

IN MEMORIAM: MANFRED LACHS (1914-1993)

On 14 January 1993 Judge Manfred Lachs died. Herewith the international lawyers' community lost one of its most prominent members.

His demise also means a sensitive loss to the Dutch international lawyers' community, with whom Lachs developed a special relationship over the nearly 26 years in which he served as a Judge in the International Court of Justice at The Hague. He taught throughout the Netherlands, building up a particularly close relationship with the University of Leyden — where he replaced Van Panhuys after his death in 1973, and received a Medal of Merit in 1992 — and the University of Groningen, where he was the first international lawyer to hold the Röling Chair in 1990. He also frequented the Hague Institute of Social Studies, which awarded him the status of Honorary Fellow in 1982, and became a Foreign Member of the *Nederlandse Academie van Wetenschappers* (Dutch Society of Sciences) in the same year. He was often called upon to render advice to the T.M.C. Asser Institute, served as Chairman of the Supervisory Board of the Telders International Law Moot Court Competition, and became a member of the Editorial Board of the *Leiden Journal of International Law*. Recently, he donated the premises in Warsaw for the 'Dutch House' Foundation, a cultural centre for Polish-Dutch friendship, to be opened in April this year. He was the foundation's first Chairman.

These few examples may indicate how close his ties were with, in particular, the Dutch international lawyers' community. Somehow it does not come across as a coincidence that his very last article was published in the *Netherlands International Law Review* ('The Treaty on Principles of the Law of Outer Space, 1961-1992', 39 NILR (1992) pp. 291-302).

The Dutch academic community had come to know him, as the international lawyers' community worldwide, as a distinguished member of society, consistently pursuing the interests of peace and justice. His service to mankind was aptly reflected in the words chosen by the committee which awarded him the Netherlands Wateler Peace Prize in 1977: 'By applying his human and scholarly qualities to further international co-operation and a better understanding between all peoples, he has rendered outstanding services to the cause of world peace'.

Lachs' career as a diplomat, professor and judge was marked by a sequence of remarkable performances, appointments and awards, only a few of which can be mentioned here.

As a diplomat, he served his country, Poland, as a legal advisor (1960-1966), Minister Plenipotentiary (1959-1960), and Ambassador (1960-1966). In the United Nations he served, e.g., as Chairman (1949, 1951, 1955) and Vice-Chairman (1952) of the Sixth Committee of the General Assembly, as a member

of the ILC (1962-1966, being elected Rapporteur in 1962 and as its Vice-Chairman in 1966), as a member of the Disarmament Committee (1962-1964), and as Chairman of the Legal Sub-Committee on the Peaceful Uses of Outer Space (1962-1966).

As a scholar, he published several pioneer books and some 150 scientific articles in 11 languages, dealing with many important international law issues and touching upon both their theoretical and practical aspects, including the law of war, disarmament, peaceful coexistence, human rights, international organizations, outer space, recognition, and treaties. For his book *The Teacher in International Law* (1983) he was awarded the Certificate of the ASIL, and by reference to his work in general he was honoured with, e.g., the Encyclopaedia Britannica Award (1987) as well as 18 honorary doctorates in 13 countries, and was elected Honorary Member of the American and Indian Societies of International Law.

As a teacher, he was and remained professor of international law at the University of Warsaw from 1952 onwards, lectured at numerous universities in all continents except for Oceania, and gave several courses at the Hague ADI. His General Course on 'the development and general trends of international law in our time' (1980) is ranked by many among the highlights of the series.

As a judge, he served in various arbitral tribunals, as a member of the PCA, and — for a record term of well over 25 years — of the ICJ. As a member of the Court since 6 February 1967 and as its President during 1973-1976, he was considered by many there as the *primus inter pares*, who played a prominent role in the drafting of some of the Court's most striking decisions and advisory opinions.

On the occasion of his 70th birthday in 1984, more than 50 distinguished colleagues contributed to the monumental *Essays in International Law in Honour of Judge Manfred Lachs*. When he received the World Jurist Award in 1975 'in recognition and appreciation of his distinguished career in which he has made an outstanding contribution to the improvement of justice under the rule of law', the essence of his impact as an international lawyer was aptly defined as follows: 'His approach to the international law-making process has always been flexible and creative, whether he has been wearing the hat of the lawyer-diplomat, the lawyer-jurisconsult, or the lawyer-judge'.

Indeed, he was a born diplomat and scholar, a man of extraordinary wide reading, who combined fine diplomatic tact with a thorough knowledge of history, a sharp scientific mind, and an alert sense for the innovative. He was also a man of great vision, inspired by a deep concern for humanity. His eloquent lectures always discharged themselves into a well-balanced political message, shining through a veil of poetry. He most enjoyed surprising his auditors with an unexpected approach or an unconventional solution to the problem, stretching out his hands towards them and waiting for everybody to

grasp the meaning and to respond to the mischievous twinkle in his eyes. Another striking feature: he was always available, somehow finding and taking time for those who called upon him, listening with the same sincere interest and patience to the problems raised by an occasional student as he would to a question submitted by a Cabinet Minister. Many of us have profited from his wise advice.

Until the very end he remained preoccupied with his profession, international law was his life. His belief in its strength, its vital contribution to human survival was unshakeable. In 1990 he told a hall full of Dutch students: 'The term "crisis of international law" is ill-applied. The notion of crisis has been linked with the philosophy of fear and scepticism and lack of vision. Thus the message I intend to leave with you today is one of hope and of conviction that international law is an instrument for co-operation and mutual understanding to defend men and nature, to pave the way for the respect of human rights, the rights of nations and of mankind as a whole . . . do not believe the words of philosophers of gloom; look forward to the solution of the great problems facing the human race by respecting the rights of men and nations'.

Not long before he died, from his sick-bed and already overtaken by signs of extreme weakness, his voice still strong and deep, he took great effort to spell out his views of the law-promoting tasks incumbent upon the Dutch Government to our newly appointed Minister for Foreign Affairs. It turned out to be his last lecture, symbolizing, as it were, his close affinity with the Dutch political and legal scene.

We knew him as a gentle, warm-hearted person. As shut tight as he was for others to become involved with his own problems, so he stood open to contribute to the solution of those of others. For many of us, henceforth a visit to the Peace Palace will be sadly different.

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