

Force versus law:  
The International Committee of the Red Cross  
and chemical warfare  
in the Italo-Ethiopian war 1935-1936

by Rainer Baudendistel

*“Caritas inter arma” is no longer possible: this is all-out war, pure and simple, with no distinction made between the national army and the civilian population, and it is inevitable that the poor Red Cross is drowning in the flood.*

Sidney H. Brown, ICRC delegate, 25 March 1936<sup>1</sup>

M<sup>lle</sup> Odier: (...) *How can we reconcile the obligation to remain silent with the dictates of human conscience? That is the problem.*  
President: *We kept silent because we did not know the truth.*

Minutes of ICRC meeting, 3 July 1936<sup>2</sup>

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<sup>1</sup> *“Il n’y a plus de possibilité de “caritas inter arma”, c’est la guerre à outrance pure et simple, sans distinction aucune entre l’armée nationale et la population civile, et quant à la pauvre Croix-Rouge, il est bien naturel qu’elle soit engloutie dans les flots.”* Archives of the International Committee of the Red Cross, Geneva (hereafter “ICRC Archives”), *Rapports des délégués*, No. 13, 25 March 1936. - Note: all translations of original French extracts from ICRC Archives by the author.

<sup>2</sup> *“M<sup>lle</sup> Odier: (...) Comment concilier le devoir du silence et celui d’exprimer les avis de la conscience humaine? Tel est le problème. Le Président: Nous nous sommes tus parce que nous ne connaissions pas la vérité.”* ICRC Archives, *PV Séances plénières*, 1935-36, 3 July 1936.

During World War I, chemical warfare agents were widely used for the first time on all major fronts with an unprecedented number of casualties, and immediately after the war attempts were made to outlaw this latest weapon. Responsibility for the drafting of specific laws fell to the League of Nations, reflecting the belief that this was a matter of concern for the whole world, not just for the victors in the war. On 17 June 1925, the Geneva Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare was signed by 26 States.<sup>3</sup> It contained a categorical prohibition to resort to chemical and biological warfare. The signature of the Protocol raised high hopes of an effective ban on chemical warfare, but adherence progressed slowly. A number of States, visibly not trusting the Protocol to be implemented in the forthright manner suggested by the text, made major reservations.

At the outbreak of the Italo-Ethiopian war in October 1935, 41 States were party to the Protocol, including Italy and Ethiopia. However, few in the so-called civilized world really believed in the sole protection of the law, at a time when the rule of force was becoming an increasingly threatening feature of international relations. In the absence of the abolition of war itself, the only realistic protection was thought to come from the capacity to retaliate in kind towards an enemy. This form of *Realpolitik* was more likely than a convention or the ailing collective security system of the League of Nations to guarantee protection against the threat of gas warfare. A serious problem would, in turn, arise for those who did not possess a credible capacity for retaliation. Ethiopia would learn this lesson the hard way in seven months of bitter war.

The ICRC's involvement with modern chemical warfare dated back to the first use of poison gas in World War I. The institution was so appalled by its effects on combatants that it launched a public protest in early 1918 against the "barbarous innovation" of poison gas. Worried about the never-ending race for more powerful chemical weapons and the alarming prospect of their use against the civilian population, the ICRC spoke out "with all our heart and soul against this method of warfare which we can only describe as criminal".<sup>4</sup> Equally, the ICRC proposed that an

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<sup>3</sup> For the sake of convenience, "1925 Geneva Protocol" or "1925 Protocol" is generally used in this article. Also, instead of the technically correct "chemical warfare agent", the more familiar "poison gas" is the term used whenever appropriate.

<sup>4</sup> *Le Comité international de la Croix-Rouge aux Belligérants, Appel contre l'emploi des gaz vénéneux*, 6 February 1918, ICRC Archives, CR 210, 1125.

international agreement be concluded, possibly under the auspices of the Red Cross, for a total ban on poison gas. After the war, the ICRC followed up its commitment to this cause with representations to the League of Nations and through work within the Red Cross Movement. When the Geneva Protocol was signed in 1925, the ICRC could look back with satisfaction to the conclusion of a campaign behind which it had thrown all its prestige and moral weight.

For the next decade chemical warfare became a top-priority issue for the whole Red Cross Movement, with the ICRC acting as lead organization. Officially mandated by four successive International Conferences of the Red Cross, the ICRC assumed a prominent role in promoting the ratification of the 1925 Protocol. However, growing tensions in Europe in the early 1930s made the ICRC realize that governments were not prepared to leave such important matters in the hands of the Red Cross. Issues related to chemical warfare had become the exclusive concern of national governments, who jealously guarded them under a veil of secrecy. As a consequence, the ICRC was able to produce only meagre results. In autumn 1935, it was clear that the ICRC's pioneering role was coming to a close and that the services of the humanitarian institution were less in demand. Despite this, the mandates relating to chemical warfare were very much part of the institution in 1935, a view which was shared by the Red Cross Movement and the general public.

Italy used poison gas, mainly through its air force, during four of the six months, for which the war with Ethiopia lasted. During this period Italian warplanes dropped 330 tonnes of chemical warfare agents out of an overall total of 1829 tonnes of explosives.<sup>5</sup> Bombing raids using chemical weapons, normally combined with regular explosive and incendiary bombs, took place almost daily with, on one occasion, a record of 12 tonnes in a single day. The aim was to create fear and terror primarily among the Ethiopian army, but gas bombs often hit the civilian population indiscriminately as well.

The most widely used chemical warfare agent was yperite or mustard gas, well known from World War I. It is a vesicant which causes characteristic blistering and burning of the skin with devastating consequences for the unprotected. J.W.S. MacFie, one of the British Red Cross field

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<sup>5</sup> The two main sources for this calculation are Giorgio Rochat, "L'impiego dei gas nella guerra d'Etiopia 1935-1936" in *Guerre italiane in Libia e in Etiopia*, Pagus Edizioni, Paese, 1991, pp. 157-168, and Roberto Gentili, *Guerra aerea sull'Etiopia 1935-1939*, EDAI, Firenze, 1992, pp. 95 and 100.

hospital's physicians, gives a poignant description of his first encounter with gassed victims:

“On closer inspection the patients were a shocking sight. The first I examined, an old man, sat moaning on the ground, rocking himself to and fro, completely wrapped in a cloth. When I approached he slowly rose and drew aside his cloak. He looked as if someone had tried to skin him, clumsily; he had been horribly burned by mustard gas all over his face, the back, and the arms. There were many others like him: some more, some less affected; some newly burned, others older, their sores already caked with thick brown scabs. Men and women alike, all horribly disfigured and little children, too.”<sup>6</sup>

Beside burning the skin, mustard gas often had a painful blinding effect, normally temporarily, because it made the eyelids swell and close.

The Ethiopians had nothing with which to oppose this onslaught of poison gas and were unable to retaliate. They had very little protective equipment and lacked proper medical care, which could have mitigated the effects, as the experience of the later years of the First World War had shown. Unwilling and unable to fight an enemy using such demoralizing methods, many soldiers preferred to run the risk of being caught as deserters rather than to die under such circumstances.

For want of reliable information, it is impossible to pinpoint the number of people killed as a result of chemical warfare waged by Italy. Red Cross sources record a little less than 1,000 gas casualties treated, but this figure gives an incomplete picture. It has to be kept in mind that the 12 Red Cross field hospitals — basically the only medical service available to the Ethiopian army — displayed disparities in terms of organization, staffing and equipment. More importantly, they managed to get close to the war fronts only relatively late in the war. And very often, when their services were most required, the units were in retreat themselves, like the defeated soldiers. Available information suggests that, for about 90% of the chemical warfare, there was little or no access to modern medical care.

Beyond doubt, Fascist Italy's unleashing of chemical warfare made the humanitarian disaster in the war zones much worse. John Melly, the courageous leader of the British Red Cross field hospital, was scandalized

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<sup>6</sup> J.W.S. MacFie, *An Ethiopian diary: A record of the British Ambulance Service in Ethiopia*, Hodder and Stoughton, London, 1936, p. 77.

by the extent of human suffering encountered on the northern war front and summarized it in his own very trenchant style: "This isn't a war — it isn't even a slaughter — it's the torture of thousands of defenceless men, women and children, with bombs and poison gas."<sup>7</sup>

Immediately after the outbreak of the war in October 1935, the ICRC offered its services to the two conflicting parties, in line with the Statutes of the International Red Cross. Italy, the aggressor condemned by the League of Nations, rejected any assistance outright, while Ethiopia, poorly prepared as it was, accepted it without hesitation. An international medical relief operation, supported by an unprecedented 28 National Red Cross Societies, got under way. In order to ensure that relief supplies reached the victims of the conflict, the ICRC decided to send two Swiss delegates to Ethiopia. The head of the delegation was Sidney H. Brown, a lawyer who had been working for the ICRC secretariat since 1929. He was assisted by a newly recruited young surgeon, Marcel Junod.<sup>8</sup>

This first ICRC delegation in the modern sense had the task of coordinating the activities of the Red Cross field hospitals, six from the Ethiopian Red Cross and six from European National Societies. In addition, it had to assist the inexperienced local Red Cross founded just three months before the conflict. This, in turn, allowed the ICRC delegates to get first-hand information on the development of the conflict and the ensuing humanitarian crisis. Thus, the headquarters in Geneva received valuable information from its own sources and it found itself unexpectedly at the heart of the controversy over humanitarian questions in the Italo-Ethiopian war.

### **Lack of vision at ICRC headquarters**

The first reports from the field delegates about the use of chemical weapons by Italy were noted in Geneva, but not considered worthwhile to be followed up. When they became more frequent and insistent, in early March 1936, the ICRC's attention was fully absorbed by the preparations for its high-level delegation's impending visit to Rome. Its aim was to discuss with the Italian authorities the procedures for an inquiry into

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<sup>7</sup> Letter from John Melly to K.N., 12 April 1936, in K. Nelson and A. Sullivan, *John Melly of Ethiopia*, Faber & Faber, London, 1937, p. 240.

<sup>8</sup> Sidney H. Brown (1898-1970) left the ICRC under unclear circumstances after his mission, while Marcel Junod (1904-1961) made a career in the ICRC, first as a delegate and later as member and vice-president of the ICRC.

alleged violations of the 1929 Geneva Convention on the wounded and sick in the field, in accordance with Article 30 thereof.<sup>9</sup> Both parties to the conflict had already agreed to this inquiry, at least in principle. In the very carefully drafted preparatory documents for the Rome meetings, there was only a brief reference to gas. Obviously it was not yet a source of concern for the institution. This did not change after interviews with two former Ethiopian Red Cross employees, both Polish nationals, who had been taken prisoner by the Italians. After Doctor Stanislaw Belau and his assistant Tadeusz Medinsky were released from captivity, they went to Geneva. They informed the ICRC of what had befallen them and of their experience with gas. In this respect, Belau's testimony is particularly interesting. He had already known poison gas as a Polish officer in World War I and clearly identified mustard gas, plus two other chemical agents which were unknown to him, as having been used in Ethiopia. Belau's deposition was given to the ICRC delegation leaving for Rome, together with Junod's striking telegram about the Korem incident, when he witnessed mustard-gas bombing by Italian warplanes. Thus, when President Max Huber, Vice-President Paul Logoz, Carl Jacob Burckhardt and Jacques Chenevière left for Rome on 24 March 1936, they were carrying in their luggage "hot" first-hand information about the use of gas in Ethiopia.

From the ICRC's point of view at the time, the Rome trip was very successful and was crowned by a brief audience with Mussolini in the Palazzo Venezia on 30 March 1936. The ICRC had gained the Italian's agreement to the procedures for the planned inquiry concerning the misuse of the emblem. But what about the issue of gas? In the ICRC documents no mention of gas can be found. Italian sources confirm that the delegation did not raise the question during the meetings with Baron Pompeo Aloisi, the *Chef de cabinet* in the Ministry of Foreign Affairs, or with Filippo Cremonesi, the President of the Italian Red Cross. In a simple and calculated move, the Italians pre-empted a possible ICRC initiative to raise the question officially. Aloisi informed the ICRC in the first meeting that the subject of the inquiry was limited to questions coming under the Geneva Conventions. This meant that methods of warfare such as the use of poison gas were simply excluded. The ICRC could do little to oppose this since it came from one of the belligerents, who were free to lay down their own conditions for the inquiry.

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<sup>9</sup> The ICRC had proposed this inquiry after both sides had accused each other of misusing the Red Cross emblem.

If official channels were blocked, could not the question have been raised informally? Here again, it seems that no mention of gas warfare was made, though not for want of a suitable occasion. One such opportunity could have been the meeting with the President of the Italian Red Cross, Cremonesi, during which a survey of relevant ICRC concerns was made. These included the bombing of Red Cross field hospitals and the question of prisoners of war. It seems that Cremonesi himself was surprised that the matter was not brought up. At the end of his report to the Ministry of Foreign Affairs he made a specific remark that no other subjects were discussed between the ICRC and the Italian Red Cross.

There was one occasion, however, not without importance, when the issue of poison gas was touched upon. Chenevière relates that Max Huber made an allusion to gas warfare during the short audience with Mussolini. Talking of Huber's introduction at the beginning of the meeting, Chenevière recalls: "All the essentials were there: reprisals prohibited, even if apparently justified; immunity and care guaranteed for anyone *hors de combat*. In passing, I even caught the explosive words "mustard gas". The Duce was startled. Very calmly, Max Huber continued: 'Just a general comment on methods of warfare'. Was he moved? Perhaps, but this may have been no bad thing."<sup>10</sup> The audience lasted precisely ten minutes. It was obviously too short to allow a serious discussion, especially on a controversial subject such as poison gas.

This is the only recorded reference to gas warfare — a very general one at that — during the ICRC's visit to Rome. The silence is all the more puzzling as the delegation knew from various telephone conversations with Geneva that gas warfare in Ethiopia had become a very urgent and serious issue. In addition, a confidential cable had been sent from Geneva to the delegation via the Swiss Ministry of Foreign Affairs concerning another occasion when poison gas was used, this time reported by the Norwegian Red Cross in the Sidamo region. Even if there was never any question of a formal representation, why did the ICRC President not take this golden opportunity at least to request some clarification of a matter regarding which it possessed reliable information and good grounds for intervention?

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<sup>10</sup> Jacques Chenevière, *Retours et images*, Éditions Rencontre, Lausanne, 1966, p. 254. Translation by the author. — Burckhardt, in his own account of the meeting with Mussolini, described the audience quite differently and did not mention Huber's reference to poison gas. Carl J. Burckhardt, *Vom Krieg und Frieden*, Festschrift der Universität Zürich zum 70. Geburtstag von Max Huber, Schulthess & Co AG, Zürich, 1944, pp. 260-261.

In the absence of documented evidence, two main reasons explain the ICRC's timidity in Rome. First, the inquiry into alleged violations of the 1929 Geneva Convention had top priority. For the first time the inquiry procedure, considered to be an important achievement of the new Conventions, was due to be applied. The ICRC had no desire to compromise its chances of success, least of all over the matter of poison gas, which was an extremely sensitive subject for the Fascist régime. Secondly, like the delegates in the field at the beginning, the ICRC in Geneva distrusted the reports on the use of poison gas. It seemed simply impossible, and appeared to many as just another coup in Ethiopia's anti-Italian campaign. Why should Italy, the cradle of European civilisation, fail to act in good faith and employ a banned weapon in violation of the 1925 Protocol to which it had solemnly adhered?

Obviously one cannot reproach the ICRC for being unaware of something the historian discovers later, namely that the Italian authorities already knew of Junod's message concerning his experience of mustard gas: they had intercepted the telegram which the ICRC delegation carried to Rome,<sup>11</sup> but had made no further use of it. Or that Mussolini, the day before the meeting with the ICRC delegation, had again authorized the commander of the Italian forces, Badoglio, "to use gas of any type and on any scale".<sup>12</sup> The question is whether the ICRC should not have shown greater insight and been more daring in view of the first-hand information it possessed. Quite clearly, the delegation missed the first opportunity to defend the interests of victims on whose behalf it had made a commitment.

### **The League of Nations and the ICRC: collective security and humanitarian concerns**

Until the Italo-Ethiopian war, the paths of the League of Nations and the ICRC rarely crossed. The two institutions, and their aims and methods, were very different. The League was engaged in international politics, trying to set up a new world order, facilitated by the period of peace in Europe of the 1920s and early 1930s. It had a large staff at its disposal

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<sup>11</sup> The Italians monitored not only the internal communications of the Ethiopians through the military authorities in East Africa, but also foreign telegram traffic to and from Addis Ababa through the Ministry of Internal Affairs' special listening service. Most ICRC telegrams, including the one mentioned, can be found in Archivio Centrale dello Stato (thereafter ACS), Ministero dell'Interno, Roma, P.S. 1936, Busta 1 A.

<sup>12</sup> ACS, Fondo Graziani, Busta 18, Fasc. 21/6, 29 March 1936.

and impressive buildings in Geneva. The ICRC, by contrast, was a little-known institution dealing with humanitarian matters in times of war, a phenomenon which was thought to be — if not overcome — at least contained by a series of treaties and the progress of civilized nations. In view of this, some over-optimistic individuals even felt that the founding organization of the Red Cross had lost its *raison d'être*. The Committee itself was composed of less than 20, some more active than others, voluntary members primarily drawn from protestant and liberal circles in Geneva society. They had attempted to shake off the image of a "*comité de quartier*" (local committee), as the Swiss Foreign Minister Giuseppe Motta had put it disparagingly before he and some other distinguished Swiss joined it. It was assisted by a handful of professional staff, working in a villa on the shores of Lake Geneva. Since World War I, the small but active institution had dealt mainly with matters of humanitarian law, and it had managed to establish a special position in the international Red Cross movement, which was reorganized in 1928.

In the Italo-Ethiopian war, the relationship between the two institutions underwent a radical change. A fledgling League grappled with the challenges which Fascist Italy had thrown down to the international community, while the ICRC was deeply involved in its first humanitarian operation in a war since 1918. The situation had suddenly changed. From being a player on the fringes of the international scene, the ICRC now occupied centre stage. It was just a matter of time before the respective roles of the two organizations would have to be clarified. The occasion was provided by Italy's waging of gas warfare in Ethiopia.

During the stormy deliberations on the conduct of hostilities held within the League of Nations' Committee of Thirteen in early April 1936, it was felt that precise information was required on what had happened on the battlefields in the Horn of Africa. In view of Italy's refusal to cooperate with the world body on its alleged use of chemical weapons, the League turned to the ICRC. Its delegate was reported in the press to have witnessed the use of poison gas close to the northern Ethiopian town of Korem, and the institution was known to have received other relevant information from the staff of National Red Cross Societies. In a letter, Joseph Avenol, the Secretary-General of the League, requested information from the ICRC on this issue.<sup>13</sup> A response was expected for the same

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<sup>13</sup> Joseph Avenol to the President of the ICRC, 8 April 1936, ICRC Archives, CR 210, 1042.

afternoon in order to allow deliberations in the Committee of Thirteen to continue.

The request placed the ICRC in a very uncomfortable position between the League of Nations and Italy. The institution was given the unwanted role of an arbiter, which could jeopardize the continuation of its work in the field. It now became an authoritative eyewitness in a modern war fought not only with all available military means but also in the spotlight of international public opinion. In essence, the League's request placed the ICRC in the classic dilemma with which it has been confronted until today: having to choose between speaking out against an injustice and bringing relief to war victims.

After consulting President Max Huber by telephone, the Committee was in no doubt that it had to reject the League's request. Documents and information held by the ICRC were not to be used for political ends, and this would inevitably happen when they were handled by the Committee of Thirteen. Curiously, the ICRC did not put forward this reason in its hurried and ill-conceived answer to the League, but justified its refusal by reference to the planned inquiry into alleged violations of the Geneva Convention "relating in part to the same facts". Secondly, the ICRC said that it could not share its delegates' reports with the League because they were strictly reserved for Red Cross purposes. Finally, the ICRC informed the League that it was up to governments or the National Red Cross Societies to decide whether or not to disclose information in their possession.<sup>14</sup>

Not surprisingly, the League of Nations felt offended by the negative reply from the small humanitarian institution. The President of the Committee of Thirteen, Salvador de Madariaga, took it upon himself to respond. He exposed a flaw in the ICRC's reasoning, sharply pointing out that the League's inquiry covered questions such as gas warfare which were not included in the ICRC inquiry. Therefore, the existence of the latter could not be invoked as a reason for withholding relevant information. The ICRC's second argument was considered an affront to "a body which is acting in the name of the League of Nations".<sup>15</sup>

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<sup>14</sup> Guillaume Favre to the Secretary-General of the League of Nations, 9 April 1936, ICRC Archives, CR 210, 1054.

<sup>15</sup> Salvador de Madariaga to the President of the ICRC, 18 April 1936, ICRC Archives, CR 210, 1102.

The League's angry response necessitated another reply from the ICRC, made imperative since the League had published the exchange of letters. The matter had been brought into the public arena, where it was immediately picked up with keen interest. This time, the ICRC response was carefully constructed, well reasoned and to the point. It was prepared by the accomplished lawyers Huber and Logoz, who pitched the response at the fundamental level of the Red Cross ideals and the Statutes of the ICRC. In accordance with its role, the ICRC needed to remain outside any action of a political nature; this was the real reason for its refusal to cooperate. Furthermore, the ICRC had to maintain its neutrality in relation both to the Geneva Conventions and to other Conventions aimed at safeguarding humanitarian interests in times of conflict. And finally, the ICRC came to the essential point:

"The purpose of the ICRC is purely humanitarian and apolitical: the Committee must first and foremost do everything it can do to relieve the sufferings of victims of war. To do so, it must adhere scrupulously to a line of conduct enabling it to maintain relationships of trust with parties to a conflict (...). The International Committee also considers itself unable to depart from these principles even in the events of conflicts where the right to go to war is in dispute."<sup>16</sup>

Thus, the ICRC had established its independence from the League of Nations and demonstrated that political and humanitarian organizations had their respective rights and duties, which might differ at times. The reactions to this stance were immediate and sharp. The Ethiopians, who had requested the ICRC to share their documentation with the League, were deeply disappointed. Junod noticed that working relations with them deteriorated into "strong opposition" after the ICRC's negative response. Government officials close to Emperor Haile Selassie accused the ICRC of ill will and of being pro-Italian. Later judgements by eyewitnesses such as John H. Spencer, the young American adviser to the Ethiopian Ministry of Foreign Affairs, went even further. Commenting on Huber's refusal vis-à-vis the League of Nations, he wrote: "By his signature on this disgraceful and futile attempt to cover up an international crime which, by then, had become widely known and which was never denied by Italy, he prostituted his own reputation and that of international law to the call of political convenience."<sup>17</sup>

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<sup>16</sup> Max Huber to Salvador de Madariaga, 24 April 1936, ICRC Archives, CR 210, 1123.

<sup>17</sup> John H. Spencer, *Ethiopia at bay*, Reference Publications, Michigan, 1984, p. 50.

Disappointment on one side, satisfaction on the other: upon hearing of the Committee of Thirteen's request to the ICRC, the Italian Red Cross delegate in Geneva, Count Guido Vinci, rushed to the ICRC to find out what its response would be. His close relations with the institution allowed him to gather reassuring news: the ICRC was not going to comply with the League's request. He immediately informed the Italian Red Cross President, anxious for news and perfectly aware of the crucial role which the ICRC was playing at this moment with regard to Italy's image in the world. President Cremonesi was relieved to hear of the ICRC's refusal, and so was the Ministry of Foreign Affairs. After the war, in a speech made to the Duce who was visiting the Italian Red Cross premises, Cremonesi even went so far as to attribute the ICRC's refusal to the visit made by its members to Rome at the end of March 1936!

Equally pleased, about this decision, but for different reasons, was Giuseppe Motta, the Swiss Minister of Foreign Affairs and a member of the ICRC. In his view, the ICRC's negative answer to the Committee of Thirteen had defused a controversial subject containing potential dangers for Swiss-Italian relations, which were complicated enough. The humanitarian institution in Geneva had rendered a precious service to Switzerland. By defending the neutrality of the Red Cross it had indirectly defended Swiss neutrality as well.<sup>18</sup> For the very same reason, the Swiss minister in Rome, Paul Ruegger, expressed satisfaction at the increased prestige enjoyed in Italy by the ICRC, "whose neutral and impartial attitude, demonstrated once again in the correspondence with the Committee of Thirteen, reflects upon our country".<sup>19</sup>

The dispute with the League of Nations must be evaluated from several angles. By omitting to inform the National Societies of its stance and coordinate a response with them, the ICRC missed the chance to get the Red Cross Movement to speak with one voice. Upon receiving a request from the League of Nations similar to the one made to the ICRC, several National Societies complied. This showed that other components of the Red Cross had their own loyalties and policies which might be detrimental to the Red Cross spirit as a whole. If the ICRC was serious about fulfilling

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<sup>18</sup> Giuseppe Motta to Légation de Suisse, Rome, 19 June 1936, Bundesarchiv Bern, E 2200 Rom 22, Schachtel 9, Question de la Croix-Rouge.

<sup>19</sup> Paul Ruegger to Giuseppe Motta, 14 April 1936, Nachlass Paul Ruegger, Archiv für Zeitgeschichte, ETH, Zürich, III, 15.3.3. Paul Ruegger, a student and a friend of Max Huber, joined the ICRC later and served as its President from 1948 to 1955.

its leadership role in such cases, it should have made sure that the Movement adopted a unanimous position as far as possible.

From an internal point of view, the dispute exposed a serious flaw in the working mechanisms of the institution. Max Huber, the President of the ICRC, was living in Zürich and came to Geneva only for important meetings, usually for a few days. His physical absence from ICRC headquarters, where decisions were made, proved to be a disadvantage. This was especially the case when urgent and important matters needed to be considered. Communication with the President by telephone did not compensate for his absence. If President Huber could have been reached easily, the initial reply to the League, hastily written and poorly thought out, would not have been sent in that form. Had the ICRC based its answer from the beginning on the ground it put forward subsequently, the real issues separating the two institutions would have appeared immediately. Some of the misinterpretations would probably not have arisen. Moreover, and perhaps more importantly, the presence of the ICRC President in Geneva would have allowed a face-to-face discussion with the League's representatives during which the ICRC position could have been explained more clearly than it was in an impersonal letter.

Turning now to the substance of the dispute, one has to admit that the ICRC's decision to refuse the League access to its documents was right on two counts. First, there was the political angle. At the time of the dispute, it was becoming clear that the League was powerless to stop the Italian aggressor, already victorious on the battlefields. If the ICRC had complied with the League's request, it would at best have been a gesture of goodwill, but at worst it would have created unnecessary complications with one of Europe's great powers, not only for the short remaining period of the war in Ethiopia, but also for a considerable time to come. Second, from the point of view of its principles, the ICRC was right to separate its humanitarian action from the political activity of the League. Mixing the two together would only lead to the politicization and undesirable weakening of Red Cross activities. A strong and credible Red Cross was essential in a Europe where the clouds of war were rapidly gathering on the horizon.

However, our analysis cannot stop here. Clearly, each belligerent drew its own political conclusions from the ICRC's decision. If the matter remained as it stood, it would play into the hands of the Italian government. Silence over the use of poison gas on which the humanitarian organization had first-hand information was protecting an illegality. The negative reply to the League's request increased pressure on the ICRC to

respond to Italy's use of gas in one way or another. What action was it going to take to maintain true neutrality and impartiality? How was it going to avoid falling into the trap of appearing to be pro-Italian?

Underlying the situation was another important question. True enough, the ICRC needed "relationships of trust" with the belligerents for its work, but this was not at any price. If a belligerent did not help to create such a relationship and resorted quite openly to illegal means of warfare, could the ICRC simply close its eyes? Obviously there were limits. Otherwise would the ICRC not be accused of political naivety or even complicity in a crime, seen from the viewpoint of a scrupulous party to an armed conflict?

### **The ICRC caught between the spirit of 1918 and the letter of the law**

Undoubtedly, the ICRC was confronted with a serious breach of an international convention with which it had been deeply involved for 18 years. Violations of Conventions had already occurred in World War I. Then, the ICRC had issued a protest to the belligerents, the strongest measure it could take, on four occasions. One of these was the 1918 appeal against the use of poison gas. The common denominator in the protests was the existence of indisputable facts of particular gravity resulting from a government's open and deliberate policy. In addition, the violation in question threatened the legal system of protection itself.<sup>20</sup> Should the ICRC maintain its past approach in the case under consideration?

Three different opinions clashed with each other in the Committee. The first and smallest group consisted of those who either doubted that gas was used in the war or felt that it was unduly exaggerated by press reports. Until 8 April 1936 this point of view was supported by the ICRC secretariat and by Vice-President Georges Patry.<sup>21</sup> It was cut short by

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<sup>20</sup> François Bugnion, *Le Comité international de la Croix-Rouge et la protection des victimes de la guerre*, ICRC, Geneva, 1994, p. 126.

<sup>21</sup> ICRC Archives, *Commission d'Éthiopie*, PV 61, 8 April 1936, p. 3. The head of the secretariat, Etienne Clouzot, doubted Italy's waging of chemical warfare despite the fact that he had access to all relevant first-hand news from the field and to restricted information at headquarters. He was considered by Vinci as "our friend", ACS, Croce Rossa Italiana (CRI), Busta 189, Fasc.10. In this context it is interesting to note that in November 1935, one month after the outbreak of the war, Clouzot was awarded the order of "Cavaliere Ufficiale de la Corona d'Italia" in honour of his service within the ICRC and the International Relief Union. ACS, CRI, Busta 189, Fasc.1.

Doctor Junod's detailed report on the events near Korem which reached the ICRC one day later.

The second group of ICRC members included Vice-President Guillaume Favre, Edmond Boissier, Rodolphe de Haller and the only woman involved in the Ethiopian operation, Lucie Odier. This group wanted to maintain the tradition of the 1918 appeal. Then the ICRC had denounced chemical warfare out of its humanitarian duty. In fact, Odier already initiated deliberations on an ICRC protest against Italy while the ICRC leadership was still in Rome. Patry blocked this with the argument that there was insufficient proof, but the heated discussion resumed upon the delegation's return to Geneva in early April. Boissier, the only remaining ICRC member who had signed the 1918 appeal against gas (together with Paul Des Gouttes who did so in his capacity as Secretary-General), argued as follows: "In 1918 the ICRC protested against the use of poison gas, even though no mandate in this regard had been conferred on it and no protocol prohibiting the use of gas had yet been signed. Can the ICRC remain passive now if the use of gas in the Italo-Ethiopian conflict is proven?"<sup>22</sup> This group received support from Louis Demolis, the ICRC's technical adviser on chemical warfare. Referring to the different reports on the use of gas in Ethiopia and recalling the specific mandates given by the Red Cross Movement to the ICRC, he urged the ICRC to make its voice heard once more and condemn such a practice unreservedly.

On the other side of the debate was the lawyers' group, with Max Huber, Paul Des Gouttes and Paul Logoz, who were joined by Jacques Chenevière. They based their argument on the fact that the ICRC had no legal grounds for intervening in issues relating to methods of warfare, but was specifically concerned with humanitarian affairs coming under the Geneva Conventions. The two matters were quite separate and should not be placed together. To this, Huber added the decisive fundamental argument that "the ICRC does not have to take a stand for or against a given method of warfare: it has to concern itself with relieving the suffering caused by war".<sup>23</sup> To these two Red Cross arguments came a circumstantial one of Italian making. When the discussion in the League's Committee of Thirteen on Italy's use of gas became inevitable and an inquiry by the League of Nations a strong, but undesirable probability, the Italian diplomatic corps suddenly proposed that the ICRC should be instructed to

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<sup>22</sup> ICRC Archives, *Commission d'Éthiopie*, No.61, 8 April 1936, p. 2.

<sup>23</sup> ICRC Archives, *PV Séances plénières*, 1935-36, 23 April 1936, p. 2.

conduct an extended inquiry. It should not only cover the Geneva Conventions, as expressly desired by Italy and agreed in Rome with the ICRC delegation, but should also deal with all violations of relevant international Conventions. This meant a complete reversal of the previous Italian stance. Under the circumstances, the Italians clearly felt that an ICRC inquiry which included methods of warfare was preferable to one conducted by the League of Nations. This astute move tied the hands of the ICRC. Indeed, just by agreeing to consider an extension of the proposed inquiry, it had to refrain from any public comment that could be interpreted as anticipating the conclusions of the planned commission of inquiry.

At the heart of this debate were two conflicting views of the ICRC's role in times of conflict. They had been inherent in such situations since the foundation of the Red Cross at the battlefield of Solferino, and were two sides of the same coin. One was the revolting fact of human suffering, made worse in this case by a deliberate breach of an international convention to which one could not remain indifferent. The other was legitimate concern for the ability to bring relief to persons in need, and this called for restraint and circumspection. The choice was this: to express indignation and accept the consequences, or to keep quiet and continue the humanitarian work. The spirit at the heart of the 1918 appeal was at odds with the letter of the law. In this unsolvable dilemma, the ICRC of 1936 chose the latter course. The strictly legalist approach of the small but important group of lawyers in the ICRC prevailed. But the situation in 1936 was obviously different from that of 1918. It was more threatening from an ICRC point of view. In April 1936, an aggressive, arrogant Fascist Italy was on the point of winning the war with Ethiopia and the blame would have had to be put squarely on its government alone. This would have exposed the ICRC much more than it wished. Its protest eighteen years earlier had been directed at *all* warring parties which were using poison gas. It had been easier, in this respect, to protest and, at the same time, to stay neutral in 1918 than it was in 1936. A more forceful response now would have required a lot of courage.

This leads to another important difference: there were distinct personalities at the helm of the ICRC. In 1928 Max Huber had replaced the charismatic and forceful Gustave Ador, who had known the ICRC since the beginnings of the Red Cross. Huber was a prestigious and widely respected judge whose sincerity and integrity were beyond question, but he was hesitant, giving more attention to weighing the merits of a case

than to what needed to be done.<sup>24</sup> This attitude left its mark on the decision taken by the ICRC in April 1936.

### **Representations via the Italian Red Cross: a futile course**

In the midst of these intense discussions and at a time when uproar in Europe over Italy's use of poison gas was at its height, Vice-President Favre proposed, with the support of some of his colleagues, that the ICRC should express "its emotion and its anxiety" to the Italian Red Cross. Such a step became even more imperative since the ICRC had refused only days earlier to share information in its possession with the League's Committee of Thirteen. The humanitarian institution realized that the Red Cross Movement and public opinion in general were focusing on its conduct, and that it was obliged to adopt an initiative of its own.

The letter of 12 April 1936 to the President of the Italian Red Cross reflected the ICRC's internal divisions at the time. It recalled the concern which the International Red Cross — not the ICRC — had felt with regard to chemical warfare since 1925, and listed the various accusations from Red Cross sources on the use of poison gas. Junod's testimony concerning the mustard gas attack on the Korem plain was included. But the institution carefully avoided implicating itself in any form and concluded the letter without a specific request, contrary to the intention of the initiators, stating: "We think we should bring these statements to Your Excellency's knowledge. The use of a prohibited weapon is such as to arouse feelings whose gravity you cannot fail to appreciate. According to our delegate, such conduct might even paralyse all work by the Red Cross in the regions affected."<sup>25</sup> The ICRC was definitely not at ease in this matter and unable to make a clear point.

In this timid and excessively polite form, the letter could hardly satisfy the initiators. It was a far cry from expressing emotion and anxiety. No wonder Odier and de Haller voiced their disappointment when they learned about the version sent to Italy. Chenevière, most probably the author of the letter, replied with the lawyers' argument that the ICRC had no legal basis for intervention, since poison gas was not a subject covered by the Geneva Conventions.

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<sup>24</sup> Letter from Max Huber to Carl J. Burckhardt, 25 May 1936, Nachlass Max Huber, Zentralbibliothek Zürich, 2.75, Umschlag IV/1936.

<sup>25</sup> Max Huber to Filippo Cremonesi, 12 April 1936, ICRC Archives, CR 210, 1073.

Close examination of this letter reveals that it only repeated reports which were already public knowledge. The (very veiled) request for information from the Italian government was nothing new after the representations which the League's Committee of Thirteen had made on 23 March, a full twenty days earlier. Nor was the letter even addressed to the government responsible, but to a subservient Italian Red Cross. Seen in this light, the ICRC's initiative marked no new progress, it came late in the day and was directed at a body which had no competence to deal with the matter. Throughout this crucial period the ICRC's attitude was passive and reactive. And it is striking that when it had to take action itself it was always one safe step behind the League of Nations.

It is possible to take the matter even further. Mussolini was clearly struck by the international outcry against Italy's gas warfare in Ethiopia. One day after the impassioned debate in the Committee of Thirteen, he ordered Graziani to refrain from using chemical weapons until further notice. He monitored the execution of this order closely, and even when the storm over the matter had calmed down towards the end of April, he prohibited the use of mustard gas, at least for some time to come. Equally, Mussolini's handling of the ICRC in Rome had shown that he was enough of a politician to avoid provoking the Red Cross unnecessarily, given the undisputed prestige which it enjoyed. In view of Mussolini's sensitivity in these matters, the question must be asked whether more forceful representations by the ICRC, even if restricted by confidentiality, might not have helped to persuade Mussolini to be more circumspect in his use of an outlawed weapon. This is an important issue, as chemical warfare did not cease on 27 April 1936, the last time it was seen in the Italo-Ethiopian war. Between early May 1936, when Addis Ababa was occupied, and March 1939, Fascist Italy continued to use mustard gas against the Ethiopian rebels,<sup>26</sup> without receiving any international attention at all. In April 1936, the ICRC missed a second chance of adopting a position and making it known publicly.

The ICRC letter was immediately forwarded by the Italian Red Cross to the Ministry of Foreign Affairs, but the Italian government was visibly unimpressed and did not consider it a matter of urgency. The President of the Italian Red Cross, Cremonesi, did not respond to the ICRC until

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<sup>26</sup> Some 100 tonnes of mustard gas bombs were used during this period, according to a detailed breakdown made by Gentili, *op. cit.* (note 5), pp. 182-183. In the ICRC documents consulted, there is no mention of continuing chemical warfare in Ethiopia after 5 May 1936.

one month later, after a reminder from the ICRC. In the meantime, the situation in Ethiopia had changed dramatically. Marshal Badoglio had entered Addis Ababa at the head of his troops, Emperor Haile Selassie had fled the country to take temporary asylum in Jerusalem, and Mussolini had triumphantly proclaimed the foundation of the "*Impero fascista italiano in Africa Orientale*" from the balcony of the Palazzo Venezia. The Italian Red Cross response was a verbatim repetition of the relevant parts of an earlier reply to the League of Nations, namely that the Italian government abided by the 1925 Geneva Protocol, "bearing in mind, however, that this does not exclude exercising the right of reprisal in order to repress such abominable atrocities as those committed by Ethiopian troops".<sup>27</sup> Cremonesi himself added that Red Cross units were of course excluded from being targets of reprisals.

Although it came late, the response was still important. The Italians finally admitted to the ICRC itself that poison gas had been used in the war, albeit in reprisal for Ethiopian atrocities.<sup>28</sup> When the ICRC discussed Cremonesi's latest answer, it realized that it had to reply. Given the sensitivity of the matter, President Huber took it upon himself to draw up the first draft.

Three weeks had elapsed since the official end of the war with Ethiopia when the letter was dispatched.<sup>29</sup> In it, the ICRC made the point that, since it lacked the necessary authority, it was unwilling to go into the legal grounds on which the Italian argument was based, i.e. to discuss whether Italy was justified or not to resort to a banned weapon in taking reprisals. Instead, its reasoning was based on the less controversial humanitarian grounds "that it is essential to ban chemical warfare absolutely". Finally, the ICRC commented with satisfaction on Cremonesi's guarantee that "the units of the Red Cross — that is to say, all its staff, the wounded, the sick and the equipment enjoying the protection of the Geneva Convention" would not be the object of reprisals.

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<sup>27</sup> Filippo Cremonesi to Max Huber, 11 May 1936, ICRC Archives, CR 210, 1203. — Original: Italian.

<sup>28</sup> In fact, this justification was a pure lie. The possibility of chemical warfare had been envisaged from the beginning when the first preparations were made. During the war, Mussolini justified the use of gas "as *ultima ratio* to overcome enemy resistance" (27 October 1935), "for supreme reasons of defence" (16 December 1935) and even just "in case of necessity" (9 January 1936). Arguments such as "the enemy's methods of war" were not used until 28 December 1935. Rochat Giorgio, *Il colonialismo italiano*, Loescher editore, Torino, pp. 168-169.

<sup>29</sup> Max Huber to Cremonesi, 26 May 1936, ICRC Archives, CR 210, 1249.

It is interesting to compare this final version with Max Huber's draft,<sup>30</sup> in which there are two main differences: First, Huber had raised some pertinent legal points regarding the law of reprisals and had voiced the Red Cross' concern about it: "Recourse to this means of repressing unlawful acts always runs the risk of undermining all the rules that have been worked out so labouriously to impose at least some limitation on the horrors of war. From the humanitarian point of view, reprisals perpetrated against individuals (...) should be regarded as particularly dangerous." Secondly, Huber noted that irrespective of any legal considerations, "any use of poison gas can only be deeply deplored by the Red Cross". Clearly, the ICRC President felt that it needed to adopt a firm stance, but these remarks were probably deleted by Logoz, whom he had asked to review the draft.

It would have been interesting to see the reactions of the National Societies concerned — let alone those of the Ethiopian Red Cross<sup>31</sup> — whose staff had been exposed to Italian gas bombs, if this exchange of letters had been sent to them. Unfortunately this did not happen. Huber himself was worried about a possible negative reaction from the National Societies. He commented on the latest move somewhat regretfully: "The new wording goes even less far than the original version, but it is not unacceptable to the Italians. Maybe the National Societies will find it too weak."<sup>32</sup>

This second letter to the Italian Red Cross closed the final chapter of the ICRC's handling of the issue of chemical warfare in Ethiopia. No further representations were made. The Italian Red Cross did not bother to reply. With this letter the ICRC did the very least that it was obliged to do. It merely repeated what the 1925 Protocol had said, i.e. that the use of gas was absolutely prohibited. Once again, it refrained from using stronger terms and it carefully avoided any wording which might have upset the Italians. This is difficult to understand, because the Italians, after all, were in breach of an international agreement. They had finally acknowledged that poison gas had been used after vehemently denying it for so long. Admittedly, it was too late at this point to envisage making other representations, for example to the Italian government. Such a step

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<sup>30</sup> 19 May 1936, ICRC Archives, CR 210, 1237.

<sup>31</sup> As soon as the Italians reached Addis Ababa, the fate of the Ethiopian Red Cross Society was sealed. It ceased to exist officially on 3 June 1936.

<sup>32</sup> Note by Max Huber, 25 May 1936, ICRC Archives, CR 210, 1243.

should have been taken at the time the gas was actually used, not when the war was over.

### **The ICRC at a crossroads**

The Italo-Ethiopian war of 1935-36 constitutes a turning point for the ICRC. On the one hand, it marked the end of a period when the ICRC was preoccupied with theoretical, legal and organizational issues concerning the institution itself and the Movement. On the other hand, it heralded the beginning of a decade of war in which the ICRC was to be confronted with human suffering on an ever increasing scale, both in internal and international conflicts. It was time to resume its original role, with full involvement in the operational sphere.

The war itself was uneven, with an Italian army possessing everything that contemporary armament could offer against Ethiopian forces that were traditional in style, poorly trained and ill-equipped. Italy's prestige as a major power in Europe was at stake. It had to erase the humiliating defeat it suffered at Adua in 1896. Ethiopia, in the midst of a vast modernization process, became engulfed in a struggle for national survival. Against this background, the ICRC opened its first delegation on the African continent. Inevitably, it got drawn into some of the tragic events of the war, and these rocked the small institution to its foundations.

One such event was the waging of chemical warfare by Italy in breach of the 1925 Geneva Protocol. It raised fundamental questions to which the ICRC had to find answers, both for itself and for the League of Nations. These answers would leave their mark on the institution throughout the years of war to come, and have continued to do so to some extent even until today. Firstly, gas warfare led to a limitation of the scope of the ICRC's role. The ICRC decided that it was concerned only with matters pertaining to the Geneva Conventions. Methods of warfare such as the use of gas were considered to be outside its competence. Consequently, it decided to drop the whole issue of chemical warfare, once a source of such great concern. This went so far that in 1938, in the general report to the International Conference of the Red Cross on its activities during the Italo-Ethiopian war, the ICRC did not make a single reference to gas warfare, as if it had never had anything to do with the matter.

Secondly, the content of the ICRC role was formulated more precisely. In Max Huber's view, the ICRC's role was to alleviate suffering, not to express protest. In April 1936, the institution was deeply divided for some weeks over the issue. The ICRC President's "Good Samaritan" stance

prevailed and left its stamp on the ICRC for several decades to come. It was shared by influential members of the Committee such as Carl J. Burckhardt, who even said later that expressing of protest was a sign of weakness rather than strength, in private and in public life. Protesting only made sense if it was based on the conclusions of a legally binding inquiry.<sup>33</sup>

The new definition of the scope and content of the ICRC role represented a withdrawal into its unassailable core activities — a withdrawal comprehensible in a situation of overwhelming pressure, such as the final phase of the Italo-Ethiopian war. But the ICRC was strangely unaware of the moral authority which it possessed and which could have been put to good use. Its passive and reactive attitude carried the serious risk that it might be less receptive to other humanitarian needs. It is this receptiveness which was at the heart of the 1918 appeal against the use of poison gas. There was a balance to be preserved between the two aspects of the ICRC's role in order to avoid both insensitivity to victims' needs and political partiality. Throughout the Second World War, especially with regard to the Nazi concentration camps, the ICRC was faced with this serious problem. It carefully stuck to its role *stricto sensu*, as defined during the Italo-Ethiopian war, but it had to face highly embarrassing questions when the full extent of the Holocaust became known.<sup>34</sup>

The other essential result of gas warfare in Ethiopia was the clarification that emerged between the League of Nations and the ICRC. The dispute with the League established an independent ICRC which was not subordinated to the all-encompassing claims of the international body. Humanitarian affairs were declared to be separate from political issues. However, this radical stance tended to overlook both organizations' shared interest in stopping the use of an outlawed means of warfare. It did not give enough consideration to the interconnections between politics and humanitarian affairs. The ICRC was not operating in splendid isolation, but needed political bodies such as the League of Nations which could

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<sup>33</sup> Carl J. Burckhardt to Felix Moeschlin, 12 February 1940, Carl Jacob Burckhardt Archiv, University of Basel, B II 46 a).

<sup>34</sup> With respect to gas warfare, ICRC policy underwent a complete change after World War II. In 1967, in the Yemeni conflict, the ICRC was confronted with the use of poison gas by one party, as in the Italo-Ethiopian war, and this was corroborated by ICRC staff in the field. They did not witness its use directly, but gathered substantial evidence. This time, the ICRC did not remain silent on a matter of methods of warfare. Twice it publicly condemned the use of such a means and it followed up with a memorandum to the signatories of the Geneva Conventions. Bugnion, *op. cit.* (note 20), p. 1103.

deflect some of the pressure it would face. A less rigid and more politically-minded approach would probably have been beneficial. In this respect the ICRC remained very much anchored in the 19th century tradition of an institution which grew out of a private philanthropic initiative, whose role was limited to dealing with the humanitarian consequences of political actions.

When evaluating the overall ICRC response to chemical warfare in Ethiopia, consideration should first be given to the key question: was the ICRC pro-Italian? The answer is negative if this means partiality in the political sense. There is no indication that political opinions exerted an improper influence on ICRC decisions, even though individual members had certain sympathies for Italy. A judge of Max Huber's calibre would not have allowed such considerations to enter into decisions.

Obviously, the evaluation cannot stop here. We have seen that the ICRC's response towards Fascist Italy was marked by excessive caution and timidity. The comment was made that the ICRC position during this period was "perfectly clear".<sup>35</sup> This is only true as regards the statement to the Italian Red Cross that gas warfare needed to be banned absolutely: the comment in question overlooks the significant fact that the ICRC only repeated the terms of the 1925 Protocol after the war was over. Although it should be recalled that not all the institution's members had advocated the same approach, the fact remains that the ICRC failed to adopt a stance of its own, contrary to expectations, and what action it did take amounted to too little too late.

The ICRC took insufficient account of the fact that, given its strict policy of confidentiality, only part of its deliberations and action became known to a wider public. In the case in question, it is clear that the ICRC's decisions played into Italy's hands in political terms. From the outside, especially after the refusal to share information with the League of Nations, it looked as if the ICRC had sided with Fascist Italy. Who could blame Italy, which exploited this situation adroitly in turn by making the institution an instrument of its policy? The ICRC's error was that it failed to see these grave implications. It should have kept a balance with focused representations to the governments concerned, the League of Nations and — at an early juncture — to its natural partners, the National Red Cross Societies. This brings us back to the point made earlier: namely, the ICRC's lack of vision with regard to things political.

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<sup>35</sup> Bugnion, *op. cit.* (note 20), p. 172.

The matter goes deeper. It is clear that Mussolini and his general had a complete disregard for international law, in particular the 1925 Protocol prohibiting the use of gas. For them, force was stronger than law and, even worse, completely took its place. This new tenet of international relations destroyed the basis on which the post-1918 world order was built. Could such a belligerent be trusted and could a relationship of trust really be established under these circumstances? There was a limit beyond which an organization like the ICRC, possessing only its moral authority, could not go. A principle was at stake in which the ICRC itself had the highest interest: namely, respect for internationally agreed laws. The question here is whether the ICRC should not have realized what was going on at the time. The answer must be in the affirmative. The signs were clear: Mussolini's flagrant breach of the League's Covenant, the violation of the 1925 Protocol and, above all, the alarming and distressing Red Cross reports from the field. Max Huber and his colleagues should have wondered what kind of man and system they were dealing with. In retrospect, it appears that the ICRC heard the message, but failed to act on it. The institution was too impressed by Mussolini to weigh his words against his deeds.

In the final analysis, the ICRC did not understand what had really happened in Ethiopia. It lacked the political imagination to look behind the slick façade which Fascist Italy presented and, indeed, it fell into the trap which had been skilfully prepared by the Italian propaganda machine. Then again, it shared this fate with many other people and governments in Europe. It was not only the ICRC's failure, but that of a whole era.

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