attend. And I do not think that I will ever shoot birds again. I still eat meat, though less often. I will almost certainly fly-fish for trout again. So I have a conflict. I will not, and cannot, explain. But it is proper to record that I believe that if I lived in 1850 in conditions similar to those in which I live now—in the South, with my family farm and many acres under cotton—I would not have opposed slavery, though possibly, I hope, I might have had qualms.1

I have had some animal rights people criticize my including that foreword in my book because Alan did not come out and embrace my theory of animal rights. Those critics obviously did not understand what Alan was saying, or how fundamental moral views change only when people have qualms about things that they once accepted without question.

Alan continues to be a person who has achieved the highest levels of academia but who is surprised to learn that he has done so. Several months ago, I put “legal transplants” into a search engine and it returned over three million results. The theory of legal transplants, which is that law is not the inevitable consequence of social structure, as Otto Kahn-Freund and others maintained, but rather that legal rules and systems move from one country to another and these transplants are the most fertile source of legal development, is now an uncontroversial principle of the existing paradigm of comparative law.

I have read articles on comparative law that talk about particular legal transplants, use the phrase “legal transplants,” but do not cite or mention Alan’s work. One can look at that as sloppy scholarship; one can also, however, look at it as an indication that the theory of legal transplants is no longer regarded as just a theory. It is accepted as the reality of how legal development occurs in many, if not most, cases. Alan’s achievement is even more remarkable when we consider that when Alan wrote **Legal Transplants** in 1969, he was discouraged by prominent academics from publishing it. So the manuscript sat in a desk drawer for five years until Alan’s mentor, the late Professor David Daube, widely regarded as the twentieth century’s preeminent scholar of ancient law, read it and encouraged Alan to publish it, which he did in 1974.

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1 GARY FRANCIONE, INTRODUCTION TO ANIMAL RIGHTS: YOUR CHILD OR THE DOG?, at xiv (2010).
In any event, when I told Alan that there were millions of instances of “legal transplants,” he responded, with sincere incredulity: “Really?” That is Alan Watson in a nutshell.

Alan’s time at Georgia has been incredibly productive. He has written or produced new versions of approximately thirty books and has written several dozen major articles while in Athens. He took his scholarship in a new direction with his focus on law and the Gospels. He has written extensively on the problems with American legal education. Although he is now Emeritus, I am confident that he will continue to do what he has done all of life: to think about things in ways that not only make significant contributions but that change paradigms.

I have so many wonderful memories of Alan that I could go on and on. But I will not. It is my hope that by reading to this point, you will have gathered that I am grateful to have had Alan Watson as a mentor and colleague, and that I am even more grateful to have him as a friend.