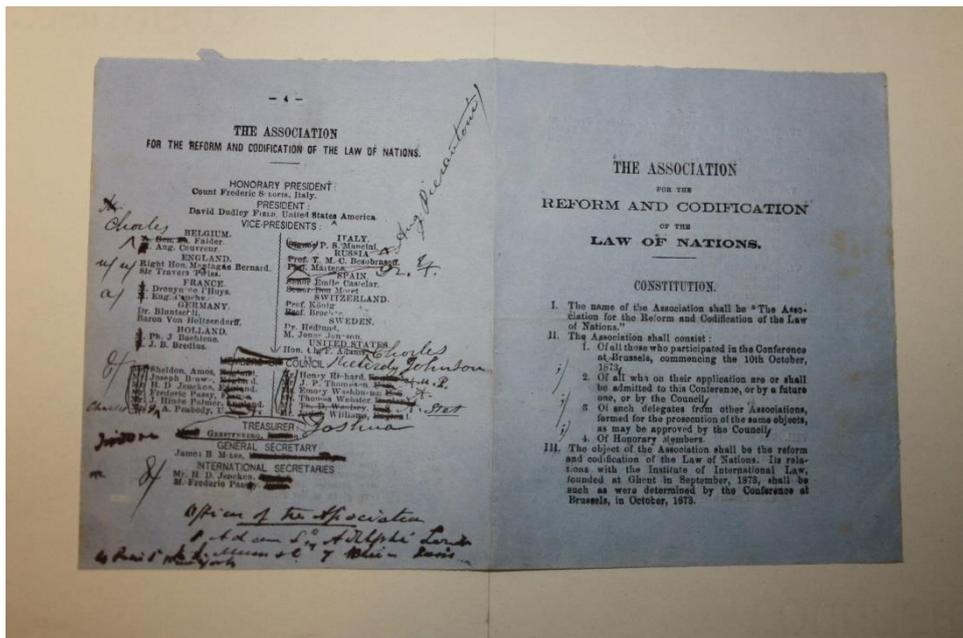


## Archives of the International Law Association

Dr. Ruth Frendo

Archivist and Records Manager at the Institute of Advanced Legal Studies

The International Law Association (ILA) is one of the oldest continuing organisations dedicated, in its own words, to "the study, clarification and development of international law, both public and private, and the furtherance of international understanding and respect for international law". Its archives, held at the Institute for Advanced Legal Studies, contain records dating back from its early years, right up to the current century. These records provide a valuable insight into the history of the organisation, and some of the remarkable people who dedicated themselves to it. They also offer fascinating glimpses into changing concepts of nationhood, human rights, and international relations, over decades which saw two World Wars, a Cold War, and, with the dismantling of traditional colonial structures, the emergence of new and shifting centres of economic and political power.



Constitution of the Association for the Reform and Codification of the Law of Nations, ILA/1/1/5

The ILA was founded in Brussels in 1873. It was initially called the Association for the Reform and Codification of the Law of Nations, switching to the snappier title of the International Law Association in 1895. By its own formulation, it was an association 'to consist of Jurists, Economists, Legislators, Politicians and others taking an interest in the question of the reform and Codification of Public and Private International Law, the Settlement of Disputes

by Arbitration, and the assimilation of the laws, practice and procedure of the Nations in reference to such laws<sup>1</sup>. The timing is significant: the second half of the nineteenth century reeled through the birth and rise of competitive, aggressive nation-states, and the development of modern, technologically based mass societies. These were decades which witnessed the Crimean War, one of the first conflicts to fully utilise modern technologies: not just in weaponry, where increases in accuracy, range and fire-power introduced unprecedented numbers and kinds of injuries; but in logistics, with use of the railways; and with the telegraph, in communications, not just military but also, crucially, journalistic. With the birth of war reporting, news of battlefield conditions began to permeate civilian homes half a world away, giving rise to a new sense of interconnectedness - and accountability - in the public discourse.

The popular will for reform was growing across Europe, and intensified with the publication, in 1862, of Henri Dunant's 'A Memory of Solferino', based on his observations of the suffering of wounded soldiers left on the battlefield in 1859. The book was hugely influential, and its impact contributed significantly to the formation, in 1863, of the Red Cross, with Dunant as a founding member. By 1864 the Geneva Convention was approved, defining 'the basis on which rest the rules of international law for the protection of the victims of armed conflicts.'<sup>2</sup>

The ILA emerged, then, in the context of a new spirit of international collaboration, which saw politicians, experts, and ordinary people recognising the necessity of understanding and working with their neighbours in the pursuit of a common good. Archival holdings at the Institute of Advanced Legal Studies reflect this, in items such as three letters from Henry Dunant, most probably to Henry Diedrich Jencken, re the formation of the Association for the Reform and Codification of the International Law<sup>3</sup>, and tracts on the legal impact of the radical new technology of telegraphy<sup>4</sup>.

The ILA archival material is arranged to reflect both the administrative structure of the organisation, and its primary organs of operation. Key to the formation of the ILA was a longer tradition of pacifism in the United States, influenced largely by historic peace

---

<sup>1</sup> As cited in minutes of the afternoon sitting of the first conference of members, 19 November 1873: reference ILA/1/1

<sup>2</sup> Pictet (1951), p. 462.

<sup>3</sup> ILA/1/7/1

<sup>4</sup> ILA/6/15

movements such as the Society of Friends (Quakers), which shaped the development, in the nineteenth century, of popular peace movements such as the New York Peace Society and the Massachusetts Peace Society. As Fritz Münch notes in his comparison of the ILA with its sister organisation the Institut de Droit International (also founded in 1873), as early as 1840, American anti-war activist William Ladd proposed the idea of creating an assembly to codify international law, and this idea was expounded in some detail by Elihu Burritt at the International Congress of the Friends of Peace in Frankfurt, 1850.<sup>5</sup> This Anglo-American strain perhaps accounts for the ILA's traditional aim for diversity in its membership, with international politicians, businessmen and subject experts welcomed alongside lawyers.<sup>6</sup> Thus, while the ILA's activities are organised by an Executive Council, assisted by the Headquarters Secretariat in London, the ILA's objectives are pursued primarily through the work of its international committees and study groups, panels of theoretical and practical experts selected to explore different aspects of international law, and the focal point of its activities is the series of annual or biennial conferences, held in different locations each year. Regional branches are crucial to the continuation of the Association's work. The ILA has consultative status, as an international non-governmental organisation, with a number of the United Nations specialised agencies.

---

<sup>5</sup> Münch (1973), p. 23.

<sup>6</sup> Olmstead (1973) p. 4: 'While the centre of gravity of its membership is the lawyer trained and experienced in international law, the association includes within its ranks scholars in the field of political science and government, businessmen, bankers and shipowners. These various bases of membership, united by an interest in international law and its development, bring rich and multifaceted worlds of experience to the work of the Association. The ranks of the law – the judiciary, legal education, the practising bar, international organizations and governments – are all amply and ably represented in the International Law Association ... And the wide geographic areas from which the membership is drawn contributes another valuable asset to the Association: these areas comprehend industrial and developing countries and countries with varying types of governmental and social organization.' Münch identifies this breadth of membership as a key difference between the ILA and the Institut de Droit International.

List of members of the Association for the Reform and Codification of the Law of Nations, 1874-1878

ILA/1/2/1

The records of the Executive Council include all of the traditional administrative material one would expect to find in such a collection: minutes, membership documents, financial papers, etc. As with similar collections in other archives, it's easy to overlook the significance of these apparently mundane documents, but the contextual information contained in, for example, a petty cash ledger, is an invaluable historical resource. And sometimes their interest is even more explicit: it is in the minutes of a finance committee meeting in May 1936<sup>7</sup> that the issue of how to respond to a circular from the ILA's German branch, on its expulsion of non-Aryan members, is most fully discussed.

The Executive Council archives also hold the administrative papers and correspondence of various officers of the ILA, including Lord Slyn of Hadley and Cecil J. Olmstead. Among the more unusual collections are the papers of Francis Temple Grey<sup>8</sup>, who besides his work in international law was an eminent surgeon. Included in his archive are papers from his work on the 1918 Australian Navy's Samoa Relief Expedition. Alongside medical notes are notes on army routine and orders, supplies and requisitions, and offences committed by crew members, giving an extraordinary insight into daily life in the navy at this time.

An archival series is devoted to the ILA conference, which functions as a platform for

<sup>7</sup> ILA/1/3/4/1

<sup>8</sup> ILA/1/7/5

ongoing study and research, and also strengthens the organisation's international focus by regular changes of location. Although the conferences have been predominantly held in Europe or the United States, their range has steadily widened, to include Buenos Aires (1922 and 1968), New Delhi (1974/5), Manila (1978), and Seoul (1986). In each of the host countries, the staging of the conference has a particular significance, in terms of strengthening awareness for, and support of, international law in that country, and raising the profile of its national contributions to the field. The archival papers generally document the process of organising the conference, addressing a different set of concerns in each case; they contain the reports presented at each conference, along with records of attendance; and they often contain ephemera such as programmes and promotional material which offer an intriguing glimpse into the day-to-day visual culture of different societies at different moments in time.

The archives of the International Committees contain a wealth of material, including administrative correspondence chronicling how and when the Committee was established, draft papers, secondary reference material, and correspondence with partner organisations. It is not surprising, for instance, that the records of the Treatment of Prisoners of War Committee, one of the first Committees, contain a large amount of early Red Cross material<sup>9</sup>. They also hold some truly unique material, including a notebook, partially labelled 'L to Z camps', containing hand-written notes on conditions in German camps, 1914-1916.<sup>10</sup> Although, as is often the case in archives, the origins of the item are unclear, in the back of the notebook are pasted press clippings covering the reports made by James Watson Gerard, then United States Ambassador in Berlin, on prisoner of war camps in Germany, suggesting that the notes may have been made by Gerard himself, or at least as part of his project.

The significance of regional branches to the ILA has already been pointed out, and the archives hold records of many of these branches. Although in some cases these amount to little more than membership lists or subscription returns, one of the points of interest in this collection, from an archival point of view, is what it reveals about ideas of nationhood, and how these relate to membership of international organisations and participation in debates of international law. For example, it's surely significant that the collection includes

---

<sup>9</sup> ILA/3/11/3

<sup>10</sup> ILA/3/11/2

membership records of the Free City of Danzig<sup>11</sup>, a semi-autonomous city-state that existed between 1920 and 1939, and apparently attached considerable importance, even during such a brief lifespan, to this form of self-declaration. There is also a fascinating discussion in the years 1966-1968 about the formation of a branch of the International Law Association in the German Democratic Republic<sup>12</sup>.

Although initially counter to the policy of ILA headquarters, who advised GDR members to join the existing German branch, a separate branch was eventually formed at those members' insistence that a West German branch could never adequately represent them.

Copies of all Returns should be kept by Branches for future reference. For Calendar Year 1939

**THE INTERNATIONAL LAW ASSOCIATION**

ANNUAL RETURN OF MEMBERS of the Danzig BRANCH

Located at Danzig, Free City of Danzig

INCLUDING REPORT OF PAYMENT TO THE FUNDS OF THE EXECUTIVE COMMITTEE AT HEADQUARTERS, UP TO THE 31ST DAY OF DECEMBER 1939 at which date

THE TOTAL MEMBERSHIP OF THE BRANCH WAS 11

FEE PAID BY THE BRANCH TO HEADQUARTERS FOR THE YEAR. £ 6.5.-

All fees to be remitted in English currency by draft or cheque on London payable to: "International Law Association" and crossed Messrs. Glyn, Mills & Co.

This Return should be signed by the President and Secretary of the Branch and forwarded to: The International Law Association, No 2 King's Bench Walk, Temple London, E.C.4., England, AS EARLY AS POSSIBLE IN THE NEW YEAR.

NAMES OF MEMBERS (BLOCK LETTERS)			ADDRESS	ANNUAL FEE 1939		FEE FOR OTHER YEARS (MEMBERSHIP REMITTED HEREIN)
SURNAME	CHRISTIAN NAMES & Description	PROFESSION		Remitted by Branch	Remitted by Secretary of Branch	
1	Blume	Dr. Herbert	Oberrichterungsdirektor Danzig, Neugarten 12/16		12 6	
2	Böttcher	Dr. Viktor	Staatsrat " " "		12 6	
3	Born	Salter	Bankdirektor Danzig-Langfuhr		12 6	
4	Euler	Dr. Wilhelm	Landgerichtsdirektor Danzig, Neugarten 30/34	12 6		
5	Kettlitz	Richard	Senatsrat Danzig, Neugarten 12/16		12 6	
6	Rumpe	Dr. Georg	Landgerichtsdirektor Danzig, Neugarten 30/34		12 6	
7	Schaefer	Dr. Carl	Präsident der Bank von Danzig Danzig, Korrenwall 10		12 6	
8	Schlemm	Dr. Hermann	Rechtsanwalt Danzig, Reibbahn 2		12 6	
9	Siegmund	Harry	Regierungsrat Danzig, Neugarten 12/16		12 6	
10	Thiemann	Richard	Bankdirektor Danzig, Langgasse 32/34		12 6	
11	Wohler	Walther	Gerichtspräsident Danzig, Neugarten 30/34		12 6	
Carried forward				12 6	6 5 -	

SIGNATURE OF PRESIDENT OF BRANCH [Signature] ADDRESS Danzig, Neugarten 30/34

SIGNATURE OF SECRETARY OF BRANCH [Signature] ADDRESS Danzig, Neugarten 11/14

DATE January, 2<sup>nd</sup> 1939

Do not write on back of this sheet. Further sheets can be obtained from the Secretary.

Annual Return of Members of the Danzig Branch, ILA/4/14

The archives also hold the records of the Grotius Society, a British society founded in 1915 to carry on the work of the International Law Association, whose operations had been suspended during the First World War. It was originally called the Laws of War Committee, but changed its name in July 1915. Its objects were declared as being 'to afford facilities for

<sup>11</sup> ILA/4/14

<sup>12</sup> ILA/4/6/1

discussion of the Laws of War and Peace, and for interchange of opinions regarding their operation, and to make suggestions for their reform, and generally to advance the study of international law.<sup>13</sup> Its membership was originally restricted to British subjects, although membership nominations suggest that by 1920 this was no longer the case. In 1958, the Grotius Society was dissolved on the merger with the Society of Comparative Legislation and International Law, founded in 1895, to form the British Institute of International and Comparative Law. Because of the strong, historical, personal and geographical links between the Grotius Society and the ILA, with many key figures holding office in both, and ILA headquarters at one stage sharing accommodation with the Grotius Society, many of these early records have been retained in the care of the ILA.

Finally, the 'Library' series of the archive contains publications and press-clippings collected by members of the International Law Association and made available to their fellow members for consultation. When these arrived at IALS, they had already been grouped according to political or geographical 'themes'. Although it's not clear when this arrangement was originally imposed, it was decided to retain these groupings in the archival arrangement.

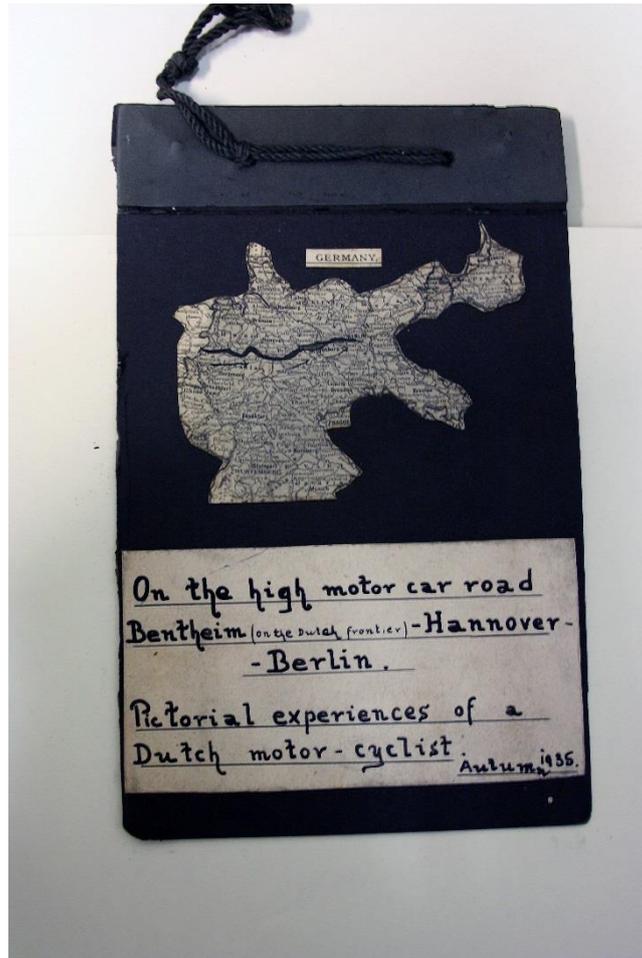
In archival terms, this is an artificial collection, in other words, not an 'organic' accumulation of records created over the course of an organisation's transactions, as the other records are, but a collection intentionally put together for its informational value. When we keep artificial collections in archives, it is because of the insight they afford us into an organisation or individual's creative process, and into the context which informed them. Here, the significance of this series lies in what it tells us about the interests and priorities of ILA members at various points in history, and on what literature was widely circulated at the time. Propaganda comes from both sides, most notably in the collection of material concerning the Spanish Civil War<sup>14</sup>. We have also inherited a few more personal items, for which we have no clear provenance. Most striking among these, to my mind, is a hand-made album titled 'On the high motor car road Bentheim (on the Dutch frontier) – Hannover – Berlin. Pictorial experiences of a Dutch motor-cyclist. Autumn 1935.'<sup>15</sup>

---

<sup>13</sup> Ilbert, C. P., 'Review: The Grotius Society — Problems of the War by Grotius Society', Journal of the Society of Comparative Legislation, Vol. 16, No. 2 (1916), pp. 381–383.

<sup>14</sup> See ILA/6/9 and ILA/6/10.

<sup>15</sup> ILA/6/12.



ILA/6/12

This notebook consists of black pages, in each of which is pasted a photograph of anti-Semitic posters and signage. Some photographs just contain the notices, dominating empty landscapes, replacing the expected road sign or 'welcome' notice at the entrance to a village. Some include human figures, faces turned away or scratched out. In one image, hoarding directing Jews to leave adorns the base of a pillar decked with adverts for Persil. Throughout the book, no other commentary is offered.

We have no way of knowing who the Dutch motor-cyclist was, or how their album came into the ILA's possession. But the album's survival in the ILA archives sums up the full potential of an archive collection: to preserve, and make accessible to future generations, a testament of its times.

*The ILA archive can be consulted at the Institute of Advanced Legal Studies. Access is by advance appointment only (email: [ials@sas.ac.uk](mailto:ials@sas.ac.uk) or telephone 020 7862 5790). The catalogue for this collection is available on the IALS website at*

<http://ials.sas.ac.uk/library/archives>, or via the University of London catalogue at <http://archives.ulrls.lon.ac.uk/>

### Bibliography

Moorehead, Caroline, Dunant's Dream: War, Switzerland and the History of the Red Cross, HarperCollins, 1998

Münc, F., 'L'influence de l'International Law Association sur la doctrine et la pratique du droit international', in Bos, Professor Dr. Maarten (ed.), The Present State of International Law and Other Essays: written in honour of the Centenary Celebration of the International Law Association 1873-1973, Kluwer, 1973

Olmstead, Cecil J., 'The International Law Association: a World-Wide Organization for Development and Promotion of International Law', in Bos, Professor Dr. Maarten (ed.), The Present State of International Law and Other Essays: written in honour of the Centenary Celebration of the International Law Association 1873-1973, Kluwer, 1973

Pictet, Jean, 'The New Geneva Conventions for the Protection of War Victims', The American Journal of International Law, 45 (3): 462–475, 1951

Royle, Trevor, Crimea: The Great Crimean War 1854-1856, Little, Brown and Company, 1999