

HANS HAUG: « ANSÄTZE ZUR WEITERBILDUNG
DES KRIEGSRECHTS »¹

President of the Swiss Red Cross and Professor at the University of St. Gallen, the author in a pamphlet of some twenty pages makes his contribution to present work relating to the law of war. This contribution is made by "taking bearings", to use a term in navigation.

The rules of war, Mr. Haug asserts first of all, are those parts of international law which come into play, in case of war, in relations between States in the place of the law of peace and which regulates their reciprocal relations and conduct by submitting them to a "minimum order". He also considers that the "fundamental principle of the law of war is in no way humanitarian, as it is recognized in law by the Parties that harm can be inflicted on the adversary. . . ."

Since the end of the Second World War, mankind at present knows a particular type of conflict, that of "internationalized civil war". The great Powers are seeking to realize their political aims, to a certain extent, through civil wars or internal disturbances in other countries, avoiding at the same time direct confrontation which would moreover expose them to the nuclear risk. Now, it is undeniable that the present rules of the law of war are not adapted to this sort of conflict. It is also all the more difficult to remedy this situation in view of the fact that the present combatants do not even have the wish to be subjected to any legal order whatsoever.

Another aspect of the problem of modern war consists in technological developments which force war to become total. Civilians are threatened with annihilation and the largest gap perhaps existing in the law of modern war is not to have known, or to have been able to decide which are military objectives. This explains why the efforts of the Red Cross tend today to protect the rescuers, that is to say not civilians, but the teams charged in time of war with saving what can be saved. However, it quite often happens that rescue work is still an integral part of the national defence system itself.

¹ Off-print of "Festschrift für Walter Hug", Berne, 1968.

The problem of the United Nations had to be broached and this the author has not failed to do. Only intervening in conflicts of the "internationalized civil war" type, the United Nations have declared that they are willing to submit to the principles of the international Conventions. Mr. Haug none the less very clearly expresses the hope that the UN will become a direct party to the Geneva Conventions of 1949.

As regards the indispensable development of the law of war, he only sees the Red Cross capable of promoting it, at least in the present circumstances.

Clarity, concision and objectivity are the characteristics of these few pages in which the author gives exposition of a problem as complex as it is important.

J. de P.

J. J. G. de RUEDA: "CIENCIA HUMANITARIA" ¹

The author, who is Chairman of the Mexican Red Cross International Relations Commission and that National Society's representative in Europe, was adviser to the ICRC and the League for many years. In addition, he has published studies in several Red Cross publications and, in 1963, a book entitled "La Cruz Roja en mi vida y mi vida en la Cruz Roja" in which he gave an account of his broad experience of humanitarian work. His new book, sponsored and distributed by the Mexican Red Cross, will therefore be sure of arousing interest.

This book gives his personal views on what he calls the "humanitarian science". This is based, in his opinion, on Red Cross principles but far exceeds the Red Cross field of action. The title should be taken to signify the knowledge which, being concentrated with ever increasing intensity, is now acquiring greater importance for its basic purpose is to protect mankind from the threat of so many attitudes and inventions: man's attitude to man, too often negative, even hostile, and scientific discoveries which in themselves are favourable but the practical applications of which seem too

¹ Mexico, 1969, 108 pages.