

Conversations with Professor Sir Derek Bowett
First Interview: Early Life: School and the Royal Navy (1938-1948)

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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.

1. Sir Derek can we talk about your early life in Manchester? You were a pupil in the Grammar school

I was first at the Cathedral Choir School but it was bombed during the war. We were given lists of schools we could go to and I chose William Hulme's school.

2. Your time in the navy. I had not been aware that you were in the navy from 1945 – 1948. The War ended in 1945. Can you tell me something about it?

I joined the navy when I was at school because it was in '44 and I could see the war against Germany was coming to an end. I knew my war would be with the Japanese so I volunteered and was accepted. I thought the war in the Far East would be a naval war and pretty much in the air. So I volunteered for the Fleet Air Arm and I was accepted while still at school.

Finished my high school career in the summer and a fortnight later I was in the navy.

But then the Japanese surrendered and so the war was over. It was very expensive training so the navy so they said we won't train you unless you sign on for at least 3 years. And I didn't want to sign on for three years with no war so I said, "No, I won't." So they said "We won't waste a lot of money training you." So I did radar training. I don't like machines. I was competent but I didn't really like radar work. But I enjoyed the navy. I was in the home fleet minesweeping. Then in the Mediterranean. And then finally I went out to the Far East – to the east Indies.

It was three years before they let me out. I came out in Dec 47 and I missed Cambridge. I had to wait until 48 to come to Cambridge.

3. Perhaps this began your love of the law of the sea?

Maybe

Downing College Cambridge 1948-1951

4. Sir Derek, why did you choose to read law at Downing College?

When I was in the navy in the Far East, I wrote to someone, a former chaplain of Christ's College. I said I wanted to go to Cambridge. He advised Downing because he knew I wanted to do Law. He thought the Master of Downing was an admiral and that there was the Downing Professor in Law. So he thought Downing was a good law college. He was wrong on both counts. But anyway Downing admitted me and off I went. There were two Fellows at Downing. One was a legal historian, Whalley Tooker. He never taught me. He was a very



idle man. He wrote nothing. And there was Clive Parry. He was a good lawyer but not a good teacher.

5. Were conditions in Cambridge quite different to Manchester when you arrived?

Oh yes. Cambridge was the old Cambridge of many rules and regulations which we didn't mind. And the law faculty was not as good as it is now. People who held chairs were not as good as they now are.

6. When you came, Professor Lauterpacht was in place.

He was the best. He was very, very good.

7. It seems to me Lauterpacht really put international law on the map at Cambridge.

He was very able. McNair spotted him and thought he was an up and coming man and he was right.

8. You were in Sir Hersch's seminars with Richard Baxter and D.P. O'Connell.

Richard Baxter was an American. Went back to Harvard. O'Connell was an Australian and he went back to Australia. Both very able men.

9. I was reading a paper in the *EJIL* Vol 8 1997 that Schwebel [later, Judge] met you in 1951 [Stephen M. Schwebel has been a Member of the International Court of Justice since 1981, and was President of the Court 1997-2000].

He and I were here at the same time and we competed for the Whewell scholarship which I won. He was next. He was second.

10. Judge Schwebel found Lauterpacht's weekly seminars that you attended with Richard Baxter and D.P. O'Connell very daunting.

They were. Hersch didn't suffer fools gladly. He was rather impatient. But he was a kind man and very good. He loved international law and he was a good teacher.

11. Someone else who was in place when you arrived at Downing was Professor McNair. [Whewell Professor of International Law at Cambridge 1935 - 37]

He was a judge on the court. [ICJ]

12. Did you ever meet him, Sir Derek?

Many times. When he was a judge, and later when he was in the House of Lords. When he wanted to make a speech in the Lords he would come and talk to me about it first. I liked old MacNair. He was a good man. He was a very kind man. A great man.

13. Professor Hollond?

Hollond taught me. He taught personal property. He wrote nothing. A very idle man. He was a fellow of Trinity. He was very authoritarian.

14. Mr Barnes?

Barnes taught criminal law. He used to lecture on criminal law using illustration from the *News of the World*. I didn't even go to his lectures after a while.



15. Mr Emlyn Wade?

He taught constitutional law. He was very dry. But he was good. But he didn't write very much.

16. Someone else who springs to mind is Mr Duff, who became the Regius Professor.

He was professor of Roman Law. Fellow of Trinity. Also very idle. Wrote nothing.

17. Dr Ellis Lewis was the Squire Law librarian for quite a time.

He was a nice man. He used to lecture on tort and give you a load of cases and he'd say "You see what you think". And I used to think, "No, I came to Cambridge to hear what you think".

18. Willi Steiner?

He was a good man. A very good librarian. He came from London. He was very very good.

19. Sir Derek, Do you remember Mr Bailey?

Yes, dull. Taught property.

20. Dr Glanville Williams?

He was appointed when I was. He came from London. He was a very clever man who wrote a good deal. He was a good scholar.

21. He had a bit of a run in with Winfield?

He was a pacifist and during the War. This didn't go down well in Cambridge.

22. When Glanville Williams came back to Cambridge he was unassailable, wasn't he, after the war?

Yes. I remember once at a faculty meeting when he made a point and the chairman was Hamson. Hamson said "I'm glad you raised that question Professor that is very interesting, very proper, but it would be quite improper of me to answer it. We pass on." That was Hamson.

23. What had been the question?

I've forgotten whatever it was. Glanville Williams was a very hardworking man. Worked all the time - he was a good lawyer.

24. Someone else who might have been in place when you arrived is Professor Robbie Jennings.

He was my predecessor in the Whewell chair. Great lecturer. Very clear. Very good lawyer. He wasn't as good as Lauterpacht, but he was good.

25. He went straight from a lectureship to a chair.

Yes, he was never a Reader.

26. Any recollections of Prof Lipstein who at that time was Dr Lipstein?

He lectured on the Conflict of Law.



27. I shared a room with him in the library for ten years. Also I live in Gough Way so I saw him quite a bit.

He was a nice man

28. Someone who was very close to Professor Lipstein was Clive Parry

He was my tutor at Downing. He loved having young men around him who admired him and once the young men stood on their own feet he lost interest then. I knew him well. He gave me my interview in Cambridge at Downing.

29. He put an immense amount of work into the Treaty Series

Yes

30. Mr Wade who later became Sir William Wade?

He was a good man. He was a fellow of Trinity when I knew him before he left for Oxford. He was a good lecturer, good lawyer, very able man.

31. He then came back.

He became the Master of Gonville & Caius.[LD. Also Rouse Ball Professor of English Law 1976- 82]

Manchester University and United Nations, New York. (1951-1959)

32. Sir Derek you completed your degree in Cambridge with great distinction and then you went back to Manchester. Judge Schwebel writes that it was Sir Hersch who persuaded you to follow an academic career.

Yes. He asked me what I was going to do after Cambridge and I said go the bar. He [Lauterpacht] said “what will you live on?”. I said my ex-service grant which was £270 per year. He said “why don’t you teach?” Lauterpacht told me Manchester wanted a young lecturer and they paid £450 a year. So I applied for the job. I went to Manchester because of money. So I went back to teach, and the job was very good too.

33. So this was a good career move?

Yes

34. Can I ask you the subject of your thesis?

Self Defence

35. And your supervisor?

Technically he was Professor Ben Wortley of Manchester.
But I did my thesis on my own.

36. Wortely was on a committee with David and Ficke, just before the Second World War.

He spoke fluent French. He was a very nice man, Wortley, very kind, but not in my view a good lawyer. When we met he always wanted to talk about his problems not mine. So he wasted my time. I had to do my PhD. So I did it. Got on with it.



37. In 1953 you passed your bar exams. Did you have to go down to London for these?

Yes. I went down to London. It was very difficult. There were no classes. Very few books. I was married, had a baby, was doing my PhD and lecturing.

38. Do you have any recollections of London?

There was still a lot of damage about

39. Sir Derek, during this time of your lectureship at Manchester you were also a Legal Officer at the United Nations in New York from 1957 – 59.

I was given two years leave of absence from Manchester to go to New York.

40. That must have been very interesting.

We were preparing for the Law of the Sea Conference. Most of my work was on that.

41. What precisely was your role?

The UN had a policy of recruiting an English academic lawyer on a temporary basis. The person who told me about it was David Johnson. And they spoke to David Johnson. He was a teacher at the London School of Economics. Manchester gave me two years leave. So I went to New York and I settled there for the first year of my two years. It was there I did most of my work on the Law of the Sea conventions for the first law of the sea conference, which was the biggest thing we'd done. We held the conference in Geneva in 1958. I went over. I was secretary of the fourth committee and I was on the secretariat. Stavropolos was Legal Counsel. He was a Greek. Bad lawyer, but a very smooth man.

42. When you lived in New York did you have a flat there?

We lived on Long Island and we were married, so Betty was there too. Weren't you? [speaking to Lady Bowett].

43. It must have been a lovely experience.

It was tough. Climate was awful. Terrible climate in New York. Betty hated it.

[Lady Bowett] Are you talking about me?

[Sir Derek] New York. What about it?

[Lady Bowett] I hated being on Manhattan I had a small child of two. He was one of those hyperactive children. . So you could never take your eye off him for a moment. New York is not really the ideal city for children. I didn't drive either which at that time was a nuisance. I just felt awful all the time. If you'd had your hair done and came out half an hour later it was all hanging down. It cured me of wanting to live in a hot climate.

**Lecturer in Law Cambridge, UNRWA Beirut, Royal Commission,
President of Queens' College (1960-1982)**

44. Sir Derek that brings us to 1960 when you came to Cambridge. Why did you return?

I'd been told by Manchester they wanted me for a readership. But when I got back they wouldn't do it because it meant I would jump over the heads of others. So they



wouldn't appoint me. I was invited to apply to Cambridge. I came down for interview and was given the job. I was given a fellowship at Queens' in December 1960.

45. There were various lecturers in the Faculty who had been in place when you were a student. Some of these include: Mr Dias

He was a good civil lawyer. He taught me as a student. Supervised me. A very nice man. A very good teacher. But his wife was killed. I used to see him on his bike coming up from Babraham. I never see him now [March 2007].

46. Mr Prichard is still around

He was a good competent lawyer. A Queens' man originally. I had a high regard for him.

47. Someone I don't know much about, but who was there for a time, was Mr Wedderburn.

He was a fellow of Clare and a very able man. He was very good. He went to London and then to the House of Lords, appointed by Labour [Lord Wedderburn Life Peer 1977 -]. But he was a very able man.

48. We now come to some of your young contemporaries. A number of them arrived with you.

Dr Sealy?

He was at Caius, but I didn't know him very well. He's a New Zealander.

49. Someone who had a meteoric rise was Gareth Jones. Assistant Lecture in 1962 and by the early 70s he was a professor.

He was a very able man. I know him very well. His wife died a little while ago. He was very good.

50. Mr Colin Turpin?

He was very competent. Clare.

51. Dr O' Higgins

He was at Christ's. I didn't know him very well. He was very left wing. Eventually he went off to Ireland as a professor.

52. While you were a lecturer at Cambridge you served in several capacities. You were on the General Counsel of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (1966-68).

First we were asked to go to New York. And Betty hates New York. Betty agreed finally agreed to go to Beirut, and they arranged for the man in Beirut to go to New York.

[Lady Bowett] It was interesting. Having met people you understand what people are like. It was very interesting being in that world.

[Sir Derek] I was the Legal Counsel. Legal and Political advisor. I was seconded from Cambridge, given leave of absence and we went to Beirut. We were based in Beirut for two years. The family came with me. We had two boys then. Betty, do you remember Beirut?

[Lady Bowett] We were there before the big war but we were there while there was the six day war and I was evacuated with the children. That was nice because we were flown to Rome and was it a World Health Organisation man who met us and took us to a pension



for the night. It was a lovely old classical Italian house. In the morning I looked out of the window. It was a very nice road, had been I expect where rather wealthy people lived. Classical garden with shrubs and a few statues. I happened to have an American friend living there. She was married to an Italian in Rome and I rang her up and she very kindly took me and the children for me a quick tour of Rome. Took us to lunch in her apartment. Took me to a travel agent where I managed to book a flight to London. They took us to the airport at 4.30 in the afternoon. So my experience of the war was rather nice. Then I went to my home town and I stayed there for six weeks after which I went back. Things were quite safe then. We stayed there for the rest of the two years.

It was a very interesting experience but I was very glad to get back to Cambridge. Our apartment was on the coast and it was near to the Cornich where we got summer breezes. It was a very interesting experience. I never really feel now that Arabs are foreigners. We made friends. Travelled into Jordan and Petra. That was wonderful. Altogether it was hard. We didn't get an awful lot of help finding an apartment. We were lucky to find a nice apartment. We had three children then. The children loved it really. They didn't suffer. They were terribly good. When I think that we were evacuated we rushed out of the house in the middle of our supper and taken to the airport. The airport had been closed as soon as the war started. They closed the airport and the port. That's the part I didn't like. The children didn't make any trouble about going on planes and staying with strange people. The eldest was about ten, eight and six. They were terribly good. I often think of it. But Beirut was a very nice place, wasn't it? And the Lebanese were very friendly people. We didn't learn any Arabic. When we went there, we thought we'd polish up our French because it had been a French protectorate. Anyway, ordinary people wanted to learn English. I think we went to about dinner party where they spoke French. Otherwise you'd go into a shop with your carefully prepared French and they'd answer in English because they wanted to learn English. All the Arabs spoke perfect English. It's very sad to see what is happening to it. It's not going to be a very settled place for a long time.

We've been back in Cambridge almost thirty years. It's really rather frightening. Is it really thirty years ago?

[Sir Derek]. The job there was fascinating. Not just as a legal advisor but it combined political and legal adviser. They had about seven lawyers working for me – legal staff – two in Lebanon, Syria, Jordan and Gaza. Work was enormously varied. I dealt with big international claims. One claim against the UN brought by the Syrians over rail charges – big importers chartering ships. We chartered the ships importing. I liked the work.

53. How did you get about? Did you travel by car?

We travelled by car originally, and then when the war came we couldn't go by car so the government of Canada gave us a small plane. I'm not sure whether the pilot realised the reason he'd left the Canada Royal Air Force was because he was an alcoholic and he was permanently soused. We flew down to Israel and the pilot had never been there before. He flew low down and he said "Where's that"?

I enjoyed those two years.

54. What was the motivation for your book on the Law of International Institutions?

That book was published in 1964 – quite a while before. The reason I wrote that book was I'd lectured on the law of International Institutions and it was previously taught at Cambridge by Clive Parry. He was a very funny man, but you couldn't take notes. Just funny



stories. We had one exam one year I sat for the LLB. The examination bore no relation to the lectures. I met Clive Parry on King's Parade and he said "How did you like the paper" and I said "it had nothing to do with your lectures." He said "No, I know. I set it like that". He was a strange man.

I got bored with lecturing on a topic with no set book. So I wrote the book.

55. It's very interesting to hear the background of this book because it's been updated by Klein and Sands

The book [new edition 2001] was my conception and I wrote part of it.

56. The second important capacity in which you served, from 1973 to 1977, was as a member of the Royal Commission on Environmental Pollution. What did that entail?

We had meetings about once a month, and then according to what we were working on, we would tour the oil rigs or the coal mines or whatever and then write a report to the government.

57. Did you say you would go to the coal mines and the oil rigs? Did you physically go there and then write an assessment?

Yes. I quite enjoyed that.

58. It's interesting that in recent years Environmental Law hasn't been taken up by the Faculty.

No, it has not.

59. How did you come to be invited onto the Commission?

A former chairman was Master of Clare College. We did marine pollution and things like that. All our reports were published. They are in the public domain.

60. We come now to your time as President at Queens'. What were the circumstances of your appointment?

I had been in Cambridge from 1960, and then in '67 I was given two years leave of absence to go to Beirut as the UNRWA legal counsel. That was from Queens'. When I came back, there was a new mastership election. I became master [President] of Queens in 1970. My predecessor was Armitage who was also a lawyer. He, too, did 12 years.

61. During your watch were there any major changes?

We dealt with student unrest. Late 60s and 70s. Not very nice. They wanted to do away with the bedders. It was a matter of principle. They didn't want people waiting on them. But it was their job. They wanted friends to be able to sleep in their rooms.

62. Did you enjoy that time, Lady Bowett?

You don't really have any time for your own pursuits. And looking back, when you enter the Master's lodge, it's like a convent door closing. I was very pleased for Derek's sake. We were very young when we got that job, Derek was only 43. The children were very young. I started to take a course in Art History.

The reason there is so much building left unchanged, is because after Elizabeth's reign [Elizabeth I], it was a poor college so they couldn't afford to knock it down.

