Introduction: Human disasters: humanitarianism and the transnational turn in the wake of World War I

The Great War in Europe was an unprecedented catastrophe. By mid August 1914, the devastated cities of Dinant and Louvain had already come to symbolize the horror of industrialized warfare. The first reports of the German Army’s atrocities in Belgium and France, of massacres, rapes, deportations, and the destruction of hospitals and historic monuments, soon followed.¹ These reports were only confirmed by the brutal military occupations on the western front, in the Balkans, in Central and later in Eastern Europe.² From the standpoint of humanitarian law, then, in its infancy, the Great War was nothing but a series of bloody affronts to human dignity. The year 1915 marked a turning point, with its increased violence against civilian populations and the beginning of the Armenian genocide.³ Even the Armistice brought no relief. In Europe and in the Near East, refugees fled revolutions, civil wars, and persecution. Hundreds of thousands of families suffered famine and epidemics. Meanwhile, millions of wounded and disabled soldiers struggled to return to their civilian lives. And yet in the end, the Great War did more than create disaster. It fostered deep and long-term pacifist feeling among a substantial population, and it made the protection of all the war’s victims, civilians and soldiers alike, an absolute necessity—a project that drew to it a surprisingly large and talented group of activists and their supporters.

The timid steps taken in this direction during the peace negotiations were short-lived. In June 1919, Germany acknowledged the Allies’ right to prosecute, before military tribunals, those accused of committing “acts in violation of the laws and customs of war.”⁴ But the Reichsgericht or Supreme Court established in Leipzig in 1921 was a mockery of justice: of the initial list of more than 800 accused “war criminals,” including

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⁴ Articles 228 and 229 of the Treaty of Versailles.
the German generals Hindenburg and Ludendorff, the tribunal in fact prosecuted only 45—all of whom were mid-level German Army officers.5

The other major power that the Allies might have held accountable was Turkey, for crimes committed in the Ottoman Empire against its Armenian minority. However, according to the Hague Convention of 1907, the concept of “war crime” applied only to acts of violence perpetrated by a belligerent state against the soldiers or civilians of another state. This definition of war crimes excluded any state that persecuted its own civilians. The 1919 Commission on the Responsibilities of the Authors of War and on Enforcement of Penalties asked the salient question: if the atrocities committed against Armenians could not be described as “war crimes,” were they “crimes against the laws of humanity,” as defined in the preamble of the Hague Convention of 1907?6 The participants at the Paris Peace Conference responded in the negative. In their eyes, “laws of humanity” was too imprecise a concept to have any implications for penal procedure. The United States and Japan bore a historic responsibility for this decision, which was made, no doubt, because the American government considered Turkey a potential bulwark against the Bolshevik threat, and, thus, a potential ally that needed to be appeased. The “crimes against humanity” committed by the Ottoman Empire were explicitly mentioned in Articles 226 and 230 of the Treaty of Sèvres (1920) between the Allies and Turkey. But this treaty was never ratified. Instead it was replaced on July 24, 1923, by the Treaty of Lausanne, which granted amnesty to those responsible for the crimes previously mentioned in the Treaty of Sèvres.7 As far as attacks on civilian populations were concerned, a sovereign state still could not be prosecuted for crimes committed against its own citizens. The Turks themselves held a number of trials in which soldiers were convicted of violating the Turkish military code, but that was an entirely domestic matter. This protection of national sovereignty lasted until the immediate aftermath of World

War II, when Article 6 of the London Charter of the International Military Tribunal (dated August 8, 1945) established the procedures for the Nuremberg Trials.

However, this failure to recognize “crimes against the laws of humanity” was counterbalanced by other significant new developments. World War I and its aftermath represent a decisive turning point in the redefinition of humanitarianism: a profound transformation of pre-war humanitarian practices and humanitarian law into an assertion of “humanitarian rights.” In a 1922 newspaper article, the Russian Jewish legal scholar Boris Mirkine-Guetzévitch noted with hope for the future: “A contemporary popular legal conscience has been born, which acknowledges aid to refugees, victims of starvation, and victims of epidemics as a task of an international, public nature.”

This transformative moment in the long development of humanitarianism—meaning both humanitarian action on the ground and humanitarian discourse—is the topic of this book.

Humanitarians in the second half of the eighteenth century sought to ease the suffering of others, whether victims of war, famine, natural disasters, or slavery and other forms of exploitation. They were driven by an ethics of empathy, rooted in their Christian faith, and by changing sensibilities, as illustrated by the success of the sentimental novel, a phenomenon Lynn Hunt has analyzed in her groundbreaking book *Inventing Human Rights: A History*. By the end of the nineteenth century, with the creation of the International Committee of the Red Cross in 1863, the Brussels Conference Act of 1890 prohibiting slavery, and the rise of the practice of humanitarian intervention, humanitarian work had three main characteristics: the role of nation-states, which provided a framework for organizing humanitarian aid; a religious aspect, which saw aid to victims as a charitable act; and lastly, the sociological and ideological origins of humanitarian aid workers, who for the most part

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came from civil society or were inspired by religious activism. An initial
shift towards “scientific philanthropy” took place in the United States
between 1890 and 1910, but it was with the outbreak of the Great War
that humanitarianism truly changed.

Indeed, during the period 1914–18, humanitarianism became increas-
ingly organized around transnational networks. It also became more sec-
ular, giving rise to a discourse that spoke less of charity and more about
human rights. Lastly, humanitarianism relied mainly on a new social
group: experts—physicians, engineers, social workers—who took a more
and more active role in devising and carrying out humanitarian work, in
conjunction with the volunteer groups and missionaries more typically
associated with such work. The accomplishments of Herbert Hoover
and the Commission for Relief in Belgium is one of the best examples
of this professionalization of humanitarian action on the ground. In
her work on humanitarianism during the Great War, Annette Becker has
amply demonstrated the impact World War I had, as total war, on defi-
nitions of victimhood and on the establishment of modern humanitarian
aid. I would argue instead that the true turning point can in fact be
located in the aftermath of the Great War, when changes already evident
grew larger and more radical in nature.

In my previous book on France after World War I, I emphasized a
unique period, which I called the sortie de guerre—the transition from
war to peace. This is a time when individual and collective identities are
reorganized in order to adapt to the new requirements of peacetime—
especially the soldiers undergoing demobilization, who were the main
focus of my research. At the collective level of societies, as well as at the
individual level of survivors of the Great War, the transition from war to
peace consisted of successive waves of demobilization and remobilization,
making the boundaries between war and peace difficult to define.

13 Charles Pelham Groves, “Missionary and humanitarian aspects of imperialism,” in
L.H. Gann and Peter Duignan (eds.), Colonialism in Africa (Cambridge University
a contradiction in terms? The case of France and West Africa, 1895–1914,” American
Historical Review, 103: 2, April 1998, pp. 419–442; J.P. Daughton, Humanity So Far
Away: European Empires, International Organizations, and the Discovery of Global Suffering
(Oxford University Press, forthcoming).
14 George I. Gay and Harold H. Fisher (eds.), Public Relations of the Commission for Relief
in Belgium: Documents, 2 vols. (Stanford University Press, 1929) and Frank M. Surface
and Raymond L. Bland (eds.), American Food in the World War and Reconstruction Period
(Stanford University Press, 1931).
15 Annette Becker, Oubliés de la Grande Guerre: humanitaire et culture de guerre, 1914–1918
16 Bruno Cabanes, La victoire endeuillée: la sortie de guerre des soldats français (1918–1920)
Introduction

The *sortie de guerre* also constitutes a key period in the history of humanitarianism, especially with respect to ethnic minorities and the survivors of the Armenian genocide.¹⁷ In the space of several years—that is, between 1918 and the mid 1920s—the Western world had to confront global problems on a scale and of a violence unprecedented in the history of the modern world. Millions of veterans and war victims returned home. Suffering from severe physical and psychological wounds, they had important needs, which they made known; yet these needs were generally difficult for society to satisfy. Refugees numbered in the hundreds of thousands; many of them had no material resources or identity papers that would allow them to settle abroad easily. The Allied blockade against Germany and the former countries of the Austro-Hungarian Empire, the revolutions and the breakup of empires in Central Europe, and the agricultural crisis in Russia and the Ukraine all contributed to the rise of widespread famines and epidemics. The social tensions of the post-war era, the economic crisis, and the growth of unemployment stoked the fears of millions of workers, who sought to have new social rights recognized.

In other words, humanitarianism, already deeply shaken by the war, was henceforth faced with a significant new challenge: the transnational aspect of the transition from war to peace. No one could claim to be able to handle the issues of the post-war period with the conceptual tools, the same material resources, or the same organizational structures as the early twentieth century. Although humanitarianism had long been an international activity, it now changed its scale, and also its nature.¹⁸ The movement of displaced populations, the interdependency of different parts of the world, and the globalization of the post-war world all suggested that the questions facing that world could no longer be addressed at a national or international level; instead, such questions needed to be taken up at a transnational level. The potential risks associated with humanitarian disasters were also too great to be considered at the level of nation-states or their representatives. This transnationalization of humanitarianism is undoubtedly one of the major trends of the post-war era.


In parallel with the development of transnational humanitarian practices, the post-war transition period also saw a new kind of humanitarian narrative emerge. The expression of empathy for war victims led progressively to a new discourse on the rights of these victims. Legal scholars shaped this discourse of rights, as expressed by the victims themselves and by their representatives, into various forms of legal theory: the violence of the war and the post-war period as a violation of the law; the right to aid and protection for victims; the right to compensation for the violence that had been suffered. The first question I explore concerns the relationship between humanitarian practices and humanitarian narrative, and the assertion of humanitarian rights. In other words, how did humanitarian aid on the ground grow into a reformulation of victims’ rights? Another question concerns the specific nature of these rights: were they humanitarian rights, defined within a specific context—war, political persecution, natural disaster—and applied to a collective group of victims, identified as such (and if so, according to what criteria)? Or, were these rights what we might call human rights, defined as universal and inalienable for each individual as a human being?19

In fact, the evolution in humanitarian practices in the wake of World War I went hand in hand with a shift in ways of thinking about victims’ rights. Not only that, the practitioners and the thinkers influenced one another: legal scholars who worked for the League of Nations, who published in journals of international law, and who worked for organizations such as the Hague Academy of International Law were inspired by what humanitarian aid workers on the ground were doing; aid workers in their turn affirmed the need to recognize the humanitarian rights of victims. In this book, each of the chapters on the evolution of humanitarian aid practices—to veterans, refugees, victims of the Russian famine, etc.—is thus framed within an analysis of how humanitarian discourse, and especially the emerging discourse on human rights, was evolving.

The rights of man, humanitarian rights, the rights of workers, children’s rights, the defense of a people’s well-being and moral welfare—in the early 1920s, such concepts were far from self-evident. Several social groups collaborated on this work of redefinition and codification, which explains the diversity of the terminology they used. These groups included experts from new international organizations such as the League of Nations and the International Labor Office, created by the peace

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treaties of 1919: scholars of international law, scattered throughout the
war but active during the 1920s;\textsuperscript{20} networks of physicians and specialists
of social issues, who worked for the leading international humanitarian
organizations, old and new—the International Committee of the Red Cross (1863), the Near East Relief (1919), and the Save the Children
International Union (1920).\textsuperscript{21} A group of international activists and legal
scholars, including Alejandro Álvarez, André Mandelstam, Nicolas Poli-
tis, René Cassin, Georges Scelle, and many others, gave rise to a legal dis-
course that would revolutionize humanitarian work. If we briefly examine
this group of thinkers from a sociological standpoint, we can see an over-
representation of Russian, Russian-Jewish, Greek, and Central European
jurists, all exiled from their country of origin or having immigrated to
France, as well as French jurists specializing in international law—in
other words, legal scholars with a personal experience of exile or perse-
cution as a member of an ethnic minority, and marked by the universal
principles of 1789 and the tradition of the Rights of Man.\textsuperscript{22}

All these activists and experts started from the premise that rights had
suffered major setbacks during World War I. They sketched out a plan of
action: to develop transnational protections for populations that had been
threatened or attacked or who were otherwise vulnerable, in wartime or
peacetime. They expressed the hope that the newly formed League of
Nations would work towards the codification and protection of these
rights. In their view, the international organizations founded in the peace
treaties represented a third way, between the narrow-minded nationalism
that was still very powerful after the war, and the revolutionary inter-
nationalism on the rise since the Russian Revolution. It was critically
important to respond to the Bolshevik threat and to stabilize Europe,
which had been shaken by the chaos of war and the post-war period.
Rights activists thus contributed to “recasting Bourgeois Europe,” to use
the title of Charles Maier’s groundbreaking study of the 1920s.\textsuperscript{23} Their
humanist utopia is one of the least well-known and most unexpected
legacies of World War I, a brutal conflict carried out in the name of

\textsuperscript{21} Davide Rodogno, Bernard Struck and Jakob Vogel (eds.), Shaping the Transnational
Sphere: Networks of Experts and Organisations, 1840–1930 (New York: Berghahn Books,
forthcoming).
\textsuperscript{22} Dzovinar Kévonian, “Les juristes, la protection des minorités et l’internationalisation
des droits de l’homme: le cas de la France (1919–1939),” Relations Internationales, 149:
\textsuperscript{23} Charles Maier, Recasting Bourgeois Europe: Stabilization in France, Germany and Italy in
the defense of nations. Although the innovations of these activists, legal scholars, and experts were of lasting importance for legal scholarship and humanitarian practice alike, they have remained nearly invisible.

Why has this historic shift been so thoroughly misunderstood? There are several reasons. First of all, most legal scholars and experts in the 1920s worked within the framework of international organizations such as the League of Nations and the International Labor Office. Historians have tended to neglect the social history of international work during the post-war period, concentrating instead on questions of collective security or the rights of minorities.\footnote{For a synthesis of this new history of international relations, see Zara Steiner, \textit{The Lights that Failed: European International History, 1919–1933} (Oxford University Press, 2005). On the central question of the rights of minority groups, see Carole Fink, \textit{Defending the Rights of Others: The Great Powers, The Jews, and International Minority Protection, 1878–1938} (Cambridge University Press, 2004).} Only very recently has the scholarly study of major international organizations been revived. Thematic studies of refugees, health policy, the international struggle against forced labor and prostitution, on the one hand, and the study of networks of experts who gravitated around these organizations, the circulation of reformist ideas, and the creation of international standards have begun to renew our sense of the post-war era.\footnote{Susan Pedersen, “Back to the League of Nations,” \textit{American Historical Review}, 112: 4, October 2007, pp. 1091–1117. The new history of the League of Nations and other post-war international organizations is so rich that I can only cite a few studies here. Among them is the work of Barbara Metzger (her doctoral thesis, “The League of Nations and human rights: from practice to theory,” University of Cambridge, 2001, unfortunately not yet published), Sandrine Kott, Jasmien Van Daele, Isabelle Lespinet-Moret, Pierre-Yves Saunier, Thomas Cayet and Vincent Viet on the International Labor Office; Dzovinar Kévonian, Claudena Skran and Keith David Watenpaugh on refugees; Paul Weindling, Paul-André Rosental, Marta Aleksandra Balinska and Martin David Dubin on health policy; Dominique Marshall, Joëlle Droux and Emily Baughan on children’s rights; Kevin Grant and James P. Daughton on forced labor—and many others.} The history of the 1920s remains significantly underdeveloped, in contrast to the large amount of scholarly work devoted to World War I and the 1930s. Because the questions of disarmament and peace have dominated historical debate, other major issues at stake in the post-war period have been forgotten. These include: reparations for suffering inflicted during the war, the struggle for social justice, the fight for human dignity—all subjects at the heart of scholarship on international law and the work of humanitarian organizations in the 1920s.

There is another reason for the lack of awareness of a new international politics of rights after World War I, and it is even more illuminating than the reasons I have just given. Here we come to the debate on the nature
of the rights that were defended in the early 1920s: were they humanitarian rights, or human rights? For some 15 years, numerous studies have focused on the history of human rights, which now constitutes an academic field, at the intersection of the history of ideas, legal history, and the history of international relations. This field is not without its controversies, especially when the question of humanitarian rights versus human rights is at issue. Some scholars, such as Mark Mazower and Keith David Watenpaugh, claim that there is neither progression nor continuity between the era of humanitarian rights and the modern era of human rights; others, such as Barbara Metzger, take the view that the humanitarian work of the League of Nations was in practice structured by human rights. The works published in this field all share a genealogical perspective that can be summed up by a single question: when did human rights as we know them today first come into being? In other words, when did human rights become the universal utopia that now serves as a reference point in international relations and drives the work of activists all over the world?

Such a driving question clearly has its limitations. For those who see the Universal Declaration of Human Rights of 1948 as a decisive turning point, there is a risk of falling into a kind of moralizing and triumphant discourse, celebrating the prophets of human rights and overlooking the hesitations and inconsistencies of their struggle during and after World War II. Conversely, demystifying the study of human rights, an approach best illustrated by Samuel Moyn’s The Last Utopia: Human


28 Barbara Metzger, “Towards an international human rights regime during the inter-war years: the League of Nations’ combat of traffic in women and children,” in Grant et al. (eds.), Beyond Sovereignty, pp. 54–79.

29 For a critical reading of this historiography, see especially Mazower, “The strange triumph,” New Statesman; No Enchanted Palace. See also Kirsten Sellars, The Rise and Rise of Human Rights (Stroud, UK: Sutton Publishing, 2002).
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Rights in History, also carries some risks. Since, according to Moyn, human rights did not become established as the “last utopia” until the 1970s, when other utopias such as anti-colonialism and Marxism were threatened or in decline, pre-existing ways of codifying human rights take on lesser importance by comparison. Consider, for example, the Universal Declaration of Human Rights of 1948, which Moyn eloquently describes as a “funeral wreath laid on the grave of wartime hopes.” If we adopt his point of view, the gains made in human rights in the 1920s will seem relatively modest.

I would like to propose a different perspective, and take up this question not from the perspective of a historian of human rights, but from the perspective of a historian of World War I and of the transition from war to peace. Instead of viewing the politics of rights in the 1920s as an incomplete version—less universal, less mobilizing, less efficient—of the utopia of human rights as we know it today, I argue that it should be understood in light of the traumatic experience of the Great War. The redefinition of rights in the 1920s must be re-situated in the dramatic context of the post-war period; as such, it is not a step in the history of rights but a key moment in shaping attitudes and values—what the historian John Horne has called “cultural demobilization,” that is, the pacification of minds and the progressive restoration of peaceful relationships with former enemies. Although it may seem at first glance a minor utopia within the broader framework of the twentieth century, humanitarian rights in the 1920s indeed represent a decisive turning point when seen from the perspective of those who survived the collective disaster that was the Great War. In the transitional period of the early 1920s, taking up the question of humanitarian rights became a way of turning away from war. These rights were an active part of the culture of the post-war transition period, with its unique aspirations for a lasting peace and for justice; they should be studied and analyzed as such, using the tools and methods developed in the past several decades by cultural historians of World War I.

The history of human rights (almost exclusively the work of American historians) and the cultural history of the Great War seem mutually

31 Ibid., p. 2.
unaware of each other, even when they focus on the same time period. The former is part of a transnational approach; it studies the evolution of legal categories such as the transition from the idea of “humanitarian rights” to “human rights,” and the way in which the circulation of ideas and the growth of transnational organizations produced shared knowledge and ideals. The latter is based on national or comparative history; its goal is to analyze the emergence of “cultures of war” in 1914–18 and their reformulation after the war; it seeks to explain how the violence of the Great War marked collective discursive productions and sensibilities. By bringing these two historiographical traditions together, or, more precisely, by using the tools of the cultural history of the Great War to reflect on the history of human rights, we can better understand the true meaning and consequences of the debates over the politics of rights during the 1920s.

Those who codified and diffused the politics of rights in the aftermath of the Great War did not intend to provide a legal foundation for the new international organizations. More fundamentally, at stake for them was an imperative to turn away from war, to break with the “nationalization of rights” that had endured during the conflict, and to recreate a shared humanist culture. In 1914–18, each of the belligerent nations used the law to disqualify enemies, to exclude them from the community of civilized nations. In his book *Qui a voulu la guerre? [Who Wanted the War?]* the sociologists Émile Durkheim and Ernest Denis used the vocabulary of penal law to put the German people as a whole on trial: “It is thus she [Germany] who is the great guilty party . . . The guilt of Germany appears in the fullest light [. . .] Everything proves it and nothing excuses or attenuates it.” During the war itself, many legal scholars, specialists of international law in particular, worried about the consequences the

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conflict would have on their discipline. In 1916, one of the great theorists of pre-war international law, the Frenchman Antoine Pillet, offered the following disillusioned observation: “Nothing thus remains of what had seemed to be most solidly established, and we servants of international law have come to this, to wondering if something can be rebuilt after this great destruction.”

Redefining rights meant opening a space for transnational dialogue, a space that had disappeared during the war. It meant reaffirming the meaning and function of law after having used it for nationalist purposes and, in a way, denaturalizing it.

This work of redefinition was begun by experts at the League of Nations and the International Labor Office in Geneva, together with experts at new institutions such as the Union Juridique Internationale (Paris, 1919), the Hague Academy of International Law (1923), and the Institut des Hautes Études Internationales (Geneva, 1927; known today as the Graduate Institute of International and Development Studies). Many of the legal scholars who took part in defining the “war of law” in 1914–18 were also responsible for creating new international standards after the war. Historians of the law and of international relations have tended to forget that these legal scholars also experienced the war firsthand. Some, like Georges Scelle and René Cassin, were drafted in the summer of 1914. For Scelle, “[World War I] was the most significant event the world had seen since the fall of the Roman Empire.” Others lived under German occupation. Many had to go into exile, fleeing war and persecution. Those who did not fight nonetheless had to break off professional and intellectual relationships, sometimes even friendships, with colleagues abroad. For all of them, the prospect of peace could not and did not mean a simple return to the status quo of the pre-war era.

World War I resulted in an unprecedented crisis of national sovereignty, which affected nearly all the former belligerent countries. Most affected were of course the Russian, Austro-Hungarian, German, and Ottoman Empires, which had now disappeared, producing territorial dislocation, a singular identity crisis, and the obligation to grant new rights to minority groups and to redefine the state’s protective role, now transferred to other organizations, such as the Church or private charities. The outbreak of the Russian Revolution rendered existing legal structures

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ineffective in a world where violence prevailed. The creation of new states gave rise to new national rights, breaking with those of the former empires. How could an individual’s rights be guaranteed in countries that did not hesitate to persecute their own citizens or strip them of their nationality, as was the case with the Bolshevik regime and its supposed opponents, and in Turkey’s treatment of the survivors of the Armenian genocide?

In the case of a victorious country such as France, where actual sovereignty was not an issue, it is more accurate to speak of a crisis in the legitimacy of the nation-state. The veterans of the Great War brought this crisis into sharp focus. “They have rights over us,” declared Georges Clemenceau, the French président du Conseil, in reference to French veterans of World War I; he did not specify what those rights might be. To ensure their rights, French veterans had to rely on their veterans’ associations more than they did on the state. A crisis of sovereignty was at work in the milieu of internationalist legal scholars, who sought to found their discipline anew after the war. The great French jurist Georges Scelle appealed to his colleagues “to reject the idea of sovereignty deliberately and definitively, for it is false and it is harmful”; others, who were less radical, attacked only the idea of absolute sovereignty. In any event, for all these jurists, the individual and his rights deserved absolute priority in international law.

In 1918–19, the American President Woodrow Wilson himself saw a universalized liberal individual as the true locus of sovereignty in the post-war world. “International law has—may I say it without offense?—been handled too exclusively by lawyers. Lawyers like definite lines. [ . . . ] They like charted seas, and if they have no chart, hardly venture to undertake the voyage,” he declared in May 1919. “Now we must venture upon uncharted seas to some extent in the future. In the new League of Nations, we are starting out upon uncharted seas . . . ” For Wilson, the new world order had to go hand in hand with a rebuilding of international law, based on new standards. Conversely, his Secretary of State Robert Lansing favored international law of the pre-war era, based on the results of agreements made between nation-states. In an article in the American Journal of International Law, Lansing warned against the dangers of “Wilsonianism”—without actually calling it that: “We cannot ignore the dangerous possibility that moderate forms [of internationalism] may

under certain influences develop into extreme [forms] and threaten our political institutions.”

The redefinition of rights in the 1920s was also a consequence of the chaos in Europe after the war. Because the problems of the post-war period were in essence transnational, any potential solutions would have to be transnational as well—hence the attempt to bring several countries together in dealing with crises. The League of Nations and its satellite organizations such as the International Labor Office, as well as humanitarian organizations such as the International Committee of the Red Cross, made it their task to coordinate responses to crises in the unstable climate that prevailed after the war. The case of Russian refugees is a good example. In the early 1920s, between 750,000 and 2 million refugees were amassed on the Polish–German border, and around Constantinople and Athens. Their high concentration in these areas, combined with their lack of legal status as stateless persons and their disruptive effect on the labor force were a cause of shared concern for all nations in the West. Thus, the League of Nations decided to create a High Commission for Refugees in 1921, then the Nansen Certificate, first issued to Russian refugees in July 1922 and extended to include Armenian refugees (1924) and Assyrian and Assyro-Chaldean refugees (1928).

The work of international legal scholars and the policies drafted by international organizations in Geneva should not, in the end, overshadow the role of another participant in the development of rights: the humanitarian sector. Following the Great War, this sector underwent a profound restructuring, which resulted from the breadth of technical and financial means now available, an increasingly scientific approach to international relief aid, and the growing impact of humanitarian issues on public opinion. World War I strengthened the solidarity among countries and their allies, as well as the feeling of belonging to a global world. Activists from humanitarian organizations played a key role in these debates over rights, which is something that most historical studies of the 1920s tend to overlook. These activists’ experience in the field enriched their conception of international humanitarian law. Thus, the Save the Children International Union called on the League of Nations to acknowledge children’s rights. In other cases, the victims of war mobilized in order to


44 Kénonian, Réfugiés et diplomatie humanitaire.
ensure their own rights. Beginning in 1924, French and German veterans met in Geneva for meetings of the Conférence Internationale des Associations de Mutilés et Anciens Combattants [International Conference of Associations of Disabled War Veterans] (CIAMAC). Precursors of what we today would refer to as non-governmental organizations (NGOs), these groups of citizens were formed in order to put pressure on states and defend common goals on an international scale.

The development of transnational rights in the 1920s was not a faceless movement. It was embodied by men and women—jurists, aid workers, diplomats, activists—all deeply marked by their experience of the war. The French legal scholar and disabled combat veteran René Cassin defended the rights of his fellow victims of the war—his comrades in arms—first within the scope of veterans’ associations and then at the League of Nations in Geneva. Albert Thomas, former Minister of Munitions in the French government’s union sacrée of 1914–17, went on to run the International Labor Office in 1920, where he undertook a profound reform of international social law. The Norwegian explorer and diplomat Fridtjof Nansen, named High Commissioner for Refugees by the League of Nations in 1921, created a passport for Russian refugees in 1922, an act that revolutionized the status of stateless persons. The American philanthropist and businessman Herbert Hoover organized the two largest humanitarian operations of the early twentieth century, the first dedicated to providing relief in Belgium and Central Europe during the war, the second to providing aid to famine-stricken Russia in 1921–23. The English activist Eglantyne Jebb mobilized British public opinion in support of Austrian and German children suffering from the devastating effects of the Allied blockade—at a time when public opinion was otherwise quite hostile to Germany. Jebb founded the Save the Children Fund in May 1919. Thanks to her efforts, the League of Nations ratified a fundamental document in September 1924: the Declaration of the Rights of the Child.

The respective struggles of Cassin, Thomas, Hoover, Nansen, and Jebb shed light on the refinement and redefinition of rights in the post-war period. As a group, these men and women and the organizations they led fostered the rights of victims of war; the rights of workers, insofar as social justice is the best guarantee of international peace, as the founding charter of the International Labor Organization (ILO) put it (1919); the rights of stateless persons, who found themselves in legal limbo in the chaos of the post-war period, and who had to be reintegrated as quickly as possible into international regulations; the rights of victims of famine and epidemic, in the name of ideas still in embryonic form, such as the “right to mutual aid for all peoples in cases of calamity,” as René Cassin
phrased it in 1925; and finally, the rights of children, who represented both innocent victims of the violence of war and the ultimate beneficiaries of post-war reconciliation.

These transnational rights had their own limitations. For example, they could only be put into practice through the goodwill of nation-states. Although they were acknowledged on an international level, this did not mean they were universal: in the area of labor law, for example, Western workers were treated better than workers in the colonies or in less industrialized countries, as the policies drafted by the ILO reveal. It would be wrong to see these transnational rights as more modern than they actually were, to conflate the legal redefinition of rights of the 1920s with the 1948 Universal Declaration of Human Rights, or to confuse the ILO of 1919 with its 1944 renewal via the Philadelphia Declaration, or to meld the humanitarian aid work of the interwar period (as efficient and scientific as it was) with the major humanitarian programs of 1950–60. Transnational rights as defined in the 1920s were based on ideas that were themselves still somewhat vague. These rights were the result of negotiations, influences, confrontations, and compromises. But there is no doubt that, as policy became practice, they changed the lives of hundreds of thousands of people after the war. Countless Russian and Armenian refugee families were saved from certain death because they could emigrate with a Nansen passport—and this is but one example.

In their own time, René Cassin, Albert Thomas, Fridtjof Nansen, Herbert Hoover, and Eglantyne Jebb all enjoyed a worldwide reputation. Just as there had been a “Wilsonian moment” after the Great War, there was also a “humanitarian moment”—that is, a period of several years in which important collective expectations were consolidated. In the same way that President Wilson’s Fourteen Points speech and his projects for rebuilding international relations inspired an almost unparalleled wave of enthusiasm, figures such as Hoover and Nansen, among others, gave rise to great hopes during the post-war period. The Hoover Archives at Stanford University contain sacks that had been used to send wheat to Belgium, Poland, and Russia as part of humanitarian assistance programs; children in those countries decorated the empty sacks in Hoover’s honor and sent them back to the United States to convey messages of thanks. The Nansen archives in Oslo have preserved letters from Russian refugees imploiring the High Commissioner to lend them money or to

help them settle abroad. Without the charisma and determination of their founders, it is likely that the Nansen Passport and the aid programs to famine victims in Russia would never have seen the light of day.

These men and women did not act independently, of course. They knew each other, worked together, and shared ideas—Nansen and Hoover during the humanitarian crisis in Russia, for example, or Cassin and Thomas, defending veterans’ rights under the auspices of the International Labor Office. More than that, though, they set up networks in which international civil servants, diplomats, and jurists could make use of the work being done on the ground by doctors and social workers. The personal history of these leading figures in post-war humanitarianism, the history of transnational rights, and the history of major international institutions and the networks of experts they put in place are all closely connected. Without the context of Hoover’s Quaker roots or the philanthropic circles that Jebb’s family was involved in, how can we understand the moral roots of the Commission for Relief in Belgium (CRB) or the Save the Children Fund (SCF), both major humanitarian enterprises, the former during the war and the latter after it? In the area of labor law, Albert Thomas cannot be separated from the reformist socialism of the pre-war period, from the experts at the Ministry of Munitions, which he ran from 1916 to 1917, or from the circle of experts at the International Labor Office. The rights of war victims would not have been acknowledged without the strong pressure brought to bear by veterans’ associations all across Europe. Finally, the rights of refugees, promoted by Nansen, have to be understood in light of his Scandinavian origins, since a small country like Norway saw the defense of humanitarian rights as a better alternative to traditional diplomacy, because it was one that allowed smaller countries to have an important influence on international relations.

The experience of the Great War lay at the heart of this movement for rights. For Cassin, Thomas, Nansen, Hoover, and Jebb, as for all their contemporaries, it was a foundational moment. The war stirred up deep feelings against injustice and it gave rise to transnational standards for the protection of vulnerable populations. That is why we must begin with World War I, in order to understand how a brutal conflict carried out in the name of defending nation-states led to new kinds of humanitarian concerns and to assertions of humanitarian rights as the property of all those caught up in the cauldron of war.