

THE PHILOSOPHY OF MAX HUBER

In last December's issue, *International Review* commemorated the centenary of the birth of Max Huber, publishing some of the personal recollections of Mr. Jean Pictet, vice-president of the ICRC and one of Mr. Huber's closest associates, and reprinting excerpts from Mr. Huber's work, *The Red Cross, Principles and Problems*. Elsewhere too, in the worlds of law and history, the centenary has not passed without notice, as shown by an abundance of evidence.

To mention only some of these works, we should like to draw attention first to a British radio broadcast by Mr. Geoffrey Best, professor at the University of Sussex, summarizing the main lines of Mr. Huber's thinking.

In Switzerland, Mr Paul Ruegger, honorary member of the ICRC, paid tribute to Max Huber and his work in *Schweizer Monatshefte* (1974-75, No. 9) on the occasion of the recent publication of "Denkwürdigkeiten" (Memoirs), containing texts written by Huber between 1907 and 1924.¹ The latter work also has a foreword by Mr. Ruegger along the following lines:²

Max Huber achieved an incontestably high place in the history of international law, which he enriched with many constructive thoughts and for which he provided an ethical and in some respects a sociological foundation. He rendered notable service, first as a member and then as President of the International Court of Justice.

"He will be remembered as well for his Red Cross activities, during a cruel period when organized barbarism presented a brutal menace to

¹ Orell Füssli Verlag, Zurich, 1974. This 373-page book is well illustrated and has an introduction and notes by Mr. Peter Vogelsanger.

² The extracts quoted are our own translation.

human rights; credit will be given to his prophetic vision of what could be achieved through new Conventions, resulting from a reaction against the terrible events of that time. Mention should also be made of his decisive part in formulating, drafting and developing the fundamental principles of the Red Cross. His influence is also to be found in the commentaries and memoranda he wrote, presented in the name of the ICRC, which he served as President from 1928 on, and in his own activities, always inspired by the noblest emotions, even amidst the most tragic events.”

“Max Huber was always inspired by his Christian faith, reflected in the words addressed to his colleagues when he assumed the presidency of the International Court in 1924: ‘Insofar as we dismiss all personal considerations in the accomplishment of our responsibilities, we find ourselves supported by a force that surpasses our own.’ These profound words could serve as a leitmotif for the work of Max Huber, offering a superb expression of the noble concept he had of duty towards one’s neighbour.”

We must be grateful to his family for making available to the public the thoughts he put down as the years went by about his life and activities. These will be invaluable to historians and jurists, now and in the future, as they are to all those for whom these ideas are a living reality.

“The reader will recognize from the very beginning the unusual qualities of this work which differs from everything else ever written by the author, in its concept, expression and style. This is what gives it its charm and value. In this spiritual testament, Max Huber maintains the calm tone of a conversation with his family, providing enlightenment enriched with anecdotes. He is uncompromisingly outspoken and abstains from all subjectivity. We recall the words of Giuseppe Motta in 1921, at the time of the election of the Swiss jurist, still a young man, as a justice of the Permanent International Court of Justice: “If there is any one thing in this exceptional man which surpasses his great intelligence, it is the high level of his conscience.” In him, the realism resulting from a profound and intuitive perception of what can be expected is allied to his idealism, which reaches out to distant horizons but abstains from flights of fancy.”

“These memoirs come to an end in 1924 when, with no initiative on his part, and indeed against his will, he attained apotheosis in the inter-

national juridical world by his election as President of the International Court of Justice. It would have seemed at that time, having risen to such eminence, that no further horizons were open to him. Destiny, however, decided otherwise. Over a period of more than three decades, he was called upon to render services of the very greatest importance to his country and to the international community; to take measures and make decisions which would contribute to saving thousands of persons and relieving their suffering. Shortly after the completion of his presidency at the Hague and following the death of Gustave Ador, he was called upon to become President of the International Committee of the Red Cross."

There are some matters which commentaries upon the works of Max Huber do not adequately illuminate. First of all, there is the universality of his thinking, evidence of which is found, for example, in his desire to understand problems which were unfamiliar to him. Finally, he showed a spirit of tolerance of such an elevated degree as to be found in very few of the great men of this time. This manifested itself in his efforts to understand as fully as possible the thinking of those who disagreed with him, even though he could not make this thinking his own.

"The character of this outstanding man reveals an uncompromising sense of justice, self-possession in the face of unforeseen difficulties, loyalty to his country and, after carrying out his duty conscientiously, a humble submission to destiny. Even though limited to the first fifty years of its author's life, this first volume is a storehouse of memories of the period it covers and a priceless source of ideas and inspiration. Reflecting the varied aspects of Max Huber's mind, this work discloses hitherto unknown events which took place at particularly difficult times during the first half of this century."

In addition, these memoirs offer explanations and suggestions on many points of interest to experts on international law. Political leaders and diplomats as well will find information of great value, with particular reference to the analysis of Switzerland's struggle to preserve its neutrality after the end of the first World War, when plans were being developed and gradually carried out for the organization of the international community.

The foreword, the gist of which is given above, is followed by an essay by Mr. Peter Vogelsanger, author of a well-known and remarkable book about Max Huber, whom he counted as a friend. In this essay,

entitled, *Max Huber and his Time*, the author shows the evolution of Max Huber's intellectual and spiritual development in a period when western civilization was undergoing profound transformations and international humanitarian law was assuming an ever-increasing role in the lives of nations. Beyond this, he felt the need for certain moral structures which he believed were essential in an evolving society and which must be maintained even in the face of an apparent decline in respect for law. Mr. Vogelsanger concludes: "If our world is not to go up in the flames of conflicts and wars, it must go back to the principles which Max Huber not only proclaimed but which he also lived, as a model for us all."
