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## THE CENTENARY OF THE RED CROSS IDEA

### From Solferino to the Geneva Convention

*Selfishness is a great illusion. It finally leads merely to disappointment, emptiness, or secret despair.*

J. HENRY DUNANT

The foundation of the Red Cross in 1863 by Henry Dunant, General Dufour, Gustave Moynier, Dr Louis Appia and Dr Théodore Maunoir, marks a dual revolution. First of all, in the Army Medical Services which saw the arrival at their side of Voluntary Aid Societies which were, by their very existence, to remind them of their inadequacy and to inflict a salutary rebuke for their negligence. A year later another revolution took place in the field of international law since the Geneva Convention is at the origin of all written laws of war of modern times. In history it was the first treaty of international law concerning war on land.

Would this dual progress have been achieved had the Red Cross not come into being? Certainly it would. It was drawing near and was announced by many precursory signs.

Dr. Chenu—a contemporary of Dunant and a great specialist in the history of the Army Medical Services—very aptly said that “In the past each family mourned its dead and the public in its pious anxiety had only a mere inkling of the fatherland’s suffering and sacrifice; the cost of victory and defeat was held secret, total ignorance and warlike mysticism—the optimistic attitude of a nation which placed all its confidence in its rulers—everything conspired to encourage the concealment

of the true situation. Considerable progress in the general attitude towards charity, in ideas, tastes and sociology were required to bring the situation to an end. The change emerged in fact from a vast concourse of circumstances and the remarkable progress achieved in investigation methods which we call statistics”.

The years following the Crimean War and the American Civil War were distinguished by a new awareness of certain aspects of war which had not until then aroused the attention of military circles and still less that of the public in general; an evolution was taking place. It was the Red Cross, however, which speeded its course, gave it a definite form and recorded it in time. The event which led to the acceleration of this evolution, which finally gave it form, was the presence of Henry Dunant in Castiglione, on June 24, 1859, in the evening of the Battle of Solferino. The little aid that Henry Dunant was able to give is of less importance than the host of impressions he received and his conclusions.

The result of his conclusions, which led to the foundation of the Red Cross and the Diplomatic Conference of Geneva in 1864, which established the Geneva Convention, was by no means immediate.

It is hardly necessary to recall to the readers of this Revue the intermediary stages which marked the growth of the Red Cross Idea and the development of the Geneva Convention. As we know, after leaving Italy, Dunant was occupied for three years with his business affairs which required all his attention. During that long period however he was gradually pervaded with an uneasy feeling, an obsession at first vague and then acute that he was evading a duty, so that at last, in 1862, he decided to shut himself in his room in Geneva and to write the book which made such a stir in Europe: *A Memory of Solferino*.

Dunant was sure that he had found his vocation; he said himself “While I was quietly engaged in writing “A Memory of Solferino” I was taken out of myself, dominated by a greater power, inspired by the spirit of God; in my state of continual emotion I had the vague but firm intuition that my work was

the instrument of God's will, the accomplishment of a sacred duty which was in the future to be of immeasurable benefit to humanity. This feeling impelled me to continue my work... I *had* to write this book, I could not express myself otherwise. The deep and sorrowful emotion I experienced at Solferino *had* to be expressed by a short and true account of what I had seen with my own eyes, that it should be made known to others and that the humanitarian idea which filled me with enthusiasm should bear fruit and develop through its own strength".

Dunant's book was at the origin of the National Red Cross Societies and contained in substance the resolutions adopted by the International Conference in Geneva (October, 1863) which marked the actual beginning of the Red Cross movement.

Had Dunant nothing more to say? By no means. He still felt that something was lacking and that he had still to add another corner-stone to the edifice. In *A Memory of Solferino* he expressed the hope that "some international principle, sanctioned by a Convention inviolate in character which, once agreed upon and ratified, might constitute the basis for societies for the relief of the wounded in the different European countries". As we see, the wording is vague and Dunant did not, at the time, give it any definite form. It was not until a year later, during a visit to Berlin in 1863, that he was once more inspired by his subject and wrote a paper entitled *Supplément à la convocation d'une conférence internationale à Genève*. Here there appears for the first time, in a precise form, the basis of the Geneva Convention of 1864.

Such were the stages between Solferino and the Geneva Convention. The relation between fact and law was so direct that it was possible to lay the basis of the text of the Convention of 1864 on the very incidents which had given Dunant his idea. This interpretation of actual facts was the best means of giving the first Geneva Convention its true sense, as it was seen by its promoter and by those who put his idea into a legal form.

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It is a matter of restoring the text of which the true significance has become completely obscure. It required to be made clear and before we examine the suggestions made by Dunant to which legal expression was given in the Conventions of 1864, it would be well to mention the observations he did not make.

Contrary to a widespread belief, Dunant did not observe that the French Army Medical Service gave less favourable treatment to the wounded of the Austrian army collected on the battle-field than to the French wounded themselves. On the contrary, Dunant laid emphasis on the equitable treatment given to the wounded on both sides. He said in his book "The French doctors not only did everything that was humanly possible without distinction of nationality; they grumbled and complained at their inability to do more". He was struck by the generous and devoted services given by the French army surgeons to enemies in distress and made no reference to any partiality.

It will suffice to say that Dunant never had the idea of proposing a convention which would make it obligatory for States to care for enemy wounded in the same manner as the wounded of their own forces; it was quite unnecessary since it was already a military usage.

The point might however be raised that one of the provisions of the Geneva Convention of 1864 stipulates that "Wounded or sick combatants, to whatever nation they may belong, shall be collected and cared for". It is significant to note that this is the sixth article of the Convention, and is not, therefore, the prime motive of this treaty. In fact the article was not well received and Dr. J. Arnould expressed a general feeling when he wrote "To ask us to sign a promise to respect and protect the wounded is like asking an honest man not to pick his neighbour's pocket".

In this connection, during the first International Conference of the Red Cross, held in Paris in 1867, several (and some of the most imperative) voices were raised to request that this article, considered as quite superfluous, should be deleted. The provision was maintained for the reason given by Moynier in his work *La neutralité des militaires blessés et du Service de*

*santé des Armées* (1867), i.e. "It is already generally practised but before imposing greater duties on the belligerents it was thought advisable to recall this usage by making it an absolute obligation".

The principle of equal treatment having been established one may wonder why the Convention sought to add to the regulation which was already respected in common law. We leave it to Dunant to answer this question since we are on the threshold of his idea.

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The first thing that Dunant noted with horror and anguish was the appalling inadequacy of the Medical Services. Solferino was the last battle of the campaign of 1859, practically the whole of the medical personnel was engaged in looking after the wounded and sick of previous battles in hospitals, quarantine hospitals and ambulances. For this reason a number of wounded lay for seven days on the battle-field before being assisted, and for the same reason the wounded in La Chiesa Maggiore, whose cries and groans he could hear, were without water, food or medical care.

This led to Dunant's first idea—to form private societies, already organised in peace-time (since charity should never be taken unawares) which would offer their aid to the Army Medical Services to serve as their auxiliaries. Dunant considered that the personnel of the Army Medical Services was always inadequate and that the only possible way was to have recourse to the people. He said "It is inevitable, it will always be inevitable, for it is through the co-operation of the public that we can expect to attain the desired goal".

This was the origin of the National Red Cross Societies.

Incidentally, Florence Nightingale, who had witnessed the same negligence in Crimea, had drawn totally different conclusions. In her opinion the State committed an absolute crime in having inadequate Medical Services and it could and should be avoided by the constitution by the State, of adequate Medical Services. Because England shared Florence Nightingale's opinion, it made a great effort after the Crimean War to improve

its Medical Services and therefore did not consider it necessary to constitute a private society for the relief of the wounded until 1869.

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Dunant's next observations are of quite a different nature; they concern the relations between belligerents and thus we enter into the actual field of the Geneva Convention.

Although Dunant pays tribute to the care shown by the Army in giving equal treatment to its own wounded and those of the enemy he does not give such praise to the population. His comments in this connection confirm those of numerous observers, in particular, Dr. Appia who was in the Tyrol during the Austro-Prussian War in 1866.

It is a fact that the population showed little willingness to help the wounded but it must be admitted that their position was not enviable. To care for the Austrian wounded was likely to be misunderstood by the occupying French Army; to care for the French wounded might be of considerable risk, since in the event of the return of the Austrian forces the inhabitants of the country would appear to have dealings with the enemy by caring for its wounded. This fear was fostered by the fact that the armies themselves had practically no knowledge of the movements of the enemy.

Dunant relates that following a rumour of a counter-attack by the Austrian forces the townspeople threw out of their homes the French wounded to whom they had given shelter. Dunant therefore gained a victory over explicable if not justifiable fear when he induced a few women in Castiglione to say the famous words "Tutti fratelli".

The Conference took this factor into account in 1864 by inserting into the Convention an article which was solely intended to reassure the civilian population, and even to give it a material interest in caring for the wounded on both sides; the article reads as follows:

Article 5. — *Inhabitants of the country who bring help to the wounded shall be respected and shall remain free. Generals of the*

*belligerent Powers shall make it their duty to notify the inhabitants of the appeal made to their humanity, and of the neutrality which humane conduct will confer.*

*The presence of any wounded combatant receiving shelter and care in a house shall ensure its protection. An inhabitant who has given shelter to the wounded shall be exempted from billeting and from a portion of such war contributions as may be levied.*

This article responded to the same need as the formation of National Societies; it was another means of recruiting voluntary helpers who would compensate for the inadequacy of the official Medical Services.

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The last and the most important of Dunant's observations, of which the substance is to be found in the circular he sent out from Berlin in 1863, led him to formulate the principle which is the actual justification of the Geneva Convention—the neutrality of medical personnel. Was this necessary? We will now examine this point.

As Dunant observed, it was customary at the time for surgeons of the enemy medical services who fell into the hands of the victorious army to be held as prisoners of war. This aroused Dunant's indignation and he made representations for Austrian surgeons to be immediately released from their unprofitable captivity in order to care for their compatriots wounded during the attack of the French Army. It is somewhat difficult to say whether the steps taken by the French army authorities were really due to Dunant's efforts or whether they were dictated simply by generous feeling and common sense. The important point here is that the Austrian Army, obliged to retreat, expected that this custom would be followed and that surgeons who fell into French hands would be taken into captivity. As in all armies of that period, placed in the same circumstances, it could only adopt one of the two following solutions:

Firstly, to give orders to the surgeons to return to the rear and to leave to their fate the wounded who, if they fell

into the hands of the enemy, would be cared for in accordance with the means at its disposal. The solution was harsh but justifiable since surgeons who remained to look after the wounded would, according to the custom, be taken captive and remain unable to perform their duties until the end of the war.

Secondly, to attempt to move the wounded and the surgeons to the rear in order to avoid any of them falling into enemy hands. This was unquestionably a most unfavourable solution since the wounded (crowded hastily into all sorts of vehicles, carried for days in the confusion of the retreating forces, without it being possible to give them any care) endured indescribable suffering and a great many died. The number of deaths was greater than if they had been left where they fell and been collected later by the enemy troops.

In fact the Austrians had recourse to both solutions, in most cases the first, which explains why so few of their surgeons fell into the hands of the French forces.

Dunant's revolutionary idea and the merit of the Convention itself were based on the possibility of a third solution—by previous mutual agreement—which would satisfy both parties. The idea may have occurred to Dunant when thinking of one particular case to which he refers in *A Memory of Solferino*, i.e. a German surgeon, who took the risk of relying upon the enemy's common sense and deliberately remained on the battle-field to look after the wounded in his care. He was allowed to stay with his wounded men and when the Medical Services of the French Army were able to relieve him, he was released and rejoined the Austrian forces.

It was a novel idea—could not this isolated case become a rule? Was it not the solution required to avoid moving the wounded to the rear and ordering the surgeons of the army in retreat to abandon the wounded? What could be more simple than to agree that medical personnel (official or voluntary) should be considered as neutral and thus escape for all time from the useless and futile hardships of captivity. There would henceforth be no moving or abandonment of the wounded; surgeons would remain with their units. If they were to fall into the hands of the enemy they would continue to care for the

wounded until the victor could take charge of them. At that time they would be released and could continue to minister to the needs of the wounded in the armed forces to which they belonged. In fact, this solution was a gain and no loss for all concerned.

This innovation introduced by Dunant is expressed with great clarity in the Convention :

*Article 2. — Hospital and ambulance personnel, including the quartermaster's staff, the medical administrative and transport services, and the chaplains, shall have the benefit of the same neutrality when on duty, and while there remain any wounded to be brought in or assisted.*

*Article 3. — The persons designated in the preceding Article may, even after enemy occupation, continue to discharge their functions in the hospital or ambulance with which they serve, or may withdraw to rejoin the units to which they belong.*

*When in these circumstances they cease from their functions, such persons shall be delivered to the enemy outposts by the occupying forces.*

Attention may be drawn to the two last words in Article 3 "occupying forces". The Convention has, in fact, no meaning and would apply only in the event of a sudden shifting of the front line whereby the wounded of the army in retreat would thus be left within the lines of the advancing enemy forces; the Convention therefore protects the wounded of the army in retreat.

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A popular belief has been formed of the Geneva Convention as a treaty by which belligerents pledge themselves to look after the wounded of the enemy but, as we can see, this legend does not correspond to actual fact. Equality of treatment had already been established and was set forth in the Convention as a reminder and not as a new achievement. The innovation covers a much smaller field which we have just outlined. Does

this mean that the Geneva Convention has finally not been constructive; nothing could be farther from the truth. The principle of the neutrality of medical personnel has saved countless human lives by the sole fact—with beneficial results — that surgeons remained with their wounded knowing that they were to be repatriated.

The advantages of the Geneva Convention of 1864 were revealed during the war in 1870, the first conflict in which two States signatories to this treaty were involved. A great many French ambulances, with wounded men and surgeons, fell into the hands of the Prussian forces. There was not a single case of a French surgeon not being repatriated after a few days or weeks. In this connection Colonel Huber-Saladin, an influential member of the Comité Central Français, said when writing to Moynier on September 24, 1870 "Ask the ambulance personnel who returned to France what they think of a Convention which saved them from German prisons. I heard some of them shout at Sedan: Hurrah for the Geneva Convention and its authors".

PIERRE BOISSIER

# INTERNATIONAL COMMITTEE OF THE RED CROSS

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## A MISSION OF THE ICRC IN KENYA

In June 1959 two delegates of the International Committee of the Red Cross, the Rev. H. P. Junod and Dr. J. M. Rubli, visited convicts and Mau-Mau internees in places of detention in Kenya.

In the course of their mission, to which the British authorities had given their approval, the delegates examined the conditions of detention in prisons and internment camps.

It will be remembered that a previous mission was sent in the spring, 1957; on that occasion 70 places of detention were visited where over 35,000 Mau-Mau internees were held.

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## NEWS AND DOCUMENTS

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### THE REHABILITATION OF THE DISABLED

*As the rehabilitation of the disabled, and war-disabled in particular, has ever been a matter of great importance for the ICRC, it takes great interest therefore in publications or articles on the subject and is naturally desirous of making known to the general public, through its official organ, the numerous and often most effective measures taken and efforts made by public or private organisations with a view to finding the most beneficial solution of the problem.*

*On several occasions the Revue internationale has referred to the Orthopaedic and Rehabilitation Centre instituted in Saigon two years ago, under the auspices of the ICRC which gave its good offices and advice. Information drawn from various sources—in particular the Bulletin de réadaptation (No. 13) published by the “Fédération mondiale des anciens combattants” now enables us to show our readers the various stages in the progress of this Centre since its foundation.*

In 1951, in order that Vietnamese war-disabled might benefit by new technical methods for rehabilitation, the International Committee of the Red Cross (through the offices of its delegate and with the approval of the Red Cross of the Republic of Viet Nam) made an offer to the Viet Nam Government of tools for the manufacture of artificial legs and a stock of two hundred peg legs which could be finished and fitted on the spot.

The ICRC also offered to bear the expense of sending British technicians to Saigon to train Vietnamese workers. The offer was accepted and a start was made on December 15, 1955, when the British technicians engaged by the ICRC, the tools and material, had duly arrived.

The Government of the Republic of Viet Nam also participated in the scheme by supplying premises for the workshop and engaging six Vietnamese fitters. The work began and within a short time a workshop measuring 200 square metres with a room adjacent for the disabled to practise exercises was set up within the Saigon Hospital premises. Some ten apprentices were trained by the British instructors in the manufacture of artificial limbs of excellent quality; the disabled were (and are still) lodged in one of the hospital wings while artificial limbs were being fitted.

The British technicians stayed in Saigon for three months; their essential task was to train apprentice-workers in order that, after their departure, they could continue to make artificial limbs of a standard type and quality.

The delegate of the ICRC who had followed this plan from the start also observed the goodwill and co-operative attitude shown by the workers at the Centre when, having finished his mission, he left Viet Nam in 1956 to return to Switzerland.

In April 1957, the *Revue internationale* published further news of the Centre received through the representative of the ICRC. During his visits he noticed the great progress achieved by directors and technicians : increased production of artificial limbs : the manufacture of invalid chairs based on two models sent to Saigon by the ICRC in 1956. Moreover, at the request of the Government of the Kingdom of Laos, the Viet Nam authorities had made a free gift of ten artificial limbs for Laoan war-disabled.

A plan was being studied to make artificial limbs available to civilians at a very small cost. The Centre, with new additional workshops for carpentry, basket-work, etc., a small hall for physical exercises, a large dining hall and roomy dormitories, gave the impression of a very busy and flourishing undertaking.

The Centre is under the management of the Veterans and War-Disabled Department of the Ministry of War; its director is Colonel Bui-Van-Hai, assisted by Medical Officer Levan-Thông; in 1957 an orthopaedic specialist was appointed by the International Federation of War Veterans (under the auspices of the United Nations and the Government of Viet Nam) for the purpose of increasing, by general improvement, the production of artificial limbs and adopting new rehabilitation methods.

In December 1957 an exhibition was held of toys made by the disabled workers at the Centre. It was a great success and showed what good results can be achieved by professional training.

The article which appeared in the *Bulletin de réadaptation* supplies more recent information which supplements the details given above. The author, who visited the Centre in Saigon, remarks upon the considerable improvements made during the past few months. Ten new buildings have been erected on the site of a former military camp of which «four are used for professional training, two as dormitories and two for surgical work. A hall, air-conditioned, measuring 12 m. × 6 m. is employed for training amputees to use artificial limbs”.

Some twenty workers in the artificial limb workshops, described as the “most progressive section of the Centre” produce about thirty artificial limbs per month, as well as orthopaedic footwear and crutches; a new section has been opened for the manufacture of artificial arms to which the specialists appointed by the United Nations devote much of their time. It should be stressed that this progress is largely due to the efforts of the Viet Nam authorities.

The author of the article also states that when he visited the Centre about thirty disabled persons were receiving instruction in the professional training workshops, and that some thirty trades were included in the programme.

The fine results achieved seem to hold good prospects for the future in view of the constructive and realistic spirit shown by the promoters of the undertaking; we have proof of this in the Centre's future plans: a physiotherapy section and a

new building for professional training which would enable the Centre to receive two hundred learners.

As we have said above the International Committee has always followed with particular interest readaptation measures subsequent to events of war; the close of hostilities does not bring an end to suffering; many human beings will bear the mark of the conflict until the end of their lives; in its traditional activities on behalf of war victims the ICRC therefore sees in every effort to help the victims the application of principles of which it is the guardian. Our purpose in describing the results achieved by the Orthopaedic and Rehabilitation Centre at Saigon is to congratulate and to encourage those responsible for the success of this venture, and the beneficiaries, as well as all those who are engaged in this fine work throughout the world.

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