

## In Memoriam

### *Eberhard Paul Deutsch*

Col. Eberhard Paul Deutsch, the second Editor-in-Chief of our *International Lawyer*, who contributed so much to its development as a useful tool for practitioners of international law, died on January 16, 1980, at the age of 82. He served in both World Wars and received numerous decorations, including the Silver Star, Bronze Star, Legion of Merit, Purple Heart, the Austrian Gold Cross of Merit, two Distinguished Civilian Service awards presented by the United States Army, and the French Croix de Guerre. He was principal legal adviser to Gen. Mark Clark during the military administration of Austria, as well as Chairman of the Allied Legal Directorate. His pride in his military record was more than justified and he was pleased to be addressed as "Colonel."

My association with Eberhard was as lawyer, avid worker in the American Bar Association, and friend. He was a member of numerous bar associations and a lawyer of many talents and interests. He was an expert in the field of admiralty and maritime law and Chairman of the ABA's Standing Committees on that subject. His book, *A Model Ocean Bill of Lading*, was published in 1940.

In 1962 he became Chairman of the ABA's Committee on Peace and Law Through the United Nations, and this brought him into direct contact (and at times conflict) with the activities of the Section. This led to his becoming active in our Section and a complete convert to the United Nations. He made it a point to become personally acquainted with our Ambassadors to the UN and supported it with a zeal that some of us charter members of the "UN advocates club" had begun to lose.

He began his monumental study of the international courts about ten years before its publication in 1977 as "An International Rule of Law." The built-in limitation on the jurisdiction of the present UN court and its lack of power to enforce its decisions (and impotence to redress the most flagrant violations of international law, such as the existing Iranian tragedy) saddened him. During the years of his study some of us sought to debate the practicality of his idea of having the judges of the court renounce their citizenship to become "Citizens of the United Nations," but he was adamant in his belief that as long as the judges "suffered from patriotism," they could not be truly im-

partial. Given the present situation and the defiance of the most fundamental tenets of international law, his optimism regarding the rule of law might appear fanciful to some, but we all know that without true visionaries, we cannot progress toward justice in the world. Eberhard proved his faith by his writings, and his legacy is one that may have its time in the future.

With all his legal talents, Eberhard was also a warm human being. As one who served with him on several committees, I can vouch for the fact that he never left one in doubt as to his position on controversial issues. However, he was ever the gentleman in debate. He was always an enjoyable companion, and many of us can recall with pleasure an invitation from him to good food and delightful conversation having nothing to do with the just completed vigorous debate—during which no quarter was asked or given.

Eberhard served on the Section's Council and as its Delegate to the ABA House of Delegates, and also on several of the Section's committees, including the Chairmanship of the Committee on Treaties. During his six-year tenure as Editor-in-Chief of *The International Lawyer*, he devoted an enormous amount of time and effort to the job, frequently rereading many of the manuscripts we members of the Board of Editors had felt "may be good enough for publication."

When one such as Eberhard passes from our midst, we pause and remind ourselves of what he has left—a void, of course, but also fond memories of a fine legal mind and a generous human being.

VICTOR C. FOLSOM