

**Between Law and Diplomacy:  
International Dispute Resolution in the Long Nineteenth Century**

**Steven M. Harris  
May, 2015**

<b>Between Law and Diplomacy:</b>	
<b><u>International Dispute Resolution in the Long Nineteenth Century</u></b>	
<i>Acknowledgements</i>	iv
<b><u>Chapter 1: Introduction</u></b>	<b>1</b>
Contemporary Historiography	14
Definitions and Terminology	18
Historiographic Context	39
Methodology	44
Plan of the Study	45
<b><u>Chapter 2: The Scope of Dispute Resolution</u></b>	<b>48</b>
Chronological Development	58
Subject Matter Patterns	60
Geographic Patterns	63
Procedural Questions	65
Conclusion	67
<b><u>Chapter 3: The Jay Treaty: A False Start?</u></b>	<b>69</b>
The Pre-History of Arbitration	70
The Jay Treaty	74
The Legacy of the Jay Treaty	85
Conclusion	92
<b><u>Chapter 4: The Emergence of Dispute Resolution as a Tool of Modern Diplomacy</u></b>	<b>97</b>
Rebuilding Europe	98
Castlereagh, Claims, and Commissions	102
Administering the Settlements	109
Judging the Slave Trade	116
Other Early Examples	131
Conclusion	142
<b><u>Chapter 5: Great Aspirations: The Early Peace Movement</u></b>	<b>144</b>
Early Peace Concepts	146
Jay, Cobden, and Political Engagement	153
Paris, 1856 (Part II)	160
The Long Tail of the Peace Movement	164
The Latin American Initiative	179
Conclusion	189

<b><u>Chapter 6: The “Alabama Claims”</u></b>	<b>191</b>
The Tortuous Negotiations	192
Geneva: A Deceptive Triumph	203
The Myth of the “Alabama Claims”	209
Henry Richard’s Motion	212
Conclusion	215
<b><u>Chapter 7: Law, History, and Progress</u></b>	<b>218</b>
The Nature and History of International Law	219
Between Governments and Peace Movements	224
Arbitration Studies and Proposals	232
Internationalism and International Organizations	238
The Global Peace Movement	242
Conclusion	246
<b><u>Chapter 8: Arbitration on a Global Stage</u></b>	<b>247</b>
From Alabama to the Hague	249
Arbitration as a Tool of Empire	251
A Pan-American Project	284
Conclusion	289
<b><u>Chapter 9: The Hague, Its Precedents, and Its Progeny</u></b>	<b>290</b>
Legislatures, Sovereignty, and Compulsory Arbitration	293
The First Hague Conference (1899)	308
The Aftermath	319
The Second Hague Conference (1907)	329
Root, Taft, and Bryan	336
Conclusion	346
<b><u>Chapter 10: Conclusion</u></b>	<b>350</b>
<b><i>Appendix</i></b>	<b>362</b>
<b><i>Sources Cited</i></b>	<b>392</b>
<b><i>Index</i></b>	<b>420</b>