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Eric Stein
Hessel E. Yntema Professor Emeritus of Law
July 8, 1913–July 28, 2011
DEDICATION

It is my solemn honor to dedicate Volume 33 of the Michigan Journal of International Law to Professor Eric Stein. Professor Stein was a formidable fixture in the fields of international and European law. He has been a guiding presence, supporter, and advisor for this Journal since its inception. But more than that, he was a remarkable teacher, mentor, and friend to generations of students and academics. As will be illuminated in the tributes and reflections that follow, he never allowed prestige or pretense to isolate him from the community of knowledge that he loved so much, and as a consequence he lastingly affected the lives of so many in ways both large and small.

I, too, count myself among those fortunate to have worked with Professor Stein. As the newly minted Editor in Chief, I found myself in the privileged position of working on what would become Professor Stein’s final published work—his first-hand reflections of living and serving in Italy during and after World War II. Although I was understandably intimidated by both his greatness and my own newness in office, I was immediately set at ease by Professor Stein and his gracious wife, Virginia, at our first meeting. Here was a man in his late nineties who obviously still possessed a keen intellectual vigor, and though weakened by illness, took time to ask about my background and studies before beginning work on the piece. It was this concern for others that characterized Professor Stein’s life, and is a true measure of his greatness.

With the passing of Professor Stein, the academy has lost a scholar, the Law School has lost a family member, and the world has lost a teacher. But the legacy of Professor Stein will live on, forever, in the countless lives he touched.

—Brendon Olson
Editor in Chief
E.U. ACCOUNTABILITY TO INTERNATIONAL LAW: THE CASE OF ASYLUM

James C. Hathaway*

In one of his later published works, Eric Stein wrote that “[a]s in a modern administrative state, transparency in the Union is essential not only to inform member state parliaments and electorates, but also to help form an all-European debate and public opinion that are required to sustain advanced integration.” In his usual prescient way, Professor Stein captured the dilemma of the European Union as it has shifted from an amalgam of states seeking consensus in a largely behind-closed-doors way to what many would see as an emerging federal state. With its undoubted ability to project power, will the European Union effectively transform its processes to ensure that its state-like power is subject to meaningful constraints and accountability, in particular those set by the rules of public international law?

In the field of refugee law, the signs were initially ominous. The earliest foray of the European Union in the field was the Dublin Convention and its successor Dublin Regulation. These agreements purport to force most persons from outside the Union to seek asylum in only one designated E.U. country—whether or not that country applies the refugee definition faithfully, implements refugee rights with integrity, or has a process in place that meets the duty to ensure that refugees are both recognized and protected as required by international law. Despite the fact that each member state continues to have independent obligations under international refugee law, including to consider the protection needs of any refugee coming under its jurisdiction, the Dublin regime opts for efficiency within the European Union at the cost of willful blindness to international law. While the Refugee Convention allows a state to divest itself of presumptive protection

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responsibilities only if the refugee’s rights are not thereby compromised.\textsuperscript{6} the European Union’s Dublin regime mandates no such inquiry. Instead, it usually requires that anyone seeking refugee protection be sent to the first E.U. state with which she had physical contact,\textsuperscript{7} whatever the strengths or weaknesses of that country’s asylum system.

It was only when courts in the United Kingdom refused to authorize the sending of asylum seekers to France and Germany on the grounds that those states misapplied international refugee law—specifically, by refusing recognition of refugee status to persons at risk of nonstate persecution\textsuperscript{8}—that the European Union at last felt the need to inject some measure of accountability to law into its asylum regime. Realizing that (at least British) courts would effectively trump the willful blindness model in ways that would cripple its efficiency, the Union negotiated and implemented a series of binding directives that codify baseline understandings of refugee status and establish a broader “subsidiary protection” class;\textsuperscript{9} define the rights of persons while seeking protection\textsuperscript{10} and once recognized as members of the protected class;\textsuperscript{11} and stipulate the procedures by which protection is to be implemented.\textsuperscript{12} Framed as “minimum standards,”\textsuperscript{13} and explicitly subordi-

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7. Dublin Regulation, \textit{supra} note 3, art. 10(1). The regulation sets out a hierarchy of responsibility determination criteria in Articles 6–13. The presence of family or issuance of a residence permit or visa, for example, will take precedence over first physical contact. \textit{Id.} arts. 6–9.

8. \textit{R} v. Sec’y of State for the Home Dep’t (\textit{Ex parte Adan}), [2001] 2 A.C. 477 (H.L.) 508–10, 518 (citing to the U.K. House of Lord’s adoption of the “protection” approach to nonstate persecution found in \textit{Adan} v. Sec’y of State for the Home Dep’t, [1999] 1 A.C. 293 (H.L.), and contrasting that with the state-centric “accountability” approach employed by France and Germany). \textit{See also} \textit{R} (Yogathas) v. Sec’y of State for the Home Dep’t, [2002] UKHL 36, [9], [58]–[59], [2003] 1 A.C. 920 (H.L) 927, 941 (conceding that only “significant differences” of interpretation can prevent removal to a partner state, while insisting that “the most anxious scrutiny” be applied before removal is authorized).


11. Qualification Directive, \textit{supra} note 9, arts. 20–34. Here, the term “refugee” is used to encompass both Convention refugees and persons who meet the Qualification Directive’s standards for subsidiary protection.


14. Consolidated Version of the Treaty on the Functioning of the European Union art. 78, May 9, 2008, 2008 O.J. (C 115) 47 [hereinafter TFEU] (requiring the development of “a common policy on asylum” that “must be in accordance with” the Refugee Convention). The E.U. asylum measures state as a primary aim “the full and inclusive application” of the Refu-
been interpreted and applied by the Court of Justice of the European Union (CJEU).\textsuperscript{15}

If these directives faithfully implemented international refugee law—or at least, if the CJEU rendered interpretations that forced conformity between the directives and international standards—then the Dublin regime could be lawfully implemented. This is because, while international law allows each individual to determine for herself where to engage the protection process (based on accessibility, an assessment of safety, or simply personal preference),\textsuperscript{16} state parties are entitled to share-out among themselves the duty to provide protection.\textsuperscript{17} So long as all persons defined as refugees at international law are treated as such, and all rights that accrue under international law are honored, an assignment of protective responsibility effected before a refugee is lawfully present is legally sound.\textsuperscript{18} In short, refugee law is not


\textsuperscript{15} As of mid-2011, the CJEU had rendered six decisions interpreting the E.U. asylum measures: Case C-19/08, Migrationsverket v. Edgar Petrovsky & Others, 2009 E.C.R. I-00495 (addressing transfer time limits); Case C-465/07, M. Elgafaji & N. Elgafaji v. Statsssekretaris van Justitie, 2009 E.C.R. I-00921 (interpreting “serious and individual threat . . . by reason of indiscriminate violence”); Joined Cases C-175/08, C-176/08, C-178/08 & C-179/08, Abdulha & Others v. Bundesrepublik Deutschland, 2010 E.C.R. I-01493 (addressing cessation of status); Case C-31/09, Bolbol v. Bevándorlásügy- és Állampolgárságügy Hivatal, 2010 ECJ EUR-Lex LEXIS 315 (June 17, 2010) (addressing exclusion due to protection by a U.N. agency other than UNHCR); Joined Cases C-57/09 & C-101/09, Bundesrepublik Deutschland v. B & D, 2010 ECJ EUR-Lex LEXIS 950 (Nov. 9, 2010) (addressing exclusion due to crime or acts against U.N. principles); Case C-69/10, Diouf v. Ministre du Travail, de l’Emploi et de l’Immigration, 2011 ECJ EUR-Lex LEXIS 1449 (July 28, 2011) (addressing the right to an effective remedy). Eight more cases have been lodged for review: Case 493/10, heard with Case C-411/10; Case C-620/10; Case C-4/11; Joined Cases C-71/11 & C-99/11; Case C-175/11; Case C-179/11; and Case C-277/11. These cases can be accessed at http://eur-lex.europa.eu/.


\textsuperscript{17} See U.N. High Comm’r for Refugees Exec. Comm. Conclusion No. 74 (XLV), \textit{General Conclusion on International Protection}, ¶ p (1994), available at www.unhcr.org/3ae68c6a4.html (“Acknowledg[ing] the value of regional harmonization of national policies to ensure that persons who are in need of international protection actually receive it . . . .”); U.N. High Comm’r for Refugees Exec. Comm. Conclusion No. 85 (XLIX), \textit{Conclusion on International Protection}, ¶aa (1998), available at http://www.unhcr.org/3ae68c6e30.html (limiting lawful transfers to situations in which it is “established that the third country will treat the asylum-seeker (asylum-seekers) in accordance with international standards, will ensure protection against refoulement, and will provide the asylum-seeker (asylum-seekers) with the possibility to seek and enjoy asylum”).

\textsuperscript{18} Once lawful presence is established (e.g., by admission to a process for refugee status verification), the Refugee Convention permits nonconsensual transfers only “on grounds of national security or public order” and following a formal legal proceeding. Refugee Convention, \textit{supra} note 6, art. 32(1)–(2). See \textit{generally} HATHAWAY, \textit{supra} note 5, at 663–64.
immigration law. But neither does it authorize the expulsion of refugees to some other state on the simplistic basis that the other country is a site of “first arrival,” or even that the destination country can be relied on not to send the refugee back to her country of origin (non-refoulement).  

Despite the promise of accountability to international refugee law obligations suggested by the advent of binding directives and CJEU oversight, there are in fact major gaps between the European Union’s minimum standards and international law, with the result that a proposed destination country meeting just these standards is not in fact a place to which a refugee may lawfully be removed. For example, the Qualification Directive purports to set a definition of the “membership of a particular social group” ground for refugee status that has no foundation in accepted understandings of the Refugee Convention, and which poses a real risk to the protection claims of women and members of sexual minorities; it unlawfully authorizes the denial of sur place claims based on an applicant’s own actions taken since filing a first asylum claim; and it confuses the test for exclusion from refugee status with the grounds on which a genuine refugee may be denied the benefit of protection against refoulement under Article 33(2) of the Refugee Convention. The Asylum Procedures Directive moreover purports effectively to amend the Refugee Convention’s exclusion clauses by authorizing states to reject an application for perceived lack of cooperation and obviates any meaningful notion of review or appeal by suggesting that member states need not allow rejected applicants to remain in their territory while appeals against negative decisions are pending. Yet states have shown marked reluctance to amend the directives in order to bring them into line with international law.

19. See infra notes 34–35.
20. See Qualification Directive, supra note 9, art. 10(1)(d).
21. See Qualification Directive, supra note 9, art. 5(3).
22. See Qualification Directive, supra note 9, art. 14(4).
It is also doubtful that the supervisory role of the CJEU can be counted on to remedy the accountability deficit. Most fundamentally, the CJEU has the power only to interpret the minimum standards, not to revise them. It may moreover acquire jurisdiction over an individual case only by way of a reference action from a court in one of the member states.\textsuperscript{26} The jury is also still out on how determined the CJEU will be to ensure the fidelity of European norms to the rules of public international law. The court has clearly stated its commitment to the primacy of international refugee law in understanding the nature of E.U. directives,\textsuperscript{27} and has, for example, ruled that mere membership in a listed terrorist organization does not justify exclusion from refugee status.\textsuperscript{28} But it has also adopted a highly decontextualized understanding of the exclusion from refugee status of persons in receipt of U.N. protection,\textsuperscript{29} and endorsed the legally unsound notion that individuals may be compelled to accept “protection” from nonstate actors in their country of origin.\textsuperscript{30} The record to date, then, can only be described as mixed.

Most fundamentally, the fidelity of the European asylum regime to international refugee law remains compromised by the misguided yet unquestioned assumption that refugees may be shunted about nearly at will. True, the European Court of Human Rights has for many years constrained refugee removals by reliance on the prohibition of exposure to torture or to inhuman or degrading treatment or punishment\textsuperscript{31}—including a recent

\textsuperscript{26} Courts in the member states may ask the CJEU to rule on questions of interpretation of E.U. law that arise during cases. TFEU, \textit{supra} note 14, art. 267. Otherwise, the jurisdiction of the E.U. courts is largely limited to actions brought by or against the E.U. institutions themselves. \textit{Id.} arts. 256, 258–260, 263–266, 268–273.

\textsuperscript{27} Joined Cases C-175/08, C-176/08, C-178/08 & C-179/08, Abdulla & Others v. Bundesrepublik Deutschland, 2010 E.C.R. I-01493, ¶¶ 52–53 (noting the Qualification Directive was adopted, inter alia, “to guide the competent authorities of the Member States in the application of” the Refugee Convention).

\textsuperscript{28} Joined Cases C-57/09 & C-101/09, Bundesrepublik Deutschland v. B & D, 2010 ECJ EUR-Lex LEXIS 950, ¶ 89 (Nov. 9, 2010).

\textsuperscript{29} Case C-31/09, Bolbol v. Bevándorlóai és Állampolgársági Hivatal, 2010 ECJ EUR-Lex LEXIS 315, ¶¶ 49–53 (June 17, 2010). In this decision, the CJEU limited exclusion under Article 1(D) to persons who had actually registered for U.N. Relief and Works Agency assistance, taking no account of the intention of the Convention’s drafters to avoid a diaspora of Palestinians. \textit{See}, e.g., El-Ali v. Sec’y of State for the Home Dep’t, [2002] EWCA (Civ) 1103, [70], [2003] 1 W.L.R. 95, 125 (Eng.). Critically, the CJEU made no reference to the extensive body of refugee case law or scholarship before deciding this highly complex issue.

\textsuperscript{30} \textit{Abdulla}, 2010 E.C.R. I-01493, ¶¶ 74–76. But as observed in the English Court of Appeal, “I see force also in the point . . . that protection can only be provided by an entity capable of being held responsible under international law.” Gardi v. Sec’y of State for the Home Dep’t, [2002] EWCA (Civ) 750, [37], [2002] 1 W.L.R. 2755, 2766 (Keene L.J.) (Eng.), \textit{vacated on jurisdictional grounds}, [2002] EWCA (Civ) 1560, [2002] 1 W.L.R. 3282 (Eng.).

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decision insisting that subjection to dire economic conditions abroad may meet that test.32 But the continuing effort to “shoe horn” respect for refugee law norms into the limited jurisdiction of the European Convention on Human Rights33 may actually be indirectly (if inadvertently) responsible for the pervasive belief in Europe that no more than minimal constraints (specifically, risk of refoulement or torture or cruel or inhuman treatment) restrict the authority of states to force refugees away.

In truth, as the High Court of Australia has recently made clear, respect for the duty of non-refoulement is only one part of the inquiry mandated by international refugee law:

[A sending state], as a party to the Refugees Convention and the Refugees Protocol, is bound to accord . . . the rights there identified. Those rights include, but are by no means limited to, rights relating to education, the practice of religion, employment, housing and access to the courts. If . . . the only relevant inquiry . . . is whether, as a matter of fact and regardless of legal obligation, there is a real risk that a person who is given refugee status in the country to which he or she is taken will be expelled or returned to the frontiers of a territory where that person’s life or freedom would be threatened on account of a Convention reason, that person may have none of the other rights which [the sending state] is bound to accord to persons found to be refugees.34

This principled duty to ensure the internationally guaranteed rights of refugees delimits the scope of state authority to share the responsibility to protect:

The Refugees Convention is a pact between states. If [one country] decides not to process claimants to refugee status onshore, it must tell the other states who are parties to the Refugees Convention that it will process claimants offshore in places where the same standards apply. The same standards include not only the right of non-refoulement pursuant to Article 33 but many other rights such as

32. MSS v. Belgium & Greece, App. No. 30696/09, 53 Eur. H.R. Rep. 28, ¶ 263 (2011) (noting the applicant’s destitution due to official inaction, the “prolonged uncertainty” of his situation, and “the total lack of any prospects of his situation improving” gave rise to a violation of Article 3 of the European Convention on Human Rights (ECHR)).

33. The court has occasionally prohibited expulsion on grounds other than the ECHR’s Article 3 prohibition on torture or inhuman or degrading treatment, albeit not in cases concerning refugee claims. See e.g., Boultif v. Switzerland, 2001-IX Eur. Ct. H.R. 119, ¶¶ 55–56 (holding that Article 8’s protection of family life prevented the expulsion of an Algerian national convicted of a crime but married to a Swiss citizen). British jurisprudence suggests that articles other than Article 3 can indeed prohibit expulsion if a “high threshold test” is satisfied. See R (Ullah) v. Special Adjudicator [2004] UKHL 26 [49]–[50], [2004] 2 A.C. 323 (H.L) 362 (Lord Steyn).

what were described as “basic survival and dignity rights, including rights to property, work and access to a social safety net,” rights not to be discriminated against, and rights to be guaranteed religious freedom. It follow[s] that the [sending government] ha[s] to be sure as a matter of fact that [the proposed destination state is] complying with all those standards.35

By refusing to recognize this fundamental limitation and instead treating the prohibition of expulsion to face a risk of persecution as the only pertinent rule of the Refugee Convention,36 the European Union has failed to create a structure that is capable of reconciling its legal commitments to refugees with its drive for administrative efficiency.37 Indeed, the recent suggestion of the Advocate-General that even noncompliance with supposedly binding E.U. asylum directives does not itself pose a bar to refugee removals38 makes clear just how far departure from law may be sanctioned in the Union’s single-minded pursuit of operational goals.

What would Eric Stein make of this situation? He would no doubt urge some measure of patience, recognizing the depth of Europe’s commitment to human rights and the relatively recent vintage of the directives and, in particular, the CJEU’s competence to oversee them. But as the consummate public international lawyer, he would surely also argue that European institution building be achieved in a manner that truly respects the rules of public international law. His insistence that European integration be predicated on transparency, and that the rise of new institutions is no excuse for a failure of legal accountability, should compel us to vigilance.

35.  Id. ¶ 157 (Heydon J).

36.  See, e.g., Case C-411/10, N.S. v Sec’y of State for the Home Dep’t (Advocate General’s Opinion) (Sept. 22, 2011) ¶ 158, http://curia.europa.eu/jurisp/cgi-bin/form.pl?lang=en (search “Case Number” for “411/10”) (concluding that transfer pursuant to the Dublin Regulation “is, as a rule, incompatible with EU law where the asylum seeker is exposed . . . to the serious risk of expulsion to a persecuting State”). The opinion referred to “due respect for the rules of the Geneva Convention,” id. ¶ 154, but discussed the Convention purely in terms of the Article 33(1) prohibition on refoalment. E.g., id. ¶¶ 41, 114, 153–154.

37.  See id. ¶¶ 125–126 (the main aim of the Dublin Regulation is to “determine rapidly” the member state responsible for evaluating an asylum application).

38.  Id. ¶ 123. (“Serious risks of infringements of individual provisions . . . which do not also constitute a violation of the . . . Charter of Fundamental Rights, are not sufficient . . . to create an obligation on the part of the transferring Member State to . . . assume responsibility . . . .”).
SCHOLARSHIP AS CONTRIBUTION
TO WORLD PEACE

John H. Jackson*

Eric Stein was clearly one of the important legal scholars of our time. I enjoyed him as a colleague for more than three decades, and remained a friend afterward although we were separated by distance. Eric was truly dedicated to his scholarship, which was broadly concerned with international law and how it operates, but perhaps most significant to his legacy was his deep interest and personal involvement in the extraordinary beginnings and ongoing evolution of the European Union.

As a scholar of the intricate legal structure of the European Union, Eric had to cope with the beginnings of what may be one of the most important geopolitical international relations and legal developments of the post–World War II era. The European Union was based only partly on the goals of economic development. More important was the role that the Union played in preventing another European war following several devastating wars of the twentieth century. Eric was in the midst of this development, and contributed enormously to the development of a rules-based economic system, which deserves important recognition for its institutional and constitutional impact on the relatively peaceful decades that followed.

Eric was always a true gentleman and scholar. He dedicated many hours to influential publications including important books as well as carefully structured and lively essays. He was also a devoted teacher, and maintained close contact with many former students. Much of Eric’s background was of course in Europe, so he was able to play a role in bridging the different cultures of Europe and the United States. This background, his recognition of the importance of human institutions in preventing war, and his study and scholarship about weapons control concepts contributed to a unique and fertile mind.

He will be missed, but we all rejoice in the fact that he was fortunate to have experienced an important, interesting, and enjoyable life. He was also enormously fortunate to have a dedicated and intelligent wife, Virginia, who had the talents to be an amazing and lasting partner for Eric.

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ERIC STEIN

Theodore J. St. Antoine*

Eric Stein was one of the wisest, shrewdest, most broadly knowledgeable, and most benign human beings I have ever known. Since others can speak more authoritatively about Eric’s scholarship and his contributions to international law, I am going to concentrate on him personally and on his relationships with his Michigan Law School colleagues.

Eric was the last person to intrude on you, but he had a gentle way of intervening with sage counsel. I can recall three times he did so with me. At the very beginning of my years at the Law School, he said, “You are now a faculty member at Michigan. You are in a position where you shouldn’t hesitate to call anyone in this University and ask to see them.” When I retired from full-time teaching, he admonished me, “Stay visible. You’ll lose out on many good things otherwise.”

A third cautionary word from Eric was much more mundane, but it could have been life-saving. “You have a small lump over your right eyebrow,” he said. “Have you had it checked? Don’t depend entirely on doctors to look out for you. I have learned that you must frequently be your own doctor.” Big picture or quotidian item, Eric’s sharp eyes missed little, if anything.

Another savvy academic once remarked that old professors tend to get bitter and cranky. I have observed that phenomenon many times, but I never saw the slightest hint of it in Eric. He took his own sound advice about keeping up. No one else among the senior faculty was readier to cultivate the younger members, and it paid handsome dividends. It helped Eric remain fresh and vibrant and productive to the end, and in turn it enabled him to serve as a model and an inspiration for everyone.

Nothing was more touching than to see the warm, unaffected attention paid to Eric in his last illness by colleagues two generations removed from his. But Eric and his wife Ginny did not limit their outreach to the young. Most persons joining the faculty could count on gracious, Old World hospitality in the Stein home that quickly made newcomers feel as if they had always belonged.

Eric and Ginny loved art, music, and literature. Despite (or perhaps because of) Eric’s last-minute escape from his native Czechoslovakia after the Nazis took over, the Stein house was a miniature museum of German Expressionist art, much of it grim and haunting. Ginny also taught art history for many years at Eastern Michigan University.

My wife Lloyd and I had the pleasure in recent years of driving the Steins into Detroit for performances of the Michigan Opera Theatre. The

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trips and the pre-opera suppers became veritable seminars on everything from Ann Arbor architecture to world politics. Somewhat to my surprise, I learned that Eric’s pet opera was not Mozart or late Verdi but that elegant, nostalgic, richly romantic evocation of eighteenth century Vienna, Der Rosenkavalier.

Eric carried his romanticism over into his fondness for poetry. Wordsworth was a favorite. Here, more predictably, he fastened on such works as Wordsworth’s *Intimations of Immortality*:

Though nothing can bring back the hour
Of splendour in the grass, of glory in the flower;
We will grieve not, rather find
Strength in what remains behind;

. . . . . . . . . . . . . . . . . . . . . . . .

In the faith that looks through death,
In years that bring the philosophic mind.

Eric was a published poet in his own right, in what I would characterize as the Wordsworthian-Frostian tradition. But he was no prisoner of the past. We had a lively discussion of Peter Gay’s book, *Modernism*. “It’s good,” was Eric’s verdict, “but rather weak on twentieth century music.”

Even as he was dying, Eric retained his critical faculties. I told him of my disappointment when the great pianist, Martha Argerich, canceled a concert in London for which I had bought tickets. “Oh, I know about her,” Eric shot back. “She does that all the time!” More poignantly, Eric celebrated his ninety-eighth birthday at Arbor Hospice a couple of weeks before he died. Later I said to him, “Eric, there is no reason you should know about this, but ‘98’ is a number that has special significance in the history of the University of Michigan. It was the number worn by our greatest football player, Tom Harmon.” Came the quick response, “I saw Harmon play in 1940!”

Eric Stein was indeed a man, not only for all seasons, but for all occasions.
TRIBUTE TO ERIC STEIN

Bruno Simma*

My first encounter with Eric dates back forty years. In 1971 he taught a course at the Hague Academy of International Law.¹ At that time, I was an assistant lecturer at the University of Innsbruck, had just submitted my Habilitationsschrift to the Law Faculty there, and, while waiting for my venia legendi to come forward, I wanted to spend a few weeks at what was—and probably still is—the most exciting place for young international law scholars to get together with hundreds of like-minded individuals and some of the most inspiring teachers worldwide. Eric certainly lived up to my expectation of what a leading American law professor would be like: His lectures were sharp and challenging, as was the entire man. I remember him as prim in his appearance, crystal clear in the presentation of his subject, but what I also remember (and what in retrospect, having known Eric and his gentle, Old Worldish manners for decades, I find surprising) is that in the afternoon seminars accompanying his lectures he struck me as extremely tough in his attempt to employ what I later got to know as the Socratic method vis-à-vis an international student population more used to looking up in awe at the great figures in the field and not daring to say a word.² Well, I did not let myself be intimidated; I took the floor a couple of times and must at least have made the impression of not being too shy to survive intellectual slugouts at U.S. law schools, because at the end of one session Eric called me to the podium, inquired who I was and where I came from, and then invited me to apply for admission to the LL.M. program at Michigan.³ I intended to follow this up after completing my Habilitation procedure, but immediately after I had done so I was offered the Chair of International Law at the University of Munich, and so I wrote to Eric begging him to understand my career choice, which he generously did.

* Judge, International Court of Justice; William W. Cook Global Law Professor, University of Michigan Law School.


2. I remember that during one of these seminars the discussion turned to environmental issues, more particularly transfrontier pollution, and then got stuck over Eric’s question about where precisely international law stood on these matters. Finally, somebody mentioned that there was a student present in the hall who was just completing a doctoral dissertation on the subject, and, after a while, a young man rather hesitatingly came up to the lectern. Eric was able to get a few sentences out of him that helped our discussion along. The shy young scholar turned out to be Pierre-Marie Dupuy, today one of the leading French international lawyers and a visiting professor at Michigan Law School on several occasions.

3. For a description of our first encounter by Eric himself, see Eric Stein, Bruno Simma, the Positivist?, in From Bilateralism to Community Interest: Essays in Honor of Judge Bruno Simma 19, 30–31 (Ulrich Fastenrath et al. eds., 2011).
Thirteen years passed before I saw Eric again. It must have been in 1983 or 1984 that Eric spent a year as a Fellow of the Wissenschaftskolleg in Berlin. We met there as judges in the German finals of the Philip C. Jessup Moot Court Competition, and I invited Eric to deliver a lecture in Munich. Over dinner I must have mentioned that I had a Sabbatical coming up, because Eric suggested not only that I should spend it in Ann Arbor, but also that I should teach a seminar while doing so in order to get involved in the life of the Law School and meet faculty instead of rotting away in a closet in the Legal Research building (not Eric’s words!). This was duly arranged, and in the fall of 1986, I arrived at the Law School, which had provided Maynard House as my place to stay. I had hardly set foot in my apartment when the Steins appeared, with their car (already then driven by Ginny, whom I met for the first time on that occasion) stacked up to the roof with all kinds of household items, a bedspread, and a TV set. I remember that I felt—and the two made me feel—like a son of theirs, and this feeling has persisted over a quarter of a century.

I then set out to teach my seminar, devoted to the international protection of human rights and attended by a lively group of students of the usual kind, so to speak, with one exception. After the first couple of weeks, I noticed a somewhat older person quietly sitting in and observing how I carried on. It turned out to be Professor Alex Aleinikoff, who must then have given a favorable report to his colleagues, because the next thing I knew I was invited to make a presentation to the faculty on a Friday afternoon—which at that time meant giving a job talk. However, I was not aware of that, which probably helped because all of that led to my getting an offer to join the faculty, ultimately taking the form of a joint appointment between Michigan and Munich. Eric never spoke about his role in this story and I never asked him, but I would be very surprised indeed if he had not been instrumental in drawing the attention of his colleagues to the visitor from Germany, speaking out in my favor in the relevant committee and faculty meetings and helping to overcome opposition.

A visitor from Germany. This leads me to an observation on what for me is the most noteworthy of Eric’s many admirable character traits: a man, who as a young soldier in the Czechoslovakian Army, barely escaped from what certainly would have been his violent end at the hands of the Nazi invaders of his home country and who had to find out that he had lost several members of his family in the Holocaust, later turns into a father figure, and made Ann Arbor a home for so many German scholars (and, of course, for students and young academics from many countries, but particularly Germany). Their names would fill a long list indeed. I remember numerous conversations in which Eric surprised me by being perfectly up-to-date on the current whereabouts of many prominent German legal figures, both in academia and in practice, and then told me that they all had come to Michigan at one time or another and since then had remained friends with the Law School community, and particularly with Eric and Ginny. Thus, Eric was not only a pioneer in U.S. scholarship on the emergence of a united Europe; the
Steins added deeds to words and virtually established their own U.S.-European/German friendship society, as it were. When I heard about Eric’s passing away, I wrote to the Law School that Eric was for me one of the few people you meet in life who help you believe in the good in human beings.

Eric was certainly a father figure for me. He accompanied my career in academia and practice with good advice, explicit in praise and subtle, but clear, in criticism, while I enjoyed reporting my achievements and receiving his recognition of them. In this regard, I see myself as a pupil of Eric. In what turned out to be his second-to-last publication, in the *Festschrift* I had the great honor to receive recently, he subjected my academic work to a scrutiny that was as well meaning as it was thorough; it made me feel like being x-rayed in one of these airport security scanners of the last generation and I realized that, intellectually, Eric knew me better than I knew myself. I am sure that I would have made him happier if I had been able to muster more than just due professional respect for the project of European unification. But I must say that despite the focus of his work having been on European Community and European Union law for decades, Eric never lost his interest in developments in international and United Nations law. It was particularly the latter that he had been specializing in during his years in the State Department, in what must have been a wonderful time for somebody in his position: a guaranteed majority for the United States in the General Assembly and only one other power to really reckon with in the organization. But Eric did not lose faith in the United Nations after its dramatic transformation away from Western dominance. Whenever he spoke up or wrote about developments at the world organization, he did so with a lot of good will and remained fair and balanced (even though I won’t blame him for resettling in the Trans-Atlantic and European law world).

In sum then, I have lost a fatherly friend in Eric. I have lost one of my masters and a role model. I owe Eric so much and I am deeply grateful to him. During the long time of our friendship, I learned so much from him and profited from his advice, and this will not be lost. Eric loved Michigan, he infected me with this love and this gives me the opportunity to pay back what I received.

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4. *Cf. id.*
MEMORY OF ERIC STEIN

Carl A. Valenstein*

My memory of Eric Stein is of a teacher and mentor rather than a colleague. I will leave to others more qualified than I to describe his major contributions to the academic literature and teaching of European Community and public international law. When I entered Michigan Law School as a student in 1980, Eric had “technically” retired or at least transitioned to emeritus status. I say he had “technically” retired because his commitment to the law school community as a writer, teacher, and mentor to students never appeared to diminish. He still taught a number of classes and seminars, wrote extensively, and was more than generous with the time he spent with young law students like myself who professed an interest in international law.

At that time, Michigan Law School was honored with the presence of two lions of international law who had established Michigan as a leading school for the study of international law. Eric Stein was one and William Bishop was the other. Both were great men, who followed in the footsteps of Professors Edwin Dickinson and Hessel Yntema before them, but they were also very accessible human beings who took a sincere interest in their students and their careers long after they had graduated from law school. They not only engaged with students in class but participated in the activities of the International Law Society and assisted the staff of the then Michigan Yearbook of International Legal Studies (now Michigan Journal of International Law). They have been aptly described as the anti-Kingsfields, the opposite of the caricature of the aloof and menacing law school professor from The Paper Chase.

After I graduated from law school, I continued to stay in touch with Eric and his lovely wife Ginny. Because my parents live in Ann Arbor and I had lived with them during law school, my parents had become close personal friends of the Steins. I came back to teach at Michigan a course in international dispute resolution and, later, at the International Transactions Clinic, and Eric always wanted to hear about what I was teaching and my experience practicing international corporate law as a partner in a large law firm. Concerned about the growing dichotomy between practicing lawyers and law school faculty (a topic that the former Michigan Law professor, Judge Harry Edwards, had written about in a seminal 1992 article in the Michigan Law Review¹), Eric was pleased that Michigan students were

* University of Michigan Law School, Class of 1983; President, International Law Society, and Articles Editor, Michigan Yearbook of International Legal Studies; Adjunct Professor from Practice, Michigan International Transactions Clinic; Partner, Bingham McCutchen LLP, Washington, DC.

getting a taste of the “real world” of international law in addition to the academic curriculum.

When I received Dean Evan Caminker’s notice in early 2011 that Eric was failing and resting at home, I sent Eric the following message:

Dear Eric,

I just received Evan’s e-mail that you are resting at home and have given up on the medical establishment. I will be coming out to Ann Arbor in late March—early April to teach a few classes at the International Transactions Clinic and I hope to see you then if you are up for a visit. Susan will accompany me and she sends you her best wishes as well.

When I was teaching last semester, I had a flashback to 1981 when I took your public international law class and Lloyd Cutler, newly retired from the State Department Legal Advisor’s Office, came to class to discuss the legality of the U.S. response to the Iranian takeover of the U.S. Embassy. You and Lloyd Cutler called on me during class and, while I don’t recall whether I answered the questions correctly (I probably didn’t) it was a rivetingly emotional and intellectual experience. I knew then that I wanted to practice international law. More than twenty-five years later I am still happy with my chosen career (which is an exception for most practicing lawyers). You have always been a great mentor and inspiration to me and I think of you each time I mount the podium at the law school to teach my class, which is my way of giving back to the institution and faculty, including most of all yourself, that have given me so much.

I hope to see you soon.

Be well,

Carl

Always the teacher, gently correcting the student, Eric wrote back the following:

Dear Carl,

Thanks for your kind message. I am looking forward to seeing you here. It was not Lloyd Cutler, but I can’t recall who it was.

Warm regards,

Eric

When my wife and I visited Eric and Ginny in the spring, I was amazed at how alert and engaged he was during our visit. He always had a sweet smile and twinkle in his eyes that were unaffected by his medical condition. We discussed my work, my teaching at the law school, and family matters.
Eric was working (with Ginny’s invaluable assistance) on his article concerning his experiences in Italy during World War II, and we discussed the comments he had received from the journal’s editor, who had the temerity to question his diction in certain places. I shared my experiences as the Articles Editor for the *Yearbook* trying to edit the work of European authors, who thought it was sufficient that they had stated something as true without the need to cite any authority for the proposition. Eric asked me to send him some of the articles that I had written. I subsequently did and he commented on them. As we were leaving, Eric gave me a poem he had written.

As I left that special, final meeting, I turned to my wife and said: “I only hope I can be half as productive and alert as Eric when I reach my nineties.” Eric was truly a model for all of us. Like my father, Eric was a member of that “greatest generation” that simply does not know how to quit. I happened to be in Ann Arbor teaching the day that Eric died. I felt as if he had wanted me to be there for the impromptu wake. He will be missed but never forgotten.

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ERIC STEIN, 1913–2011

Joseph Vining *

Eric kept all of us on the faculty from feeling our age. He was interested in us all to the very end. I am seventy-three, which I find hard to believe every time I think of it, but I always knew during our forty-two years of friendship and working together that I could have been Eric’s son. As time has passed, a larger and larger number of the faculty could have been my sons and daughters and Eric’s grandsons and grandchildren—certainly you can’t be a grandchild without feeling young somewhere inside yourself.

His was a natural and serene end. He had talked to me about his wish that he could believe in Providence and life after our natural death, but he had come to think that only if one had had childhood experience to build on could one enter into an adult faith in any concrete way. That he had not had. Yet he was completely open to others’ faith. He devoted himself to the good of others on the largest scale and beyond his span of life. He loved music and was no relativist about it or where music could take you.

And he was a poet. He would send me via campus mail short handwritten poems of his, especially in recent years (and in the back of my mind as I received each one I would think, “Only at Michigan Law School could this happen.”) I found I was able to show him some efforts of my own, and we talked about the urge to poetry and its source.

So when during his last weeks in hospice I began to visit him in the evenings, I asked whether he would like me to read him some poetry. He said he would like it very much. To start, we selected poems about music, going back to Dryden with the help of Palgrave’s Golden Treasury, and then went to poems that were musical, even to Hopkins’s strange music. All this took him so far back, he said. I confessed it did me too. Sometimes he compared lines from poems in German, speaking them to what he knew were my uneducated ears.

We returned to Wordsworth time and again. On the last night I read to him, thirty-six hours before he left, it was from the last part of the Ode on Intimations of Immortality from Recollections of Early Childhood. We started with

Then sing, ye Birds, sing, sing a joyous song!
And let the young Lambs bound

What though the radiance which was once so bright
Be now for ever taken from my sight,
Though nothing can bring back the hour

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* Harry Burns Hutchins Collegiate Professor Emeritus of Law, University of Michigan Law School.
Of splendour in the grass, of glory in the flower;
    We will grieve not . . .

One old man was reading to another a quarter-century older, and this spoke to both. We reached

    And O, ye Fountains, Meadows, Hills, and Groves,
    Forbode not any severing of our loves!
    Yet in my heart of hearts I feel your might . . .

He stopped me and asked me to repeat it, and then said, “That is so beautiful.”
REFLECTIONS

The American Society of International Law Committee recommended that the Manley O. Hudson Medal be awarded to Professor Eric Stein for his lifetime of significant contributions to international and comparative law. Stein, the Hessel E. Yntema Professor of Law, Emeritus, at the University of Michigan Law School, had been an active supporter of ASIL as Honorary Vice President, Counsellor, and Honorary Editor of, and frequent contributor to, the American Journal of International Law. His many books and articles established him as a leading thinker and writer on European Community law and on what he described in a famous article as the “Uses, Misuses, and Nonuses of Comparative Law.”

Throughout his long career, Stein helped to build and maintain bridges between the United States and Europe. He was a distinguished representative of the generation of great legal scholars who came to the United States in the 1930s and 1940s to escape fascism and who then made important contributions to their adopted land. A decorated soldier in the American Army during World War II, Stein later served in the U.S. Department of State, advising U.S. delegations to the U.N. General Assembly, the Security Council, and the International Court of Justice and helped to create the International Atomic Energy Agency. During his subsequent academic career, he led in advancing the role of comparative analysis, through influential works examining comparisons between American federalism and the institutions of modern Europe. His article “Assimilation of National Laws as a Function of European Integration” is the most frequently requested article in the Journal’s archive on JSTOR.

—American Society of International Law Newsletter, October/December 2010
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Eric’s intellectual influence on me runs far deeper than geography. As a range of policy issues, I have always loved economics. As an intellectual discipline, however, I have sometimes found economics wanting. It can place too much value on being right in the small, and not enough on bearing wisdom in the large. Fortunately, I was exposed to Eric early in my career, and that exposure accounts for my long-standing conviction that wisdom and knowledge trump mechanical virtuosity and elegant logic. Whenever I conversed with Eric, I realized that my training in economics was akin to learning how to play piano scales beautifully, while my time with Eric was like learning how to understand and perform a deep and richly textured sonata.

Eric was also important to me in another way. For along with his wisdom came a generosity and modesty that defined for me how a professor should carry himself. In my world, at least, there aren’t many individuals...
who, in addition to being envied, are loved, admired, and respected. Eric was. Very few of his senior colleagues could claim the myriad and diversity of young faculty that clamored to spend private time with Eric.

—William James Adams
Arthur F. Thurnau Professor, Department of Economics
University of Michigan

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I would like to share my joy, pride, and feelings of responsibility to have joined this German Federal Constitutional Court as a justice for twelve years—and I promise that the ideas Eric brought to the world will not be lost in this wonderful building, where three Michigan people are striving towards good judgment.

—Professor Dr. Susanne Baer, LL.M.’93
Justice at the Federal Constitutional Court (First Senate)
Karlsruhe, Germany

* * * * *

Eric Stein’s life embodied everything civilized society strives for. He worked ceaselessly for laws and policies whose purpose and function would be to unite peoples and nations. Eric applied that spirit in his personal and professional life as well. He was sensitive and cultured. Nothing was separate and discrete with Eric; it was all part of a whole and integrated existence, and that made him the most natural and best mentor and friend you could ever have.

—Lee C. Bollinger
President, Columbia University

* * * * *

Eric has not been on the bridge. He has been the bridge. He had sensitive antennae that allowed him to pick up whatever on either shore of the Atlantic could lead to misunderstandings. And he was able to act upon that discretely and efficiently. Here is an illustrative episode: I do not recall when exactly it took place, but I infer from the sensitivity of the matter that it must have been during the Vietnam War. The European edition of the Herald Tribune had published a short article on a research contract concluded by the Pentagon with the University of Michigan. The very next day Michel Gaudet, Director General of the European Commission Legal Service, circulated a note to all commission lawyers, and, very probably, more widely to European Commissioners and their staffs. It stated approximately: Professor
Stein drew my attention to the fact that the Pentagon contracts referred to by yesterday’s *Herald Tribune* were concluded with Michigan University and not with the University of Michigan.

—Jacques Bourgeois  
Professor at the College of Europe

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Eric Stein’s work has been marked throughout by humanity, insight, and careful craftsmanship. His scholarship and achievements in the law have been recognized by many awards and honorary degrees. However, his greatest testimonial may be the respect and affection accorded to him by generations of law students, scholars, statesmen, and diplomats on both sides of the Atlantic.

—David D. Caron  
President, American Society of International Law  
C. William Maxeiner Distinguished Professor of Law,  
University of California, Berkeley  
Co-Director, Miller Institute on Global Challenges and the Law  
Co-Director, The Law of the Sea Institute

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We rejoice in the life Eric had. He was truly a “man for all seasons” who influenced history in Europe and in the United States. He was also a man who was extraordinarily generous and outgoing—a friend for all.

—Roger C. Cramton  
Robert S. Stevens Professor Emeritus of Law  
Cornell University

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I felt very close to Eric, not only because he was of Czech origin and studied in Prague at the same law school I attended more than sixty years later, but also because he did so much to let us understand the project of peaceful integration in Europe. He was a superb mentor and was extremely supportive in my career.

—Tomas Dumbrowsky, J.D. and M.A., Prague; LL.M., Yale  
Visiting Researcher at the University of Michigan Law School, 2007–08  
Assistant Professor in Prague

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Eric represented to me this great Law School more than anybody else, probably because he was faithful to Ann Arbor for more than half a century. Eric incarnates for me the Law Quadrangle.
I will never forget a couple of days at the Ford Foundation’s magnificent villa at Lake Como, where Eric told me about his seminal paper on the leading figures who shaped, with the active assistance of the Court of Justice, the fundamental constitutional principles of what was, in those days, still European Economic Community law. I was fascinated by Eric’s capacity to link the personal contributions of a few key players to the emergence of the Community’s constitutional legal order, which he saw much clearer than we few insiders and the largely skeptical group of outside observers. Ever since, I have read Eric’s books and articles with curiosity and great personal benefit.

There will be many legal authorities who praise Eric’s extraordinary qualities as a lawyer. I would like to join them wholeheartedly, thinking in particular of Eric’s insights as a lawyer fully trained in Europe and only later acquiring the additional tools that the most elaborate constitutional legal system, the United States, provides. This combination of civil law training and common law practice has produced outstanding results, not only in the United States but also in the United Kingdom. It is sad to see these bridges between continental Europe and common law countries becoming rarer and rarer.

—Claus-Dieter Ehlermann
Senior Counsel, WilmerHale

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Our paths crossed only occasionally, but when they did—such as at the Villa Serbelloni in years past—I enormously enjoyed the occasion. Whether face to face, or in print, I always so much admired Eric. He was the scholar of E.U. law in the States, and his reputation was vast and well deserved.

—Rosalyn Higgins
President of the British Institute of International and Comparative Law
President of the International Court of Justice, 2006–09

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I was always moved by Eric’s extraordinary graciousness: a kindness, an interest, an investment in the so many people he interacted with and led. This, perhaps, was his greatest “teaching”: that one can be an intellectual powerhouse, and achieve fame of wide following, and yet be so embracing of all kinds of humanity, from professors to paupers.

—Nicholas Calcina Howson
Professor of Law
University of Michigan Law School
The life and work of Professor Stein were an inspiration that contributed to the international order both through the United Nations and the European Economic Community. His legal scholarship chronicled those unfolding developments from their postwar beginnings until the present day. His major contributions helped to place the study of international and comparative law at the University of Michigan at the forefront of the discipline.

I was proud to have been his student and so pleased to have renewed a close friendship these last few years. Condolences for all of us on the loss of such a vibrant man and such an agile, insightful mind.

—Jon Henry Kouba ’65
Attorney at Law
San Francisco

I am sure I am only one amongst the legions of scholars whom Eric inspired with both his life and work. As it happens, I have just completed the reading list for one of my courses and have included one of his old articles. After so many years, his clarity of style, lightness of touch and erudition are still admired by scholars and students alike.

—Panos Koutrakos
Professor of European Union Law
Jean Monnet Chair in European Law
University of Bristol Law School

Professor Stein was a great man who even after 1989 contributed to democratic changes in the former Czechoslovakia and to the legal education of a new generation of Czech and Slovak lawyers.

—Dr. Peter Kresák, Ph.D.
Head of National Office
UNHCR National Office in the Slovak Republic

Eric was in so many ways a most remarkable person. Not only did he teach us the law, but he formed our personalities in so many respects. We, his students and friends, saw in him the incarnation of what is good and
kind, and we owe him our gratitude for the careers that we were able to make later on in our lives. This is certainly true for me, but I know for so many others as well.

—Hans Christian Krüger
Deputy Secretary-General (1997–2002) of the Council of Europe, Strasbourg, France
Secretary to the European Commission of Human Rights (1976–1997)
of the Council of Europe

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There has never been a day when Eric was far from my thoughts. Few people have had so deep an influence on the life that I have chosen, or the person that I am.

Eric taught me international law, and honored me with the opportunity to serve as his research assistant (I did research about the Compact Clause of the U.S. Constitution for him in connection with the U.S.-Europe book). That was when he introduced me to the word “transnational”—a word that came to mark two of the most important projects in my career (the mandatory transnational law course at Michigan Law, and the Peking University School of Transnational Law here in China).

But Eric taught me so much more. By the example of his work, he led me to believe that individual people could make a difference to the project of strengthening the legal structures of mutual understanding that reach across national borders. Eric was never dreamy-eyed about this. He was always analytical, always alert to the challenges, the complexities, and the problems. At the same time, he put forth the effort and showed that one person could make a difference.

Eric’s influence on me was not only on the professional side; he taught me how to act as a person. When I joined the Michigan faculty after having been a student there, some of the adjustments were easy, and some were difficult. But one of the biggest challenges was learning to call Eric “Eric.” For weeks, even months after I joined the faculty, I would greet him with the words, “Hello, Professor Stein.” And always his response was “It’s Eric now.” Still I could not bring myself to call him by his first name. And then one day he said kindly, but very firmly, “Jeff, I need you to stop calling me Professor Stein and to start calling me Eric. We are colleagues now, and colleagues should not use titles. If you call me ‘Professor Stein’ I am going to have to ignore you!” That was enough to help me across that hurdle. And it taught me a lesson about working with others that I have tried my best to emulate.

You were a great man, Eric Stein. Knowing you was one of the great blessings in my life.

—Jeffrey S. Lehman
Chancellor and Founding Dean, Peking University School of Transnational Law; Former Dean, University of Michigan Law School
Eric was always an example to me, because of his past in the old Europe and his expertise on the new one. Thanks to his personal experience, among many other reasons, he understood better than anyone else what the European Union and the European law meant for our continent. He saw that it goes far beyond rules and institutions: what counts, I believe, is the spirit and ideals they represent. Eric was ideally situated to understand this. He will remain an inspiration and example for all of us who are interested in the future.

—Pierre Mathijsen  
Professor of European Law  
Vrije Universiteit, Brussels

Eric was, as you know, beloved, respected, and held in awe, unto the end. He made a point of engaging with everyone’s work, and I was always moved that he took such interest in my whacko stuff, offering me better examples for the points I was trying to make than those I had come up with. He had more than the advantage of having lived longer; his advantage was that he had lived deeper, and had so much more serious experience to draw on.

What I found especially moving in the past couple of years was the poetry he would send me, written on small pieces of paper, which magically captured a particular sentiment with understated wit, with acute simplicity. One triplet in especial I have by heart because I loved it so much:

All is well  
In heaven and hell  
And on the Earth as well?

That expresses a kind of amiable pessimism, in which both heaven and hell benefit by having rather strict orders, and Earth, well, Earth is a mess. But how brilliantly he mixes irony, pessimism, sweetness of soul, and insight.

Eric set an example for all of us; even if our genes should not be as obliging as his, his will be a performance few will find ourselves with the character and will to pretend to. His death is also for me not a cause for mourning, but a time for feeling blessed for having seen in the flesh a life so well lived.

—William I. Miller  
Thomas G. Long Professor of Law  
University of Michigan Law School

I have only been here for eight years, so I basically only came to know Eric in his nineties(!), but I just wanted to share how much I valued him as a
colleague. Never once did he make me feel over half a century his junior. On the contrary, he took me to lunch, discussed bankruptcy articles (of an international beat), and even sent me memos (“Ericgrams”). In other words, he treated me as an equal—a lesson I will keep to heart as I progress through the senior ranks.

—John A. E. Pottow
Professor of Law
University of Michigan Law School

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When I think of Eric, it brings back many pleasant memories. The week I spent with Eric and Virginia in Beijing almost twenty-five years ago, Eric’s kindness in arranging for me to attend and to receive a scholarship to the University of Michigan, and his care and help when I was studying all did more to change my life for the better than any other experience I have ever had. It was not just what Eric did that was so important to me, it was who he was! I learned so much just from knowing him and having him as a friend. Eric showed me how a very great man, with many important accomplishments, could be kind, gentle, and humble. I came to realize that Eric was the kind of person I would like to be, and the way I now deal with my employees, my business associates, and even my family, is deeply influenced by the integrity and other wonderful characteristics I saw in him. I appreciate the impact Eric had on life and I will continue to try and live my life in the way I saw him live his.

—Li Qian
LL.M. Student of 1986 Class from China

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Eric was such a good mentor to me—one of the most stimulating teachers, a major influence in encouraging me to try teaching, a supportive critic of my scholarship, and a stalwart reference at various points of academic advancement. Among all our many fond memories of Eric, the picture that recurs is of the mischievous smile that would light up Eric’s kindly face when he was recounting a particularly interesting idea. He taught us all what it means to be an intellectual.

—John Reitz
Edward L. Carmody Professor of Law and Director, LL.M. Program and Visiting Scholars
University of Iowa College of Law

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Eric Stein fundamentally influenced my life. That is odd, coming from someone who has not been a colleague of his for over thirty years—and stranger still, from someone whose career developed in a direction quite
differently than the one he pointed me toward when we taught together from 1974–1980. But the truth is that I loved and admired him from our first interactions. From the beginning, Eric was a model for me of what a scholar should be. But more important, he was then, and remained for me, the gold standard in terms of all the human qualities I care about most—generosity and kindness, integrity, and of course the ability to laugh.

—Gerald M. Rosberg
Senior Vice President, Planning and Development
The Washington Post Company

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Eric played a unique and essential role in welcoming and helping us when we first came to the University of Michigan, as well as to several generations of young faculty and visiting scholars since. This was a most vital role in addition to the teaching and scholarly function, and a special benefit that made the Law School the extraordinary place it is and has long been.

—Joseph L. Sax
Professor Emeritus of Law
University of California, Berkeley

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Eric became a figure in my life just as I was starting as an international law teacher. He guided my uncertain steps as I tried to introduce my students to the new European community.

—Detlev Vagts
Bemis Professor Emeritus of International Law
Harvard Law School

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Eric was not only a great scholar, a clear-headed observer of the development of international relations, and a genuine original thinker—he was also, in the full meaning of the term, a real human being. Although he never was formally my teacher, I nevertheless consider myself as one of his disciples. I can really say that he influenced my approach to the law and my way of teaching it. He did so not only by reason of his intellectual abilities but also by his personality, the example of probity that he gave to all those around him, and his inquisitive and critical mind. I am proud to have worked with him in class in 1969–1970 and later on his casebook.

—Michel Waelbroeck
Professor Emeritus
Free University of Brussels
Professor Stein was a mentor of mine forty-five years ago at the Law School. Together with Professor Bishop, he sparked an interest in international law and international legal development that has persisted to this day and has become a substantial part of my life as a Senior Judge on the Second Circuit. In fact, just this past summer I helped organize a conference of Chief Justices for Central and Eastern Europe, which I credit to Professor Stein’s influence. He was marvelous teacher and also one of the kindest people I have known.

—Circuit Judge, John M. Walker ’66