

AFTERWORD

REFLECTIONS ON THE LIFE AND TIMES OF ALAN WATSON

*Camilla Watson**

I first heard of Alan Watson long before I ever met him because we had several mutual friends, all of whom seemed to regard him as a never-ending topic of conversation, both in his personal exploits and in his professional ones. Upon finally meeting him, I must confess to a sense of disappointment, which I suppose is not all that uncommon when one meets a “legend” in the flesh. The person I had pictured as larger than life seemed anything but. However, he was very approachable and engaging, although there was the lingering impression that underneath the surface he did not suffer fools easily. But if he deemed you worth his while, he had all the time in the world for you, as generations of students and budding young scholars discovered.

Alan is a true academic in the best sense of the word. He loved everything about his job—interacting with students, collaborating with colleagues around the world, and delving into the fascinating legal topics that he brought to the forefront (admittedly, he was not wild about faculty and committee meetings, but then nobody is perfect). While many academics yearned for the holidays and spring and summer breaks to escape the daily grind of academic life, to Alan, every day was much the same, whether holiday or not. He would rise before dawn, ponder the burning issues that had made his head “go ‘round and ‘round” during the night, and begin taking notes. Those notes were always hand written because Alan had never mastered the art of the computer. Everything he ever wrote was done in the old fashioned way with a pen and paper. If it was good enough for Grotius, it was good enough for him!

Alan’s work is cutting-edge and provocative. Of course, cutting-edge work does not come without costs, and Alan suffered his share because much of his work received severe criticism. But Alan never wavered in the face of this criticism. Instead, he seemed to relish the battle and the opportunity to defend his work. In fact, he probably was most in his element when he was defending himself against such attacks. He did this so well because he was meticulous, not to mention that he often had the distinct advantage of being

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one of the very few scholars who could translate the original texts. In this regard, Alan was a purist. He had disdain for those who worked from secondary sources or who wrote on comparative law topics without being able to speak a language other than their own.

Over my lifetime, I have met many people whom I thought had integrity, but I have met very few who really had the courage of their convictions when it truly came down to the nitty gritty. Alan is one of those few. There are many examples of this, but the starkest one that I can recall occurred in 1988 when he suddenly tendered his resignation from the University of Pennsylvania, where he had been a law faculty member for more than a decade, over what he regarded as the blatant injustice of a denial of tenure to a deserving junior faculty member. That began a period of turmoil for our family because suddenly we were “on the market.” Our daughter was not quite two years old at that time. Since the resignation occurred on the spur of the moment (i.e., I had no real input into the decision), Alan deferred to me to decide where we should focus our energies.

Long before I met Alan, a consoling friend said to me during a brief but bleak period in my life that “things often have a way of happening for the best.” At the time I had been dismissive, thinking that it had been easy for her to say because she was not the one who was suffering. Subsequently, though, there have been times that I have reflected on that statement and thought maybe she had been on to something after all. The period following Alan’s resignation from Penn was one of those times. After graduating from law school, I lived in the Southwestern, the North Central and the Northeastern regions of the United States, but I always felt like a transient. I wanted to go back home to my Southern roots and Alan embraced that concept without another word. From that point on, we focused our search on North Carolina and Georgia, and well, we all know how that came out.

Alan and I joined the UGA law faculty in the fall of 1989 and it was a busy time for both of us. Alan embraced his new home, remarking that there were many things about it that reminded him of Scotland. He loved everything about the South—the weather, the food, the people, even the close proximity to my family. He immediately fell into lockstep with his work routine as it had been in Philadelphia. He also rekindled an old friendship with Malcolm Call, then Editor-in-Chief of the University of Georgia Press, with whom Alan had worked in editing the mammoth *Digest of Justinian* while both had been at Penn.

Anyone who might have harbored any thought, however fleeting, that Alan had moved to Georgia to retire was very sorely mistaken. In fact, his time here has been his most productive. Since arriving in Georgia, he has written thirty-three significant articles that have been published in scholarly journals around the globe and he has published thirty-two books, thirteen of

them with the Georgia Press. In keeping with his overarching interest in the development of law and its relation to society, Alan conceived and edited the seven volume series *The Spirit of the Laws* (also published by the Georgia Press), that explores various legal systems from the context of their relationship with society, religion, and the moral perspectives and values of those who made the law. The staff of the Georgia Press joked that they were beginning to think of themselves as “the Alan Watson Vanity Press.”

His work during his Georgia period took on a broader approach. His focus previously had been on Roman Law, Comparative Law, and Legal History. But he began to focus more on Law and Religion, delving into novel implications of Jesus’s encounter with the woman at the well and concentrating on legal issues arising in the book of John, particularly those surrounding the trial of Jesus. His work in this area is probably his most provocative, and that is saying quite a bit. But true to form, Alan’s theories were running up against age-old beliefs and customs that had been firmly and emotionally held. And, as we all know, those die hard.

It is safe to say that the reactions to Alan’s work on Law and Religion have run the gamut from awe and fascination to shock and outright horror. But then, that is vintage Alan! It generally takes a while for his work to be digested before the light begins to dawn. In the relatively recent past, he was dumbfounded to learn that his most famous work, *Legal Transplants*, has received an enormous reception around the world. Published in 1974, it initially had been, as he said, a book that “had fallen stillborn from the press.”

Alan has received six honorary degrees after coming to Georgia and last fall, he received a lifetime achievement award from the American Society of Comparative Law. Both before and after the ceremony in Iowa, a number of people queued up to tell him what an influence he had on their work or how much they appreciated the time that he devoted to them when they were getting started in their professional lives and beyond. I was struck by the sincere affection that they had for him.

Recently, one of our colleagues remarked rather wistfully that if there was a Nobel Prize in law, Alan certainly would be a contender. The mark of true brilliance is the ability to successfully challenge the conventional wisdom or at least to raise serious doubts about it. This was Alan’s forte and it is evident in all of his work, whether it is Legal History, Comparative Law, Roman Law, or Law and Religion. Even if time ultimately should prove him wrong, Alan has given the legal, historical, and religious worlds much to ponder for generations to come. That is his real legacy, Nobel Prize or not, and it is not bad for “a wee lad from Hamilton, Scotland.”

