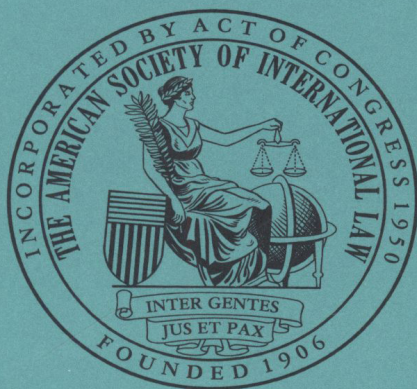


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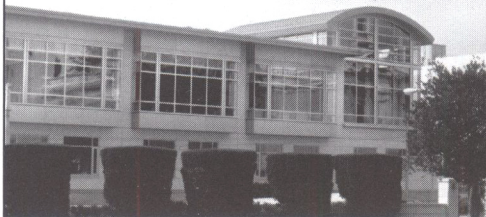
American Journal of International Law



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Thomas M. Franck
- Reevaluating Regional Human Rights Litigation in the Twenty-first Century: The Case of the Inter-American Court
James L. Cavallaro and
Stephanie Erin Brewer

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The principle of proportionality is generally held to govern the extent to which a provocation may be lawfully countered by what might otherwise be an illegal response. Focusing on the application of proportionality to a range of subjects such as armed conflicts between states, interstate trade disputes, and restrictions on internationally protected human rights, this article finds that, despite its vagueness, the principle succeeds in modulating conflict between states because through frequent application it has shed much of its indeterminacy.

**Reevaluating Regional Human Rights Litigation in the Twenty-first Century:
The Case of the Inter-American Court**

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Over the past two decades, the political landscapes over which regional human rights courts exercise jurisdiction have changed dramatically, signaling the need for a new model of supranational human rights litigation based on the dynamics of social change in countries now subject to these courts. Focusing primarily on the Inter-American Court of Human Rights, this article recommends procedural and jurisprudential modifications to enhance the domestic impact of the Court's work in the Americas.

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