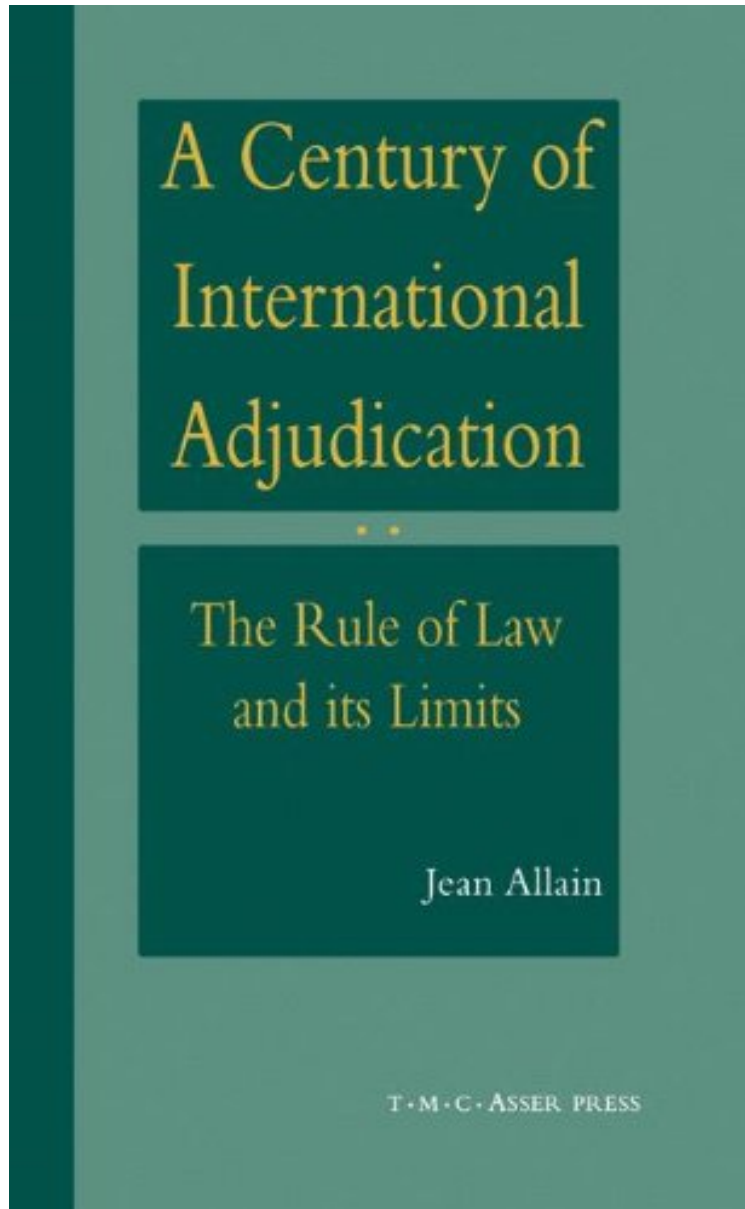


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# A Century of International Adjudication - The Rule of Law and its Limits

*Jean Allain*

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## Rule of Law and its Limits:

This study considers the first century of international adjudication as a permanent fixture of the international society. By using specific international courts to which I was attached, as either a researcher or an employee, I was allowed to consider the various limitations to effective adjudication on the international plane. I recall the day in January of 1992 when the seeds of this manuscript were first planted. I was on the fourth-floor of the Loeb Building at Carleton University leafing through a copy of Thomas Burgenthal's *International Human Rights Law in a Nutshell* when I came upon a chapter on the Inter-American Court of Human Rights. "How could this be?", I thought. "A little known human rights court in a part of the world fraught with human rights abuses". That semester, I followed through on a course in international human rights law with Professor Maureen Davies and accepted a University Fellowship to do graduate work at Brock University (Canada) the following year. Supported in my interest by Professor James Patrick Sewell, I sought and received an Organization of American States Fellowship to spend an academic year studying the Inter American Court of Human Rights, in situ, in San Jose, Costa Rica. It is from this period that I witnessed first-hand how the Inter-American Court, although similar on paper to the European Court of Human Rights, was limited in its effectiveness through the lack of financing and staffing allocated to it by American States.

'... a good account and overview of the current weak state of international adjudication and arbitration. It shows the shortcomings of the rule of law in international law by comparing the interesting experiences of different courts and tribunals. It is also a useful source of facts and figures ...' *Netherlands International Law* About the Author Jean Allain is Assistant Professor of Public International Law, Department of Political Science, The American University in Cairo, Egypt.