

On the Geneva Convention of 1864 : in relation to the aid afforded by volunteer societies to sick and wounded soldiers during the late Franco-German War, with a glance at the proper functions of national aid societies, particularly the British Aid Society, in the future : a lecture delivered at the Royal United Service Institution.

Contributors

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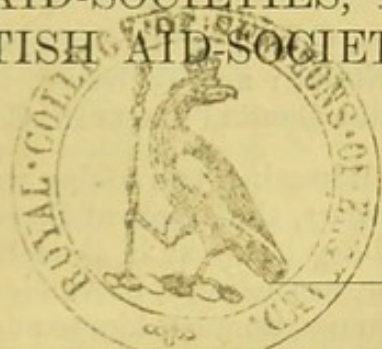
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PRESENTED
by the
AUTHOR.

A LECTURE DELIVERED AT THE ROYAL UNITED SERVICE INSTITUTION.

(Authors alone are responsible for the contents of their respective Memoirs.)

1872

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(For private circulation only.)

LECTURE.

Friday, April 12th, 1872.

COLONEL THE HON. CHARLES H. LINDSAY, M.P., in the Chair.

ON THE GENEVA CONVENTION OF 1864, IN RELATION TO THE AID AFFORDED BY VOLUNTEER SOCIETIES TO SICK AND WOUNDED SOLDIERS DURING THE LATE FRANCO-GERMAN WAR, WITH A GLANCE AT THE PROPER FUNCTIONS OF NATIONAL AID-SOCIETIES, PARTICULARLY THE BRITISH AID-SOCIETY, IN THE FUTURE.

By Deputy Inspector-General T. LONGMORE, C.B., Professor of Military Surgery at the Army Medical School, Netley; and delivered, in his unavoidable absence, by Deputy Inspector-General MACLEAN, C.B.

THE origin of my having the honour of addressing you to-day was an accidental conversation with Captain Burgess, the excellent Secretary of this Institution, during our autumn holiday last year in Dorsetshire. Some remarks which I then made to him respecting a prevalent misapprehension of the terms of the Geneva Convention, led him to suggest that it might be of use were I to make them more widely known through an address in this theatre. I did not at that time consider the matter one of sufficient importance to occupy the time of an audience at the Royal United Service Institution, more especially as I had already attempted to explain the Articles of the Convention shortly after the Treaty was concluded; but circumstances have since changed my impressions on this point, and it now appears to me, and it has appeared to some others, including the Director-General of the Army Medical Department, that a few public remarks on the subject may probably lead to some good. I myself have been led to this conclusion from observing in various articles in the newspaper press, but more particularly in the published replies to a series of questions issued by the British National Society for Aid to the Sick and Wounded in War, sentiments very generally expressed concerning the Geneva Convention of 1864, the intended modes of applying its Articles, and the immunities and privileges agreed to be conferred by it, such as, I am well aware, were never held by those who framed the Convention, and which, indeed, cannot be substantiated by a legitimate interpretation of the Treaty itself. I mention particularly the replies to the Questions put forth by the National Aid-Society, because these replies contain the views of Officers, and others, who acted as members of the Staff of the

Society on the Continent during the late Franco-German war, and of some others who were officially engaged in reporting on the practical working of the Convention during the war, and who, therefore, of all others might be supposed to be well acquainted with the provisions of the Treaty in question, and their respective limitations. Nor are the notions, which I expect I shall presently be able to convince you are erroneous notions, regarding the Geneva Convention, of trifling importance. On the contrary, they appear from the extent to which they prevail, to be causing the Convention itself to be regarded with very great suspicion and distrust, if not to be exciting hostility against it; by these means, to be raising obstacles to its legitimate and intended action in the future, should occasion unhappily arise for its application.

As I have referred to the questions and replies published by the National Aid-Society on the results of the experiences of its Staff, I beg to be permitted to say a few words respecting the Society and its late work, before I proceed to the consideration of the special subject of to-day's lecture.

I have no intention to refer to any particular part of the work in which the Society was engaged during the war; I only wish to express an opinion of its general results. The early history of the Society, its extensive and varied operations, have already been described in this theatre by the one, who, of all others was the most competent to do so, Colonel Loyd-Lindsay;* with, however, I must say, one exception—that exception being the very important part which he himself took in its establishment, its administration, and its success. I had the honour of being present at some of the preliminary meetings of certain members of the Fraternity of St. John; and admitting all due weight to the influence of this fraternity, particularly to the exertions of two of its members, Mr. Furley and Captain C. J. Burgess, I think all will agree with me when I say that the National Aid-Society only struck root after the earnest and energetic public appeal of Colonel Loyd-Lindsay, through the medium of the "Times," supported as it was by a most generous contribution to the subscription-list which he then opened. Neither should I omit to state, as I conscientiously can do from personal observation, that it was no less to his clear-sighted direction and promptitude of action, and unceasing devotion of his time and attention to the affairs of the Society, that its continued support by the munificence of the public, was mainly attributable. Every one felt confidence in the Society, from observing the manner in which its committee and agents worked under Colonel Loyd-Lindsay's guidance; no one doubted that whatever sums of money might be entrusted to it, would be laid out to the best advantage in the interests of the sick and wounded for whom they were intended; and so it was that funds and materials poured in from all sides, until they accumulated to the vast amounts which have been already described in Colonel Loyd-Lindsay's lecture.

* See Colonel Loyd-Lindsay's Lecture on "Aid to the Sick and Wounded in War," delivered 31st March, 1871, and printed in Vol. xv, No. 64, of the "Journal of the Royal United Service Institution."

The question is occasionally raised, when the subject is reverted to in conversation, whether the benefits conferred by these vast gifts, repaid the outlay. I have no hesitation in saying that when all circumstances are taken into account, as they ought to be, the expenditure will be found to be quite justified by the amount of good effected. No one can study the subject thoroughly and impartially without coming to this conclusion. I myself, indeed, have been surprised at so much having been accomplished, considering the suddenness of the events which called the Society into existence; the absence of all preparation or previous organization to meet the wants suddenly created; considering the rapidity with which the successive phases of the war followed one another, each phase changing circumstances of place and requirements; and considering also, as I shall presently point out, that the Society's agents had no legal or authorised standing for interference at the seat of war: when all these things are taken into account, I think no other conclusion can be come to than that it is a subject for great congratulation that the Society was able to minister to the wants of the sick and wounded so materially, and to so vast an extent as it did.

I have endeavoured to make my conviction clearly apparent that the sick and wounded of both armies during the Franco-German war did derive material benefits from the English and other National Societies who interfered in their behalf, because I intend presently to ask the question whether, as a general principle, the plan of administering such international aid in time of war be deserving of encouragement or otherwise; whether there were not exceptional circumstances in regard to the late Franco-German war which prevented the harm resulting, which may be expected to result, if such international aid to contending armies be established as a system and applied to future wars.

Every one who reflects on the matter must become aware that the title of the British National Aid-Society was a misnomer, as were for the time being the titles of all the other National Aid-Societies who helped on the continent during the late war, with the exception of the German and French Societies. The funds were subscribed for international purposes; the work of the Society was international; and, to all intents and purposes, the Society was an International Aid-Society. Although thus thoroughly international and not national, it has been generally held and stated, not only that the Society was established under the warrant of the Articles of the Geneva Convention, but that the Articles of the Convention conferred on all those who were thus internationally engaged in aiding the sick and wounded, the privileges of neutrality and inviolability of person. It is this assertion on which I believe it to be important a right understanding should be come to; for that it is devoid of truth, the text of the Convention itself, as well as collateral evidence, will, I think, sufficiently show.

Is it true, however, that the articles of the Geneva Convention have been interpreted as I have mentioned? Is it true that the help afforded to the German and French sick and wounded soldiers by the English Aid-Society was supposed to be grounded upon, and to be facilitated

by, the terms of the German Convention? Quotation of a few of the published replies to one of the Society's questions will at once settle this point. Question, No. 12, is:—"Would it have been possible to have come to the aid of the sick and wounded, as has been done in this war, without the facilities afforded by the Convention?" Here are some of the answers. "Not to the same extent, if at all."* "No."† "The Convention of Geneva has undoubtedly facilitated the aid afforded to sick and wounded in the late war; and this aid could not have been so effectually rendered without it."‡ "I am of opinion that it was owing to the facilities afforded by the Convention alone, that any effectual aid has been rendered by the National Society in the war."§ "Free locomotion in war time must always be difficult, and it would have been still more so had not the Articles of the Convention entitled all members of Red Cross Societies to circulate anywhere where their doing so did not interfere with military precautions or operations. The extent to which this was permitted may be inferred from the fact that newspaper correspondents frequently got attached to foreign ambulances so as to have the privilege of wearing their brassard, and penetrating where, as civilians, they would have been unable to reach."|| "Most certainly not."¶ "Utterly impossible."**

These replies sufficiently prove that the officers and gentlemen who were acting under the directions of the British Aid-Society conceived that the Geneva Convention covered them with neutrality and protection, and that the Convention established a sort of right to administer help to the sick and wounded soldiers of the contending armies. Indeed, I need not rely upon the replies to the question which I have quoted, I may point to the whole series of replies to the questions put forth by the Society in proof of the universal prevalence of this belief among the respondents. One gentleman who was actively engaged in the work of the society informed me, on his return to England, that on one occasion, when he had been placed under temporary arrest by certain officers of the German Army besieging Metz, he had threatened to bring down upon them the interference of the British Government, his right to this interference being grounded on the Geneva International Convention of 1864. This is only one among many ways in which the mistaken supposition that the privilege of inviolability of person is conferred by the Geneva Convention on private gentlemen acting under the orders of an independent foreign society may lead to difficulties, but it serves to indicate how necessary it is that the nature of the Convention should be well understood, and its Articles rightly interpreted.

I formerly explained in this theatre the meaning attached to each article of the Convention by those whose business it had been to consider and define the terms of the Convention, but perhaps I did not enlarge enough on the limitations of the Convention in the particular direction I am now reviewing.†† Still I pointed to the fact that the

* Captain H. Brackenbury, R.A.

† Colonel Cox, C.B.

|| Mr. Austin Lee.

¶ Captain Norman.

† Seven Respondents give this reply.

§ Colonel Elphinstone.

** Dr. John Murray.

†† See Journal of the Institution, vol. x, page 162, *et seq.*—ED.

Treaty only comprehended the military ambulances and hospitals of the belligerents, the staff employed in attending the sick and wounded contained in them, and the materials necessary for their proper treatment; that its Articles did not provide for any Volunteer or Independent Staff of Hospital Assistants; that such persons could only participate in the provisions of the Treaty by being regularly admitted into the hospital service and forming for the time being, part of the military establishments of the armies engaged, and thus becoming subject to the ordinary rules and articles of war. These latter would then come within the provisions of the Treaty, because then they would be comprised in the *personnel* of the military hospitals as laid down in the second Article of the Treaty.

To show how strictly the Treaty entered into by the different Governments of Europe confines itself to an acknowledgement of neutrality for the military hospitals of the belligerent armies, and to an engagement on the part of the belligerents to protect and respect them and their concerns only, I may point to the following circumstance. Prior to the Congress of 1864, in November 1863, an official circular was sent from Switzerland to the Governments of all civilized countries, making the following request:—"Would the Government give its adhesion to an International Convention having for its objects: 1st. The neutralization in time of war of military ambulances and hospitals, of the *personnel* of the official medical service, of voluntary hospital assistants (*hospitaliers volontaires*) recruited by the Aid Committee, of inhabitants of the country who will go to help the wounded, and of the wounded soldiers themselves. 2nd. The adoption of a distinctive sign, &c."

This circular formed the basis of the deliberations which subsequently took place in the International Congress of Geneva, of August, 1864. After full consideration of the several subjects included in the circular which I have just quoted from, it was unanimously determined to exclude from the text of the Convention that part of the circular-note which suggested the neutralization of voluntary hospital assistants recruited by Aid Committees, and to confine the neutralization to the official sanitary *personnel* of the hospitals of the belligerents. This was done because it was plainly seen that the extension of the rights then proposed to be conferred by the Treaty,—not merely the right to be acknowledged neutral, and to be treated as neutral, but the right, also, to special privileges of respect and protection,—to volunteers not subject to military control, and perhaps not conversant with military arrangements, would very probably lead to incessant practical difficulties in field hospital administration which would interfere with the interests of the sick and wounded soldiers, and not improbably, also to disputes and embarrassments with foreigners belonging to countries with which the belligerents were on friendly terms. It was, moreover, known

* "Le Gouvernement adhérerait-il à une Convention Internationale ayant pour objet : A. La neutralisation en temps de guerre des ambulances et des hôpitaux militaires, du personnel du service sanitaire officiel, des hospitaliers volontaires recrutés par le comité de secours, des habitants du pays qui iront secourir les blessés, et des militaires blessés? B. L'adoption d'un uniforme ou d'un signe distinctif identique pour les personnes attachées au service de santé, &c."

that several Governments would not give their adhesion to any treaty containing such a provision; indeed, I was myself informed by the representatives of more than one Government at the Congress, that they had orders to leave Geneva at once, in case the insertion of the neutralization of Volunteers in the proposed Convention, was insisted upon.

The Geneva Convention is simply a Treaty entered into by certain Governments with regard to the manner in which the sick and wounded of their armies, the staff employed in ministering to them, and the military hospitals and hospital *matériel*, are to be respectively dealt with in case of two or more of those Governments waging war with each other. All allusion to Volunteers, even of the countries engaged in war,—I need hardly say, therefore, all allusion to Volunteers from other countries,—has been rigidly excluded from the conditions of the Treaty. The Treaty nowhere contains any reference to the neutralization of any one not forming part of the Staff officially employed in the service of the ambulances and hospitals of the belligerents; there are no stipulations in it regarding private persons.

The mistaken ideas on these points have apparently originated in several ways. The articles of the Convention have been read apart from the preamble, which designates who the parties to the Convention are. Some of the Articles have been read separately, without reference to preceding Articles by which their terms and provisions are limited. The error has probably also been increased by the fact that at several meetings of delegates from the National Aid-Societies of various countries, especially at Paris in 1867, efforts have been publicly made to get the Governments who have adhered to the Geneva Convention to sanction the admission of independent volunteers, recruited by Aid-Societies, into that treaty, or to give them, by an additional convention, the same protection as was conferred on the hospital establishments of their respective armies by the original Convention. Had the Governments of Europe complied with these requests, the agents of the British and all other Aid Societies would have had a legal status at the seat of war. But no such state treaty has been entered into, and, until this occurs, it is obvious, that the agents of Foreign Aid-Societies can only enter upon a theatre of warfare as private persons, with no claim to any exception to the restrictions which are usually imposed in time of war.*

* Among the projected modifications of the Geneva Convention of 1864 which were discussed, and proposed for adoption, on the occasion of the International Congress at Paris in 1867, were the following:—

“The members of all national societies for succouring the wounded combatants of land and sea forces, likewise their auxiliary *personnel* and their *matériel*, to be declared neutral.”

“The societies of succour shall put themselves in direct correspondence with the head-quarters of Armies, or with the Commanders of naval forces, by the medium of representatives.”

“The societies of succour, on the consent of their representatives, at the general head-quarters, or with the Commanders of naval forces, shall be empowered to send delegates to follow armies or fleets on the theatre of warfare, and to second the medical and administrative service in their functions.”

Again, the fourth subject in the list of propositions put forth for discussion by

The assumption that it was by virtue of the Geneva Convention foreigners gave aid to the French and German sick and wounded soldiers during the war, was manifestly all the more groundless, because among those who were actively engaged in this work were citizens of the United States of America. One of the field hospitals administered under the English National Society, and one which had the opportunity of being of essential service from finding itself in a position where large numbers of French wounded happened to be gathered without almost any of their regular military medical staff, was composed partly of American and partly of English gentlemen, and was known as the "Anglo-American Ambulance." Some other hospital establishments during the war were wholly served by Americans. Now, the Government of the United States of America, although it has been specially appealed to several times on the subject, notably after the Berlin Congress of 1869, has always declined to join in or to accede to the Geneva Convention; nor has the United States' Government entered into any treaty with European Governments of a nature corresponding with the Geneva Convention. Manifestly, therefore, the American surgeons and nurses were not acting in France by virtue of any compact such as the Geneva Convention is.

In truth, Americans were acting, as all the other foreign volunteer hospital aids were acting, in great measure through the concurrence of fortuitous circumstances incidental to the great struggle which was in progress, the complete success on the one side and the utter break-down on the other, the rapid succession of events, the extent of territory over which the warlike operations were spread, the prolongation of the campaign during the winter season, and, as a result of these conditions, the immense demands for hospital necessities, food, wine, clothing, instruments, medicines, surgical articles of all descriptions; so that the military authorities on both sides were prepared to welcome persons who did not come empty-handed, but, on the contrary, who came with almost unlimited resources and abundant stores ready to be given away on demand. They were there by sufferance of the contending armies, who were glad enough to receive the donations brought by them; not by any right conferred through the Geneva Convention.

The published replies to the questions put forth by the British Aid-Society contain many complaints on the manner in which the Articles of the Geneva Convention were executed during the war by the belligerents, and the question is discussed in them whether, in consequence

the International Committee of Geneva, and read at the first sitting of the second Geneva Diplomatic Congress of 1868, was the following:—

"4^o Mettre le personnel des sociétés de secours au bénéfice de la neutralité."

These facts afford a sufficient proof of the interpretation put upon the Geneva Convention by the distinguished delegates of the National Aid-Societies who met in Paris in 1867, and by the International Committee of Geneva in 1868. The Diplomatic Congress that sat at Geneva in October, 1868, however, notwithstanding the application for the volunteer *personnel* of National Aid-Societies to be included in the provisions of the Geneva Convention of 1864, only extended its principles to maritime warfare; they left the text of the original Convention, regarding military operations by land, intact, and thus a second time fixed the principle of applying the privileges of neutrality to the hospitals and official *personnel* of the belligerents only.

of the particular matters complained of, it does not become necessary to alter the text of the Convention. I have examined these complaints carefully, and have found in nearly every instance that the complaint is based on the mistaken reading of the Convention which I have just been discussing. The complainants have presumed on themselves, or property in their charge, being entitled to special rights, to immunity from the usual results and incidents of a state of warfare, which no one had agreed to confer on them. As to the alleged violations of the Geneva Convention elsewhere published, many of them—not all, it must be admitted, but many of them—are traceable to the same cause, viz., a mistaken notion of the nature of the Convention itself.

The Geneva Convention was thoroughly studied in Germany a considerable time before the war of 1870 broke out. Instructions issued by the Ministry of War made all the Officers and soldiers of the Prussian Army and allied German States acquainted with its Articles. A complete code of regulations was prepared by the War Department for the guidance of the National Help Societies to Sick and Wounded, defining their organisation, administration, positions of action, and duties of all persons employed by them, with their relations to the regular Hospital Staff of the Army Medical Department and to all other military authorities in case of war occurring and the Armies of North Germany becoming mobilised. The National Help Societies were restricted from collecting or practising for future use any stretchers or other ambulance conveyances, any hospital appliances but such as were of the patterns authorised for the military hospital equipment, so that there might be no jarring or confusion in case of the national volunteer aid having to be incorporated with the official services to meet the exigencies of war. In short, all the necessary preparations were made by the Prussian Government in strict accordance with the spirit and text of the Geneva Convention, and, there is no reason for doubting, with full intention of carrying out its provisions in their letter and in their spirit.

On the other hand, the French Government had done scarcely anything of practical value in the matter since the time it had acceded to the Convention. The Articles of the Convention had not been made known to the Officers and men of the Army, and, as might be expected, they exhibited an amount of ignorance regarding the Treaty and its objects such as at the time provoked general comment. At first, indeed, not simply the soldiers in the ranks, but many of the Officers, including those of the Hospital Staff, were manifestly not aware even of its existence. No regulations had been prepared for incorporating the volunteer with the official Army medical service when the war commenced, and, as an inevitable consequence, all was uncertainty and bewilderment in this direction at starting.

Permit me to quote a short passage from an able essay on "Hospital Administration in Modern Armies," by a French writer, in a recent number of the "*Revue des Deux Mondes*,"* to confirm what I have

* *Le Service de Santé dans les nouvelles Armées Européennes, observations et souvenirs de la dernière guerre, par M. Léon Le Fort, Chirurgien en Chef des Ambulances de Metz.*—*Revue des Deux Mondes*. Tome xvi, Nov. 1871, p. 124.

just said. "Unhappily," he writes, "the Convention of Geneva was hardly known to the French Military Intendance, and at the opening of the war nothing was prepared to put it into execution. When we arrived at Metz, not a French Army surgeon, not a single infirmier wore the brassard, not one of the ambulance vehicles had on it the distinctive sign of neutrality." And the same writer shows that when the authorities of the French Intendance subsequently applied the Convention, either from carelessness or from not properly appreciating its terms, they issued their stamped brassards in profusion to persons not entitled to receive them. Thus the very authorities whose duty in France it was to see that the Articles of the Convention were strictly adhered to, neglected the Convention in the first instance, and contributed to its abuse in the second. No wonder that a marked change occurred after this time in the respect paid by the Germans to the French official brassards. No wonder also that a necessity is generally felt for a revision of the Convention of Geneva with a view to determine whether the limitations of its articles can be more strictly enforced, and whether, in the interests of the sick and wounded, it is possible to punish abuse of them by any other means than retaliation.*

The remarks I have hitherto made have shown that the only Aid-Societies capable of being brought within the Geneva compact of 1864 are the National Aid-Societies of the countries at war with each other, and that in order that the *personnel* of these societies may have a legal title to the protection accorded by the treaty, that *personnel* must be placed under military regulations during the period of service, incor-

* General Dufour, Honorary President of the Geneva International Committee of Aid to Wounded Soldiers, has circulated for consideration by the National Aid Committees, an essay recently read by M. Gustave Moynier, in which the creation of an International Court in time of war is proposed with a view to effect the repression of violations of the Convention of Geneva. M. Moynier, after showing the need which exists for such a judiciary institution, after indicating the various plans which have been previously proposed or employed for ensuring due observation of international laws and treaties, and referring to the constitution of the Committee of Arbitration agreed to by England and the United States with regard to the Alabama claims, reduces his scheme to the form of a projected Convention embracing ten Articles. The following extracts exhibit the principal points contained in them:—

Art. 1. In order to ensure the execution of the Convention of Geneva of the 22nd of August, 1864, there shall be constituted, in case of war between two or more of the Contracting Powers, an international tribunal to which all complaints of infractions of the said Convention shall be addressed.

Art. 2. This tribunal shall be formed in the following manner: As soon as war has been declared, the President of the Swiss Confederation shall designate by lot three of the Powers who are signatories of the Convention, excluding the belligerents. The Governments of these three Powers, as well as those of the belligerent States, shall be each asked to nominate an Arbiter, and the five Arbiters shall assemble without delay at the place provisionally indicated by the President of the Swiss Confederation.

Art. 3. The Arbiters shall determine for themselves their definitive place of session. The details of organization of the tribunal and course of procedure shall be left to them.

Art. 4. The tribunal shall only occupy itself with violations of the Convention respecting which complaints shall be made by the Governments concerned. The tribunal shall submit the alleged violations to a searching enquiry. The necessary facilities

porated, indeed, for the time being with the staff of persons employed by the War Department of the Government concerned in the military hospitals, and must be occupied in one or other of the capacities particularized in the terms of the Convention itself. Only while so engaged, and on no other conditions, can such persons claim a right to participate in the benefits of neutrality, to use the language of the Convention. Persons belonging to the National Aid Societies of non-belligerent countries, although the Governments of these countries may have acceded to the Convention, cannot through an *international* action, lay claim to any corresponding immunities or privileges under the Geneva Convention.

I will now glance at the question—is it desirable to establish systematically a plan of international aid, such as was afforded during the late war? Or that the provisions of the Geneva Convention should be extended to persons of neutral countries carrying international aid to the sick and wounded of armies at war with each other?

I have already acknowledged that a vast amount of benefit was conferred on the sick and wounded of the contending armies during the Franco-German War by the international aid which was afforded to them. It by no means follows this admission as a matter of course, however, that what was done during the late war can be done again with equal advantage in future wars, or, at any rate, that it would be judicious for a body to be permanently organised for affording such assistance. The question is a very serious one from whatever point of view it is looked at, and much may be said on both sides of it; but although cogent arguments may be urged on the score of common humanity, and our feelings strongly moved by appeals to this consideration, my present conviction is that such a system, if established, would be attended with a greater amount of evil than of good. That a nation should be always prepared for war, to defend itself if need be against insult or injustice none will gainsay; but it must be equally the wish of every right thinking person, that nothing shall be done which shall render the occurrence of war easy, or facilitate its continuance when once it has commenced. Now, although the existence of International Aid Societies, if they were to be established and acknowledged by treaty as some contemplate, might have little *direct* influence in provoking or averting appeals to battle by states for the settlement of their differences, there can be little doubt but that an important *indirect* influence would be exerted by them. One of the greatest incumbrances of an army in the field is its sick, together with the wounded which remain after a general engagement; and the

for instituting this examination shall be accorded by the signatories of the Convention, and especially by the belligerents.

Art. 5. The tribunal shall formulate its opinion in a verdict of guilty of violation, or not guilty for each case brought before it. If guilt be established, it shall pronounce a punishment conformably to an international penal law which shall be made the object of a Treaty forming a complement to the present Convention.

Art. 6. The tribunal shall notify its judicial decisions to the Governments concerned, and these Governments shall be held responsible for inflicting the sentences pronounced against those of their subjects who have been guilty of infractions of the Convention.

weight of this incumbrance has been vastly increased since so much public attention has been given to all that concerns the proper care and treatment of such disabled soldiers. If the sick and wounded are very numerous, the mobility of the army is for a time paralyzed, so long as the army has only to rely on its own resources for their surgical care and transport. But if a system of international aid be legally established and thoroughly systematised, these difficulties will in a great measure be removed. The sick and wounded will be given over to the care of international volunteer hospitals, and the mobility of the main part of the army will be restored. The Commander of the Forces will be at once ready to march onward, and, should occasion occur, to fight another battle. Thus the very object for which such societies would be established—that of mitigating suffering—would be defeated. There would be multiplication of wounded, and, in the end, unless the international aid were almost unlimited, less attention would be given to them. This is one important reason why the establishment of a system of international aid in time of war appears to me to be a thing not to be desired, even if it were generally practicable. Before the outbreak of the late war, no such system of international help had been established; and, therefore, the help which was afforded could exert no influence on the preparations made by the respective armies to meet the wants of their sick and wounded. All that was done by the British aid internationally given was so much in excess of what the sick and wounded would have had without such assistance; and hence the objects of the subscribers to the funds of the English Society were fully carried into effect. But if similar assistance is to be relied on in case of future wars of which this country might be a neutral spectator, who can say how far this reliance may influence the extent of the preparations made by the states entering upon the war for their hospital services? These are grave considerations which certainly ought to be well weighed in this country, where liberality, and the means of liberality, so much abound.

With these views regarding the doubtful expediency of systematizing international aid in time of war, I need hardly say it was a source of satisfaction to me that, although the work which called our English society into existence was really international work, one of the principles of its existence, and the first among them, was settled at the public meeting held at Willis's rooms on the 4th August, 1870, to be the contribution of aid to the sick and wounded forces of our own nation. This principle I hope will be mainly kept in view in the future. In this country especially, there appears to be a legitimate field for the operations of such a society. There are not in Great Britain the same facilities for making adequate provision to meet the requirement of the wounded in time of war as exist in other European States. In considering the best practicable arrangements for the proper care of the wounded in war time, the effects of the system of enlistment as compared with one of conscription force themselves on our attention, just as much as when the organization of the British Army at large has to be considered. Where an army is raised by conscription there is comparatively no difficulty in calling such numbers into the ranks that an

adequate proportion may readily be withdrawn for training, and, on need arising, for acting in the special duties of bearers of sick and wounded, without material injury to the fighting strength. But when an army is composed of men collected by the costly process of enlistment, it is unreasonable to expect a like proposition to be available; at any rate, it is hardly likely to happen that the necessary numbers ever will be found to be spared from the combatant ranks for such training and duties. The combatants of an enlisted army must always be comparatively limited in number, and no avoidable diminution of that number is likely to be permitted. When active hostilities are in progress the concerns of the sick and wounded, from the very nature of war, will always be a secondary consideration. Now, however, that the regular army is strengthened not only by its Militia reserves, but also by a numerous Volunteer force, may not the latter be got to supply, under proper direction, at least for home service, a proportion of men willing to undertake those duties in aid of the sick and wounded, which in some continental armies are performed by a proportion taken from the companies of regiments? May not the collecting, training, and preparing Volunteers for the discharge of these duties form part of the work of the National Aid-Society? In case of a force consisting of Army, Militia, and Volunteers being brought together for defensive purposes in this country, it will be manifestly essential that the hospital arrangements for the sick and wounded, including the Ambulance Transport arrangements, shall be under the one supreme direction of the War Department; but it is impossible for this department of the Government to maintain in time of peace the number of Hospital Assistants and trained attendants who will be required in time of war, not only for meeting the first necessities of the wounded, and for conveying them from hospitals in front to others in rear, but also for giving that care and attention to them which become necessary for long periods subsequently. No Government has ever yet been able to do it, nor is it likely will ever incur the expense which would be involved in such a proceeding. But unless the persons who are to bear the wounded from fields of action, and who are to help in removing and attending to them afterwards, are properly trained and disciplined in time of peace, they are not likely to be of much use, are often likely to do much harm, when so employed in time of war. Few are aware how many lives and limbs in time of war, that might under other circumstances be saved, are destroyed by want of requisite knowledge for the discharge of these duties. A corps of trained bearers, composed of volunteers, whether organized into a distinct body available for service, wherever required, or collected, on occasion arising, from trained men out of the companies of Volunteer regiments, would constitute a body corresponding in its functions with those of the *personnel* of the Sanitary Detachments of German Armies, and might be turned to valuable account in many ways, while military operations were in progress.

I think we are justified in believing that the establishment of National Societies for Aid to the Sick and Wounded of Armies in time of War has obtained so deep and extended a hold in Europe, that no

efforts made by persons who object to their existence will succeed in uprooting and putting an end to them. If this proposition be assented to, all must agree that the consistent and wise part will be so to direct their action, that no impediments to the military operations in which armies are engaged shall result from it, no risk of international difficulties be engendered; but, on the contrary, that their action shall be made to conduce, to the fullest practicable extent, to the mitigation of those sufferings to which the Societies owe their origin, and on account of the existence of which they are supported.

Regarding our own National Aid-Society from this point of view, considering its main purpose to be that of supplementing the regular hospital service of the War Department of the Government in case of the country becoming involved in war, the following appear to me to be principles which it is essential for the Society to adopt in order that its aid functions may be most efficiently discharged.

1. The National Society should direct its efforts in the first instance to procure official recognition, not merely as an independent body invested with special privileges, but as a Hospital Reserve for Help to the Sick and Wounded of our National Forces. It should seek to establish definite relations with the War Department through a representative Director of the Volunteer Aid Establishment.

2. The Society should devote itself to national interests. It should try to solve the important questions—in what direction, and by what means it can best supplement the official aid to sick and wounded in case of the country becoming involved in war, always keeping in view the special circumstances of the country, and of its Army organization. After these questions have been solved, it should take whatever steps may appear to be best suited for preparing itself in time of peace to meet the exigencies which it believes itself competent to meet in time of war.

3. A code of regulations should be prepared, and, when sanctioned, issued by authority, defining the duties and responsibilities of the Volunteer Hospital Staff, acting under the direction of the Society, in the same way as regulations are issued for the guidance of the combatants of the Volunteer Forces.

I have not attempted to discuss details, for it would be useless to do so before the principles of action I have named are approved and accepted. If these principles become established, the best method of filling up the outline sketched out, will necessarily form a subject of subsequent study. They are the principles on which alone, I believe, the Society can hope for its future operations to be attended with unmixed and reliable good results. If they be rejected, if the Society trusts to its own powers as a free and independent body, if its members confide in some presumed influence of the Red Cross without inquiring particularly into the statutes and limitations under which this sign has been accepted as an emblem by international treaty, I fear the Society will never be able to justify the name under which it exists; while, on the contrary, by adopting and acting upon them, I believe the Society may become an institution capable of affording essential assistance to our Government and country in the hour of need.

APPENDIX.

It may be useful to indicate, in some particulars, the manner in which the German War Department dealt with the Geneva Convention by official regulations prior to the outbreak of hostilities with France. A reference to some of the provisions of the Royal Warrant of the 29th of April, 1869, defining the "Plan of Mobilisation for the North German Army,"* together with a few extracts from the German Army Medical Field Regulations, will suffice for this purpose. First, with regard to the Royal Warrant above cited:—

1. This Royal Warrant contains, as an appendix, a reprint of the Articles of the Geneva Convention.

2. A section of this Warrant, headed "Instructions for the Army Medical Department in the Field,"† has been supplied by the War Office to all Officers commanding troops; and it is assumed that all combatant and medical Officers are thus acquainted with the instructions and with the Articles of the Geneva Convention. The troops also are made acquainted with them through the authorised courses of instruction given by Officers to the Serjeants and men at fixed intervals.

3. These Instructions contain the following passages:—

a. All persons belonging to the Army Medical Department must be provided, as soon as war commences, with the Neutrality-badge; Surgeons, Military and Civil Officers connected with hospitals, Hospital Orderlies and Bearers of Wounded being comprised in this category.

b. All ambulance conveyances, field hospital carts, waggons, and hospital tents, have to be marked with the neutrality sign.

4. The Directing Surgeon of each army corps, or, as representing him, the Surgeon in charge of a detached body of troops is required to designate beforehand the Surgeon, or Assistant-Surgeons, Orderlies, proportion of ambulance stores, and transport which, on events requiring it, such as wounded having to be left on the ground, &c., are permitted to take their risk of falling temporarily into the hands of the enemy under the protection of the Geneva Convention.

Further extracts from the Instructions for the Army Medical Department, before named, bearing on the subject of the Geneva Convention of 1864:—

Para. 2. The sick and wounded of allied troops, as also sick and wounded prisoners of war, are equally entitled to medical treatment.

Para. 7. During minor engagements the wounded will be taken to the temporary places for dressing wounds by the assistant sick bearers. As far as possible four men per company will be selected for this purpose from the men who have already been trained to this duty in time of peace. They will be distinguished by the white armlet with red cross worn on the left arm.

Para. 13. Temporary hospitals are to be denoted by the National Flag, and by a flag with red cross; after dark by a red lanthorn.

* Mobilmachung's Plan für das Norddeutsche Bundesheer.

† Instruktion über das Sanitätswesen der Armee im Feld.

Para. 19. In the event of a retreat, the Commander of the Sanitary Detachment must arrange that both men and *matériel* follow the Army. The Principal Medical Officer determines who of the surgeons and their assistants, with the necessary appliances, are to remain with the wounded under the protection of the Geneva Convention.*

Para. 24. The hospital buildings will be distinguished by the National Flag, and a white flag with a red cross.

Para. 25. In the event of a retreat, the Principal Surgeon of a field hospital is responsible that the transport as well as men and *matériel* not required, follow the Army, if possible, in conjunction with the nearest sanitary detachment. The personal assistance required by the sick who have to be left behind, will be determined by the Principal Medical Officer, and only follows the Army after assisting in the further treatment and care of the sick.

Para. 79. The armlets with red cross issued to persons belonging to the volunteer establishments, must bear the stamp of the Royal Commissioner, who is further required to furnish each person, to whom an armlet is issued, with a certificate of authorisation to wear the Badge of Neutrality.

List of persons taken from the Dress Regulations, who are to wear the *brassard*, or arm-badge, in time of war.†

During war the following are entitled, and respectively obliged, to wear the white armlet with red cross, the Badge of Neutrality of the Geneva Convention:—

1. Medical Officers in charge, and their assistants.
2. All persons belonging to Sanitary Detachments, Field Hospitals, and Hospital Reserve Depôts, as also the Hospital Reserves.
3. The Medical Officers, Hospital Assistants, Assistant Sick Bearers and train soldiers, with the regimental cars, and the train soldiers of the Medical Officers.

The armlets, which are to bear the mark of the regiments or corps in the middle of the joining, will be worn on the left sleeve of the coat or cloak in the middle of the upper arm.

Sir HARRY VERNEY, on moving a vote of thanks to Professor Longmore (which was seconded by Colonel Alcock), said: I feel sure that I speak the sentiments of all present by expressing our thanks and acknowledgements to Professor Longmore for the admirable paper which he has sent to us, and which Professor Maclean has just read. The interest taken in the subject of it by the whole nation was amply shown, not only by the very large contributions in money, and materials of all kinds, in the summer, autumn, and winter of 1870, but still more by the personal work of so many persons of both sexes and of all ranks, both at home, and when they proceeded to the seat of war, and aided in mitigating the sufferings of the battle field.

* The Articles of the Geneva Convention are appended in extenso to this paragraph. (Beilage 4. Instruktion, &c., page 110.)

† Beilage 17. Nachweisung der Uniformen und Abzeichen des Sanitäts-Korps. (Instruktion, &c., page 159.)

But what has hitherto been wanting has been the intelligent direction what to do, and how to do it—how to utilise the efforts of zealous benevolent persons for the objects that we all had in view. That want is supplied by Professor Longmore's paper. He has given us in it the result of his thoughtful experience. He has pointed out how our efforts ought to be combined with, and, of course, in subservience to, the arrangements of the War Office and Government of the country, in case our armies should be called into the field. He has shown how we may be of use, without exciting the jealousy of our own or foreign authorities, and how we may act with that which, above all, is essential,—the goodwill and co-operation of our own military commanders.

There is no doubt that in the Franco-German war, the Red Cross was abused. He tells us how its abuse may be—indeed must be—avoided in future.

I believe that many of us are convinced, that only by regulations such as Professor Longmore suggests, and acting vigorously under them, will the "Aid Society to Sick and Wounded in War" be able to carry out the objects for which it exists. We shall all study his warnings and admonitions, and they will be especially valuable to the Council of the Society, furnishing to them information and advice for the work which they have to undertake in directing the future operations of the Society.

We also thank Professor Maclean for his statement on the important duties of the trained Krankenträger, a statement founded, apparently, on his personal observation, and so pertinently illustrated by his reference to the case of that gallant American General, Stonewall Jackson, whose course we all, whether favourable to the North or South, followed with admiration, and whose untimely death we could not but deplore.*

* On this point Professor Maclean observed, it is a great mistake to suppose that any men picked up in the street, or even taken from the ranks, are capable, without special training, of performing the duties of an Army Hospital Corps. On the contrary, it may with truth be described as a species of skilled labour. In the case of a man in the field, let us say with a simple fracture of a limb, if unskilfully handled by untrained men, the injury may in a moment be converted into a "compound" one, to the serious detriment of the sufferer, and in some cases fatal consequences may result. In this way the good and gallant Stonewall Jackson lost his life. He was wounded, but not mortally. The soldiers who removed him from the field did this in so unskilful a manner that death resulted.

The first of these is the fact that the earth is not a perfect sphere, but is flattened at the poles and bulged out at the equator. This is due to the centrifugal force of rotation, which tends to pull the material of the earth outwards from the axis of rotation. The second fact is that the earth is not a uniform body, but is composed of different layers of material, each with its own density and composition. The third fact is that the earth is not a static body, but is constantly changing in shape and size due to the forces of erosion, sedimentation, and other geological processes.

The fourth fact is that the earth is not a simple body, but is a complex system of interacting parts. The fifth fact is that the earth is not a closed system, but is constantly exchanging matter and energy with its surroundings. The sixth fact is that the earth is not a uniform body, but is composed of different layers of material, each with its own density and composition. The seventh fact is that the earth is not a static body, but is constantly changing in shape and size due to the forces of erosion, sedimentation, and other geological processes.

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The twelfth fact is that the earth is not a simple body, but is a complex system of interacting parts. The thirteenth fact is that the earth is not a closed system, but is constantly exchanging matter and energy with its surroundings. The fourteenth fact is that the earth is not a uniform body, but is composed of different layers of material, each with its own density and composition. The fifteenth fact is that the earth is not a static body, but is constantly changing in shape and size due to the forces of erosion, sedimentation, and other geological processes.

The sixteenth fact is that the earth is not a simple body, but is a complex system of interacting parts. The seventeenth fact is that the earth is not a closed system, but is constantly exchanging matter and energy with its surroundings. The eighteenth fact is that the earth is not a uniform body, but is composed of different layers of material, each with its own density and composition. The nineteenth fact is that the earth is not a static body, but is constantly changing in shape and size due to the forces of erosion, sedimentation, and other geological processes.

The twentieth fact is that the earth is not a simple body, but is a complex system of interacting parts. The twenty-first fact is that the earth is not a closed system, but is constantly exchanging matter and energy with its surroundings. The twenty-second fact is that the earth is not a uniform body, but is composed of different layers of material, each with its own density and composition. The twenty-third fact is that the earth is not a static body, but is constantly changing in shape and size due to the forces of erosion, sedimentation, and other geological processes.