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The Laws of War: Justice, Rights, and Ethics in Military Contexts falls under the broad themes of “War, Security, and Intelligence” and “International Relations”. You can explore related collections, such as *Britain Under Threat: Civil Defence in the Era of Total War, 1914–1989*, and *Censorship: Policy and Practice During the Second World War*, by scanning the QR code.



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The Laws of War: Justice, Rights, and Ethics
in Military Contexts

The Laws of War: Justice, Rights, and Ethics in Military Contexts

Throughout human history, societies, states, and nations have viewed military action as a necessary tool to help achieve their wider political, strategic, or ideological goals. The experience of warfare, for combatants and civilians alike, is often horrific. Destruction, chaos, and suffering are widespread. As a result, alongside grander endeavours to end war altogether and to create lasting peace, more pragmatic efforts have emerged to impose laws, rules, and ethical frameworks upon the conduct of war so as to mitigate the misery and collateral damage that it causes.

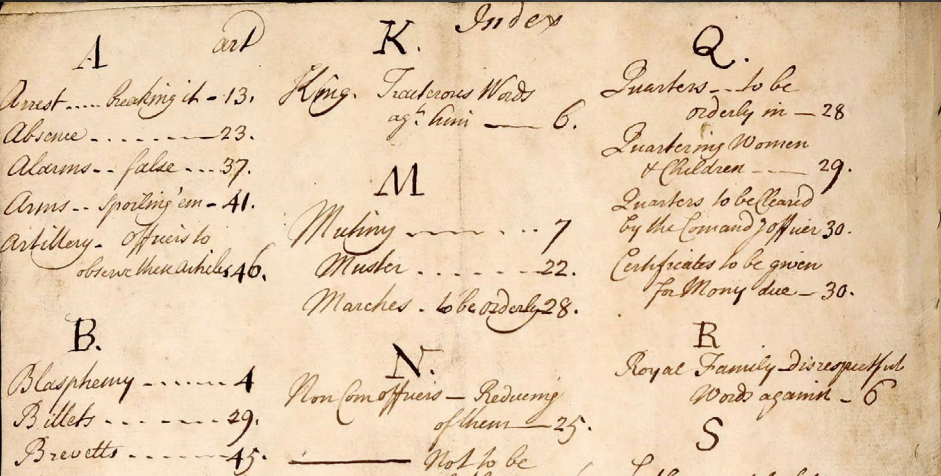
These efforts have increased exponentially since the end of the eighteenth century. As conflicts grew in scale and impact, as mass citizen armies took to the field, and as questions of human rights gained traction, the need for robust laws of war became ever clearer. By appearing to contain and regulate the impact of warfare, these rules also served to legitimise, and even to justify, military action in increasingly democratic societies.

Containing over 100,000 images from The National Archives (UK), this collection shows that the laws of war could take many forms. These range from overarching grand ideas about when it is, or is not, legitimate to declare war, through policies designed to secure and safeguard civilians in times of conflict, and down to the mechanisms of courts martial, which have sought to apply a distinctive conception of justice to the relative mayhem of warzones.

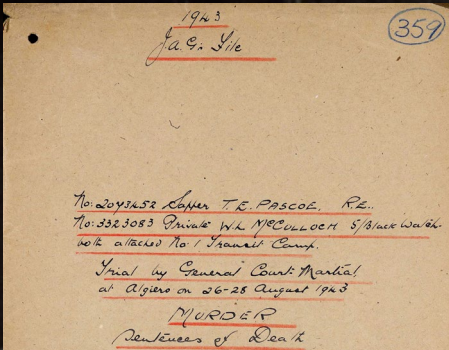


“War without limits means suffering without end. And even war has rules.”

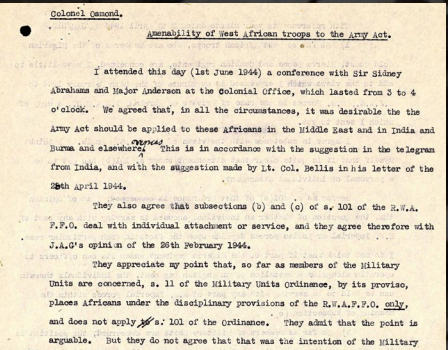
International Committee of the Red Cross.



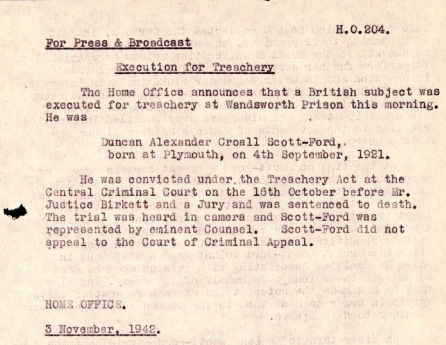
One of the oldest documents in this collection, the “Rules and Articles for the better Government of the Horse and Foot Guards and all other His Majesty’s Land Forces” date from 1718 and were signed by King George I. They stipulate the importance of religious worship and forbid blasphemy, but also cover offences such as mutiny, desertion, and insubordination.



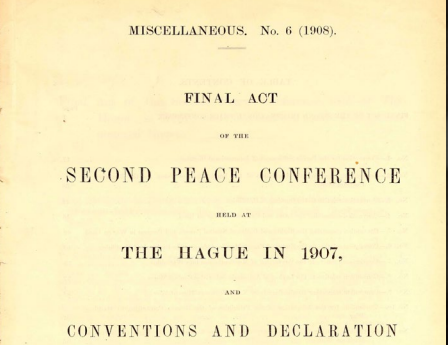
This file details the case of two British soldiers who were sentenced to death for murdering a civilian in Algeria in 1943. Their appeals illustrate the procedures and shortcomings of military justice.



Alongside its broad chronological range, this collection also benefits from its coverage of military actions across the British empire, which are discussed in great depth throughout the sources.



It is not only service personnel who are accountable to the laws of war. Acts of espionage or treachery by civilians during wartime could provoke the severest penalties, including execution.



This collection will interest historians, legal scholars, criminologists, and defence and strategic studies experts—it illuminates attitudes to warfare over the last 300 years and how efforts to regulate it have fared.

Military justice is not static, nor does it exist in a vacuum. Rather, it adapts to reflect changing political, social, and moral norms and it can be altered dramatically by the context of the conflict in which it is being applied. Among the great strengths of this collection are its broad chronological span and the changes that it documents as a result. Technological developments, such as the use of chemical weapons and the advent of aerial bombing, necessitated new codes of conduct and practice.

One of the top priorities in the development of laws of war has been the protection of vulnerable groups. Top of the list are civilians. One aspect of this has been the creation of a strong theoretical distinction between combatant and non-combatant, though this separation is not always easy to sustain in the midst of a conflict. Prisoners of War (POWs) are also the beneficiaries of specific safeguards, as are wounded soldiers, the poor treatment of whom prompted the creation of the International Committee of the Red Cross in 1863.



Sources include: The National Archives (UK)