

10-1-1996

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Recommended Citation

Thomas E. Headrick, *Crossing Bridges*, 44 Buff. L. Rev. 623 (1996).

Available at: <https://digitalcommons.law.buffalo.edu/buffalolawreview/vol44/iss3/7>

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Crossing Bridges

THOMAS E. HEADRICK†

The first time I met Alan was on that walking bridge that joins the Law School at Minnesota to the rest of the campus. It was at a Law and Society Conference, and for some reason Alan and Tom Heller and I were crossing together. I don't remember any of the conversation, but I remember this bundle of intellectual and physical energy—everything—the mind, the body and the passion moving at double normal speed. I formed an immediate liking for Alan. In a way, how could one not like this bright, witty, outrageously opinionated, incisive, warm, friendly, caring person who was just fun to be with.

Those feelings never left me. Alan joined our faculty a few years later and I came to know him much better. I saw him in his up times and down, but the connection I made with Alan on that Minneapolis bridge the first time we met never wavered, which is not to say that we always agreed.

Alan had worked out his template for the world with more certainty than I have ever been able to muster. It sprang from the Marxist critique of industrial capitalism, it was fed in some measure by a tour of duty in the Pentagon during the Vietnam craziness, and it probably owed a lot to youthful irreverence and intolerance of our society's lack of ability to remedy obvious social injustices. Yet, over time Alan's template became more flexible, its edges fuzzier as he confronted the complexity and contradictions of a society and its institutions. His coherent intellectual framework did not fit; it left too many open and unresolved questions and so he modified it a bit.

Despite his intellectual anchor, he was incredibly open minded, insatiably intellectually curious and always trying to expand his reach and understanding. For example, despite his almost innate distrust of classical economics, Alan with Betty (and I want to say more about Betty a little later), ventured into teaching antitrust and international trade law, two subjects driven by the economic perspective. He may have come as a critic and revisionist, but the experience moved his thought more toward dialogue than demolition.

Likewise, Alan did not entirely live in the world of his intellectual template. He taught land planning law and for the most part identified with the idea that community values should tem-

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per individualism, that community concerns should outweigh the prerogatives of property. But that did not stop him from violating Amherst zoning law by keeping goats and some other barnyard inhabitants in his back yard or from being angry when the neighbors brought the weak arm of the law down on the Windemere Avenue farm.

His empathy for people may actually have been exceeded by his concern for animals. He was never without his animal friends. And we all know the enormous stir he created among our local alums when he and Betty first offered *Animals and the Law* which later became *Nature, Ecology and Law*—marking a pragmatic as well as intellectual shift. But originally the course was the subject of much mirth at the monthly Law Alumni meetings—inquiries about how many dogs fellow lawyers had as clients, about the fee prospects for mediating cat fights and the like. Alan would have had his usual feisty retorts had he been there and only a few years later the joke was on his detractors, indeed his was the last laugh, as the area of animal rights legislation and regulation exploded. Anyone who thinks that laws dealing with animals are frivolous and inconsequential for a law curriculum has not paid much attention to research in the health and biosciences or the difficulties of managing animal research facilities or the growing confrontation between developers and environmentalists. Alan was well ahead of the curve and as usual Betty was there with him.

Betty as we all know, was one of our most outstanding graduates. That the faculty would invite her to join the faculty was a foregone conclusion. The only issue was when. She went from UB to Harvard and obtained an LLM degree and immediately drums began beating for her return here and appointment. I was resistant, not because I had doubts about her ability, but because I thought that more experience elsewhere would give her a wider perspective. I remember a telephone conversation in which I strongly encouraged her to take the Miami appointment before returning to UB. As a dean, little did I know that one of the lures of UB to Alan was the prospect of Betty being on the faculty. Deans are the last to learn about the liaisons of their colleagues and prospective colleagues. Fortunately, in spite of my blunder, the faculty facilitated this perfect union of Alan and Betty, who for a decade and a half formed a powerful and productive scholarly force in legal and social theory. You cannot know how many times I reflected on how fortunate I was that deans don't count for much on the really important decisions that law schools make.

Betty, we know, even though we can never quite feel, how difficult a transition these last months have been for you. We know because our own sense of loss is immense. This vibrant, provocative, sensitive and caring force in our lives is physically gone. In the end it seemed that at the double speed at which his mind and passion lived simply out-paced the body in which they lived. The tragedy is that it occurred much too soon. The solace is that he helped us cross bridges, bridges that linked incongruous ideas, bridges that spanned the previously intellectually unfathomable. An exquisite legacy—and if one has to depart—perhaps no more exquisite legacy to leave.