

Reflections on Settlement of Disputes in International Law

A Tribute to Professor B.S.Murty



[01 September 1921-25 February 2013]

By Dr. Bharat H. Desai
Professor of International Law
Centre for International Legal Studies, SIS, JNU
Friday Seminar; 05 April 2013



BRIEF BIO

Bhagevatula Satyanarayana Murty [BSM]

- Alumnus of Yale Law School, USA**
- Intellectually influenced by Prof. Myres McDougal and Prof. Harold D Lasswell during formative years at Yale**
- Professor of Law at Dr. B.R.Ambedkar College of Law, Andhra University, Visakhapatnam**
- Principal of the AU College of Arts, Commerce and Law [1970-73]**
- Passed away on 25 February 2013 at the age of 91.**

SCHOLARLY CONTRIBUTION-I



- Propaganda and World Public Order: The Legal Regulation of the Ideological Instrument of Coercion [New Haven and London; Yale University Press, **1968**], pp.310.
- The International Law of Propaganda: The Ideological Instrument and World Public Order Revised Edition;[Brill Academic Publishers, Inc; **1989**], pp.310.

HIGHLIGHTS

- ❑ Deals with the question of how to control harmful international communications (to assure a minimum of international order and human dignity) without unreasonable limitations on freedom of information.
- ❑ “A major contribution to the literature in a most illusive field...definitive work on the international law of propaganda” - **John B Whitton**; ***AJIL* Vol.62, No.3, 1968, pp.793-795.**
- ❑ “Prof. Murty is an exponent of the McDougal system of ‘contextual’ analysis. He provides a great deal of illumination in an area which is highly controversial” - **Ian Brownlie**, ***The Modern Law Review*, Vol.32, No.6, 1969, pp.717-718.**

SCHOLARLY CONTRIBUTION-II



➤ The International Law of Diplomacy: The Diplomatic Instrument and World Public Order [New Haven Press; Dordrecht, Boston, London: Martinus Nijhoff Publishers, 1989], 682 pages.

HIGHLIGHTS

- ❑ A “policy-orientated study” that examines diplomacy & diplomatic process in the wider canvass of world public order.
- ❑ “author seeks to put the international law governing that process into the context of the ultimate objective of a world public order...It is a creative, interesting and insightful study of the subject” - John R Lacey, *AJIL*, Vol.85, No.4, 1991 at p.754.
- ❑ The “research which has gone into this book is prodigious” - J G Merrills, *ICLQ*, Vol.40, No.2, 1991 at p.493-494.

SCHOLARLY CONTRIBUTION–III



➤ SETTLEMENT OF DISPUTES – Chapter 11,

Max Sorensen (Ed.), Manual of Public International Law (London: Macmillan, 1968)

HIGHLIGHTS

- ❑ Seminal contribution by an Indian scholar to a ‘classic’ textbook in the field.
- ❑ Contribution as a part of who’s who of International Law; underscores scholarly stature of BS Murty in his own right.
- ❑ Chapter outline and methodology followed still remains a benchmark to study ‘settlement of disputes’ and remains a primary reference tool for teaching of ISD course around the world.
- ❑ Reflects a gentle and lucid style of a genuine teacher of International Law; comprehensive coverage of issues in a span of full 64 pages; devoid of any attempt at ‘self-projection’ or ‘propaganda’; M.N.Shaw’s text book on International Law (Fifth edn., 2003) cites B.S. Murty and K.V.Raman among a select list of references on the subject at p.914.
- ❑ Work on ‘Settlement of Disputes’ remains as relevant today as it was 45 years ago – a fine tribute to futuristic work of an Indian scholar, who was noticed in the charmed circle, yet remained unsung.