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A Personal Reminiscence for the Washington Law Review

Joel S. Migdal*

In remembering Ted Stein, my first inclination was to grieve the unfulfilled—the pleasures and development that lay ahead in his personal life and the promise of a major new force in international legal scholarship. And yet, despite this nagging pull to fantasize about what could have been, my thoughts have drifted back over the last months to the moments we had together.

I came to know Ted first and foremost as a friend, before either of us was aware of our strongly shared intellectual interests. The images that recur before my eyes, still making him almost tangible, come as much from our times together with families as from our life in the university.

He wore his hat as father and husband with grace and ease. Once he confided to Vicky, his wife, that he was taken by surprise at how comfortable and content he felt in his role as father. But it came as no surprise to his friends and colleagues. The same infinite patience and appreciation of others that permeated his personal and professional relationships made him such an adoring father and husband. I remember any number of times, while he was still sitting at the table after dinner, Ted interrupting the adult conversation to focus our attention on the children's accomplishments in the next room.

Our friendship came to include times beyond those we spent with the families. I remember, especially, our long lunches in one ethnic restaurant or another around the University of Washington campus. These lunchtime conversations made my life sparkle. Ted's genius shone through as we talked about everything from personality theory to American foreign policy. He was very deliberate in those sorts of situations. He usually let me have my say first and then measured his words carefully as he framed a response. His answers were almost never impetuous. He dug out the nuances, the subtleties, and the difficulties in issues. It was the way he made ideas palpable—things to be touched, modified, fondled—that so entranced me.

As we talked through issues, we discovered the bridges between our disciplines—mine political science, his law. We found problems that attracted us both and theories that satisfied us both. We were pulled, for example, to the notion of customary law and its relationship to formal legal institutions and social change. He disclosed his deep interest in civil

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procedure and his hope one day to link it theoretically with his work in international law. I soaked up his ideas, translating them into my own language of state-society relations and world systems. The breadth of knowledge Ted brought, even to such informal conversations, never ceased. He read endlessly, mostly in history, and remembered everything he read. At Princeton, he had been a subject of a psychological test having to do with memory. The researcher administering the test was apparently so amazed at Ted's recall that he stopped the test to ask Ted what "tricks" he used to retain so much. However, Ted dismissed his "talent" for recall with a shrug. It was analysis, bringing harmony to all those bits of information, that preoccupied him both in our conversations and in his own research. He had a supreme confidence in his ability to find the set of insights that would bring order to a rambling conversation or, for that matter, to major scholarly problems in international law.

So much of what we talked about focused on how one goes about creating an environment for ideas to flourish. He invariably steered the conversation to the University of Washington Law School. Ted was not the sort of academic who got lost in his own research. Even as he gained a national reputation as one of a handful of young leading international legal scholars, he directed attention toward building the law school. It was his life's mission. He had that little bit of cockiness which made you believe that he could help lead the law school to new heights, not only through the sheer force of his intellect, but through sensitivity, compassion, and just plain common sense that he used in dealing with his colleagues.

Neither of us ever seemed to want those lunches to end. We would linger, sometimes until after two P.M., knowing all the while that telephone messages and work were piling up. Somehow we drew sustenance from those talks. Each of us felt a little more ready to tackle the puzzles of our research or the irrationalities of life in the University. I miss those times terribly at a moment such as this, when I have just finished a book manuscript. Ted would have sat me down and begun deliberately, "Now, Migdal, let me tell you what is wrong here."

A photograph now hangs on my wall of Ted in the midst of teaching a class. That same expression he used to wear as he worked through an idea over lunch graces that photo. His expression is still mesmerizing. It absorbed his students—just as it did me—into his special world of ideas and made me privy to the workings of his mind. They were as entranced in class as I was over those lunches, and they came to regard him as their own treasure. We talked a lot about teaching, he and I, and he worked hard at it, both inside and outside of class. But I believe it was that expression, so private in one way but so accessible in another, which above all else made him such an effective and popular teacher.

One world of his that I did not understand was his lifelong love affair with fishing. When he spoke of fishing, it was like watching a child talk of his favorite toy. Late one evening, I recall, he was sitting with a heavy book when I came by. "Still working?" I asked. "Well, I justify reading this by telling myself it will help in my marine law course, but," he blushed a bit, "it is really about fishing."

The images that still flash before my eyes come from all those worlds of ours that criss-crossed. But I cannot resist altogether that pull to fantasize about the unfulfilled, about what could have been. Ted Stein was thirty-two years old at his death.