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H A R V A R D I N T E R N A T I O N A L L A W J O U R N A L

Nicholas C. Howson's Tribute to Professor William P. Alford

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I first met Bill Alford, then a member of the UCLA Law School faculty, in Beijing during the summer of 1986, the summer after my 1L year at Columbia Law School. We were on the Beijing University campus to implement the second instance of a program organized by the Ford Foundation-funded Committee on Legal Educational Exchange with China (CLEEC), which Bill had been instrumental in launching earlier in the 1980s. That program was directed at Chinese lawyers, judges and legal scholars (and future law professors specifically) to give them some enhanced exposure to U.S. and international law and surely exotic U.S. law teaching styles before their upcoming visits at participating law schools. The faculty that summer was a distinguished one, and aside from Bill, it included Columbia's Walter Gellhorn and Alan Farnsworth, Stanford's Gerry Gunther, Yale's Geoff Hazard, and Pacific McGeorge's Chuck Kelso. Along with Beida law department graduates Wei Qun (later a partner at Sullivan & Cromwell) and her husband Chen Dagang (later a top China Securities Regulatory Commission official and then a key executive at the China Everbright Bank), I served as a "faculty associate," where I was mostly content to do whatever I was told, from teaching small sections to translating to tea-fetching. As the program advanced, I learned one other thing I liked to do, a lot: simply hanging around Bill Alford.

Although this moment in 1986 was the first time I met Bill in person, he was already well-known to me, and indeed to anyone involved in the study of the Chinese legal system, historical or contemporary. He was understood to be the brightest star in what some called the "second generation" of China law scholars in the U.S., after the first generation comprising Harvard Law School East Asian Legal Studies founder Jerry Cohen and the (mostly) West Coast's Stanley Lubman. It was also much remarked upon that Bill had more than legal training and linguistic preparation, but also serious training in an equally serious academic discipline pertaining to the study of China (there were later confirmed rumors of a Yale M.A. in Chinese History). This was thought to distinguish Bill from the run-of-the-mill China law experts in the U.S. at

that time, those who arrived on the scene with good Chinese language and a good U.S. law degree, but nothing more, and certainly no other academic (social science or humanities) expertise.

All of the above being true, Bill was at the time I met him *really* well-known, almost notorious, for the article he had just then published in the *Texas Law Review* (64 Tex. L. Rev. 915 (1985-6)) titled “The Inscrutable Occidental? Implications of Roberto Unger’s Uses and Abuses of the Chinese Past.” In that article, Bill applied a stiletto-like corrective to some rather deep misapprehensions about the traditional Chinese legal (and governance) order contained in a much-heralded book by his future Harvard Law School colleague Roberto Unger. This must have taken some guts, as Professor Unger was then (as now) enormously prominent, and universally deferred to, and Bill merely a rising but still junior academic, who inconveniently (at least for Unger) maintained real expertise in the subject matter analyzed by the Brazilian superstar. (I remember thinking later that Bill should have published a book on the Brazilian legal order, without the benefit of reading or speaking Portuguese, or much knowledge of Brazil’s history.) In that article it was as if Bill Alford, like a chivalric knight in times long past, acted as the champion for all China law scholars against an authoritative but flawed dragon, single-handedly defending the field entire and a project only then struggling to its feet. And the way he did it! Everyone who knew the infinitely gracious, tolerant, deferential and wholly kind Bill Alford in person had to marvel at the written Bill Alford—the pointed thrusts and decapitating swings, and the sheer, brute, power of his perfectly justified rebuttal to Unger’s telling of China.

And yet none of the foregoing touches on what I personally owe Bill, which is summed up in the trite phrase, “he changed my life.” And I will add, “for the better.” After our first meeting in China 34 years ago, we kept in close touch, as he left his beloved UCLA

and joined the Harvard law faculty, took over EALS, saw the end of his first marriage, and then started his second marriage with the equally accomplished Shen Yuanyuan, and created a family of two very smart (and hockey-loving) boys. For my part, I opted for the practice of law, and did so with immense satisfaction, finally as a partner at Paul, Weiss, Rifkind & Wharton LLP, working over my career out of New York, London, Paris and Beijing. I remember enjoying happy reunions with Bill throughout the world, in New York, Cambridge and Beijing. I had always kept my hand in teaching and the study of Chinese law, doing the course in Chinese law at my law *alma mater*, Columbia Law School, through the 1990s and when I was in, or in and out of, New York City. By the late 1990s, I had entered a first marriage which quickly proved difficult. In 2003, I decided to step down from my partnership at Paul, Weiss to dedicate myself to that marriage and what I understood were the needs of my wife. At just that time, or after I had announced my retirement from the firm, but before I had actually left Paul, Weiss, I encountered Bill in Morningside Heights where we both were to commemorate the retirement of our friend and mentor Randy Edwards (the founder of Chinese Legal Studies at Columbia Law School). I remember meeting Bill in the hallway, where a conversation (mostly) like the following occurred.

Bill: "Hi Nico, great to see you. What's up?"

me: "Hi Bill. Wonderful to see you. What's up? Oh, I am leaving Paul, Weiss, stepping down from my partnership."

Bill: "Oh, I see. What for? Another firm? An investment bank?"

me: "I have no idea."

Bill: [Silence].

me: “What’s that you say?”

Bill: “We should talk.”

We did talk, then or later, and Bill said something like, “Well, I know you have always loved teaching, why don’t you come up to HLS for a year, teach a course with me, we’ll give you an office in EALS, and see how it goes?” I must have quickly said “Yes” to all of the above, and so after stepping down from Paul, Weiss, I spent most of the 2003-4 academic year at EALS, taught a course with Bill, and started to become acquainted with the law academy life and its particular rhythms. (The only fly in the ointment being Bill’s ridiculous affection for the Boston Bruins, difficult to accept for this native Montrealer and partisan of what I grew up worshiping as the “Ste-Flanelle,” the Montreal Canadiens. We agreed to settle on rooting for Harvard hockey, especially when the Canadiens first draft pick one year was a Quebecois-origin Harvard star.) Rather inevitably, the marriage I was trying to save deteriorated even further, whereupon we decided on divorce, and everyone assumed I would simply re-enter Big Law or metamorphose into an investment banker. But, and entirely thanks to Bill and the circumstance he had laid on for me at HLS, I deferred on all of those renewed opportunities, and doubled down on the preposterous idea of becoming a full-time law academic. Long story short, at the end of that year, Bill directed me to colleagues at Cornell Law School and I served as a Visiting Assistant Professor at that great law school for the 2004-5 academic year, whence I was recruited for a tenure track job at Michigan Law School, where I have very happily labored for the past 15 years.

I write “long story short,” because the details of my individual progress are unimportant, but so I can emphasize that the animating force behind those details and the sea change improvement in my career and indeed life, is one soul—Bill

Alford. Without his close attention to me (among so many of his other charges and students), and his unselfish human kindness, I don't know where I would have been after 2003 and I don't know where I would be right now, but feel sure not in the position of pure enjoyment and happiness I experience each and every day (like Bill, marriage for me saw a second act, and as with Bill and Yuanyuan, a really good second act).

So, I owe Bill a great deal in terms of delivering to me the life I live now. But I also owe Bill as a sustaining model of *what* a person, any person, should be, and *how* that person should be, regardless of career, personal circumstance or station in life. He has been a mentor, friend, vanguard and intellectual light to me, and many others. He has taught me, and again among many others, the virtues of truly-felt humility and sincere kindness, what it is to reach out and help others in varying stages of need, distress or success, and when it is necessary to act robustly in the defense of integrity and good sense.

Bill now steps down from his position as Vice Dean for the Graduate Program and International Legal Studies at HLS, a post he held for almost two decades. Happily, HLS has convinced him to stay in the saddle on some of the horses he has guided so expertly, including as Director of EALS and Chair of the Harvard Law School Project on Disability, and staying on as the inaugural Jerome A. and Joan L. Cohen Professor of East Asian Legal Studies. His stepping down as Vice Dean only says that he will continue supporting the careers and scholarship of international students at Harvard Law School, the study of foreign legal systems, and international exchange between Harvard and other institutions and scholars outside of the U.S. by choice, rather than as part of his formal job description. Of course, that means he is only at the end of the beginning of his writing and research career, so we expect even more from him now as one of the world's pre-eminent scholars of the Chinese legal system. Nonetheless, Bill

Alford, even at what I persist in seeing as early mid-career, is worthy of our celebration and gratitude, and for the manifold ways he has touched and enlightened all of us, and enabled hundreds or perhaps thousands of lawyers to live our best lives in the U.S. and abroad.

Ann Arbor, Michigan, September 26, 2020