“Corruption and the Rule of Law: Insights from the 2019 WJP Rule of Law Index”

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Overview

• About Us: The World Justice Project (WJP)
• WJP Rule of Law Index
• Global Insights from 2019 WJP Rule of Law Index
• What the latest Index data is telling us about corruption in the world
The World Justice Project

Our goal:
A world made up of rule of law communities delivering justice, opportunity, and peace.
WJP Premise #1
The rule of law is the foundation for communities of justice, opportunity, and peace.

WJP Premise #2
Multidisciplinary collaboration is the most effective way to advance the rule of law.
Without a generally accepted definition of the “rule of law”, progress would be impossible
Historical Roots of the Rule of Law

- 350 BCE: Aristotle (Athens)
- 80 BCE: Cicero (Greece)
- 1215: Magna Carta (England)
- 1748: Montesquieu (France)
- 1775: John Adams (United States)
- 1939: Albert Einstein (United States)
- 2012: Ban Ki-moon (U.N.)

- 139 BCE: Han Dynasty (China)
- 640 AD: Umar ibn Al-Khattab (Saudi Arabia)
- 1939: Albert Einstein (United States)
Our Definition

The rule of law is a durable system of laws, institutions, and community commitment that delivers four universal principles:

**Accountability**
The government as well as private actors are accountable under the law.

**Just Laws**
The laws are clear, publicized, and stable; are applied evenly; and protect fundamental rights, including the security of persons, contract, property and human rights.

**Open Government**
The processes by which the laws are enacted, administered, and enforced are accessible, fair, and efficient.

**Accessible & Impartial Dispute Resolution**
Justice is delivered timely by competent, ethical, and independent representatives and neutrals who are accessible, have adequate resources, and reflect the makeup of the communities they serve.
World Justice Project Approach

Index reveals opportunities for reform

Rule of Law Data
- WJP Rule of Law Index
- Country-specific Studies
- Access to Justice Assessments
- Open Government Report

Research and Scholarship
- Rule of Law Research

Engagement
- Country meetings
- Regional meetings
- World Justice Forum
- Resource Hub (online directory)
- Practical, locally-led programs

Participants suggest topics for scholarly analysis

Participants test Index

Index reveals opportunities for scholarship

Scholars assess Index content & methodology

Scholars identify project approaches and priorities

RESEARCH & SCHOLARSHIP
Research and Scholarship

- Consortium of more than 60 leading scholars studying rule of law from multiple fields: law, economics, political science, sociology, and anthropology


- If we can raise the visibility and prove the importance of the rule of law within the academy, it will inform students as well as the broader community
Engagement

- Building and connecting an active **global network**
- Organising and leading **strategic convenings**
- Inspiring, incubating, and accelerating practical, locally led **programmes**
**ENGAGEMENT**

**Strategic Convenings**

**Single Country Engagements**
Convening a diverse group of rule of law advocates to share our country-specific data and encourage the design of pragmatic solutions to local rule of law challenges.

**Regional Conferences**
Staging meetings of 75-100 rule of law leaders from approximately 20 countries and 30 disciplines.

**World Justice Forum**
Premier international event for the rule of law. Top organizations and individuals from our network share insights, explore strategies, and develop rule of law solutions.
WJP Rule of Law Index

- Measures how the rule of law is experienced and perceived by people in 126 countries
- 1,000 surveys of randomly selected households in each country (in local languages)
- Surveys of in-country experts to develop scores of rule of law adherence
- Validate data against 3rd party sources
- Virtually all original data
500 Questions
126 Countries
120,000 Households Surveyed
3,800 Experts Interviewed
Eight factors of the *WJP Rule of Law Index*, derived from the four universal principles:

- Constraints on Government Powers
- Absence of Corruption
- Open Government
- Fundamental Rights
- Order and Security
- Regulatory Enforcement
- Civil Justice
- Criminal Justice
44 Sub-Factors, Derived from Eight Factors

2.1 Government officials in the executive branch do not use public office for private gain
2.2 Government officials in the judicial branch do not use public office for private gain
2.3 Government officials in the police & the military do not use public office for private gain
2.4 Government officials in the legislative branch do not use public office for private gain
Sample Questions

- In the last 3 years, have you or someone in your household been subjected to physical abuse by the police or the military?

- Did you have to pay a bribe to receive medical attention at any public hospital or clinic?

- If you have a dispute with your neighbor or someone in your work, where would you go for resolution?
Administration of the household survey in Thailand
Administration of the household survey in Myanmar
Scores & Rankings

See pages 16–17 for global rule of law scores and rankings
Compare Data

data.worldjusticeproject.org
Factor Scores & Rankings

See pages 22-29

Constraints on Government Powers

Factor 1 measures the extent to which those who govern are bound by law. It comprises, the extent to which laws are accessible and applied in a transparent and fair manner; the extent to which the executive branch of government is subject to judicial review and to which the legal process is respected; and the extent to which the state complies with its international obligations. The scores for this factor are based on a combination of expert assessments and secondary data. For further information, please refer to page 11.

Fundamental Rights

Factor 4 recognizes that a system of positive law that fails to respect core human rights is subject to international law and to the “rule of law.” It assesses the extent to which fundamental rights and freedoms are protected by law and are given effective legal protection. It is impossible to assess adherence to the full range of rights, but this factor focuses on a relatively modest menu of rights that are firmly established under international law and are closely related to the rule of law. For further information, please refer to page 12.
Global Decline in Rule of Law

Percentage change in countries’ rule of law score since last year.

31 countries’ rule of law performance declined by 1% or more in the last year, with Nicaragua, Iran, Jordan, and Venezuela seeing the largest drop.

23 countries’ rule of law performance improved by 1% or more in the last year, with Zimbabwe, Guatemala, Ethiopia, and Malaysia seeing the greatest improvement.

*Countries with a change in score of less than 1% or those which are new to the Index in 2019 are not shown.
Factors of the Rule of Law Over Time

Percentage of countries whose score has improved or declined for each of the eight factors of the WJP Rule of Law Index.

- Constraints on Government Powers
- Absence of Corruption
- Open Government
- Fundamental Rights
- Order and Security
- Regulatory Enforcement
- Civil Justice
- Criminal Justice

* Out of 113 countries
1 Out of 102 countries
A Sign of Rising Authoritarianism?


Factor 1, “Constraints on Government Powers,” declined in more countries than any other factor worldwide in the last year.

60% of countries saw a decline in Factor 1 since 2015.

*Countries that do not have four years of data are not shown.*
Opportunities for progress

- National level - Opportunities for change should be seized quickly
- Regional level - Relatively positive trends in Africa
- Global level - More countries have improved in Factor 2 “Absence of Corruption” than declined for the second year in a row
Corruption is still prevalent around the world, particularly in developing countries.
Significant Improvements in Corruption

A few countries at different levels of development have shown significant improvements in scores for Absence of Corruption, including Argentina, Burkina Faso, and Italy.
The Path Forward: Suggestions for Sustained Progress

- Strengthening the global normative framework
- Increasing enforcement of anti-corruption norms
- Supporting civil society efforts to combat corruption
- Harnessing anti-corruption technology
- Strengthening all dimensions of rule of law