

Conversations with Professor Sir Derek Bowett

by
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Second Interview: Reader (1976-81) and Whewell Professor of International Law (1981-91)

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Between December 2006 and April 2007, Sir Derek was interviewed several times at his home in Hills Road to record reminiscences of his career and nearly sixty years of his association with the Faculty of Law at the University of Cambridge. The interviews were taped and what is presented below is an edited transcript of our conversations arranged chronologically under headings that highlight Sir Derek's career. Lady Bowett participated in the interviews and her comments are included.

Interviewer: Lesley Dingle, **her questions and topics are in bold type**

Sir Derek's answers are in normal type.

Comments added by LD, *in italics*.

All footnotes added by LD.

63. You became a reader in 1976. Can you share your recollections of colleagues who were in place when you became a reader?

Professor Milsom's arrival with your gaining the readership.

Yes. He was a man who was a legal historian. He was at Cambridge, a fellow of Trinity, in the early 60s.

64. Mr Tony Weir became a reader a year or two after you.

He was a very good lecturer. Very competent man. He lived in Trinity. He was a very good lawyer. And he was a very good lecturer. Also a good linguist.

65. Professor Stein was half way through the twenty years of his professorship

He was very good. A very good Roman lawyer. Came to Queens'. I knew him well. Much better than Duff. He also taught some comparative law. He'd been at school in Liverpool but he'd been professor at Aberdeen. His generation of lawyers was much better than the ones I found when I came up in 1948. The faculty had improved enormously. People like Sir Hersch Lauterpacht were outstanding. But others were very poor

66. Sir David Williams became a reader at the same time that you did.

He was a good constitutional lawyer. A good lecturer. He wrote a certain amount. He was a good friend of mine. He went to be the Master of Wolfson and from there he never looked back. He became Vice Chancellor. I knew him well.

67. Professor Calabresi was the Goodhart Professor when you were a reader

No recollections

68. Professor Phillip Greenwood was then an assistant lecturer

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He was good. He was very helpful. He got his chair in London. He was the President of the Union. So he speaks well.

69. While you were a reader, the visiting Goodhart Professorship was initiated. Do you recall the circumstances. This was about 1971.

Goodhart, who was at Oxford, had been a student at Cambridge. An American. Very rich. He was teaching a course here before he went to Oxford. He had a lot of money in America. He'd helped them build a law library at Oxford and he wanted to help Cambridge, so he gave them some money to help establish this chair. I was the chairman of a committee that was established to find a house for the Goodhart professor. We bought that house in Trumpington Street [Road] for the Goodhart professor.

70. You became the Whewell Professor in 1981. Staff in place at that time, whom you may recall were:

Andre Tunc.

Comparative Law – very good

71. Otto Kahn Freund?

Very good. One of the young Jewish émigrés who came over. He'd been in London all his life and he decided to come to Cambridge

72. Professor Shabtai Rosenne was the Goodhart Professor in 1985

Attached to the Israeli Foreign Office. Then he became a teacher. He came here as the Goodhart Professor, but I didn't know him very well. He was required to give a few lectures – not many, just a few. So I asked him to give a few lectures and he said "What about?" So I said, "Come on, about the Court". And he said, "What do I know about the Court". And I said "You've written a book on the Court".

73. Other colleagues in place when you were the Whewell Professor include:

Dr Baker who became a reader just after your appointment. He then became a professor about six years later.

I gather he was very good

74. Mr Elias, who later left his lectureship to become a High Court judge.

I didn't know Elias. He left to go to the Bar.

75. Dr Markesinis, who left his lectureship during your time as Whewell. Professor

I knew him quite well. He was a comparative lawyer. Very active. Greek. He went to London. He got a doctorate. He's been knighted too.

76. Professor Van Caenegem was the Goodhart professor in 1984.

Don't know him.

77. Professor Capeletti was Goodhart professor in 1988.

I didn't know him

78. Dr Vaughan Lowe joined in 1988 as a Lecturer.

He was a student at Queens' and he got an appointment at Corpus. He was a Law of the Sea man. He was quite able.



79. **He was the equivalent at Oxford of the Whewell Professor** [Lowe left Cambridge in 1999 to take the Chichele chair of Public International Law at Oxford].

No, second best. [Sir Derek implying that the Oxford position was less prestigious]

80. **John Dugard**

Had been a former student here. An able man.

Retirement, awards, International Law Commission (1991-1998)

81. **After you retired in 1991, you served on the International Law Commission for the General Assembly of the United Nations (1991 – 1996). What did that entail?**

We met in Geneva. It's now quite a big commission.

82. **Since retiring you've also written many articles.**

The reason for writing was that the court [ICJ] was very slow. The cases tell you about the court. The reasons for this were: 1. Many of the judges stayed at home. Lazy. 2. Procedure was so cumbersome. It took ages, years. Too long and too cumbersome.

83. **In 1998 you were knighted. What are your recollections of that momentous occasion - meeting the Queen?**

I could walk then, but I had a stick. She asked me "What do you do" I said "I'm retired. She said "What did you do". I said, "I'm an international lawyer". That was the end of the conversation. She didn't know anything about law".

84. **In 1993 you received two Awards:**

Order of Dannebrog

I was given the award in The Hague. I had been working for the Danes in two cases. One was the case against Denmark brought by Finland. It never came to trial because the Danes settled it. It had to do with ships passing through the Danish straits. And the other was the Jan Mayen case. That is a big Norwegian island off Greenland (which belonged to Denmark). That came to court. So I did a lot of work for Denmark. They gave me that decoration and I received it in The Hague.

85. **The second honour that you received in 1993 was The Grand Cross of the Civil Order "Jose Cecilio del Valle" of Honduras. Did you go there?**

Many times.

86. **Did you go there to receive the award?**

No in London. Honduras had a dispute with Nicaragua and Salvador over boundaries. I did two cases for them. It did not come to trial, so my work was on paper. Giving general advice. I got an award. But I liked them. I had a lot of time for them.

[Sir Derek to Lady Bowett]. I got those two awards, but there was also another one. What was that last award I got?

Oh, yes. Slovakia. That was 2000. Dispute over the Danube. It was called the White Cross – [LD: *Order of the 3rd Class White Double Cross*]. The award was held up for a long time because the leader of the Slovak team had a row with the President so it took several years before the award was given.

