
Coming full circle

Eric Stein advises his homeland on new constitution

In 1939, Eric Stein, then a young lawyer from Prague, fled his native Czechoslovakia to escape the Nazis. Through the help of an American law professor, he obtained a scholarship to take a law degree at the University of Michigan. Through the help of a U.S. vice-consul in Naples, Italy, he obtained a visa to take advantage of that offer — despite the fact that the consul knew it was Stein's intention to remain permanently in the United States.

Stein did remain permanently, adding his talents first to the student body and then to the faculty of the Law School, where he is currently a professor emeritus. He has made his mark as an expert in international law, and his long career has included not only teaching at the U-M but work with the U.S. Department of State in the mid-1940s getting the United Nations off the ground.

Today he is helping to get a different venture off the ground: He is part of a 27-member international committee advising the Czechoslovak government on a new constitution for that country.

One of four Czech natives on the committee, which also includes former U.S. Solicitor General Charles Fried and former Canadian Prime Minister Pierre Trudeau, Stein was in Salzburg and Prague April 20-24 for discussions with committee members and members of the Czechoslovak government.

Stein explains that the Czechs' primary concern last spring was to develop rules for new elections, which took place in June. A constitutional revision commission was established after the elections, to examine issues that will shape the national government.

A number of the key questions facing the constitutional commission are linked to federalism and division of powers — both economic and political — between the Czech and Slovak republics and the national government. "This will be important in the area of foreign economic relations," Stein notes.

Stein's particular mission as an advisor is to consider the foreign affairs issues that are likely to arise for the Czechoslovaks. The allocation of powers is one question. Others include participation in international organizations, such as the U.N. or the European Community, and the role of international law in the internal legal order.

The April trip to his homeland held special meaning for Stein. He returned briefly to Czechoslovakia in 1948 to bring the only surviving members of his family — his sister and her son, who had spent the war in a Nazi concentration camp — to the United States. His next trip was 35 years later, in 1983, when he attended the 50th reunion of his gymnasium, or high school, class.

Then in 1985 he returned again. "It



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was an anticlimax," he says. "I decided I would never go back unless the regime changed."

Now the regime *has* changed, and Stein is part of an effort to ensure that the next regime will be shored up by a workable constitution.

"I don't quite take it in," he says, "because it's too radical a change."