

Books and reviews

EL ÁRBOL DE LA VIDA
(*The tree of life*)
The Red Cross during the Spanish Civil War
1936-1939

The latest book by Josep Carles Clemente, an historian well known to the Spanish Red Cross, examines the activities of the Spanish Red Cross and the ICRC during the Civil War which ravaged Spain from 1936 to 1939.

After briefly outlining the origin of the international and national Red Cross institutions, the role of the emblem and the development of humanitarian law, the author takes a look at the scant legal protection extended at the time to the victims of civil wars.

Then, in a chapter entitled "From peace to war", the author describes the consequences for the Spanish Red Cross of the proclamation of the Second Republic in April 1931: the appointment of a new directorate, modification of the Society's statutes and a change in its activities. The Society thereupon concentrated mainly on helping the victims of the social conflicts which broke out in several parts of Spain; from 1934 onwards, it set up many first-aid posts and had 18 hospitals and 214 ambulances.

The Spanish Red Cross was particularly active at the time of the "October Revolution" of 1934 which left more than 1,300 people dead and 3,000 wounded; its work was much appreciated by the government and the Society itself was developing in a satisfactory manner.

However, the Civil War broke out in July 1936. Shortly after, at the end of the month, Professor José Giral whom the President of the Republic, Manuel Azaña, had just appointed head of government, dismissed the President of the Spanish Red Cross, General Burguete, and replaced him with Dr. Aurelio Romeo Lozano.²

¹ Josep Carles Clemente, *El árbol de la vida — La Cruz Roja en la guerra civil española, 1936-1939*, ENE Publications, Publicidad SA, Madrid, 1993, 252 pp.

² In this connection, the author points out that the account given by André Durand in his book, *History of the ICRC — From Sarajevo to Hiroshima*, of the dismissal of General Burguete differs from that provided by Dr. Juan Morata Cantón who was Secretary General of the Spanish Red Cross during the Civil War. According to André Durand, whose account is based on an interview between General Burguete and Etienne Clouzot in 1936, "... about a hundred militiamen invaded the office of the President,

Dr. Lozano, who took over from General Burguete, was a member of the National Republican Party; born in 1880, he had been Director of the Municipal Institute for Paediatric Nursing in Madrid since 1926. As President of the Spanish Red Cross, in July 1936 he appointed the Society's new Central Committee; it was composed of eight members, six of whom belonged to left-wing parties and two had no party-political affiliation.

However, the National Defence Junta in Burgos, headed by General Miguel Cabanellas Ferrer, established a Red Cross Society in the territories under the junta's control. This Society, which was independent of the National Society in the Republican zone, was placed under the presidency of Fernando Suárez de Tangil y Angulo, the Count of Vallengano. Born in 1886, a lawyer, Vice-President of the *Cortes* from 1933 to 1935 and a close associate of General Emilio Mola Vidal, one of the junta's military leaders, he set up a Central Committee for this other Spanish Red Cross, composed of eight members favourable to the junta.

The Spanish Civil War was raging; summary executions and the imprisonment of political opponents, or even mere suspects, were widespread. The news reaching the ICRC was extremely alarming. It decided to send one of its delegates, Dr. Marcel Junod, to Spain and he arrived in Barcelona on 29 August 1936, met the Governor and discussed with him the problem of hostage executions by both parties.

The next day he went to Madrid, where he met Dr. Lozano and President Giral. They agreed to his suggestion for an exchange of hostages with the junta through the ICRC, thus authorizing the ICRC to send two delegations to Spain:

- one to the Republican zone, i.e. to Madrid and Barcelona;
- the other to the zone under the control of the junta, i.e. to Burgos and Seville.

Junod then decided to go to the Nationalist-held zone; in order to do so, he had to return to Barcelona, cross the border into France, travel along the Pyrenees and re-enter Spain via St. Jean-de-Luz. He was received by a delegation of the Nationalist-formed Spanish Red Cross led by its President, the Count of Vallengano, who took him to Burgos and introduced him to the President of the National Defence Junta, General Miguel Cabanellas. After two hours of discussions, Junod persuaded him to sign a document in which he formally took note of the agreements reached with the "Red Cross of Madrid" and undertook to accept relief supplies from foreign Red Cross Societies, to respect the Geneva

General Burguete, and forced him at gunpoint to sign a letter of resignation" (page 319 of the English version of André Durand's book); Dr. Cantón, quoted by Clemente on pages 49-51 of his book, says that he went with Dr. Haro to the headquarters of the Spanish Red Cross, showed General Burguete the government's order for him to resign and the General did so without any intervention by the militia. Clemente believes that this is the correct version of the facts.

Convention and to allow women and children to be evacuated on condition of reciprocity.

In Geneva, the ICRC set up a Commission for Spanish Affairs which met for the first time on 26 August 1936 and thereafter almost on a daily basis; it coordinated all activities in behalf of the victims of the Spanish Civil War.

The author then goes on to give a detailed description, accompanied with statistics, of the activities of the two coexisting Spanish Red Cross Societies, one in the Republican zone and the other in the Nationalist zone; both of them took part in the 16th International Conference of the Red Cross in June 1938 in London.

The next chapter, "Activities of the Red Cross during the War of Spain", recounts Dr. Junod's efforts to persuade both parties to the conflict to respect the red cross emblem and gives examples of allegations of violations put forward by both sides throughout the war.

He describes the setting up of ICRC delegations in the two zones; the development of international relief activities thanks to the backing of governments and National Societies; the creation of neutral zones to protect the civilian population against bombardment and the establishment of tracing offices in all the country's main cities and towns.

Clemente dwells particularly on exchanges, mediation efforts and humanitarian assistance; for instance, he gives an account of the steps taken by Dr. Junod to arrange for the release and transfer of some one hundred women held by the opposing side and the evacuation of children stranded in holiday camps in enemy territory.

However, the ICRC delegates were regularly confronted with the problem of hostage-taking by both sides and their representations to prevent this were largely in vain. On the other hand, the ICRC did succeed in having some well-known people held by the opposing parties exchanged, for example, Arthur Koestler for Josefina Gálvez, the wife of a Nationalist airman.

In other cases, such as the siege of the Alcázar of Toledo, the fighting prevented the ICRC from evacuating civilians even though it had managed to negotiate consent for an evacuation. Similarly, the ICRC was not allowed to evacuate the women and children among the Nationalists besieged in the sanctuary of Santa María de la Cabeza (Jaen province, near Andújar), despite its negotiations on the spot with both parties. On the other hand, the ICRC did succeed in having small groups of members of the International Brigades and Nationalist militiamen exchanged and, during the siege of Madrid, it was authorized to evacuate 4,000 people to Valencia.

Little by little, and with considerable persistence, the ICRC delegates obtained permission to visit prisoners detained in both camps.

In addition, the delegates strove to protect civilians from bombardment by assembling them in neutral zones and, at the end of the war, they organized relief activities for those who had fled to take refuge in France.

The book, which is richly illustrated with numerous photographs, has an appendix reproducing thirteen documents from the Spanish Archives.

Dedicated to the delegates of the ICRC who worked in Spain during the difficult years of the Spanish Civil War and to the members of the Commission for Spanish Affairs which was set up at ICRC headquarters, this work is not only a contribution to history but also a tribute to all those, Spaniards and foreigners alike, the famous and the less famous, who devoted themselves to alleviating the suffering of the victims of a particularly cruel war.

Françoise Perret

CHOICES MORE ETHICAL THAN LEGAL

The ICRC and human rights

David Forsythe, an American political scientist from the University of Nebraska, has written extensively on Red Cross matters. Judging by its title, his most recent publication on the ICRC and human rights will command the attention of all those who are interested in knowing more about the ICRC and its policy.*

This publication is timely because the Vienna Conference on Human Rights has challenged us all to give renewed thought to the relationship between the international protection of human rights and international humanitarian law.

In the first part of his paper the author sets out to demonstrate that humanitarian law is nothing other than international law for the protection of human rights in situations of armed conflict. Thus the author argues that “consistent with its tradition from 1863 of humanitarian help to victims of war, [the ICRC] works for what can be rightly termed fundamental human rights recognized in general international law”. Then follows an enumeration of human rights which are covered by the ICRC’s protection and assistance activities, both under the Geneva Conventions and outside their scope of application. At this level of abstraction nobody will take issue with such an analysis. As the author rightly points out, the ICRC itself has in recent times increasingly drawn attention to its own contribution to the realization of fundamental human rights. The author fails, however, to mention that several essential aspects of humanitarian law — and

* David P. Forsythe, “Choices More Ethical than Legal: The International Committee of the Red Cross and Human Rights”, in *7 Ethics & International Affairs* (1993) 131-151.