

BOOKS AND REVIEWS

JEAN GRAVEN:
"LE DIFFICILE PROGRÈS DU RÈGNE DE LA JUSTICE
ET DE LA PAIX INTERNATIONALES PAR LE DROIT"¹

This work, important both for the subject dealt with and for the author's erudition throughout the 600 pages, is dedicated to René Cassin. This is as it should be, since Professor Jean Graven, former rector of the University of Geneva, took for his inspiration the writings of the outstanding French jurist for whom international justice, peace through law and respect for human rights could make progress and little by little become reality only if jurists, philosophers, thinkers and sociologists made a change of outlook and structures possible by their influence toward that end upon world opinion. Hence the broad picture painted by Mr. Graven who traces sources and, in the final pages, reaches the contemporary period.

His research work is restricted to the Western world and evokes the first glimmer of a united mankind, the contribution of Christian teachings, and the efforts of those who, as far back as the 16th century, founded the law of nations. His section on the 19th century is particularly informative on the influences of nationalism, cosmopolitanism, pacifist socialism and the ideal of the struggle against war.

After this point in his masterly and monumental work, Mr. Graven devotes a full chapter entitled *La Convention de Genève et l'apport de la Croix-Rouge internationale* to Henry Dunant's work and its consequences. He analyses the scope and significance of the 1864 Convention, showing its importance in international humanitarian law and the part played by the International Committee of the Red Cross in drawing up that Geneva Convention and those which followed it. Several pages are given over to Gustave Moynier's contribution to this legal structure, to his projects for

¹ Editions A. Pédone, Paris, 1970, 604 pp.

the codification of the laws of war and for an international legal institution designed to prevent and repress breaches of the Geneva Conventions. Describing Red Cross action in various conflicts, including the 1870 war between France and Prussia, its work for the wounded and the prisoners, he states that in its effort to humanize the plight of war victims and to establish an international source of law, the work of the Red Cross was "one of the most productive ever accomplished".

In addition, Mr. Graven refers several times in the following chapters to that subject. He shows that at the Peace Conference in 1899 at The Hague "by a remarkable parallelism born of circumstances, the two movements for international treaties with a view to regulating and humanizing war, the Geneva and Hague Conventions, were brought together and to some extent united by a similar process". It is certain, however, that men of that period did not realize that a single idea of the law of war was dividing into two parallel currents which since then have remained apart. Later the author recalls the opinions put forward in certain quarters on "the death of the law of war" at the end of the First World War, which was shown to be wrong by the Second World War and the efforts exerted to humanize conflicts. Mr. Graven concludes his work, so packed with facts and convincing observations, with reference to the most important problem of the day, the problem of peace. With the laws of humanity giving way to violence, he says, no one must be content to submit. This guarded optimism also emerges in the concluding words of the book: "The old adage *si vis pacem para bellum*, justified in primitive societies in which man was as a wolf to his neighbour, as Hobbes reminds us, but which, urging men to arm themselves more and more, resulted in an accumulation of wars without ever bringing lasting peace, must give way to another rule of conduct—and it seems that the 'last moment' is upon us—namely, if you want peace you must above all not prepare for war but endeavour to find out the causes and to assess all the consequences of war in order at last to avoid it and to preserve the future of generations to come. In other words, prepare peace with charity, hope, faith and the determination of cathedral builders if those qualities still exist."

J.-G. L.