

1997

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Recommended Citation

H.G. Prince, *In Tribute (Professor Stefan A. Riesenfeld)*, 20 *Hastings Int'l & Comp. L. Rev.* 535 (1997).

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Author: H.G. Prince
Source: Hastings International and Comparative Law Review
Citation: 20 Hastings Int'l & Comp. L. Rev. 535 (1997).
Title: *In Tribute (Professor Stefan A. Riesenfeld)*

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In Tribute

By H.G. PRINCE*

The Office of the Legal Adviser in the United States Department of State is an ideal place for a young lawyer with an interest in public international law to begin work. I felt very lucky as I began work in that office in the fall of 1981, one year out of law school and fresh from a judicial clerkship. The emphasis upon international law in the Legal Adviser's work makes it different, of course, from more domestic legal practice. As I received my orientation, a senior attorney noted the many resources available in the legal library with suggestions about which tool to use in various circumstances. He concluded with this advice, "If you are ever truly stumped in trying to get started on a problem, see Professor Riesenfeld. He knows everything."

At that time Stefan Riesenfeld was teaching both at Hastings College of the Law in San Francisco and Boalt Hall on the Berkeley campus of the University of California. He would finish his teaching in midweek, fly across the continent, and then spend half the week working as the academic counselor in the Office of the Legal Adviser. Although Stefan probably qualified for a senior citizen's discount at the time, he maintained this hectic practice for that year, and on later occasions as well, never showing any signs of fatigue. Moreover, my experiences with him at that time supported the view that he knew everything about international law. He possessed an encyclopedic knowledge of domestic, foreign, and international materials, he appeared to have read every significant treaty (those that he didn't write), and he had an extraordinary command of history relevant to the development of international law. Thus, he was in fact the perfect resource for an office specializing in international law.

It is not an overstatement to say that Stefan was also a beloved figure in that office. He was very free with his time and would indulge even the most junior attorney. Admiration for Stefan was shared not only by the lawyers in the office but also by the secretaries and other staffers. I have a very distinct recollection of a birthday party being given for Stefan in the office and that the secretaries, in particular,

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told fond and funny stories of working for Stefan in the past. The kindness and respect that he showed everyone were returned in measure.

I had one rather amusing occasion to work with Stefan during that year. The agreement resulting in the release of the hostages from the U.S. embassy in Tehran, Iran, in 1981 created a fund to be used to pay claims made by U.S. nationals against Iran. The government of Iran deposited a billion dollars into the fund, but the agreement failed to indicate how the interest on the deposited funds would be handled. The United States took the position, of course, that the interest should remain with the principal. Iran took the position that the interest should be returned to the depositor. The arbitral tribunal established to hear the claims under the U.S.-Iran agreement would decide the issue after hearing arguments made by both sides. The Office of the Legal Adviser shifted into high gear to put together a brief on the issue. Stefan agreed to work on the portion of the brief that would examine how such issues would be resolved under the domestic law of various states. This portion of the argument required citation to the legal sources of several foreign states, resources that were not available in the State Department. Stefan decided that the best place to do the necessary research would be the law library in the World Bank, a law library that is off limits to the public. The law librarian was a former student of Stefan's, naturally, and thus he was given access. I went along to assist Stefan. My limited knowledge of the relevant foreign languages was sufficient to allow me to retrieve volumes and identify pertinent cases or chapters. Stefan did the main work, as he commenced reading materials in multiple foreign languages as he identified the cases or other authorities that supported our position on the central question. I remember watching in admiration as Stefan displayed this remarkable command of languages and law.

After getting to know Stefan in this context, I was amazed when some five years later I joined Stefan on the Hastings faculty and learned that he somehow had earned a reputation as a "gruff" classroom teacher. What I soon discovered was that the "Hastings Stefan" was in fact the same lovable person that I had known in Washington, but that his practice of being somewhat irascible (well, maybe very irascible) in the classroom when he thought questions or comments were off the mark had led to this popular impression. It was equally clear that students who spent any time at all with Stefan outside the classroom quickly realized that he was actually a tenderhearted fellow and a very caring teacher.

The affection that students held for Stefan was demonstrated when he suffered an illness in Spring 1993 that required his brief hospitalization and the rearrangement of some of his classes. All the students were more concerned about Stefan than missing the classes and some students visited him regularly during his absence.

My final anecdote about Stefan also relates to his hospitalization. I was serving as an associate dean at the time and because his illness came at the end of the Spring semester, it became necessary to assist him in constructing his examination for an international law course. After conferring with Stefan over the telephone on several occasions, I visited Stefan at the hospital so that he could review a draft of his examination. During the course of my stay there, his team of physicians came in to speak with him and look over his medical charts. I sat off to the side of the room while this brief consultation took place. After the doctors left, Stefan turned to me and said in apparent seriousness, "You see, I really am ill. I am not just a malingerer!" It truly is a sign of his immense humility that Stefan could ever think that anyone would doubt his industriousness.

Few people are blessed with the intellect, the boundless energy, or the generous spirit of a Stefan Riesenfeld. Consequently, he has very few equals in his field. Although I am sure he is aware of his immense accomplishments, you would never know from the selfless way in which he works with others. I once posed to Stefan an academic question on a rather theoretical issue of international law. While he offered me some brief thought about the question, he went on to say, in essence, that he tended not to concern himself with high theory that was unrelated to practical issues because he considered himself to be a teacher focused on the practice of law.

In the ten years or more that I have had the opportunity to know and work with Stefan, my admiration for him has grown steadily. He is a very accomplished man. He has been a great actor in international law as well as a teacher, working on many important cases before the International Court of Justice and participating in the drafting of major treaties over the years. I have also come to appreciate that not only does he know everything about international law, but he also knows everything about property law and the law of debtors' protection and creditors' remedies. I have seen him as a caring nurturer for young faculty members at Hastings and many other law schools across the country. He has continued over the years to be an excellent resource for the U.S. State Department. He has a loving wife and family. And most fundamentally, he has been a considerate

colleague and teacher for those here in the Hastings community and in the broader legal community.