The American Society of Comparative Law (ASCL) has honored Eric Stein, '42, the Law School's Hessel E. Yntema Professor of Law Emeritus and a pioneer in the study of European law, with a Lifetime Achievement Award.

ASCL President David Clark noted that "we are celebrating some of the legends of comparative law." Stein, however, modestly claimed in his acceptance remarks that he merely "backed into" comparative law; indeed that he doesn't even fit the mold of a comparativist.

Stein need not try to fit molds. He's been creating them for more than half a century: He was a leader among scholars who first recognized the potential for eventual European union of the nascent European Coal and Steel Community, and his books, journal articles, and lectures have carved a niche in the academic field of comparative law.

Stein is "the founding father of European Community law," Matthias Reimann, LL.M. '83, said in his announcement of Stein as one of the society's three lifetime achievement award recipients. "Eric has maintained the highest standards, and his work shows great craftsmanship, care, and depth," said Reimann, the Law School's Hessel E. Yntema Professor of Law.

Stein and Reimann share more than the title of their named professorships. Reimann said he often has sought Stein's advice on scholarly questions and found him to be a fair and rigorous critic and a good friend.

"I suggested that I do not fit the traditional image of a comparative lawyer," Stein noted in his acceptance remarks. "Nor can I claim membership in the exclusive group of European refugee scholars who came to this country with an established reputation and helped to create the comparative law discipline here. In fact, I backed into the comparative law field from a base in international law and international organization.

"First, I started teaching international law from my colleague Bill Bishop's [long-time U-M Law School faculty member and international law scholar
William W. Bishop Jr.'s innovative casebook that paid attention to international law in national courts: That proved an immensely fertile area for a comparison of the different idiosyncratic styles in which different states give effect to their international obligations in their distinct national legal orders."

More than 30 years later, Stein still was comparing: “In the early 90s, I was a member of an international expert group advising the Czechs and Slovaks on drafting a new federal constitution — a highly contested and ultimately aborted enterprise. I was responsible for the articles dealing with foreign affairs — including again the issue of the effects of international law on internal law and the opening of the constitution to the outside world. Here again comparisons with Western federal constitutions were at the core of a fascinating debate. I tried to recapture the story in a book on the Czech-Slovak split.” (Czechoslovakia: Ethnic Conflict, Constitutional Fissure, Negotiated Breakup, published in English in 1997 and reprinted in Czech in 2000.)

The ASCL's presentation of a Lifetime Achievement Award was the most recent of several similar awards given to Stein over the past few years. In 2001, in ceremonies in Prague, Czech Republic President Václav Havel personally presented the Czech-born Stein with the Medal of Merit First Degree for his "outstanding scientific achievement." The trip to Prague also provided Stein and his wife, Virginia, the opportunity to travel to his birth city of Holice, which made him an honorary citizen. Stein fled Czechoslovakia in 1940 in the face of the Nazi advance. Most of his family members, he learned later, died in the Holocaust.

Last year, Stein was included in the exclusive International Biographic Center's Living Legends book and was nominated as an International Educator of the Year. Last summer, he was the subject of a major article in Jungle Law magazine, which celebrated him at 91 as "the oldest active law professor in the country" and noted that "the number of his former students who are already retired could staff a large law firm." This year he is to be recognized at the biennial meeting of the European Union Studies Association for his extraordinary contribution to European Union studies.

The ASCL presentation was part of the society's annual meeting at the Law School last fall. Focusing on "Comparative Law and Human Rights," the meeting timed its opening to include presentation of the William W. Bishop Jr. Lecture in International Law by Mary Robinson, former president of Ireland and former UN High Commissioner for Human Rights. (See story on page 14.) The meeting also included two days of discussions on comparative law and human rights.

The discussion panel participants included scholars, activists, and others, and the panels were designed to encourage interchange on "comparative law and human rights rather than comparative human rights," Reimann explained in his remarks opening the meeting. Reimann is an editor in chief of ASCL's American Journal of Comparative Law and acted as host for the meeting.

"This is sort of a conference without papers" designed to encourage conversation and exploration of "the relationship and learning opportunities between these two disciplines," Reimann said. Afterward, participants agreed that the combination of shortened formal presentations and extended opportunities for discussion and comparison had produced especially lively and thought-provoking sessions.

Panel discussions were divided into three categories:

1. A plenary session on "Western Human Rights: Tensions within the Club," which included discussions of "The European System: Gay Rights" and "The Transatlantic Dimension: The Death Penalty."


There also was a session on scholarly works in process and a concluding discussion.