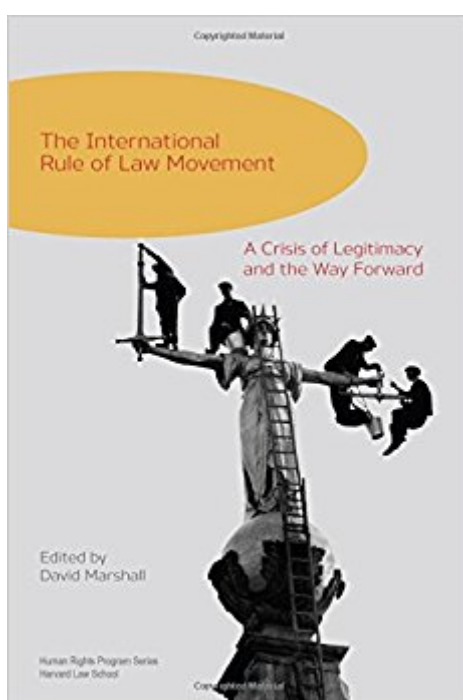


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The International Rule Of Law Movement: A Crisis Of Legitimacy And The Way Forward (Human Rights Program Series)



Synopsis

Promoting the rule of law at the national and international levels is at the heart of the United Nations' mission and is a principle embedded throughout the Charter of the United Nations and most constitutions of nation-states. The 2012 "Declaration on the Rule of Law at the National and International Levels" adopted by the General Assembly reaffirmed that human rights, the rule of law, and democracy were interlinked and mutually reinforcing, and that they belonged to the universal and indivisible core values and principles of the United Nations. To some, the "Rule of Law" has become nothing more than empty rhetoric of individual Western states and intergovernmental bodies such as the UN, The World Bank, and the EU. In addition to conceptual uncertainty and perceived hidden agendas, there is mounting skepticism, particularly among donors, regarding rule of law promotion and its effectiveness in fragile states. The International Rule of Law Movement critically evaluates rule of law initiatives from a contemporary global perspective. It seeks to fill the gap in knowledge among actors and to explain what has and has not been effective and why. It also proposes better models for promoting justice and the rule of law in fragile states.

Book Information

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Customer Reviews

This volume provides a timely and honest discussion of the complexities and pitfalls of institutional rule of law reform efforts. Established truths, underlying assumptions, and banal accomplishments of state-building efforts are questioned, urging global and local reformers to pause and reassess the

path forward. This book is an invaluable contribution to the post-2015 development agenda discussion and beyond. (Juan Carlos Botero, World Justice Project) A tough-minded take on a topic ripe for rigorous review. Posing fundamental questions about the value of existing approaches to international rule of law assistance, the authors present searching analyses that range from incisive country cases to thought-provoking thematic explorations. Bracing but fair-minded; sweeping but also usefully specific. (Thomas Carothers, Carnegie Endowment for International Peace) During the last two decades, promoting the rule of law has become a global industry. Well-financed activists, governments, and international organizations have championed the cause, touting improved rule of law as a way to reduce poverty, secure human rights, and prevent conflict. All the contributors to this volume affirm the importance of promoting the rule of law in troubled and transitional societies, using tools such as foreign aid and technical assistance. Some argue that international experts need to spend more time grappling with issues of justice in aid-receiving countries and adapting their plans to local cultural and political circumstances. Others caution that there are severe limits to what can be achieved by outsiders. In his contribution, Marshall offers a hard-hitting assessment of the UN's rule-of-law programs, which he deems unrealistically ambitious. The book's overall message seems quite sensible: if promoting the rule of law has become an industry, that industry needs to tailor its product to local markets, listen to its consumers, remain flexible, learn from its mistakes, and assume it will be in the business for the long term. (G. John Ikenberry Foreign Affairs 2014-11-01)

David Marshall is a staff member of the United Nations Human Rights Office.

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