

## IN MEMORIAM

### Professor Alexander M. Stuyt (1911-2007)

'The history of mankind is characterized by cooperation and conflict.' These opening words are taken from the Introduction (p. viii) to *Survey of International Arbitrations 1794-1989* (third updated edition, Dordrecht/Boston/London 1990) by Prof. Alexander M. Stuyt, who passed away on 29 November 2007 at the advanced age of 96. This book – the first edition was published in 1939, the second in 1972 – is illustrative of Prof. Stuyt's work, and his sharp eye for detail and great interest in the historic development of international law.

Alex Stuyt was born in Amsterdam on 26 November 1911. In 1936 he graduated from Leiden University, where he followed courses in public international law given by Prof. B.M. Telders and in private international law given by Prof. E.M. Meijers. During the period 1937-1940 he was secretary to the Permanent Court of Arbitration and from 1939 to 1945 barrister in The Hague. His PhD thesis entitled *The General Principles of Law as Applied by International Tribunals to Disputes on Attribution and Exercise of State Jurisdiction* was defended at Leiden University on 3 April 1946. His supervisors were Professors Van Asbeck and Verzijl. After the war Prof. Stuyt became a civil servant at the Ministry of Foreign Affairs in The Hague, where he was the founding father and first editor of the Dutch *Tractatenblad*, the Official Journal of Treaties concluded by the Kingdom of the Netherlands (since 1 January 1951). In 1953 he was appointed as Lecturer in International Law at the Catholic University of Nijmegen, and as from 1 November 1960 as Extraordinary Professor of International Law. In January 1969 his appointment was changed into an ordinary professorship at Nijmegen University. He remained at the University of Nijmegen for almost thirty years until his retirement in 1982. Prof. Stuyt's 1962 inaugural address as Extraordinary Professor of International Law was dedicated to the dichotomy in international law after World War II: the western ideas and conceptions of international law and the socialist (Soviet) vision of international law (*Gespleten volkenrecht?* [Dichotomy in International Law?], The Hague 1962). In his valedictory speech of December 1982 he discussed a similar problem, but from the perspective of the various conceptions of the notion of world peace (*Driewerf vrede* [Thrice peace], Katholieke Universiteit Nijmegen 1982). In all Prof. Stuyt's studies his love for international law and its history is prominent. His *Survey of International Arbitrations* is a perfect example in this respect. With accuracy, Prof. Stuyt collected some 450 international arbitrations between two or more sovereign states in the period 1794

(Jay Treaty) to 1989. The first arbitration concerned the dispute between Great Britain and the USA over the River St. Croix (award of 25 October 1798). The final arbitration mentioned in the *Survey* deals with the dispute between, once again, Great Britain and the USA on Heathrow Airport user charges, which was settled by a mutual statement of 28 June 1989. The *Survey* mentions the sources, dates and commentaries in legal writings of all arbitrations with great care and precision. When Prof. Stuyt finalized the third edition of his *Survey*, he was almost 80 years old. One can only have great respect for and marvel at his dedication and enthusiasm.

In 1973 Prof. Stuyt became member of the Board of Editors of the *NILR*. In issue 2 of Volume XX (1973), his name was mentioned for the first time. He remained editor until 1 January 1994, when he retired from the Board together with his friend and colleague Prof. Maarten Bos. His work for the *NILR* mainly consisted of editorial activities, such as the assessment of manuscripts. Generally speaking, he was not very mild in his judgment of the submitted manuscripts and, as one could expect, very precise regarding notes and sources used by the authors. In 1993, just before his retirement from the Board, he wrote an article on the UN Year of Indigenous Peoples, in particular from a Latin American perspective (*NILR* Vol. XL (1993), pp. 449-470). Prof. Stuyt chose this subject because he felt that not very much attention had been paid to indigenous peoples in legal writings. Unfortunately, the subject was not discussed in the Special Issue of *NILR* dedicated to Five Hundred Years since the Rediscovery of the Americas (Vol. XXXIX, issues 1 and 2, 1992).

After his retirement from the Board, Prof. Stuyt remained interested in the *NILR* and was invited on special occasions, such as the festivities for *NILR*'s Golden Jubilee in 2003.

On 29 November 2007 his long life dedicated to international law came to its end. Prof. Alexander Stuyt will be remembered as a protagonist of international law and a scholar of great wisdom and sense of detail and history. He will be missed by his beloved wife, children and grandchildren. Our sympathies go out to them.

*P. Vlas*  
Editor-in-Chief