

The Codification of Humanity

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

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Lieber Code 1863

- Issued by Abraham Lincoln on April 24th, 1863
- Created to govern the conduct of soldiers on the battlefield
- While a document of domestic law, was intended to apply to international conflict as well
- Credited as the first codification of the laws of war, was the first document to establish the rights of combatants and non-combatants and clarify appropriate means of conduct during warfare

Un Souvenir de Solferino 1863

- The account of a man in the Crimean War that led to the creation of the Red Cross, and subsequently, the Geneva Convention
- Urges for the creation of an organization that provides aid and medical assistance on battlefields, under no flag, that cares for the wounded regardless of nationality

Geneva Conference 1863

- The conference held to establish the International Committee of the Red Cross
- Article 1: "Each country shall have a Committee whose duty it shall be, in time of war and if the need arises, to assist the Army Medical Services by every means in its power."

Geneva Convention 1864

- A diplomatic convention was required to codify the resolutions of the Geneva Conference, binding it to the states that signed it.
- The convention was presented as a diplomatic negotiation that resulted in a treaty, an agreement among states rather than a universal international law
- The convention essentially restated the conclusions drawn by the Geneva Conference in 1863, and signed them into positive law

Declaration of St. Petersburg 1868

- The first document to establish the ideas of limiting unnecessary suffering in warfare and limiting weapons that would cause unnecessary harm, codifying the first modern conception of military necessity
- Created at a conference called by Russia in 1868 to limit the usage of a bullet created by the Russian military in 1863

Geneva Convention 1906

- Need to update and revise the Geneva Convention of 1864 to make it more applicable to modern warfare.
- Additions were made concerning the burial of the dead and the transmission of information and terminology was clarified
- Replaced the agreement of 1864

Hague Conventions 1899/1907

- Over the course of two conventions, they resulted in seventeen different treaties and three declarations
- Covers an extensive array of topics, from the treatment of non-combatants to the restriction of weapons considered unnecessarily harmful
- The culmination of the nineteenth century developments of codifying concepts of morality in war
- The principles established in the various treaties still represent the core values from which contemporary international law originates