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## HISTORY

The Röling Foundation is named after the renowned professor of International Law Bert V.A. Röling, promotor of peace research, the founder of the polemological institute in Groningen, a driving force behind PUGWASH (the 1995 Nobel Peace Prize winning disarmament organization) and judge in the International Military Tribunal for the Far East (Tokyo, 1946-1948).

The Foundation was set up as a result of the 1977 *Liber Amicorum Disciplinorumque Dr. Bert V.A. Röling* (Leiden, Sijthoff), the 'traditional' farewell present to a retiring professor. The editors were nominated to the foundation's board.

This 1977 Volume with the title ***Declaration on Principles, a Quest for Universal Peace*** was edited by Akkerman, van Krieken and Pannenburg, three former Röling students, two of whom with a 'Röling'-Ph.D. and the third one practicing 'Röling' in his work as a diplomat.

The Volume contains contributions by *inter alia* Abi-Saab, Anand, Boulding, Cassese, Delbrück, Dupuy, Eide, Falk, Lachs, Myrdal, Suy and many others. The preface to that Volume has been included hereinbelow.

In fact, the royalties from this Volume were used to finance the Röling prize for the best Dutch student paper in the field of international law, human rights and peace research, handed out during 1980s (since 2000 the Röling/Webster prize, see ABOUT US).

Among the 1980s prize winners were Warmolt de Boer, Marcel Brus, Astrid Delissen, Jan Melissen, A. Terwisscha van Scheltinga, Arjen Tillema, Klaas van Walraven, and Rob de Wijk, all of whom now well known names in their respective fields, but at the time of their prize-winning papers unknown but obviously promising students.

**The Board of the Röling Foundation consists of Peter van Krieken, Ok Pannenburg and Hajo Wildschut, all of whom admirers of the work and personality of Röling, whom they met during their university years at Groningen University.**

**Wildschut replaced Akkerman, following the latter's shocking murder in Tunis at the hand of Palestinians just before the end of the first Gulf War, February 1991.**

The Foundation is separate from the (Stichting/Foundation) Röling chair, with Groningen University, although it has contributed and continues to contribute to its foundation and fully supports its role and relevance.

In the recent past, a number of distinguished scholars have held the Röling Chair.

These include Prof. Antonio Cassese - former President of the International Criminal Tribunal for the Former Yugoslavia, Prof. Manfred Lachs - former President of the International Court of Justice, Prof. Erik Suy - former Under-Secretary-General for Legal Affairs of the United Nations (Legal Counsel), and Prof. Michael Bothe - Professor of Public and International Law at the University of Frankfurt.

As indicated above, Cassese, Lachs and Suy had contributed to the 1977 *Liber Röling*.

Presently, Frans Nelissen (director of the Asser Institute) holds this chair. He focuses on International Environmental Law.

### **PREFACE TO LIBER RÖLING 1977** (by Akkerman, van Krieken & Pannenburg) (for details see under 'publications' or (above) 'history')

The central purpose of this "Liber Amicorum Discipulorumque" is to pay tribute to Bert V.A. Röling whose personality and works stand out so markedly in the quest of man for universal peace. His retirement as Professor of International Law and Peace Research affords us the opportunity to review his efforts in the field of peace science and his philosophic and pragmatic endeavours to establish a "New World-Law". Over the last thirty years Röling has been keenly aware of the nature of our present-day nuclear age; and rather than looking for short-term technical, political or legal improvements to eliminate the threats to international peace, he persistently searched for the deep-seated sociological and normative principles underlying long-term universal peace. In the continuous reiteration, both at the scientific and the policy level, he has tried to master what Julius Stone called the "deep perplexities which seem to be the price of awareness of our situation". It is on such principles, and their legal

implications that this book attempts to focus.

The resemblance of the title of this book to that of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States - adopted unanimously by the United Nations General Assembly in October 1970 - is, of course, by no means incidental. This resolution contains a detailed elaboration of seven "basic principles of international law":

1. renunciation of force;
2. peaceful settlement of disputes;
3. non-intervention;
4. duty to cooperate;
5. equal rights and self-determination of people;
6. sovereign equality of states; and
7. good faith.

These principles are reflected throughout the present volume.

Röling devoted special attention to the tension that may develop between, on the one hand, the principle of renunciation of force and its self-evident implication for the East-West nuclear balance, and that of equal rights and self-determination of people on the other. This one fundament should not and cannot be construed so as to legitimize the continuation of situations in which peoples are frustrated in their search for the realization of their rights to self-determination. Bert Röling's participation in the strife for researching a realistic and workable definition of "aggression" reflects this two-sided approach.

Absence of physical force can be coexistent with the presence of "structural force", a concept used to describe the dispossession of equal rights through political suppression, discrimination, or economic exploitation or neglect. According to Röling, such a state of affairs can at best be denominated "negative peace". The implied structural violence might seem to be so brutal that the use of physical force to end the former violence might seem to be justified. He considers the definition of peace as a situation consisting of the absence of armed conflict to be incorrect. As opposed to such "negative peace", the ultimate aim for which one should strive is "positive peace". This form of peace can be defined as a situation of security against the danger of war. Such security could be menaced by an intolerable and permanent violation of justice. Therefore, positive peace implies economic and social justice among individuals, peoples and states. The inverse statement, i.e. that such justice *per se* brings about peace, has not been supported universally. Röling equally appreciated that need to investigate the decisive factors determining transition from peace to war, to which end he analyzed and criticized individual, national and alliance security concepts.

Röling's efforts in this field were accompanied, even increasingly so in recent years, by the elaboration of new approaches to security that are aimed at setting aside ideas that invoked rather than deterred warfare.

It is on the basis of such concepts that Röling's voiced his hopes for a new International order of "one world" and developed his theories on questions as, for example, the access to nature resources, the regulation of environmental pollution and the recodification of the law of the sea. The partial abolition and redefinition of the privileged legal, economic and political status of the "North" he considers to be inevitable if there is ever to be a more homogeneous world. The closing of the gap between the "North" and the underprivileged "South" is an absolute condition for a lasting and peaceful world order.

This order is not to be achieved, he is convinced by conceding to every stated demand from whatever source. In order to guarantee its feasibility, it will rather be necessary to actually conquer the new law. Both the technology and the science of the North reinforce this need for world-unity, by being able to provide the balanced conditions for the "revolution of expectations" through maintenance of peace and preservation of environment.

Thus, with the profound judgement and wisdom of Professor Röling in mind, the editors have - along with the cooperation of the authors - attempted to contribute toward the substantiation of his hopes, which he formulated so sagaciously as follows:

*"A new international law, consonant with the new sociological structure of the community of nations, and consonant with the new legal conceptions in it, must be evolved. Such an evolution is prerequisite for the existence of "one world", which should be both a welfare community and a community of peace. "One world" is in everyone's long-term interest and is everyone's moral necessity. In this coincidence of interest and justice lies the hope for the future."*