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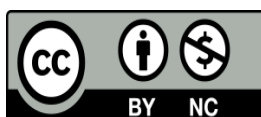
Law, Values, and Counter-Hegemony: The Hispano-American Project and the Remaking of Spain's International Legal Identity

Derecho, valores y contrahegemonía: el proyecto hispanoamericano y la reconfiguración de la identidad jurídica internacional de España

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ABSTRACT This article posits that the Hispano-American projects of the late 19th and early 20th centuries served a dual strategic purpose. On the one hand, they were a means of redefining Spain's relationship with its former American territories on new, culturally grounded terms. On the other hand, they were a deliberate strategy for repositioning Spain as a "civilized nation" within the state-centric order of international law. Drawing on conservative-Catholic, liberal-reformist, and internationalist approaches, these projects constructed an "imagined community" of shared language, religion, history, and legal institutions as a normative alternative to Anglo-American expansionism and as a vehicle for recovering Spain's international prestige after 1898. Engaging critically with the extant scholarship on Hispano-Americanism, the article reinterprets these projects as components of a legally articulated counter-hegemonic project with a coherent normative architecture, moving beyond readings that reduce them to cultural nationalism or imperial nostalgia. The analysis is grounded in three fundamental pillars. First, the text examines the influence of conservative nationalism



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on the policy of strengthening links between Spain and the Hispano-American republics. Second, it analyzes the recovery of transatlantic relations through a liberal-reformist approach centered on educational and cultural cooperation, justice, and legal equality. Third, it assesses the role of international law in the Hispano-American project during the interwar period, focusing on Spain's self-construction as a "disinterested" mediator in the peaceful settlement of disputes. This was a counter-model to Anglo-American unilateralism. The article concludes with a reflection on the contemporary relevance of this transnational vision, arguing that Hispano-American values constitute a still-under-explored object of critical analysis whose recovery illuminates the structural tensions inherent in any counter-hegemonic project anchored in a particular civilizational tradition.

KEYWORDS International Law; Hispano-Americanism; Eurocentrism; Black Legend; Values.

RESUMEN Este artículo sostiene que los proyectos hispanoamericanos de finales del siglo XIX y principios del XX cumplieron una doble función estratégica. Por un lado, fueron simultáneamente un medio para redefinir la relación de España con sus antiguos territorios americanos sobre la base de nuevos principios culturales y, por otro lado, una estrategia deliberada para reposicionar a España como una "nación civilizada" dentro del orden estatal del derecho internacional. Inspirándose en enfoques conservadores-católicos, liberales-reformistas e internacionalistas, estos proyectos construyeron una "comunidad imaginada" de lengua, religión, historia e instituciones jurídicas compartidas como alternativa normativa al expansionismo angloamericano y como vehículo para recuperar el prestigio internacional de España tras 1898. A través de un análisis crítico de la bibliografía existente sobre el hispanoamericanismo, el artículo reinterpreta estos proyectos no solo como expresiones de nacionalismo cultural o nostalgia imperial, sino como un proyecto contrahegemónico articulado jurídicamente con una arquitectura normativa coherente. El análisis se desarrolla en torno a tres pilares centrales. En primer lugar, se examina la influencia del nacionalismo católico-conservador en la política de fortalecimiento de los vínculos entre España y las repúblicas hispanoamericanas. En segundo lugar, se analiza la recuperación de las relaciones transatlánticas mediante un enfoque liberal-reformista centrado en la cooperación educativa y cultural, la justicia y la igualdad jurídica. En tercer lugar, se evalúa el papel del derecho internacional en el proyecto hispanoamericano durante el período de entreguerras, centrándose en la autoconstrucción de España como

mediador imparcial en la solución pacífica de conflictos como contramodelo al unilateralismo angloamericano. El artículo concluye reflexionando sobre la relevancia contemporánea de esta visión transnacional, argumentando que los valores fundacionales de la "comunidad imaginada" hispanoamericana ofrecen un marco alternativo, todavía poco explorado, para pensar la convivencia internacional más allá del modelo angloamericano dominante.

PALABRAS CLAVE Derecho internacional; Hispanoamericanismo; Eurocentrismo; Leyenda Negra; Valores.

I. Introduction

The article examines the Hispano-American projects of the late 19th and early 20th centuries as a legally articulated counter-hegemonic strategy¹. In this strategy, the language of the transatlantic community served simultaneously as a normative vision and as an instrument of Spain's bid to recover international standing after 1898². The purpose was to establish a transnational community based on shared values and cultural identity -encompassing shared language, religion, history, customs, or legal institutions. This community was active from the late 19th century to the mid- 20th

1. The term "counter-hegemony" is employed in this article in a specific and delimited sense. It does not invoke the Gramscian concept of organic counter-hegemony as a project of social transformation from below, nor does it adopt the TWAIL (Third World Approaches to International Law) framework, in which counter-hegemony designates a systematic critique of the colonial foundations of international law from the standpoint of the Global South: see ANGHIE (2004) pp. 32–114; BECKER LORCA (2014) pp. 13–36. The term is employed here in the more limited sense proposed by Koskenniemi: the deployment of the language and institutions of international law to contest the normative dominance of a hegemonic power or paradigm – in this case, Anglo-American liberal internationalism – by constructing an alternative juridical genealogy and a rival normative vocabulary KOSKENNIEMI (2004) p. 197. In this context, counter-hegemonic projects work from within international law's own structures rather than against them from outside. These initiatives work through the same mechanisms of legal argument, treaty-making, and institutional claim that they aim to displace. This is precisely why the Hispano-American project's internal tensions – between solidarity and tutelage, between universal aspiration and particular interest – are analytically significant rather than merely contradictory.

2. Spanish authors employed a variety of terms to denote the relationship between the American republics and Spain. The uses of different terms show the relations developed with Latin America at each historical moment: Monarchy, Primo de Rivera's dictatorship, Republic, or Francoism. In the end, they all refer to Spain's relations with the Spanish-speaking American republics. In this work we use the term Hispano-American or Hispano-Americanism.

3. In this article, 'values' does not refer to abstract or timeless moral principles; rather, it denotes the historically situated normative language — community, Catholic moral inheritance, dignity, legal equality, solidarity, the peaceful settlement of disputes — through which Spanish and Hispano-American actors sought to define the legitimate basis of transatlantic coexistence. These values operated simultaneously as principles of legal ordering and as instruments of

century³. Consequently, this article does not conceptualize values as a stable ethical consensus, but rather as a contested juridical language through which hegemony and counter-hegemony were articulated⁴. It is also concerned with the political and social forces that influenced these projects, with a particular focus on the role of intellectual elites in shaping Spain's self-image as a "civilized nation" in Europe and as a civilizing power in America⁵. The article also explores the interventionist policies of the Great Powers— the United States of America, hereinafter United States, France, and the United Kingdom— in the Western hemisphere, particularly with regard to their involvement in Hispano-American projects.

Spanish authors promoted the narrative of an "imagined community" that linked Spain with the Hispano-American republics, thereby conferring upon the former metropolis (Spain) a moral role as the Motherland⁶. This was a widely elaborated discourse that authors from several schools of thought actively deployed to construct a Spanish identity at home and abroad⁷. The projects were conceptualized as a transatlantic community founded on law, language, history, and religion, oriented toward international legal cooperation, justice, and peace. In this sense, this endeavor be characterized as a cosmopolitan project. The term denotes, here, a historically embedded normative program — one that sought to establish supranational solidarity from within a particular civilizational tradition, the Hispano-Catholic inheritance — rather than a universalist abstraction. This program functioned as an alternative to the individualist liberal universalism of the Anglo-American project⁸. This cosmopolitan dimension distinguishes Hispano-Americanism from mere nationalist rhetoric and explains its ambition to contribute an alternative normative framework to the emerging state-centric international order, while simultaneously concealing Spain's aspiration to exercise a form of cultural and legal tutelage over its former territories.

The aim is to illuminate the origins of the "Hispano-American Community of Nations" and the foundational values that underpin those collaborative projects. Moreover, it seeks to explore the reasons why this subject should be of contemporary interest. The article therefore engages with scholarship on imperialism, international legal history, and transnational intellectual movements⁹. A fundamental question that

political positioning. They enabled Spain to challenge Anglo-American liberal universalism, while also providing a language through which claims of cultural primacy and tutelage could be reformulated as solidarity. KOSELLECK (1985), KOSKENNIEMI (1989).

4. BECKER LORCA (2006) p. 283. BECKER LORCA (2014) pp. 13-36.

5. BLINKHORN (1980) pp. 5-25; NAVASCUÉS (2026) pp. 119-136.

6. GAY Y FORNER (1927); GIMÉNEZ (1929); FERNÁNDEZ (1929); FRANK (1932).

7. ÁLVAREZ JUNCO (2001) p. 25.

8. KOSKENNIEMI (2021) p. 181.

9. ANGHIE (2004) pp. 32-114.

underlies the analysis is whether the "Hispano world" has provided, and whether it might in the future, provide a genuine alternative to the vision of Anglo-American expansionism.

Spain's relationship with its former American territories constituted a central theme in the works of virtually all Spanish authors of the late 19th century, particularly in the aftermath of the War of 1898¹⁰. It is one of the topics that influenced the whole generation of Spanish reformers¹¹. A variety of source texts were published, including works on the figures and feats of Columbus and colonization, the history of law, and even anthropology¹². The reformist project that underlay the discussion championed Spanish nationalism, arguing that the key to countering the Black Legend lay in the study of American institutions¹³.

This work extends beyond the confines of the Spanish tradition to examine comparatively the influence of Hispano-American thought on the parallel development of European and American international legal thinking during the foundational period of contemporary international law¹⁴. With the analysis of the roots of the Hispano-American projects, this article contributes to a more nuanced understanding of the shared history of international law and of the Catholic values that have shaped its development¹⁵. It undertakes a critical examination of the use of language in the context of friendship, analyzing how this rhetoric hides a desire by Spain to control the American territories and also to position itself as a "power" (as a civilized nation) in Europe¹⁶.

Methodologically, the three currents examined in this article differ not only in their ideological orientation, but in the register through which each articulated its legal-normative dimension. Catholic-conservative authors grounded their juridical claims in the theological-legal inheritance of the School of Salamanca. For this purpose, they deployed Vitoria and Suárez as authoritative precedents for a distinctively Hispano contribution to international law. Conversely, liberal-reformist authors translated the shared Hispano heritage into the positivist language of educational cooperation, treaty-making, and the institutional equality of states. These authors eschewed theological foundations in favor of a secular internationalism aligned with the emergent norms of the inter-state system. Interwar jurists and diplomats, finally,

10. BALFOUR (1997) p. 32.

11. JULIÁ (1998) pp. 159-174.

12. VÉLEZ (2008) p. 155.

13. ALTAMIRA (1920); ALTAMIRA (1924); ALTAMIRA (1926); ALTAMIRA (1929); ALTAMIRA (1933); ALTAMIRA (1951).

14. BOWDEN (2005) pp. 1-24.

15. BECKER LORCA (2014) p. 41.

16. ZASLOFF (2003) p. 293.

sought to operationalize both inheritances within the institutional framework of the League of Nations, presenting Spain as a disinterested mediator whose legal credibility derived precisely from its historical distance and from the great-power rivalries that distorted frameworks in both Anglo-American and Pan-American contexts. Distinguishing between these three juridical registers- theological-genealogical, positivist-institutional, and diplomatic-mediatory- is imperative for evaluating the coherence, and the limits, of the Hispano-American counter-hegemonic project as a legal argument.

The initial section examines the Catholic-conservative strand of Hispano-Americanism, analyzing how the theological-legal inheritance of the School of Salamanca was mobilized to regain Spain's international authority after the defeat of 1898¹⁷. Also, the defeat of 1898, how the resulting discourse concealed a tension between universalist solidarity and the reassertion of Spanish cultural primacy¹⁸.

The subsequent section turns to the liberal-reformist current, which reframed the Hispano-American bond through the positivist language of educational cooperation, legal equality, and institutional solidarity¹⁹. In the context of transatlantic relations, conservative authors invoked theological genealogy, while liberal reformers appealed to shared legal heritage as a foundation for a rules-based order — one explicitly opposed to the unilateralism of the Monroe Doctrine and to Anglo-American hegemony more broadly²⁰. The analysis also addresses the Latin American responses to this program, with particular attention to the critique that its language of solidarity obscured an impulse of Spanish tutelage²¹.

The third section of this study explores the institutionalization of the Hispano-American project within the framework of the League of Nations during the interwar period. Spanish jurists and diplomats sought to portray Spain as a disinterested mediator in regional disputes — most notably the Chaco War and the Leticia conflict — employing the language of juridical neutrality to assert a form of normative authority that could no longer be conferred by material power²². The analysis interrogates the gap between the mediatory role that Spain sought to project and the influence it ultimately exercised, situating this self-construction within the broader competition between Pan-Americanism and the League of Nations system as rival frameworks for hemispheric order²³.

17. ÁLVAREZ JUNCO (1999) p. 123.

18. ESPAÑOL (2007) p. 25.

19. POZO & BRASTER (1999) p. 75; SALAVERT & SUÁREZ (2007) p. 15.

20. SÁNCHEZ CANO(2019) p. 110.

21. ORTIZ (1910) pp. 134 - 190.

22. WEHRLI (2011) p. 67; SCARFI (2025) p. 717.

23. ÁLVAREZ (1910) p. 10.

The article concludes with a reflection on the contemporary relevance of this transnational legal vision. The foundational tensions inherent in the Hispano-American project — between solidarity and tutelage, between Catholic universalism and sovereign self-determination, and between counter-hegemonic aspiration and the reproduction of hierarchical relations — are not merely historical curiosities; the obstacles facing any alternative normative framework that seeks to contest the dominance of Anglo-American liberal internationalism while remaining anchored in a particular civilizational tradition. By recovering this contested history, the article contributes to a more plural understanding of international law's origins and to ongoing scholarly debates about the limits and possibilities of legal counter-hegemony in the current international order.

II. Catholic-Conservative Hispanism and the Theological-Legal Genealogy

The Catholic-conservative branch of Hispano-Americanism cannot be regarded as a mere cultural reaction to imperial decline. The project under consideration was of a normative nature. The objective of this initiative was to regain Spain's international authority on theological-legal foundations at a moment when military and economic power could no longer sustain it²⁴. The defeat of 1898 resulted in a legitimacy vacuum that conservative intellectuals sought to fill not by modernizing the state, but by revalorizing what they presented as Spain's distinctive and inalienable contribution to the international order. They adopted the Catholic civilizational tradition and its juridical inheritance to develop their Hispano-American project. Comprehending this project from an analytical perspective requires considering not only the claims put forth by these authors but also the function those claims were intended to serve within the emerging competition between European and Anglo-American models of international law.

The chronological arc of the conservative Hispano-American project ("Hispanism") ran roughly from the 1892 Fourth Centenary of the Discovery of America to the 1929 "Hispano-American Exhibition of Seville." Far from an organic cultural resurgence, it unfolded as a series of deliberate political constructions, each keyed to a specific conjuncture²⁵. The 1892 centenary reactivated a providentialist narrative of discovery and evangelization at the precise moment when Spanish sovereignty in the Americas was under existential threat. The commemoration of the 1812 Constitution's centenary in 1912, which framed Spanish Americans as co-citizens of a shared constitutional heritage²⁶, reinterpreted the history of colonial independence as a civil

24. A critical view in PIKE (1972), pp. 5-7.

25. ACHING (1997), p. 15.

26. MIROW (2013) pp. 313-337; MARCHENA (2012) pp. 17-43; PABÓN (2012) p. 99.

rupture rather than a national liberation. This framing enabled conservative authors to assert the continuing moral bonds of the former metropolis without acknowledging the self-determination of the former colonies. The 1929 Exhibition, for its part, presented Spain's Catholic civilizing mission as a living and contemporary legacy, symbolically crowning a discourse that had evolved over several decades. A common thread among these events was a performative logic, whereby each event functioned as an exercise in prestige reconstruction, addressing both the European states system and the Hispano-American republics alike²⁷.

The advent of concepts such as "Hispanicity" and the "Day of the Race" during this period unveils a constitutive tension within the conservative project that has not been thoroughly examined by descriptive literature. On the one hand, these concepts employed the language of racial and spiritual unity to construct a supranational identity that could compete with the prevailing Anglo-Saxon liberal universalism and its claim to represent progress, civilization, and modernity. On the other hand, this language of unity simultaneously served a domestic function. It was employed to subdue regional nationalisms in Spain, asserting the cultural superiority of Castilian and the indivisibility of the Spanish "nation". The concept of "Hispanicity" had a double-faced character. Externally, it promoted solidarity and partnership across the Atlantic; internally, it regulated the boundaries of national identity. This dual function was inherent to the conservative program, not incidental to it. This observation sheds light on the reasons why liberal and Latin American critics were right to be suspicious of the solidarity it claimed to offer²⁸.

The intellectual architecture of conservative "Hispanism" was predicated on three argumentative maneuvers. The initial approach, represented by Marcelino Menéndez Pelayo, was of a genealogical nature. Menéndez Pelayo's historical work is characterized by the construction of Catholicism as the "essence of Spanish tradition" and the unifying thread of Hispano civilization from the medieval period to the present. In doing so, he produced a teleological historiography in which Spain's imperial and missionary past appeared as the necessary foundation of its contemporary international identity²⁹. This was not disinterested historiography. It was a normative argument about who Spain was and what role it was entitled to claim.

27. ABELLÁN (1972) p. 55.

28. ÁLVAREZ (1910).

29. MENÉNDEZ PELAYO (1880).

The second current, associated with Julián Juderías and José María Salaverría, adopted a defensive posture, characterized by a systematic attack on the "Black Legend". These authors sought to delegitimize the prevailing Eurocentric historiography by asserting that the "Black Legend" represented a product of Anglo-Saxon Protestant propaganda³⁰. In doing so, they aimed to challenge the dominant Eurocentric perspective that had consigned Spain to the periphery of civilization. The rhetorical inversion was significant: Spain was not the origin of barbarism; it was its victim. The chief impediment to the establishment of international justice was not the actions of Spanish imperialism; rather, it was the prevailing Anglo-American hegemony. Salaverría's additional contribution was to integrate this apologetic with an organic nationalist theory, in which the concept of Hispano-American spiritual unity served as a bulwark against the twin threats of separatism and liberalism³¹.

In the third move, the most analytically significant figure in this constellation is Ramiro de Maeztu, precisely because his intellectual trajectory illuminates the political work that Hispanism was required to perform. The transformation in Maeztu's perspective, from his initial characterization of the conquest as a "mistake" in 1911 to his subsequent celebration of it as a "great work of humanism" in 1934³², reads as more than a biographical curiosity: it can be understood as a symptom of the broader transformation undergone by the conservative project as it transitioned from cultural critique to a political program³³. A constant throughout this shift was the turn to the Salamanca theologians, Vitoria, Suárez, and Vázquez de Menchaca, as authorities for a distinctively Hispano contribution to international law³⁴. However, the function of this appeal shifted significantly. In the initial phase, it served to critique imperial excess from within the Catholic tradition. In the subsequent phase, it functioned to legitimate the empire as the original site of universal legal values³⁵. Accordingly, Maeztu's *Defensa de la Hispanidad* signifies a co-optation of the Salamanca legacy, not merely its extension³⁶. This transformation would profoundly impact the Francoist appropriation of this tradition following 1939. The Hispano-American republics, however, had developed their own juridical response to precisely this form of cultural legitimization. In 1868, the Argentine jurist Carlos Calvo had already established the foundational counter-argument. He advanced the position that the nations of Ameri-

30. JUDERÍAS (1914); ESPAÑOL (2007).

31. SALAVERRÍA (1917).

32. MAEZTU (1934).

33. POZO & BRASTER (1999) pp. 75-107; SEPÚLVEDA (2005) p. 187.

34. RASILLA (2017), *passim*.

35. EGIDO LEÓN (1993) pp. 651-673.

36. MAEZTU (1934).

ca and Europe were equal sovereign entities subject to the same rules of international law. In addition, he argued that no external power — whether Anglo-American or Hispanic — could invoke a civilizational mission to justify interference in their internal affairs. Calvo's insistence that Latin American sovereignty was not contingent upon its conformity to any external civilizational standard — whether European or Hispanic — represented a direct refutation of the genealogical claims that conservative Hispanism was in the process of constructing³⁷. The fact that this refutation predates those claims by two decades underscores the notion that the tension between Spanish normative authority and Latin American juridical self-determination was the Hispano-American project's constitutive antagonism, present from the outset rather than accumulated by accident³⁸.

The three aforementioned concepts- genealogical vindication (spanning Menéndez Pelayo's foundational move and its subsequent co-optation by Maeztu), apologetic inversion, and organic unity- defined the legal architecture of conservative "Hispanism", thereby establishing the parameters within which even its liberal critics would have to operate. The fundamental normative assertion of conservative Hispanism- namely, that the School of Salamanca constituted the original and authentic foundation of modern international law, antecedent to and independent of the Grotian tradition- was simultaneously its most intellectually ambitious and its most strategically contestable argument³⁹.

By projecting the 16th-century theological-juridical inheritance onto the political agenda of the late 19th and early 20th centuries, conservative authors sought to dress a historically contingent and politically motivated project in the authority of jurisprudential necessity. Spain's engagement in Hispano-American affairs could thereby be presented not as imperial interference but as the natural extension of a juridical tradition that had originated in Spain and remained alive in the shared legal culture of the Hispano world. The genealogy being constructed was, however, selective in ways that the sources themselves occasionally acknowledge. Vitoria's very own ideas, once invoked to justify the imposition of limits on conquest, were now being invoked to justify cultural tutelage⁴⁰. The normative ambition of the claim does not diminish

37. CALVO (1868) pp. 110, 392 y 393. Calvo's approach centered on the concept of states being equal in their shared sovereignty, rather than emphasizing any form of civilizational hierarchy. He argued that neither European juridical traditions nor Hispanic cultural heritage could serve as a standard to assess the legal standing of American nations. See also BECKER LORCA (2014) pp. 13–36 on the strategic use of equality arguments by Latin American jurists in the nineteenth century.

38. CALVO (1868) vol. 1, pp. 110, 392–393; BECKER LORCA (2014) pp. 13–36; OBREGÓN (2006) p. 247; SCARFI (2017) pp. 1–20. On Bello's foundational articulation of sovereign equality as a response to external normative authority, see JAKSIC (2001) p. 150.

39. On the humanizing effects that Vitoria had on Spanish colonial legislation, see HANKE (1949); ZAPATERO (2009) p. 221.

40. MAEZTU (1911) p. 37.

its historical significance; however, it does require that the analyst disaggregate the juridical argument from the political purpose it was designed to serve.

In this regard, Koskenniemi's analysis of the 20th -century uses of Vitoria becomes indispensable for understanding the conservative Hispano-American project, rather than merely illustrating it. He contends that contemporary invocations of Vitoria should be interpreted not as a historical recovery but as a normative intervention⁴¹. In this study, the 16th-century theologian is employed as a "recruited" authority to substantiate contemporary agendas, thereby demonstrating that what is presented as continuity is, in fact, a constructed narrative.

When applied to the conservative strand of Hispano-Americanism, this insight cuts in two directions. First, it discloses the presentism that underlies the genealogical move: Menéndez Pelayo, Maeztu, and subsequently Barcia⁴² were not merely recuperating an authentic tradition; they were establishing one. They compiled a curated selection of Vitoria and Suárez's works, responding to the political imperatives of a post-imperial Spain striving to establish normative authority within a state-centric international order⁴³. The Spain that had "invented" international law was not a historical finding but a counter-hegemonic claim, designed to displace the Grotian narrative that had marginalized the Iberian contribution.

Second, and more subtly, Koskenniemi's framework also cautions against dismissing the conservative project on the grounds that its genealogy was constructed. All counter-hegemonic projects in international law are predicated on the construction of alternative genealogies⁴⁴. The relevant question, then, is not whether a given construction is selective — all of them are. It is what normative work the construction performs, and whose interests it serves. The conservative Hispano-American project was undeniably selective and politically motivated. Yet it was also responding to a genuine asymmetry. The Grotian canon that dominated European international legal thought was itself a construction, one that had systematically excluded non-Protestant, non-Northern contributions.

The appeal to Vitoria, however presentist, was at least partly a legitimate protest against that exclusion. It is important to acknowledge this without necessarily accepting the conservative project's self-description. Instead, it is essential to distinguish between the validity of the protest and the adequacy of the proposed remedy. The protest, that Eurocentrism in international legal history had silenced the Hispano

41. BARCIA (1927); BARCIA (1933); BARCIA (1939).

42. KOSKENNIEMI (2014) p. 125.

43. RASILLA (2017) pp. 1-27; KOSKENNIEMI (2014) pp. 119-138.

44. KOSKENNIEMI (2004) p. 197; BECKER LORCA (2014), pp. 13–36. On the ambivalent position of postcolonial legal consciousness within the structures it contests, see also OBREGÓN (2006) p. 247.

tradition, had real intellectual substance⁴⁵. The remedy, that Spain's imperial tutelage over the Hispano-American republics was thereby justified, did not follow from the protest itself, and was rightly contested by Latin American critics from the outset⁴⁶. Here lies the constitutive paradox of the conservative cosmopolitan project. It invoked a universalist inheritance — the law of nations as elaborated by Vitoria and Suárez — to legitimate a particularist claim, namely that Spain occupied a privileged and irreplaceable position within the Hispano-American legal community. The cosmopolitan aspiration and the tutelary impulse were not in tension within the conservative project; rather, they constituted its dual aspects.

Consequently, the conservative-Catholic branch of Hispano-Americanism left to its liberal and internationalist successors, with both a valuable resource and a burden. As a resource, the Salamanca genealogy provided a ready-made counter-tradition within international legal history that could be deployed against both Grotian Eurocentrism and Anglo-American exceptionalism. As a burden, it bound the Hispano-American project to a messianic and imperial language that liberal reformers would need to explicitly disavow if they were to construct a credible alternative grounded in legal equality and educational cooperation rather than providential destiny.

The legal-normative dimension of the Catholic-conservative current merits closer attention. In juxtaposition with the liberal-reformist and interwar internationalist approaches, the Catholic-conservative current manifests predominantly as cultural or rhetorical, rather than juridical. The distinctive legal contribution of this strand of Hispano-Americanism lies in its recovery and mobilization of the School of Salamanca — Vitoria, Suárez, and Vázquez de Menchaca — as a counter-tradition within the history of international law⁴⁷. While the primary focus of this article is on the period from 1892 to 1935, the Francoist appropriation of this legacy after 1939 is briefly discussed here because it illuminates, by contrast, the specific function the conservative-Catholic project was designed to perform within the political conjuncture examined in this work.

This particular strain of Hispano-Americanism, which positioned Spain as the religious and cultural leader of the Hispano world, was subsequently appropriated by Francoism and its historians, jurists, and ideologues⁴⁸. This appropriation, nevertheless, involved more than simple continuation. The conservative-Catholic vision of the Hispano-American project, which was developed in the late 19th and early 20th

45. KOSKENNIEMI (2011) p. 3; ANGHIE (2004) pp. 32-114.

46. ÁLVAREZ (1910).

47. KOSKENNIEMI (2011) pp. 1-36; ANGHIE (1996) pp. 321-336; RASILLA (2017) pp. 1-27.

48. GIMÉNEZ (1979) p. 152; PARDO (1992) p. 211.

centuries as a cultural and normative counter-project to Anglo-American hegemony, underwent a significant transformation when it was absorbed into Francoist ideology after 1939. The program, initially articulated — at least in part — as a reformist or universalist endeavor, was subsequently repurposed as a diplomatic legitimization instrument for an authoritarian regime, which had become internationally isolated following the Second World War. The spiritual mission of Spain and the ideal of a "Hispano-American community of nations," originally conceived as alternatives to imperial power politics, were rearticulated by the Franco regime as a surrogate form of cultural empire. This served to secure recognition from Hispano-American states and to offset the regime's exclusion from the postwar international order. Francoist Spanish international legal scholars reclaimed the legacy of 19th-century imperialists by identifying them with ultra-orthodox Catholic thought and by making continual references to the Golden Age of the Spanish Empire⁴⁹.

The Francoist authors placed particular historiographical emphasis on the genealogy of the School of Salamanca, read through the lens of war and the history of war. This examination was set against the backdrop of the defense of the Spanish Empire and Hispano heritage⁵⁰. The cultural and diplomatic relations established with the American Republics- particularly Argentina and Cuba- during the pre-Francoist era, continued to be a subject of sustained interest among authors who wrote under Francoism and throughout the remainder of the 20th century and beyond. These relations had implications that extend to the present⁵¹. Consequently, under Francoism, Hispanicity became an ideological and diplomatic instrument in the service of the regime. This transformation stands in stark contrast to the distinctly liberal and reformist character of the Hispano-American project before 1939.

III. Liberal Reformism and the Positivist-Institutional Register

The liberal-reformist strand of Hispano-Americanism is best understood not as a moderate alternative to conservative messianism, but as a distinct juridical register that translated the same underlying strategic imperative—, the recovery of Spain's international standing— into the positivist language of educational cooperation, legal equality, and institutional solidarity. Section II demonstrated how conservative authors employed theological genealogy to assert Spain's normative authority. In contrast, this section explores how liberal reformers sought to achieve a similar objective through the secular language of *regenerationism*. This approach advocated for

49. KOSKENNIEMI (2014) p. 121, EGIDO LEÓN (1993) pp. 651-673; GAMARRA (2016).

50. PASTOR (2012) p. 79.

51. BONILLA (1959) pp. 247-254; PARDO (1992) pp. 211-238; GONZÁLEZ & LIMÓN (1988).

national renewal through education, empirical method, and rules-based engagement with the Hispano-American republics. The distinction between the two registers is both real and consequential; however, their shared structural logic is equally salient. Spain was depicted by both parties as the indispensable senior partner of a transatlantic community, though the asymmetry inherent in this relationship was obscured by a discourse of solidarity. From the outset, Latin American critics contested this portrayal, identifying the tutelary impulse beneath the reformist rhetoric⁵².

The institutional framework for this project was the *Institución Libre de Enseñanza* (ILE), established in 1876 and influenced by the educational philosophy of Francisco Giner de los Ríos⁵³. The ILE's significance for the Hispano-American question lay in its methodological premises. Spain's regeneration, it insisted, could not come from military or political projects. It could come only from reconstructing a shared cultural and intellectual tradition with the Hispano-American republics — one grounded in empirical enquiry rather than providentialist narrative⁵⁴. This methodological commitment distinguishes the ILE's *regenerationism* sharply from the Catholic-conservative project. Catholicism's role within the liberal-reformist paradigm does not stem from its doctrinal imposition; it lies in its ability to serve as the ethical and cultural substratum of a shared legal heritage. This heritage can be translated into the positivist language of institutional cooperation rather than invoked as the foundation of a spiritual empire⁵⁵.

52. On the shared structural logic of conservative and liberal Hispano-Americanism, see PIKE (1972) pp. 5–25; SUÁREZ (1986); SEPÚLVEDA (2005) pp. 187–210; SÁNCHEZ CANO (2019) pp. 110–135; ARBAIZA (2020) pp. 1–30. On the concealment of asymmetry beneath solidarity discourse, see BALFOUR (1995) p. 64. On the Latin American critique identifying the tutelary impulse from the outset, see ORTIZ (1910) pp. 110–111; CALVO (1868) pp. 110, 392–393; BECKER LORCA (2014) pp. 13–36.

53. Cultural regenerationism, in conjunction with the ILE, and a contemporary critique of BECKER LORCA emerged as a particularly innovative proposal during the interwar period in Spain, aiming to redefine the nation's relationship with Hispano America. Confronted by the national crisis that ensued in the aftermath of the 1898 disaster, the ILE, inspired by Giner de los Ríos, contended that Spain's true modernization would not be precipitated by political or military projects, but rather by the domains of education, science, and culture. This regenerationist framework proposed that Spain's mission should be based on rebuilding its international prestige based on the cultural tradition shared with the other side of the Atlantic.

54. The *Institución Libre de Enseñanza* was a crucible for the diverse liberal ideologies that encouraged the leftist bourgeoisie to pursue the regeneration of Spain. JIMÉNEZ (1996) p. 27.

55. One of the most compelling alternatives proposed by Spanish authors to the expansionism of the Anglo-American was that of a legal-institutional nature. Rather than acquiescing to the primacy of force or unilateral doctrines, such as the Monroe Doctrine, jurists and intellectuals of the regenerationist tradition contended that relations with America ought to be articulated through

This project was, in practice, more ambivalent than its secular self-presentation suggested. The reformist circle's invocation of "Spanish civilization" as the formative contribution of Spain to the Hispano-American republics reproduced, in a liberal register, the hierarchical structure that it otherwise claimed to reject⁵⁶. The former colonies were conceptualized as provinces of a unified national community — a "nation that does not conceive of itself as being separate from those on the other side of the Atlantic."⁵⁷ This reframed the independence of the American republics as a civil rupture rather than an exercise of self-determination⁵⁸. This framing was not politically neutral; it preserved for Spain a moral claim over its former territories that the language of equal partnership simultaneously denied. The tension between these two registers — solidarity and tutelage, equality and cultural primacy — is the constitutive ambivalence of liberal Hispano-Americanism, and it runs through the work of its two most significant figures, Rafael María de Labra and Rafael Altamira.

Labra's contribution to the liberal-reformist project was primarily juridical and institutional. His prolific output to the fields of international law, colonial affairs, and Spanish foreign policy, and his advocacy for the abolition of slavery, firmly established him as the reformist current's preeminent legal intellectual⁵⁹. The analytical significance of Labra lies in the specific register he employed to conceptualize the Hispano-American bond. Rather than framing it as a civilizational or spiritual inheritance, Labra understood it as a domain for democratic legal cooperation. This cooperation, according to him, should be established through the secularization and socialization of international law, as well as the establishment of Americanist associations operating on a basis of institutional equality. In doing so, Labra established the positivist-institutional language that Altamira would subsequently develop and the interwar jurists would seek to operationalize. The assertion that Spain's engagement with the Hispano-American republics was legitimate rests on its having been conducted through the universally available mechanisms of treaty-making, arbitration, and solidarity, rather than on any claim to providential continuity⁶⁰.

international law, the institutionalization of ties, and the promotion of multilateral organizations for peaceful conflict resolution. See LABRA (1913) pp. 1–30; ALTAMIRA (1921) pp. 1–25; BARCIA (1931) pp. 1–40. On the legal-institutional dimension of this project as a counter-model to Anglo-American unilateralism, see SCARFI (2020) pp. 1463–1475; RASILLA (2020) pp. 1433–1449; PEREIRA (1992) p. 97; SÁNCHEZ CANO (2019) p. 110.

56. BALFOUR (1995) p. 64.

57. SEPÚLVEDA (2005) p. 277.

58. PORTILLO (2012) pp. 160–167.

59. LABRA (1897); LABRA (1901); LABRA (1910); LABRA (1910).

60. PEREIRA (1992) p. 97.

Labra's approach, therefore, can be characterized as a secular cosmopolitanism: one that grounded supranational solidarity not in civilizational heritage or providential mission, but rather in the shared procedural language of international law. However, the application of procedural universalism was not uniform; it was implemented selectively. The primary function of this approach was to facilitate engagement between Spain and a specific cultural community, rather than to serve as a genuinely open framework available to all states equally.

Altamira's project is the most analytically complex within the liberal-reformist strand, because it most self-consciously attempted to distinguish itself from the conservative project while reproducing several of the latter's structural features in practice. The distinction Altamira drew between his own empirically grounded Americanism and the sentimental cultural affinity of the Generation of 1898 was methodologically genuine. His compilation and analysis of sources — including the *Leyes de Burgos* of 1512 and 1513, the statute of the Indies, and later the *Manual de Investigación de la Historia del Derecho Indiano* — reflected a commitment to rigorous historiographical method and to the demonstration of a legal, historical, and linguistic common space between Spain and the Hispano-American republics⁶¹. The 1910 expedition to the Americas, which resulted in the establishment of collaborative agreements with universities and research institutions, provided the program with a tangible institutional framework⁶².

The normative function of this scholarly program is, however, inseparable from the political context in which it operated. Altamira employed the history of Spanish colonial legislation not merely as a scholarly resource but as a strategic argument: evidence of a shared juridical heritage that could substantiate a rules-based transatlantic order, manifestly antagonistic to the Monroe Doctrine and to Anglo-American unilateralism⁶³. His assertion that Spain occupied 'a distinct and exclusive domain — the one we share with the peoples of our civilization and our language' — was not a straightforwardly universalist proposition. It was a claim to a distinctive sphere of legitimate engagement, one whose anti-hegemonic rhetoric against Anglo-American expansionism simultaneously constructed Spain as the indispensable cultural mediator of a community it had not been invited to lead⁶⁴. The tension that Fernando Ortiz

61. Altamira's interest in America had been enriched by the influence of the Americanist thought of Rafael María de Labra. GAMARRA (2012) p. 21; GAMARRA (2022) p. 346; See also VALERO (2012).

62. ALTAMIRA (1948) p. 10; LARIO (1997); PRADO (2008).

63. ALTAMIRA (1911); ALTAMIRA (1927) pp. 175-177.

64. Altamira was clearly interested from the outset in everything "Hispano" and "Hispano-American". His interest went beyond Spanish culture to cover Hispano America, Portugal, Brazil, the Philippines, and North Africa (Morocco), and to range over the entirety of Iberian culture. In this review, Altamira pointed out the topic of Hispano Americanism. PALACIO (2008) pp. 119-130.

identified in Altamira's program was not peripheral but structural. Beneath the language of rapprochement and legal equality, there existed what Ortiz characterized as the "expansive feeling of a people that wants to impose on others their way of being and living"⁶⁵.

Ortiz's critique merits greater analytical weight than it typically receives in the scholarship on Hispano-Americanism. Specifically, it exposes the structural logic shared by the liberal-reformist project and the conservative strand with which it was otherwise contrasted⁶⁶. Ortiz's argument holds that Pan-Hispano discourse has consistently deployed the fear of United States hegemony as a means to advance Spanish cultural and intellectual influence, casting the former metropolis as the tutor and savior of republics that have achieved independence with the express purpose of evading metropolitan tutelage. This critique does not merely corroborate Ortiz's political distance from the Spanish reformist program; it underscores the inherent asymmetry that rendered the liberal project's universalist discourse systematically unreliable as an account of the transatlantic relationship it sought to establish⁶⁷.

Spain's proposed rules-based order, drawing inspiration from the Catholic tradition of natural law, justice, and the historical experience of the Spanish monarchy, has been regarded as a potential alternative to the prevailing Anglo-Saxon model of political and economic hegemony. The question of whether it presented an alternative to metropolitan tutelage, or merely a culturally coded variant of it, remains unanswered by the Spanish sources alone. A comprehensive account of the Hispano-American project would require sustained engagement with the Latin American counter-tradition, including the work of Becker Lorca⁶⁸, Obregón⁶⁹, Esquirol⁷⁰ and Scarfi⁷¹.

Ortiz himself delineated the problem in juridical terms that the Spanish reformist literature systematically avoided: the issue was not whether Spain offered solidarity, but on whose terms, and under whose authority, that solidarity was to be organized. His critique of *Panhispanismo* as a disguised form of reconquest — the title of his 1910 text was itself a deliberate provocation — was not a rejection of transatlantic cooperation, but a demand that it be grounded in genuine equality rather than in the cultural authority of the former metropolis⁷².

65. Regarding the controversy between Ortiz and Altamira, see VALERO (2003) p. 99.

66. ORTIZ (1910) p. 110.

67. ORTIZ (1910) p. 111.

68. BECKER LORCA (2014) p. 225.

69. OBREGÓN (2006) p. 983.

70. ESQUIROL (2006) p. 931.

71. SCARFI (2025) pp. 407-426.

72. ORTIZ (1910) pp. 111. Ortiz distinguished between Hispanic cultural affinity, which he did not reject, and the institutional asymmetry through which that affinity was being organized — a distinction.

This demand for genuine equality had its own jurisprudential tradition, one that developed independently of, and in explicit tension with, the Spanish liberal-reformist program. Alejandro Álvarez, the Chilean jurist whose work on American international law was the most systematic Latin American contribution to the field in this period, argued in 1910 that the American continent had developed a distinct body of international law — one grounded in its own historical experience, diplomatic practices, and political institutions. He further argued that this tradition owed nothing to the cultural mediation of Spain and everything to the self-determination of the American republics themselves⁷³. For Álvarez, the pertinent community for the evolution of international law in the Americas was not the Hispano-American one that Spanish authors were establishing, but rather the hemispheric one that the American republics — including the United States — were building through their shared diplomatic practice. Spain, in this view, was simply a European state with no particular claim to hemispheric authority, not the senior partner of a transatlantic community. The discrepancy with Altamira's framework goes beyond ideology: it reflects a genuinely divergent response to the question of who constitutes the legitimate community from which international legal norms derive their authority.

The liberal-reformist project accomplished a significant feat that contributes to the broader counter-hegemonic program. Specifically, it successfully translated the Hispano-American bond, initially understood as a theological-genealogical claim, into a positivist-institutional one. By grounding Spain's engagement with the Hispano-American republics in educational cooperation, legal historiography, and treaty-based solidarity rather than in Catholic civilizational continuity, liberal reformers created a juridical language that was, in principle, compatible with the emerging norms of the inter-state system and with the aspirations of the more institutionally minded Latin American actors.

that the Spanish reformist literature consistently collapsed. The title of his text, 'La reconquista de América,' inverted the discourse of spiritual reconquest deployed by conservative Hispanism and turned it into a critique of the tutelary logic common to both its conservative and liberal variants.

73. ÁLVAREZ (1910) pp. 1–30. Álvarez argued that American international law had developed through a distinct set of historical conditions — independence, republican government, federalism, and regional diplomacy — that produced norms specific to the continent and irreducible to the European tradition. On the scope and limits of Álvarez's project, and on its ambivalent relationship to US hegemony, See also ESQUIROL (2006) pp. 931–956 and LANDAUER (2006) pp. 957–981.

This translation facilitated the subsequent shift, which will be examined in the following section. The shift in question involved an effort by interwar jurists and diplomats to operationalize the Hispano-American project within the institutional framework of the League of Nations. This operationalization presented Spain not as a former metropolis claiming providential authority, but as a "disinterested" mediator whose legal credibility derived from its historical distance from the great-power rivalries that distorted both Anglo-American and Pan-American frameworks.

IV. Spain as "Disinterested" Mediator: The Hispano-American Project in the Interwar International Order

During the interwar period, Spanish intellectual and diplomatic actors advanced a self-presentation as providers of "disinterested" cooperation, a term that merits sustained critical interrogation⁷⁴. Far from describing a neutral or altruistic posture, the language of "disinterestedness" and humanitarian pacifism formed part of a deliberate discursive strategy. The initiative's objective was twofold: first, to distinguish Spain's stance from the perceived self-interest of the United States and second, to legitimate Spanish engagement in a region where Spain lacked both material resources and formal authority.

The invocation of pacifism and humanitarianism thus served a dual function, both normative and strategic, that the historian must disaggregate rather than reproduce. Simultaneously, Spanish actors sought to capitalize on Hispano-American disillusionment with the Monroe Doctrine, which had consolidated a United States hegemony. This hegemony was widely perceived across the region as more invasive than the former colonial relationship. Additionally, actors sought to capitalize on the legitimacy vacuum that Pan-Americanism, a United States-sponsored framework, had helped to create⁷⁵. In a broader sense, Spain drew on its cultural and historical presence as a counterbalance to United States interventionism. This strategy was particularly advantageous at a time when the cost to Spain was minimal and the potential symbolic benefits were considerable⁷⁶.

74. QUIGLEY (1981).

75. ÁLVAREZ (1910).

76. On the intellectual foundations of liberal internationalism see DOMÍNGUEZ (2018) p. 323.

Becker y González provided the diagnostic from which Barcia's prescriptive framework departed: a sharply critical diagnosis of United States expansion⁷⁷. Becker argued that Washington was gradually establishing "a set of principles and a series of practices opposed in some areas and different in many others to the set of principles and series of practices that, by general agreement and common respect, constitute Europe's public international law"⁷⁸.

Among the projects developed to reposition Spain within this landscape, Barcia's is the most analytically elaborated. Writing from a broadly Romantic, jurisprudential tradition — one that prioritized historical communities and organic legal development over positivist codification — Barcia contended that the Hispano-American space constituted a historical community with juridical standing within the international order.

The argument's significance lies not in the self-evident correctness of its premises, but in the legitimating function it was made to perform. By asserting a pre-existing communal bond grounded in shared legal inheritance, Barcia recast Spanish involvement in Hispano-American affairs as an organic legal continuity rather than a political imposition. His thinking aligned with liberal reformism but added a powerful international legal component that gave his project institutional ambition.

He advocated for a framework of solidarity among Hispano-American states within the international arena. This solidarity, however, consistently assigned to Spain the role of senior partner rather than equal. As Barcia articulated, the objective was not to establish a rigid political bloc, but rather to coordinate diplomatic positions, advance shared stances, and promote peaceful settlements of disputes. The question of whether the Hispano-American states themselves shared this vision, and on whose terms, is one that Barcia's own writing does not address⁷⁹.

Barcia's framework is frequently characterized — including by its own proponents— as "Hispano-American regionalism" within international law⁸⁰. What Barcia articulated was less a functioning regional legal order than an aspirational community that is projected from Spain outward. This discursive construction serves Spain's quest for international relevance as much as, if not more than, the legal interests of Hispano-American states⁸¹. In this sense, Barcia's regionalism can be understood as

77. See on the figure of Jerónimo Becker y González the work of PASAMAR & PEIRÓ (2002) pp. 115-117.

78. BECKER y GONZÁLEZ (1924) p. 27.

79. SCARFI (2020) p. 1463.

80. The concept of regionalism, when examined as an analytical category within the context of inter-war international law, implied a degree of reciprocity, institutional density, and shared sovereignty that the Hispano-American project conspicuously lacked, BARCIA (1948); SCARFI (2025) p. 717.

81. RASILLA (2020) p. 1433.

a form of cosmopolitanism manqué. It invoked the universal language of international solidarity and the humanist legacy of Vitoria, Suárez, and Vázquez de Menchaca. However, it could not translate that language into institutional reality because it lacked both the material resources and the reciprocal consent of the community it claimed to represent. What emerged was a cosmopolitan vocabulary without a cosmopolitan order.

The advent of the League of Nations provided a new institutional stage. Here, Barcia argued, regions with historical affinities now had an opportunity to coordinate their international actions. He further elaborated on the notion that Hispano-American countries shared a common legal tradition — invoking the legacy of the School of Salamanca — expressed in similar institutions and analogous concepts⁸². On this basis, he advocated for the establishment of a Hispano-American legal community that would be capable of harmonizing legislation and influencing the evolution of international law. Barcia then presented this project as the natural heir to the humanist tradition of international law, compatible with universalism.

The claim's evident justificatory function is noteworthy. By extending the School of Salamanca's 16th-century legacy to the interwar political agenda, Barcia imbued a historically contingent and politically motivated project with the semblance of jurisprudential necessity. The intellectual genealogy being constructed was, however, far more contested and selective than such appeals to continuity suggested. Contemporary scholarship on the use and misuse of Vitoria in 20th-century international law has exposed the constructed, presentist character of this genealogy⁸³.

The critique is rhetorically powerful, but it is worth noting that Becker y González's own invocation of "Europe's public international law" was no more politically neutral. This implicitly positioned the European legal tradition— and, by extension, the Spanish legal tradition— as the universal benchmark against which American exceptionalism was to be measured. Becker y Gonzalez's argument was grounded in the Monroe Doctrine, which he interpreted as embodying a principle of European non-intervention that the United States had transformed into a unilateral instrument of regional hegemony. From his perspective, the United States had effectively declared the "eternal inviolability of the New World" — a formulation that collapsed the distinction between anti-imperialism and the reassertion of a rival sphere of influence⁸⁴.

82. BARCIA (1930); BARCIA (1948) pp. 113-336. See also RASILLA (2020), p. 1433.

83. The critical literature on this point is substantial. See, in particular, KOSKENNIEMI (2011) pp. 1–36, who argues that modern invocations of Vitoria function as normative intervention rather than historical recovery; KOSKENNIEMI (2014) pp. 119–138, who examines how the 16th-century theologian is 'recruited' to authorize contemporary agendas; and ANGHIE (1996) pp. 321–336, who demonstrates that the colonial encounter — not natural law universalism — was constitutive of Vitoria's framework. For the specifically Spanish trajectory of these appropriations, see RASILLA (2017) pp. 1–27, and RASILLA (2020) pp. 1433–1449.

84. BECKER y GONZÁLEZ (1924) p. 28.

These theoretical frameworks were subjected to a practical examination through the lens of two concurrent regional conflicts. Both exposed how far Spain's aspirations diverged from its actual capacity for institutional influence. The Chaco and Leticia cases serve to illustrate the central argument of this section, which posits that Spain succeeded in establishing a language of juridical authority without translating it into effective diplomatic influence. The Gran Chaco War (Bolivia v. Paraguay, 1928–1935) provided the inaugural instance of this examination. Spain's response was primarily discursive, manifesting as a gesture of solidarity that incurred no tangible costs while reinforcing its self-image as a "disinterested" mediator.

The call was interpreted in some quarters as a rejection of both the Monroe Doctrine and the League of Nations, and as an implicit endorsement of the creation of "entirely Latin American bodies" for dispute settlement— a position whose anti-hegemonic rhetoric sat uneasily alongside Spain's own aspirations to regional tutelage⁸⁵. The jurist Alejandro Álvarez, though somewhat sympathetic to Hispano approaches, advanced a critical proposal that called for the establishment of a Latin American body that would act in opposition to the hegemony of the United States. This proposal implicitly challenged the very framework of Spanish centrality that Barcia and others had sought to construct⁸⁶. The Chaco conflict ultimately escalated into a full-scale war, which exposed the limits of both the Hispano-American solidarity framework and the institutional capacity of the League of Nations⁸⁷. Beneath the surface dispute over territorial titles and ancestral rights lay a struggle for dominance over the region's tannin and petroleum resources⁸⁸. This material dimension eluded the idealist language of international law, ill-equipped to address it. The Chaco region is largely arid and inhospitable, a fact that throws into relief the human cost of the conflict against the abstract juridical claims advanced by both sides. For Bolivia, the territory represented its only outlet to the Atlantic via the Paraguay River. For Paraguay, it constituted the hinterland of the national capital, Asunción.

Madariaga ultimately ascribed the prolongation of the confrontation to an overlap of competing frameworks — the Pact's principles, Pan-American tendencies, and initiatives undertaken by several Hispano-American statesmen — which together further complicated the work of the League of Nations. Moreover, it exposed the fragility

85. VV.AA. (1987) p. 205. The notion of establishing an arbitration tribunal was raised in 1900 during the Hispano-American Economic and Social Congress. The primary objective of this initiative was to amicably resolve internal conflicts within the Hispano-American republics, particularly those concerning border limits, among other issues.

86. LANDAUER (2006) pp. 957-981; ESQUIROL (2006) pp. 931-956; OBREGÓN (2006) pp. 983-1016.

87. ÁLVAREZ (1935); See also MAROTTA (2010).

88. BARCIA (1925).

of the cooperative architecture that Spanish jurists had theorized⁸⁹. This case demonstrates the distance between Barcia's theorized framework of Hispano-American legal community and its practical irrelevance once the conflict escalated.

The Leticia dispute, one of several unresolved border tensions inherited from the colonial period, is a case in point⁹⁰. The conflict was ultimately resolved through the intervention of the League of Nations, which included the deployment of a commission and the establishment of a local peacekeeping force. Significantly, Madariaga himself, a central Spanish protagonist, credited the resolution to the multilateral framework of Geneva, as opposed to attributing it to bilateral Spanish mediation. Despite the engagement of the League of Nations, the belligerents ultimately opted to formalize their settlement at the Rio de Janeiro Conference (1934). This development exemplifies a recurring tension of the period, namely the preference of regional actors for negotiated solutions outside Geneva, even in instances where League of Nations mechanisms had been invoked. This preference complicated the narrative of international institutional progress that Spanish liberal authors sought to promote⁹¹.

This same preference for negotiated, non-Genevan solutions shaped the Seventh Pan-American Conference in Montevideo in 1933, at which Spain and Portugal were granted observer status. This was a symbolically significant but institutionally marginal presence, which underlines the limits of Spanish influence within the Pan-American framework. The Anti-War Pact⁹² was signed in October 1933 by Argentina, Brazil, Chile, Mexico, Paraguay, and Uruguay. Subsequently, it was endorsed by all the nations of the Americas, including the United States, as well as by several European countries, among them Spain.

Spain presented its participation as evidence of its good offices as a mediator — in the Leticia conflict, in the Chaco War, and in secondary matters such as the breakdown of relations between Mexico and Peru. The true weight of Spanish diplomatic intervention, however, remains difficult to evaluate independently of the self-interested accounts produced by its own protagonists. The disproportion between the mediatory role Spain claimed and the influence it actually exercised is a persistent methodological problem for this field.

89. MADARIAGA (1974) pp. 354-358.

90. Leticia was part of a region ceded to Colombia in 1927 by President Leguía of Peru. See BOURNEUF (2017).

91. MADARIAGA (1979) pp. 393 y 394.

92. The Anti-War Pact was sponsored by the Argentine Foreign Minister, Carlos Saavedra Lamas.

Antonio Jaén Morente, for instance, argued that the episode demonstrated a Hispano-American preference for settling disputes internally, with Spain cast in the role of arbiter. This attribution exemplifies the broader Spanish narrative of disinterested mediation, and this article reads it accordingly — as evidence of Spain's self-construction of its international role, rather than as a straightforward account of causal efficacy. This reading tells us more about Spanish aspirations than about Hispano-American preferences⁹³.

Spain's broader strategy of self-presentation as disinterested mediator found its most visible confirmation in the Saavedra Lamas Anti-War Pact (1933), which was modelled after the Kellogg–Briand Pact (1928) and adapted to the political circumstances of Hispano-America. The initiative met with considerable opposition from states directly implicated in the Leticia conflict, where the Pact's definition of aggression carried an obvious political charge. This suggests how difficult it was to separate the broader principles of international law from the specific political interests of the states invoking them.

Nevertheless, all the countries of Hispano-America eventually signed, as did the United States and several European states, including Spain⁹⁴. The Pact's widespread adoption is occasionally interpreted as a validation of the Hispano-American legal project; it might equally be interpreted as evidence of the simplicity with which declaratory commitments could be obtained, and of the distance between legal instruments and political realities that characterized the international law of the interwar period. As Scarfi argues, American international law was formed in debates on intervention, non-intervention, Pan-Americanism, and the Monroe Doctrine, but also in imperial networks and projects of legal hegemony⁹⁵.

When considered in conjunction with the theoretical framework developed by Barcia and the practical episodes of the Chaco War, the Leticia dispute, and the Anti-War Pact, a structural disjunction becomes evident at the core of the interwar Hispano-American project: the gap between rhetorical ambition and institutional capacity. Spain succeeded in establishing a coherent language of "disinterested" mediation and juridical solidarity; however, this language did not find an adequate material or institutional vehicle. Consequently, the interwar Hispano-American project stands, in retrospect, as a discursive achievement of significant analytical interest. Its limits are as historically instructive as its ambitions.

93. JAÉN MORENTE (1934) p. 140.

94. EGIDO LEÓN (1987) p. 193.

95. SCARFI (2017) p. 148.

V. Conclusions

The three juridical registers examined in this article — theological-genealogical, positivist-institutional, and diplomatic-mediatory — reveal the same underlying ambivalence: the Hispano-American project was cosmopolitan in aspiration, yet particularist in practice. Each of the three registers, in its own way, advanced and concealed the asymmetries of the transatlantic relationship that its authors claimed to be reforming. Hispano-Americanism functioned as both an imagined community and a calculated, if ultimately frustrated, strategy for regaining the international prestige forfeited after 1898.

The approaches examined exhibit a coherent, if internally contested, normative architecture. Across their ideological divisions, a shared strategic imperative united them: to reposition Spain as a "civilized nation" within the state-centric order of international law by constructing an "imagined community" with its former American territories. Conservative authors established the foundational principles of this community, grounding it in Catholic identity and imperial continuity. Liberal reformers reframed it through legal equality, educational cooperation, and the explicit rejection of Anglo-American unilateralism. Interwar jurists and diplomats sought to translate it into concrete institutional practice within the League of Nations, most notably in the Chaco and Leticia disputes.

What emerges from this analysis is a legally articulated counter-hegemonic strategy, not merely an exercise in imperial nostalgia. The internal tensions — between messianism and equality, between tutelage and solidarity, between Catholic universalism and sovereign self-determination- shaped its historical significance; they were not incidental to it.

However, it is crucial to acknowledge that the internal tensions observed within the Spanish currents under scrutiny in this study were exacerbated by an external tension that this article has been able to address only in part: the disconnect between Spain's aspirations and the actual preferences of the Hispano-American republics themselves. This is not a reason to dismiss it. It is the most historically instructive thing about it.

The reception of Hispano-Americanism in Latin America was neither passive nor uniform. Scholars such as Becker Lorca, Obregón, and Esquirol have documented how Latin American jurists simultaneously engaged with, appropriated, and subverted the normative frameworks that Spanish actors sought to project. The recovery of these counter-readings is essential if the Hispano-American project is to be understood as a genuinely transnational — and genuinely contested — field of legal and cultural negotiation, rather than a Spanish discursive construction alone. Hispano-American

values operated simultaneously as principles of legal ordering and as instruments of political positioning, enabling Spain to challenge Anglo-American liberal universalism while reformulating its own claims of cultural primacy as solidarity.

The article does not claim that the values articulated by Hispano-Americanism — community, faith, human dignity, and solidarity — offer a ready-made alternative to the contemporary international order. What this article has sought to demonstrate is that Hispano-American 'values' functioned less as ethical consensus than as a battleground of legal language. The analysis conducted herein does, however, permit one substantive observation. In any contemporary normative framework that seeks to contest Anglo-American liberal universalism from within a particular civilizational tradition, the same structural tension that defined the Hispano-American project will inevitably be reproduced: between the universalist ambition of its claims and the particular interests those claims were designed to serve.

Ultimately, the failure of these projects to achieve their full potential, due to constraints imposed by limited resources and the deep asymmetries of the international order they sought to reform, does not diminish their analytical interest. On the contrary, it confirms that Hispano-Americanism occupied a genuinely ambivalent position in the foundational period of contemporary international law —neither fully hegemonic nor fully peripheral, but persistently and self-consciously engaged in the contest over its normative foundations. Recovering this history enriches our understanding of the plural and contested origins of the international legal order, as well as the alternative normative languages that shaped, and were in turn shaped by, its emergence.

Declaration of conflict of interest

The author declares no conflict of interest.

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