

Tribute to Gustave Moynier

On the initiative of the Geneva Public Welfare Society, a bust in memory of Gustave Moynier, co-founder of the Red Cross and ICRC President from 1864 to 1910, has been set up in Geneva. The bust, created by the sculptor Otto Bindschedler, was unveiled on 21 August 1989.

During the unveiling ceremony various dignitaries took the floor, namely Jean de Senarclens, President of the Geneva Public Welfare Society, Cornelio Sommaruga, ICRC President, René Emmenegger, Mayor of the City of Geneva, and Bernard Ziegler, Head of the Department of Justice and Police of the Republic and Canton of Geneva.

The Review is pleased to publish the following address, delivered on that occasion by the ICRC President and entitled "Gustave Moynier", builder of the Red Cross".

GUSTAVE MOYNIER, BUILDER OF THE RED CROSS

by Cornelio Sommaruga
*President of
the International Committee
of the Red Cross*

The International Committee of the Red Cross is particularly happy to join with you here today in paying tribute to Gustave Moynier and honouring the man who not only guided the institution's destiny for 46 years, but also and above all built the Red Cross and shaped the law of armed conflict alongside the Movement's brilliant architect Henry Dunant.

It should be recalled that Gustave Moynier discovered his true vocation in the Geneva Public Welfare Society over which he

repeatedly presided, a path which, as we know, led him to Henry Dunant and to the Red Cross.

We therefore particularly appreciate the initiative taken by the Geneva Public Welfare Society and supported by the Republic and Canton of Geneva, a gesture which is in keeping with the Society's outstanding contribution, now and in the past, to enhancing material and moral conditions in the Canton.

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Moynier belonged to the race of builders in whom action and determination engender thought and reflection. He was not a man of lofty imagination or original insight, but one who was able to recognize the value of certain incipient ideas and strive with uncommon perseverance to give them life.

In setting the agenda and topics of discussion for the October 1863 Conference, he translated into principles and rules the ideas contained in *A Memory of Solferino*, while buttressing them with his own common sense. At the same time he paid tribute to Henry Dunant, the man who inspired or, as Moynier was to write himself, "whose imagination gave rise to the Red Cross".

Throughout his life, Moynier strove to develop a body of principles to serve the Red Cross as its *raison d'être* and source of inspiration. Although he believed, as Dunant and the other co-founders did, that the Red Cross must be guided by benevolence and charity, to justify the Movement's universality he set as its foremost precept the unity of humankind. "The dream of the Red Cross", he wrote, "was the worldwide adoption of humane and uniform rules of conduct towards the enemy". And, since he believed in human progress, he saw political evolution in the world as one of the ways of attaining brotherhood among men, which "spreads compassion and should rule the world".

In the same spirit, Moynier saw neutrality as applying mainly to ambulances, hospitals and medical personnel, but he also encouraged National Societies to achieve ideological neutrality through the incorporation in their ranks of representatives of various political opinions and religious beliefs.

To these fundamental principles, which were later to become known as humanity, impartiality, non-discrimination, universality and neutrality, Moynier added specific Red Cross rules of action. These were that National Societies should become prepared, in time of peace, to cope with natural disasters and that in order to ensure unity, only one National Society should exist in each country, covering the entire

territory and open to all people of good will. Moreover, though Moynier was one of the staunchest defenders of National Society autonomy, he also called for solidarity, to foster unity.

A realist and a positive thinker, Moynier mastered the art, which was the source of his quiet assurance and authority, of setting a goal, then assessing and duly adapting the means available to achieve it. Thus he advised that to spread the Red Cross principles, National Societies should give themselves a structure, increase their number of local branches and build up their membership. It is to Moynier, too, that we owe the clear distinction drawn between the responsibilities of the Geneva Committee and those of the National Societies, whose conditions for recognition he himself established. He encouraged contacts between National Societies and even had the idea of grouping them into a federation. However, he also agreed to play the thankless role of watch-dog, to ensure that they did not stray from the spirit of 1863.

To his death, Moynier continued to construct the framework of the Red Cross by establishing the Movement's organizational rules, but among the many achievements which have brought him lasting renown, perhaps the finest is to have given the Red Cross its motto: *Inter Arma Caritas*.

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The *Geneva Convention of 22 August 1864 for the Amelioration of the Condition of the Wounded in Armed Forces in the Field*, the 125th anniversary of which we shall be celebrating on 22 August 1989, was a truly revolutionary step in that, for the first time, "war was governed by the rule of law". This event, and subsequent advances in humanitarian law, owe much to Gustave Moynier, who was their "practical theoretician". As stated by an eminent member of the Institute of International Law, "Mr. Moynier accomplished an exemplary feat. He demonstrated the existence of international law not through laborious scientific reasoning, as we seek to do, but in the manner of a philosopher of antiquity demonstrating motion. He took the lead and everyone followed him. He was able to see, with exceptional acuity, how law could be introduced into the practice of war so as to relieve the suffering of the wounded and sick".

In this monumental venture to create a body of humanitarian law, Moynier, the builder, avoided undue haste, resisted pressure, advanced prudently step by step, displayed little emotion and unostentatiously laid his bricks one by one. By the time he had put the finishing touches

to the 1864 Convention, he was already aware of its shortcomings, yet he resisted any abrupt revision in the belief that emphasis should be placed on **what had been achieved**. For Moynier, the Convention was a revolutionary milestone marking the recognition of the law of war and its inclusion in positive law. But it was also much more than this. It was a sort of declaration of faith that States were called upon to make, binding upon them even in time of civil war.

To be properly applied, this precious achievement had to be made known, above all to the armed forces, officers and soldiers whose duty it would be to respect humanitarian rules and the Red Cross emblem. It was also important that “public opinion should be positively informed as to what must be tolerated and what should be chastised”.

Whereas dissemination was important, it was also necessary to consolidate and further develop the law. It had to be extended in particular to war at sea. Moynier’s efforts were not always rewarded, but he was able to lay the groundwork, like Henry Dunant and sometimes even after him, for instance in the treatment of prisoners of war.

The problem of breaches of the law and of sanctions caused him constant concern. His attitude was above all one of caution, emphasizing State responsibility. However, he was careful to add that the ICRC “might be emboldened to raise its voice if the charges bore on general and undeniably notorious facts”. A strangely premonitory comment!

Events later compelled Moynier to change his position and to urge that offenders be punished, not by the ordinary courts of the belligerent nations but by an international tribunal. This surprisingly bold position foreshadowed the Nuremberg Tribunal.

Few men of Moynier’s time were as able as he was to fully understand the many aspects of the law of war and deal equally successfully with *jus in bello* and the conduct of belligerents.

As he reached the end of his crusade, his moral and legal outlooks merged in the belief that the laws of war “cast a mirror image of humanity’s soul ... when the existence of that soul was acknowledged and its requirements deemed imperative in one particular respect, a precedent was set for similarly based claims. It should therefore come as no surprise that other reforms, as far-reaching as they are salutary, should slip into the world through the door left ajar to admit the laws of war”.

Moynier, the builder, was also a prophet.