Henry Dunant, promoter of the 1874 Brussels Conference

Pioneer of Diplomatic Protection for Prisoners of War

by Y. de Pouthalès and R.-H. Durand

Very few people were aware of the exact background of the Brussels Conference, and inaccurate reports appeared in a large number of European newspapers at the time. 2

That is what Henry Dunant wrote in his notebooks, most of which were never published, and we are pleased to publish a study shedding light on Dunant's role as promoter of protection for prisoners of war.

In Belgium's capital, ceremonies were recently held to mark the centenary of the Brussels Declaration. At the formal commemorative sitting, Mr. J. Pictet, Vice-President of the ICRC, drew attention to the parallel development of the law of Geneva and the law of The Hague, to which the Brussels Declaration gave a decisive impetus. The study is therefore well-timed. As usual, the views expressed are those of the authors alone. It may be added that the original is in French and that the English version is a translation by the ICRC. (Ed.)

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The name Henry Dunant is one which automatically brings to mind the Geneva Convention of 1864. However accurate such an association

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1 This article, which is essentially based on Dunant's published and unpublished writings, does not claim to afford a complete picture of the events leading to the Brussels Conference. It endeavours to show the role played by Dunant through the Universal Alliance. Only a study of Russian diplomatic documents could confirm or correct the assumptions made here.

2 Bibliothèque publique et universitaire de Genève (BPU), Msfr 4590, p. 23 recto.
of ideas may be, however, it should not suggest that Henry Dunant regarded that diplomatic agreement as the crowning achievement of his endeavours.

He steadfastly refused to confine himself to drawing up, signing and applying the Convention whose promoter he rightly considered himself to be. Once he made sure that "his" work rested on solid foundations and was administered by a competent jurist, he withdrew because he had more far-reaching plans for remedying the evils of war and of contemporary society. He thought of extending the Convention to victims of sea warfare. The abolition of slavery, the establishment of a national home for Jews scattered throughout the world, the emancipation of women, bettering the worker's lot, the promotion of international arbitration and human rights, were matters to which he devoted all his energy.

Yet he appears to have given special attention to prisoners of war, and the improvement of their plight demonstrated both his concern and his working methods. That complex undertaking, with its surprising ups and downs, caused him to play an outstanding role in the genesis of the Brussels Conference of August 1874.¹

For the sake of clarity, we have divided our paper into four chapters: Dunant's realization of the prisoner-of-war problem, preparations for an international conference, the Brussels Conference itself, and Dunant's judgement of that conference as a step towards peace.

I. Preliminary remarks

Medical personnel and the wounded

We must admit that we do not know when Henry Dunant began to feel concern about the condition of prisoners of war. At Solferino he denounced the absurdity of the treatment meted out to army doctors who, when captured, were regarded as prisoners of war, at a time when there was a desperate shortage of medical personnel.

As we know, Henry Dunant approached MacMahon on 28 June 1859; Napoleon III issued the following decree on 1 July:

Austrian army doctors and surgeons taken prisoner when caring for the wounded shall at their request be unconditionally released.¹

In Un souvenir de Solferino (1862), Henry Dunant considered the wounded alone. Having in mind the Conference to be held in October 1863, he first of all advocated the protection of medical services. He inferred the need for “neutrality [...] of official medical personnel”, a concept which with Basting’s aid he then had accepted in the recommendations following the “Resolutions of the Geneva International Conference” of October 1863.

That concept was to prevail despite the scepticism of Moynier, Dufour, Appia and Maunoir; for Articles 1 to 4 of the Geneva Convention of 1864 defined such neutrality. Provision was thus made for a special category of prisoners of war: official medical personnel.

The Convention also laid down in Article 6 that wounded combatants who had fallen into enemy hands could be handed over to their army and thus be spared captivity. Further on, it stated: “Those who, after their recovery, are recognized as being unfit for further service, shall be repatriated”.

The Geneva Convention thus covered two categories of army men so far subject to the same conditions as any other prisoners of war: medical personnel and the wounded. As we have noted, in those two matters Henry Dunant played a decisive role, yet no general solution was found, as the overwhelming majority of those captured were able-bodied prisoners of war who enjoyed no international protection. Dunant had for some time been giving a good deal of thought to the condition of such prisoners of war. In Le Congrès de Genève, aout 1864,² he stated that when writing Un souvenir de Solferino he had had in mind the dissemination among European populations and armies, by national committees, of ideas of humanity and charity towards the enemy who is vanquished, wounded or a prisoner.


² [Geneva], n.d., probably the end of July or early in August 1864, 59 pp.; see p. 23. We have italicized “towards the vanquished enemy” and “prisoner”.

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Paris Conferences, 1867

It was as a private individual that Dunant made his first statement on prisoners of war to the International Conferences, in Paris in 1867. In *Histoire du Comité international*, Pierre Boissier tells how the International Committee had, on the eve of the Paris Conferences, already held aloof from Henry Dunant even though he was still the Committee's secretary. On 12 June 1867, Gustave Moynier wrote to the Federal Commissioner at the Universal Exhibition:

_I must warn you, very confidentially, against any possible intervention by Mr. Henry Dunant, who has been secretary of the International Committee up to the present. We have serious reasons not to want him to represent us in future. If, then, he proposes to act on our behalf, I should be obliged if you would refuse [...]._¹

On 10 August, Gustave Moynier informed Théodore Vernes that he did not mind Mr. Henry Dunant's being invited to attend the International Conferences as a private individual, but that he would never consent to sit beside him as vice-president.²

The Conference opened on 26 August:

_Three or four private individuals, who had no mandate, came on their own initiative. They were not entitled to vote, but the Conference made an exception in the case of Henry Dunant, “promoter of the international project”.³_

It is important to recall this episode in order fully to realize that Dunant's thinking, writings and activities were henceforth entirely distinct from the role and position of the International Committee in Geneva.

So he pursued the struggle alone and wrote *Les Prisonniers de Guerre, Rapport présenté aux Conférences internationales des Sociétés*

¹ Pierre Boissier, _op. cit._, pp. 273 and 274.
² Pierre Boissier, _op. cit._, p. 274.
³ Pierre Boissier, _op. cit._, p. 277.
de secours aux Blessés militaires des Armées de Terre et de Mer,\(^1\) in which he set out the following ideas:

(a) governments must supply prisoners of war with necessities;

(b) each National Committee must, among other things, take the necessary steps to ensure "regular correspondence between prisoners and their families" \((\text{op. cit.}, \text{p. 12})\);

(c) National Committees must consider every prisoner of war as "a neutral person to whom they owe protection" \((\text{op. cit.}, \text{p. 13})\).

Two facts emerge from the report. In the first place, Dunant was not proposing any diplomatic convention binding on governments. Secondly, he would place responsibility for enemy prisoners of war on National Committees rather than on a neutral institution such as the International Committee in Geneva.

The records of the Paris Conference, in which Dunant's statement figures prominently, affirmed that "the report, so worthy of its author, was accepted"\(^2\). Yet it was not followed up. As a private individual but within the Red Cross, Henry Dunant observed that he had no chance of seeing his ideas applied in that institution. Thus the Conferences of Geneva, in 1868 and Berlin, in 1869, did not broach the problem.\(^3\)

**Franco-German war**

At Solferino Dunant witnessed a battle, but the scene which the 1870 war offered was that of an invaded country, Paris besieged and the...

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\(^1\) Paris, Paul Dupont, 1867, 15 pp. This report, which was forgotten for almost fifty years, was republished in 1915 by Dunant's nephew, in 1953 by the ICRC, and in 1969 by the Henry Dunant Institute.

\(^2\) *Conférences internationales à Paris. Sociétés de secours aux blessés militaires des armées de terre et de mer, 1867*, Paris, Commission générale des délégués, 1867, 2 volumes; see Volume 1, Section 3, p. 66.

\(^3\) With the exception of the 1870-1871 war and at least until 1874, the International Committee renounced the idea of concerning itself with prisoners of war: it had not been established for that purpose and it feared that its budding project might thereby be jeopardized. See *Bulletin international*, October 1870, p. 90: "they [our Societies] had to leave the care [...] of prisoners of war to others". Similarly, the International Conference of the Red Cross dealt with the question of prisoners of war only after the Hague Conventions of 1899 and 1907 [...] and especially at Washington in 1912. See *Bulletin international*, September 1943, Etienne Couzet, "La Croix-Rouge et les prisonniers de guerre", pp. 743 to 751; see p. 748.
Commune crushed by Versailles government forces. No longer were the victims soldiers alone, but the civilian population too.

Admittedly, thanks to the Geneva Convention, the wounded were provided with care, relief was organized, and medical services were protected by the emblem of the Red Cross. Yet there were reprisals, hostages were taken, civilian prisoners were executed, and there was no effective means of intervening. Nor were things any better when Dunant tried to mediate between the government of the Commune and that of Versailles. His attempts to visit prisoners of war were rejected by the responsible authorities. General Le Flô, Minister of War, wrote him on 14 December 1870:

_The Minister for Foreign Affairs has conveyed to me the letter which you addressed to him on behalf of the French Central Committee, with a view to obtaining permission to visit German prisoners of war now interned in Paris._

_In the present circumstances, it is absolutely impossible to grant you such permission, and I wish to express my regret._

After all, Dunant learnt a twofold lesson from that new experience. The civilian victims of a conflict, particularly those who took up arms to defend their country although not members of a regular army, could be protected only if the concept of belligerent (and hence of prisoner of war) were clearly defined. Once the concept of prisoner of war were defined, it must be accepted and respected, and only a diplomatic conference could bring that about.

Dunant knew by what means he could achieve his purpose: first he would have to set up an ad hoc society, then “do some agitating”, and call an international conference to prepare a draft convention that might serve as the basis for a diplomatic treaty.

II. Preparation of an international conference

_Universal Alliance for Order and Civilization_

After the war, Henry Dunant and other philanthropists also concerned about the future of Europe founded the Universal Alliance

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1 BPU, Msfr 2110, p. 33.
for Order and Civilization, whose first public function was to convene a Congress in Paris, from 3 to 8 June 1872. Fourteen countries were represented at the Congress, which was sponsored by eminent jurists, a number of State ministers, scholars, and others. The Congress pursued a twofold aim: to improve social conditions for the underprivileged classes and ensure harmonious international relations.

The first two sittings were devoted to international arbitration and prisoners of war. On the latter question, the Congress adopted the “conclusions” signed by Henry Dunant and formed a Permanent International Committee “designed to draw up a diplomatic convention standardizing conditions for prisoners of war in civilized countries”. The Committee was to prepare a draft convention and then convene official delegates ad audiendum et referendum to an international conference. Lastly, it was to call upon the Belgian government, as a neutral State, to take the initiative of officially convening a diplomatic conference qualified to sign a Convention on prisoners of war.

One of the speakers was Frédéric Passy. On behalf of the Societies for Peace, he raised the question of “arbitration in international conflicts”. Although not on the agenda of the Brussels Conference, the item roused interest. It was striking indeed to find Passy beside Dunant, engaged in a common struggle in 1872, for history was to link their names together when, twenty-nine years later, they were jointly awarded the first Nobel Peace Prize. Dunant saw a close connection between arbitration and prisoners of war. Although he gave the latter priority, he saw a guarantee for future international relations in arbitration.

Permanent International Committee

At the close of the Congress, the Permanent International Committee for the settlement of the condition of prisoners of war in civilized nations set to work. To explain its aims, it sent out an initial circular letter on 1 July 1872, one of whose signatories was Henry Dunant, who had been appointed president of the Committee.

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With the experience gained in 1863, Dunant realized that he must rouse public opinion and at the same time convince governments. As Great Britain had not taken part in the Franco-German war, he decided to go there. He wrote to his sister Marie before leaving Paris, on 23 June 1872:

Now I am the President of the Permanent International Committee which is to establish a Diplomatic Convention to settle the condition of prisoners of war in all civilized nations. Everyone is anxious to join it, and the committee members, who are people from different countries, are devoted to me. I have them well in hand, and past experience will serve me.—I want this to be the Brussels Convention, and the King of the Belgians and the most important people in Belgium are rubbing their hands with glee [...]. I have prevented my name from appearing anywhere, to prevent any attack [...]. And now, if I can leave for England, I shall dismiss every feeling except the conviction that I shall succeed. I am confident, for the ways have been prepared. The Times is devoted to me, and so are a number of other big English papers [...].

Lectures in London and Plymouth

During the summer, he gave two lectures which roused tremendous interest in England. The first, delivered in London on 6 August, under the auspices of the National Association for the Promotion of Social Science, was chaired by Lord Elcho. After a long account of the historical background of the Geneva Convention, warming to his subject of prisoners of war, Dunant declared:

Without a diplomatic convention, without an international law [...] nothing can be guaranteed; all is left to the arbitrary will of men, and we shall have, unless we take care, deplorable scenes of inhumanity, which will occur under our own eyes at a time when every nation is boasting of its civilization. Society in general reposes on its conventions [...].

As for myself, for twelve years I have meditated much on these questions, and have suffered much for them. I believe I know the Continent, and my conviction is that we are on the eve of the gravest events of this

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1 BPU, Msfr 2115, C. pp. 79 and 80 recto-verso.
century [...]. A great war is imminent. Within a few years, perhaps, the Continent will be overturned by a general conflict of nations, accompanied by social disturbances, which will shake more than one nation.¹

He concluded by mentioning the advisability of setting up national committees to make public opinion aware and urge governments to send delegates ad audiendum et referendum to a congress which would probably be held in Brussels.

On 13 September, he was asked to read a paper to the Congress of the Social Association on the question: Can a Court of International Arbitration be formed with a view to avoiding war; and if so, in what way?²

Here Dunant broadened the discussion. He appealed to diplomacy as the safeguard of civilization, since without it international understanding and respect for conventions would be mere words.

In his first address, he expressed fears of an imminent war, while in the second he affirmed the hope that official negotiations would lead to universal peace. With his clear sense of reality, he did not enlarge on a definition of an international court of arbitration, which in the circumstances was too far-reaching an undertaking. On the other hand, he regarded the convening of an international conference on prisoners of war as increasingly feasible.

Some of his so far unpublished letters give an idea of the success and popularity achieved by Dunant in England in only a few weeks. The Times gave him a whole column on the first page. Weekly magazines did the same. Florence Nightingale wrote congratulating him, and from Cowes Napoleon III sent him a note penned in his own hand.

Those tributes provided evidence that Great Britain welcomed his ideas and might even play a leading role in the matter. Tracts appeared containing A proposal for a Diplomatic "Convention of London", in

¹ A Proposal for Introducing Uniformity into the Condition of Prisoners of War, London, 1872 24 pp.; see p. 19. This booklet, which was published in English, went through two editions in one year.

² The text of the lecture was published in The Globe and Traveller of London, on 13 September, and on the following day by The Western Daily Mercury. Lastly, under the title of "L'arbitrage international", excerpts from Dunant's French manuscript appeared in Un Souvenir de Solferino suivi de l'avenir sanglant, [Genève et Lausanne], Institut Henry-Dunant et l'Age d'Homme, 1969, XXII, 199 pp.; pp. 139 to 146.
Favour of Prisoners of War similar to the Convention of Geneva for Sick and Wounded. An English Committee for prisoners of war was formed. A plan of work was drawn up and headquarters found. Yet there was a stumbling block: the British government did not seem inclined to call an international conference. Before the end of the year, Dunant therefore gave up temporarily the project and returned to Paris.

To secure such vital government patronage, Dunant, who was still president of the Permanent International Committee, on 7 March 1873 made a direct approach to Thiers, then president of the Republic. Although his request was not granted, it was not rejected out of hand, for Barthélemy St. Hilaire advised him to go to the Ministry of Foreign Affairs.

Comte de Houdetot, vice-président of the Permanent Committee, therefore wrote to Comte de Rémusat. He made a much more precise request: “Trusting, Mr. Minister, that Your Excellency will be so good as to take the initiative, on behalf of the French Government, of convening an international conference on 2 June next, thereby following the example set by the Swiss Government in the matter of the Convention relative to wounded soldiers, We have the honour to be [...]”.¹

On 7 April, the Minister for Foreign Affairs indicated that there might be a favourable outcome:

_I can only welcome your committee's plans and I hope that they will be fulfilled; yet I cannot take any initiative in the matter before I have the views of my colleagues, the Minister of War and the Minister of Marine, having regard to the special interests entrusted to them._²

In November, the Duc Decazes became Minister for Foreign Affairs. He did not disguise his hostility to the Universal Alliance's undertaking. His policy being "isolationism", Decazes did not on any account want to annoy either England or Russia. He therefore nipped in the bud any French initiative which might upset those two powers. Faced with such hostility on the part of the French Minister, the untiring Dunant once more went to London.

¹ BPU, Msfr 2110, p. 186 recto-verso. The quotation is taken from a copy kept with Henry Dunant's correspondence.
² BPU, Msfr 2110, p. 85 recto-verso. The same remark applies.
Brighton lecture

He was received at Buckingham Palace, where he met the Persian ambassador and secured the Shah’s accession to the Geneva Convention. 1 On 1 July, he wrote to his sister Marie:

I am to be presented to the Prime Minister of England, and I shall ask him to convene a Diplomatic Congress for Prisoners of War in London [...]. 2

On 15 September, he gave another lecture at Brighton in which he advocated a Convention for Prisoners of War. 3 He described the considerable aid rendered by neutral Red Cross Societies during the Franco-German war, which aid would not have been possible without the Geneva Convention. In view of the threat of a new European conflict which this time would be a general conflict, he emphasized the need to go further:

If the Diplomatic Convention of Geneva be the first step towards the realisation of a universal humane Code of Laws between the civilized powers, the second step in this way would be a Convention on behalf of the Prisoners of War, who have a right to be treated with humanity. 4

All wars waged by civilized powers, even the more recent, had given rise to terrible ill-treatment, and the principal victims were no longer the wounded but prisoners of war. Dunant went on to say that an English society, whose patrons included the Lord Mayor of London, lords and members of parliament, was endeavouring to prevail upon the British government to call a conference. “It is England’s privilege to take the initiative!” 5

There was no response to that stirring appeal. Dunant therefore definitively gave up the idea of holding a conference in London. Any initiative was henceforth to come from Paris, where Comte de Houdetot was active in the Permanent International Committee.

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1 This episode, which is not directly relevant, shows the credit which Dunant still enjoyed and his devotion to the Red Cross, regardless of his relations with the International Committee.
2 BPU, Msfr 2115C, p. 85 verso.
4 Convention for Prisoners of War, op. cit., p. 7. Original text in English.
Last phase of preparation: January to July 1874

After a brief stay in France, Dunant returned to England at the end of January. From there he proceeded direct to Brussels on the eve of the Conference.

While in London, it was by means of correspondence that he took part in the Committee’s decisions. Simultaneously, in the English branch of the Alliance, he worked on the Committee for Palestine and the Anti-Slavery Committee. Houdetot would write to him once or twice a week to keep him informed of decisions, request guidelines, ask him to approach a given minister or head of State, or elicit his opinion regarding the wording of the preparatory document. 1

A draft convention was ready by the end of January. All that remained to be done was to publicize it and fix the venue and date of the Preparatory Conference. Houdetot sent Dunant three proofs of the draft for publication in The Times, after which Houdetot was to have it published in France, as a precaution vis-à-vis Germany. The tentative date for the Conference was 9 March, but the venue had not yet been selected. Houdetot made his last approach to the Duc Decazes, at the end of December, and on 3 February received a reply in the form of the French government’s categorical refusal to give any official support. The Germans made it known that they would prefer a neutral country, and London rather than Paris. Houdetot inquired whether Dunant could not opt for London or Vienna.

Important decisions were reached in February. In the first place, the “Permanent International Committee for the Amelioration of the Condition of Prisoners of War” was to become the International Executive Committee for the Amelioration of the Condition of Prisoners of War, just as the “Committee of Five”, in Geneva in 1863, had constituted an “International Committee for Relief to the Wounded”. One of them had emerged from the Société genevoise d’utilité publique of which it had only been a committee, the other, from the Universal Alliance of which it had only been a committee. Houdetot was to

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1 Proces-verbaux du Comité Exécutif International pour l’amélioration du sort des prisonniers de guerre, drawn up by Henry Musson or Frédéric Kastner, BPU Msfr 2117. These records confirm the prestige enjoyed by Dunant, who was called upon to act, so to speak, as the Committee’s ambassador to the English government, besides his functions as international secretary.
be president, Richard Wallace vice-president, Adhemar von Linden secretary-general, and Henry Dunant international secretary.

Following the example of the International Committee for Relief to the Wounded, the new committee itself convened the preparatory International Conference which was to precede the Diplomatic Conference, since no government agreed to give official support. A convocation circular was prepared. The last proofs of the "draft" were proofread and sent to Dunant for comment. The venue was decided on and the date fixed. At its meeting of 24 February, the Executive Committee adopted all the decisions, enumerated as follows in the record:

"— After these preliminaries,
The President read out a letter written to him on the 3rd by the Minister for Foreign Affairs, in reply to his letter of 24 December 1873.

Duc Decazes states on his own behalf and on that of the Minister of War and the Minister of the Marine, that he thought the time had not yet come for the activities of the Alliance for Prisoners of War to be other than of a private nature, or for the French government to give even indirect co-operation.

— The Executive Committee disregarded this and decided to approach foreign courts itself.

1. A preliminary letter introducing the question was to be sent forthwith to the different embassies in Paris to ask for their co-operation and goodwill. The printed circular letter of the Committee for Prisoners of War was to be appended.

2. A letter was to be addressed to Sovereigns.

3. A letter was also to be written to the Minister for Foreign Affairs, the Minister of War and the Minister of the Marine of each State, asking them to send representatives to the Conference opening in Paris on 4 May 1874, at 2 p.m., at the Society's seat, 43 rue de Clichy.

— A draft of the three letters was read, amended and adopted. The letters were to be sent by the President".1

1 BPU, Msfr 2110, p. 118 recto-verso.
A month later, towards the end of March, all invitations had gone out. Each Power was sent ten copies of the draft. Houdetot and Dunant arranged for the letters addressed to heads of State, in Paris and London, to go through diplomatic channels. Favourable replies began to come in early in April. On the whole, the scheme was welcomed.

And then there was a sudden change. On receipt of the invitation and the draft, the Tsar's government executed a surprising diplomatic manoeuvre. On 18 April, Gortchakov, Minister for Foreign Affairs, informed Houdetot, in a long letter conveyed by Orloff (ambassador to Paris), of the points of an agreement which Russia proposed to the Society for Prisoners of War:

(a) that the Society's draft and the Russian draft which were being prepared "be merged into one", with a view to setting forth the rights and duties of governments and armies in time of war;

(b) that the Conference be deferred to a date not so near as 4 May and time allowed "for us to complete and send Cabinets the draft on which we are working and which would supplement the draft we have been transmitted";

(c) should the Society agree to the idea, that Brussels be the venue of the Conference.

From the *Proceedings of the International Executive Committee*, we learn that the Committee decided on 20 April to postpone the opening of the Conference until 18 May, although it was apparently still unaware of the Russian initiative.

On 23 April, Bloudoff (Russian ambassador in Brussels) informed d'Aspremont (Belgian Foreign Minister) that the Tsar had received the Society's draft as well as the invitation to the Conference on 4 May. He handed him a copy of Gortchakov's counterproposal and said he would like to have the opinion of King Leopold II.

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1 BPU, Msfr 2110, p. 135 verso. Gortchakov's letter to Orloff was reproduced in *Actes de la Conférence de Bruxelles* (1874), Bruxelles, Imprimerie du Moniteur belge, 1874, iv-76 pp.; see p. III.

2 BPU, Msfr 2117, p. 19 verso: "The President believed that a special meeting was required because of the need to consider the postponement of the Congress to a date subsequent to 4 May. He proposed the date of 18 May. Between now and 4 May, it is physically impossible to receive an official reply from several States [...]."
On 25 April, the Committee discussed the Russian proposal. It decided to stick to the date of 18 May for the International Conference, to maintain the Committee as an entity, to retain the individuality of its draft proposal and to seek the basis for an understanding with Russia, “avoiding, however, the premature absorption of the Executive Committee [...].” It considered that the Society could benefit from the support of that power.

Another meeting took place on 27 April, at which Houdetot reported a discussion he had had with Gortchakov. It was proposed that the private Conference should be held, but that it would take place with the Diplomatic Conference at Brussels in view. The Committee accepted this.

On 2 May, in reply to Bloudoff, d’Aspremont said that “His Majesty’s government [...] unreservedly applauds the initiative taken today by the cabinet in St. Petersburg concerning the treatment of prisoners of war.” Belgium agreed to welcome the Conference in its capital. It should be noted that this letter referred only to the prisoners of war and not to a Russian document on the laws and customs of war.

On 4 May, the Committee learned that the Belgian plenipotentiary minister in Paris had written to Houdetot to assure him that he would recommend the project to his government.

On 7 May, Gortchakov received Houdetot at Stuttgart. As usual, Houdetot reported on the meeting to Dunant and told him that “the preparatory meeting [sic] in Paris should be cancelled” since the Russian government had already invited all European states to an official congress in Brussels on 27 July. He offered reassurance, however, in telling him that “the project that we were to present to the Conference [in Paris] on 18 May will be submitted for consideration by the plenipotentiaries attending the official meeting in Brussels as the proposal of the Society for the Amelioration of the Condition of Prisoners of War, simultaneously with the proposal of the Russian government.”

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1 Ibid., p. 23 verso.
2 Actes, op. cit., p. IV.
3 BPU, Msfr 2110, p. 166 et seq. Houdetot used the same terms before the International Executive Committee on his return to Paris. See Procès-Verbaux, op. cit., p. 29 verso and 30 recto.
He went on to say that delegates from Asian and American States "who have not been invited to the Brussels Conference for lack of time" would be received if they wished to come. He concluded:

*Our work has been accomplished.*

In fact, the work had been scuttled.

The situation had been considerably changed. Russia had managed to bring about the cancellation of the preparatory Conference in Paris, organized by the Society. On the other hand, it seems clear that Gortchakov had given formal assurances to Houdetot that the Society's proposal (concerning prisoners of war) would be considered simultaneously with the Russian proposal (concerning the laws and customs of war) and that the Society would participate in the Conference as a member. The diplomatic correspondence, however, suggests that the intentions of the Russian minister were different, at least on the first point.

On 9 May, for example, Bloudoff sent d'Aspremont the Proposal for an International Convention concerning the Laws and Customs of War (the Russian project), and asked that Brussels be host for the Conference around 27 July. The Russian ambassador made no reference whatever to prisoners of war, an indication that the Society's project had already been set aside in the talks between governments.

On 17 May, Houdetot wrote to Dunant to express surprise at the latter's silence. Did he have doubts? Did he disapprove the decisions of the Executive Committee? Houdetot himself believed the word of the Russian Imperial government.

On 27 May, we learn from the *Procès-Verbaux* that, "The President informed the Committee that Prince Orloff would soon acquaint it with the Russian proposal". The fact is that eighteen days earlier the Russian government had already handed its proposal to the Belgian government! The International Executive Committee was so certain that it would be admitted to the Conference as a member that it had "its" document reprinted under the heading: *Draft Proposal by the International Society for the Amelioration of the Condition of Prisoners of War, founded in France (June 1872) placed under the patronage of*

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H.M. the Emperor of Russia (6-18 April 1874). To be annexed to the Proposal for General Rules of International Relations in Wartime. From the Office of the Emperor. To serve as a basis for the work of the Diplomatic Conference convened at Brussels by the Cabinet of St. Petersburg, 15-27 July 1874.

On 30 May, the Belgian government asked its Russian counterpart to inform it of the number and status of the plenipotentiaries it intended to assemble in Brussels.

On 10 June, the Proces-Verbaux (op. cit., p. 36) provide further confirmation of the dilatory attitude of Russia. The Committee had still not received even one copy of the Russian proposal. Nevertheless, it went ahead with the distribution of its own draft and focused its activities on France.

It was only on 24 June that the Committee became acquainted with the Russian proposal, and only because this had been reprinted in the Journal du Nord! The latest procès-verbal at our disposal proves that Orloff never transmitted the draft to Houdetot; that despite this betrayal, the Committee continued to urge governments to appoint their delegates to Brussels. In addition, and for the first time, it became disturbed at the fact that it had not received an invitation from the Russian government, enabling the Society to participate in the work of the Conference.

Thereafter, we have only the correspondence between Houdetot and Dunant to enable us to follow the course of events. The first major development was the appointment by the Executive Committee of its representatives in Brussels—Houdetot, Musson and Dunant. The days went by, and there was still no official invitation. Houdetot was worried, and Dunant was aware of the fact that in addition to their current difficulties, England was hostile. So it was as a special representative of the “British and Foreign Anti-Slavery Society,”¹ that Dunant left for the Belgium’s capital. On 26 July, from Brussels, he wrote to Houdetot that he would be happy to meet him, because I am still hopeful that you will come. In any event, I can do nothing without you, and indeed I shall do nothing, because it is for you alone to represent the Society. In any case, so long as an official invitation has not been sent from St. Petersburg, nothing can be done or said.²

¹ U.N.-L. of N. Suttner-Fried Collection, Aa II, a 34.
² BPU, Msfr 2110, p. 173. The quotation is from a draft of the letter written by Dunant.
III. The Brussels Conference (27 July to 27 August 1874)

The Committee is excluded

On the day the Conference opened, Dunant was in Brussels, at the Hotel de Flandre. Houdetot was in Paris. He had given up coming to Brussels for several reasons. For one thing, no official invitation had been sent to the Society for Prisoners of War. Furthermore, contrary to promises made by Gortchakov, several delegates from South American countries, with full powers from their governments, had arrived in Paris and were refused admission to the Brussels Conference. Finally, the Society’s proposal had not been annexed to but had been merged into the working document submitted to the Conference by the Russian Government under the title: Proposal for an International Convention Concerning the Laws and Customs of War.

On three occasions, during the Brussels Conference, Houdetot called upon Ambassador Orloff in Paris, at Dunant’s request, to remind the Russian government of its promise to receive non-European countries at Brussels. His efforts were in vain. Not only did he find himself embarrassed with regard to the delegates, for example the one from Colombia, for he had given them assurances that they had not come for nothing, but he learned that the Society would not participate in the Conference.¹

This had a particularly serious consequence: there would be no one to speak for the Society’s proposal. This had been excluded from the agenda of the Conference and only the Russian proposal remained. However, a brief comparison between the two papers shows what one owes the other, from the humanitarian point of view, in a number of general provisions, but most particularly in the part dealing with the condition of prisoners of war.

What the Russian proposal owes the Society

The begin with, the very layout of the Russian document embodies an original distinction, inasmuch as the “rights of belligerents with

¹ He also found out that reticence on this point was not limited to Russia. In its plenary session in 29 July, the Conference decided to admit only the official delegates of the governments invited by Russia. The Society for Prisoners of War, whether in the form of its International Executive Committee, its English branch or its Belgian committee, was to be excluded.
regard to private persons”¹ are the subject of provisions which are quite
distinct from those governing rights as between belligerents. This
“affirmation of a profoundly humanitarian idea,” however, inspires the
whole of the Society’s proposal and is an expression of its very philosophy,
namely, that a belligerent who has surrendered must no longer be
regarded as an enemy, but as a fellow human being in need of assistance.
The Society’s proposal, for example, provided that prisoners would
receive pay (Article 86); that they would be protected “against abuse
by the population” (Article 87); that they could keep as private property
all their possessions except military equipment (Article 18).²

Furthermore, despite the fact that the Russian proposal dealt with
matters in a much more general way, a dozen or so of its paragraphs
correspond completely or partially to provisions in the Society’s proposal.

Paragraph 9, defining “who shall be regarded as a belligerent”
reflects the concern which was the starting point of the Society’s pro-
posal, that is to say, who should enjoy “the privileges inherent in the
status of prisoner of war” (Art. 1). The special case of a levy en masse
is dealt with in strikingly similar terms³:

Par. 45

The population of a locality not yet occupied by the enemy which
takes up arms for the defense of their country shall be re-
garded as belligerents and if taken prisoner shall be regarded as prisoners of war.

Art. 48, par. 1

If, at the approach of the enemy army, the population of the part of
the country not yet occupied, or the entire population of the country, rises en masse to resist
the invader, on an order from the responsible authorities, such population, when operating in
conjunction with the regular army, shall be treated as a declared enemy and those of its
members who are captured shall be prisoners of war.

¹ Jean De Breucker, op. cit., p. 18.
² The Russian proposal was divided into paragraphs, whereas the Society’s proposal consisted of articles.
³ The paragraphs on the left are from the Russian proposal and the articles on the right from the Society’s proposal.
Par. 46

Persons belonging to the population of a country in which the power of the enemy has already been established and who take up arms against the enemy may be tried in court and shall not be regarded as prisoners or war.

Art. 48, par. 2

Nevertheless, if the citizens or some of the citizens of a country already occupied by the enemy army rise up against it, they are violating the laws of war and may no longer claim their protection.

(American instructions, Art. 51 and Art. 52).

Similarly, par. 47 is reminiscent of art. 50, from which it takes, word for word, the expression, "return to their peaceful occupations." This exact correspondence is rare, for it appears that the Russian who drafted the text made every effort to find synonyms. Thus we find in par. 69 and art. 60 the following:

"reprisals [...] are allowed"

="reprisals are authorized"

"the laws and customs of war"

="the usages of war"

"[when the enemy] has recourse to means condemned by the law of nations"

="when the enemy [...] resorts to means forbidden by international law..."

Again, still considering content, we find that par. 4 was inspired by art. 6 and par. 22 together with its "observation" by arts. 56, 57 and 58. Par. 48 duplicates art 49. Let us look at par. 21 and art. 55:

par. 21

If a spy who has successfully carried out his mission, returns to his own army and is subsequently captured by the enemy, A spy who, having succeeded in his mission and safely rejoined his own army, is later captured by the enemy shall not be
he shall be treated as a prisoner of war and shall incur no responsibility whatsoever for his previous activities. punished for acts of espionage but shall be placed under especially close surveillance, as a particularly dangerous individual. (American instructions, Art. 104.)

On the specific subject of prisoners of war, the Russian proposal borrows heavily from the Society's draft. With only a few differences and a few additions, we may sum up the kinship between the two documents by noting that:

par. 23 includes provisions of arts. 1, 3 and 4; par. 24 = art. 3; par. 25 = art. 20; par. 26 = art. 25; par. 27 = art. 23 which is less precise; par. 28 = art. 37; par. 29 = arts. 7 and 27; par. 30 = art. 34; par. 31 = art. 21; par. 32 = art. 34 (2);

par. 33 = art. 66

"Every prisoner of war is honour bound to state his true rank"  "Honour obliges the prisoner of war to state his true rank";

par. 34 = art. 63;
par. 35 = arts. 69 and 70;
par. 36 = art. 75;
par. 37 = art. 83.

Neither Dunant nor Hudetot claimed that the Russian project was "theirs." When they finally became acquainted with the document, they certainly recognized a number of their own ideas, differently arranged, expressed in other terms and merged into a wider context. Dunant expressed no resentment against Russia and expressed satisfaction at its support. In his Mémoires, he wrote, "The Russian Emperor, Alexander II, conferred upon it [The Society for Prisoners of War] his special benevolence and august patronage, as a result of which the Grand Chancellor, Prince Gortchakov, took the matter in hand, gave wider scope to the plan [...]"1.

1 *Op. cit.*, see p. 29. This reference is from the manuscript at the BPU, Msfr 2093 B/1, p. 12 verso.
No member of the Society was admitted, however, to support the proposals which had been so painstakingly prepared. No one had received an official mandate to argue for the fundamental principles of a diplomatic convention on the subject of prisoners of war. The success of this particular project, therefore, depended upon what the Conference decided.

As we know, Dunant was in Brussels, in a private capacity. He used his influence to act in spite of that fact.

**Despite everything, Dunant makes his presence felt**

The correspondence Dunant exchanged with his family during the month of August provides evidence of this determination, as one or two examples will demonstrate. On 10 August, he wrote to his sister Marie in Geneva:

_I am very glad to be in Brussels, for a good many reasons. To begin with, the change of air has done me a great deal of good. I have also found many people who are well disposed toward me. The Secretary of the Belgian Society for the Wounded, whom I had never seen but with whom I had corresponded for ten years [...] Dr. van Holsbeek [...] told me that Mr. Moynier was furious. After all, he should be.—I have been visited by a great many delegates, notably the Russian delegates and, above all, the delegates from the English Embassy. The Times mentioned the fact that I had arrived in Brussels [...]. The Congress will go on for at least another month. Little by little, the Russian proposal has been reduced to purely humanitarian matters, having been successively stripped of everything that Prince Gortchakov had thought he could put through, and which had infuriated England. As of today, the success of the project is certain, but it is fortunately very different from the original Russian draft._

On 27 August he wrote her again:

_I am still quite pleased with my stay in Brussels, which is bearing fruit which I find precious [...] because it is making it possible for me to regain some influence, without which I no longer had any business in Europe [...]._

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1 BPU, Msfr 2115 C, p. 94-95 recto-verso.

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The Congress will wind up this week. I have fought Russia all the time, because Russia seeks to regulate war, by making people accept the idea that it is the normal situation of mankind and always will be, whereas I, the Society of Prisoners of War (and that of the Wounded) seek to reduce the inevitable horrors of war, that terrible scourge which future generations, perhaps, will regard as a madness.¹

We know what the outcome was. In immediate terms, the Conference was a failure. As noted by Jean De Breucker, it received its coup de grace from London. On 20 January 1875, in reply to the Russian circular Lord Derby uttered: “a flat refusal to take part in the Conference. In criticizing the work done at Brussels, Lord Derby adopted the view that the proposal to codify the law and customs of war offered more dangers than advantages.”²

The Society for Prisoners of War had also seen its day. As its proposal no longer belonged to it, it had no longer any reason to exist.

IV. Dunant’s judgement on the Brussels Conference

Concluding his study on “The 1874 Brussels Declaration”, M. De Breucker wrote:

The worst period was over, but the needs remained. In 1899, the Powers, which had again been convoked by the Russian Government this time at The Hague, recognized the historical imperative of completing with a proper convention the work they had begun at Brussels. The continuity between the work done in 1874 and that being done in their time was so obvious to them that they inserted a reference to the Declaration in the preamble.³

On the eve of the Hague Conference, Dunant expressed a similar view in a well-known manifesto, La proposition de Sa Majesté l’Empereur Nicholas II, Heiden, November 1898, consisting of 19 pages.⁴

¹ BPU, Msfr 2115 C, p. 96-97 recto-verso.
² Op. cit., p. 84.
⁴ This was apparently, written during the period when Dunant was drafting his Mémoires (op. cit., see p. 29, reproducing Msfr 2093 B/1, p. 12 verso), in which he applauded the Russian initiative of 1874 and attributed to England alone the responsibility for the failure of the Conference: “This Conference took place at Brussels, but England’s systematic hostility prevented the achievement of a diplomatic entente on this question between the European Powers”. 83
Recalling that Alexander II had granted his high patronage to the proposal to settle in advance and by diplomatic means the condition of prisoners of war, which was the origin of the proposal for the 1874 Brussels Convention, Dunant explained that the task confronting the Hague programme:

could apparently very well include both consideration of ways and means of pacification and further diplomatic study of practical measures to prevent unnecessary hardship and to alleviate the evils of war, these two subjects having already been examined at Brussels in 1874. The permanent nature of the future Congress would enable it to attend to the most urgent questions one after another and to draw up a special convention for each, in order to avoid future arbitrary solutions. All the world's States could reach diplomatic agreement on a specific and well defined subject [...]. In Brussels, too much was attempted at one fell swoop; and it was that very fact which prevented [sic] the conclusion of a proper diplomatic treaty endorsed by governments. Nevertheless, those meetings did produce important useful results. It was desired to prepare a code of war and a draft “international convention concerning the laws and customs of war”, whereas it would have been preferable to conclude two or three special conventions or “Declarations”, each on a given subject. Such conventions restricted to a limited purpose would no doubt have been adopted and ratified by all governments, thereby giving a powerful impetus to the “law of nations”.¹

After a brief analysis of the English, American, Italian, French, German and Swiss government attitudes, he added: “By making war more humane, we make it more difficult”². He concluded with the following appeal for general disarmament:

In the twentieth century, the savage selfishness of nations cannot last, just as in the Middle Ages the quarrelsome and fierce egoism of the barbaric feudal barons could not continue unchecked. Life was hard then, but today, if the rivalry in increasing arsenals goes on for long the struggle for life will become so awful that there will remain nothing but to prepare for doom... May the heads of all nations rise to the occasion

¹ La proposition de Sa Majesté l’Empereur Nicolas II, op. cit., p. 15.
and seize the opportunity to deliver their peoples from the crushing burden oppressing them, and to remove the threat of conflict.¹

To conclude this brief survey of the part which Henry Dunant played in the Brussels Conference, we would mention that it was but one event in the life of a man whose single-mindedness becomes more apparent as current work makes his publications, correspondence and unpublished writings accessible, revealing a unity of means which enabled him to lay the solid foundations of the international conventions, and a unity of purpose throughout the successive stages of his work, for peace.

This aim will be achieved only if mankind makes efforts and sacrifices greater than those demanded by all the wars ever waged. In Dunant's eyes, that aim was the world's only hope, for he foresaw the world wars of the twentieth century, with all their horror and devastation. Nevertheless, he believed that mankind would awake to the danger, and still be able to choose between total destruction and survival.

No obstacle could withstand his steadfast faith. That is why, although the Brussels Conference thwarted the work of the Society for Prisoners of War, despite the fact that the Russian government adopted the Society's draft convention in order to merge it into an over-ambitious "Declaration" which the States turned down, and even though Dunant's work within the institutions he had created finished prematurely, his ideas will continue to radiate throughout the history of the world, and his appeal from Heiden to men of all nations for general disarmament is still the hope of the world today. The best minds of Dunant's age were quite right to award him the first Nobel Peace Prize.

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