The Codification of Humanity: The Development of International Humanitarian Law in the Late-Nineteenth and Early-Twentieth Century

The state-dominated international system of the previous few centuries is inherently anarchic. Historically, the international system has lacked a comprehensive means of governance, a body that holds jurisdiction over a system of laws to which the states of the world are bound. Yet, when entering the latter half of the nineteenth century, the spread of globalization created a greater interdependence among states and industrialization increased the severity of conflict between the governments of the world. The necessity of international codification, the creation of laws to guide the actions of the world’s states, became apparent. Throughout the late nineteenth and early twentieth century, the states of the world created a set of legalized agreements intended to create boundaries and guidelines surrounding permissible state actions during warfare, instigating the development of contemporary international humanitarian law over the next century.

This analysis of the development of international law will consider each development of international law chronologically, taking into account the content of each legislation in context of the historical circumstances, as well as in relation to the other pieces of legislation. Through the consideration of the influences, content, and legacies of these two major developments in international law, the Geneva Conventions and the Hague Conventions, along with additional legislation that supplemented and influenced their content, the perception of the laws of war can be considered in the context of the period leading up to World War I, as well as illustrating the foundation on which modern international humanitarian law rests.