

The Alabama arbitration and international justice

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The *Alabama* arbitration, held in Geneva in 1872, contributed decisively to the city's international reputation. The dispute set the United States against Great Britain over the damage caused to the American merchant fleet by warships built in England for the Confederates during the American Civil War. The two powers agreed to submit their dispute to an arbitral tribunal of five members, one of them Swiss, sitting in the Hôtel de Ville of Geneva.¹

The award, which ordered Great Britain to pay a substantial indemnity, was accepted and carried out. The case showed that two great powers could settle through law a dispute that might have led to war. It is regarded as one of the founding acts of modern international arbitration, and it inspired the Hague conferences at the end of the century, which created the Permanent Court of Arbitration.²

For Geneva, the *Alabama* affair established an image: that of a city where disputes are settled by law, in neutrality and impartiality. This image, cultivated ever since, is one of the foundations of Geneva's vocation as a centre of international arbitration, which Chapter III of this Part will examine. It is also an asset for the financial centre, whose clientele seeks legal certainty.

1 Notes

1. United Nations, Reports of International Arbitral Awards, vol. XXIX, pp. 125-134 (legal.un.org): arbitrators Charles Francis Adams (United States), Sir Alexander Cockburn (Great Britain), Count Frederick Sclopis (Italy), Jakob Stämpfli (Switzerland) and Viscount d'Itajubá (Brazil), sitting in Geneva; award of 14 September 1872 granting the United States "a sum of \$15,500,000 in gold, as the indemnity to be paid

by Great Britain to the United States”; Wikipedia (en), “Alabama Claims”: indemnity paid by Great Britain on 8 September 1873. ↩

2. Wikipedia (en), “Permanent Court of Arbitration”: Court established by “the Convention for the Pacific Settlement of International Disputes, which concluded at The Hague in 1899”, at the first peace conference convened on the initiative of Nicholas II; “the 1907 Convention lightly amended the 1899 Convention without substantially altering it”; seat at the Peace Palace in The Hague. ↩

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