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In memoriam: Sir Ian Brownlie

Ben Clarke
University of Notre Dame Australia, bclarke@nd.edu.au

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In Memoriam: Sir Ian Brownlie CBE QC (19 September 1932 - 3 January 2010)

Sir Ian Brownlie, QC, aptly described as '[a] titan in the crowded field of international law',[1] died tragically in a road accident while on holiday in Cairo in January 2010. Best known to generations of law students across the world as author of *Principles of Public International Law,*[2] Brownie was also a skillful advocate. Dealing firstly with his legal scholarship, *Principles of Public International Law* has been accurately described as the 'most well established and authoritative textbook on international law on the market.'[3] Brownlie's other works include: *International Law and the Use of Force by States* (1963) [his PhD thesis and first book]; *Basic Documents in International Law* (1967) (6th ed., 2008); *Basic Documents on Human Rights* (1971) (5th ed., 2006); *African Boundaries: A Legal and Diplomatic Encyclopedia* (1979); *System of the Law of Nations: State Responsibility* (1983); and *The Reality of International Law: Essays in Honour of Ian Brownlie* (1999), co-edited by Guy S Goodwin-Gill, Stefan Talmon and Brownlie himself.

Only a modicum of Brownlie's academic and professional honours and achievements can be noted here. His academic career began in 1956 as Lecturer in Law at the University of Leeds. Later appointments included Professorships in International Law at the University of London (1976-1980) and Oxford (1980-99). Brownlie's career as an advocate got off to a flying start with *Sweet* v *Parsley* - one of his earliest cases (as junior Counsel) which involved a landlady and a student lodger who smoked cannabis. This strict liability matter went all the way to the House of Lords: [1969] UKHL 1. Brownlie went on to appear as Counsel in: the *Pinochet* case (House of Lords); various proceedings before the European Commission and the European Court of Human Rights (including *Cyprus v. Turkey*); international arbitrations (including the *'Rainbow Warrior'* compensation case and proceedings before the Iran-US Claims Tribunal); the Papal Mediation between Chile and Argentina (the *Beagle Channel* case); and over forty contentious cases before the International Court of Justice in disputes over, *inter alia*, maritime boundaries (*Gulf of Maine*, *Malta v. Libya*, *Denmark v. Norway*), land boundaries (*Gulf of Fonseca*, *Cameroon v. Nigeria*, *Botswana v. Namibia*); use of force (*Nicaragua v. United States*, *Yugoslavia v. United States*, etc.), United Nations and trusteeship issues (*Libya v. United Kingdom and United States*, *Nauru v. Australia*), and the Genocide Convention (*Bosnia v. Yugoslavia*).

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[1] 'Scholars Community: In Memoriam Ian Brownlie CBE, QC, FBA' 9 (1) (2010) *Chinese Journal of International Law* 265-266. See also: Sir Ian Brownlie: Authority on International Law (www.timesonline.co.uk/tol/comment/obituaries/article6992845.ece); Philippe Sands, Leading International Lawyer Respected for His Integrity and His Independence (http://www.guardian.co.uk/theguardian/2010/jan/11/sir-ian-brownlie-obituary

[2] Browlie's famous text (translated into Chinese, Japanese and Russian) was first published in 1966 and is now in its 8th edition (2008).

[3] Publishers note, 8th edition (2008). Available at: http://ukcatalogue.oup.com/

According to Professor Phillippe Sands, 'Ian enjoyed life and believed that a decent lunch was always necessary, even in the heat of litigation.'[4] A decent lunch was no doubt an essential part of Brownlie's strategy of meeting numerous responsibilities. Aside from his case load and legal writing (which included not only his books but also numerous refereed journal articles), Brownlie supervised PhD candidates and served as in an editorial capacity on publications ranging from the *British Year Book of International Law* to the *Chinese Journal of International Law*. He was also an associate of the Institute of International Law from 1979 (and a member from 1985) and a member of the UN International Law Commission for more than 11 years. On politics, Brownlie was regarded as progressive and somewhat to the left. (He was briefly a member of the Communist Party whilst at Oxford in the 1950s.) Knighted in 2009 for services to international law, Brownlie was not afraid to act for unpopular clients or causes. His demonstrated belief in the 'cab rank' principle helped him build a strong reputation for independence and integrity. In 1979, he advised President Jimmy Carter during the Iranian hostages crisis. In 2009, he denounced Israel's action in Gaza as an act of aggression and a prima facie war crime.[5]

Brownlie married Jocelyn Gale in 1957. They had a son and two daughters. They later divorced and in 1978 he married Christine Apperley. Christine survived the accident in which Brownlie and his daughter Rebecca were killed.

Ian Brownie (left) winning the *Nicaragua Case.*

Dr Ben Clarke, Associate Professor at the School of Law, University of Notre Dame Australia has taught *Public International and Comparative Law* since 2001.

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[4] Philippe Sands, 'Sir Ian Brownlie obituary: Leading international lawyer respected for his integrity and independence' guardian.co.uk, 11 January 2010.

[5] See 'Israel's bombardment of Gaza is not self-defence – it's a war crime', *The Sunday Times* 11 January 2009 (letter signed by Brownlie and 26 other international lawyers). Available at: http://www.timesonline.co.uk/tol/comment/letters/article5488380.ece?Submitted=true