



University of St Andrews  
*Scotland's first university*

600 YEARS  
1413 – 2013

**Modern History Research Seminar Series, School of History**

**Monday, 25 September 2017, 5.15pm, Room 1.10 St Katharine's Lodge**

**Kerstin von Lingen (University of Heidelberg)**

**Legal Flows: Crimes against Humanity in Transnational Legal Thought, 1899-1945**

The paper addresses the normative framework of the concept of 'Crimes against Humanity' from an intellectual history perspective, by scrutinizing legal debates of marginalized (and exiled) academic-judicial actors within the United Nations War Crimes Commission (UNWCC). Decisive for the successful implementation were two factors: the growing scale of mass violence against civilians during the Second World War, as well as the support by 'peripheral actors', jurists forced into exile at London by the war. The latter group united smaller Allied countries from around the world, who used the commission's



work to push for a codification of international law, which finally materialized during the London Conference of August 1945. To study the process of mediation and emergence of legal concepts, I propose to speak of 'legal flows', to highlight the different strands and older traditions of humanitarian law involved in coining new law. The global experience of exile thereby

has a significant constitutive function. – **Dr Kerstin von Lingen** is a Research Fellow at the Heidelberg Cluster of Excellence "Asia and Europe in a Global Context". She is the Principal Investigator of the Research Group "Transcultural Justice. Legal Flows and the Emergence of International Justice within the East Asian War Crimes Trials, 1946-1954".