



Promoting *the*
Rule *of* Law Abroad

IN SEARCH OF KNOWLEDGE

Thomas Carothers

EDITOR

Promoting The Rule Of Law Abroad In Search Of Knowledge

Julie Newton, William Tompson



Promoting The Rule Of Law Abroad In Search Of Knowledge:

Promoting the Rule of Law Abroad Thomas Carothers, 2010-03-01 Over the past decade Carothers has established himself as the leading U S expert on democracy promotion He is a powerful critic not only of the nuts and bolts of democracy assistance but also of U S grand strategy overall SAIS Review Promoting the rule of law has become a major part of Western efforts to spread democracy and market economics around the world Yet although programs to foster the rule of law abroad have mushroomed well grounded knowledge about what factors ensure success and why remains scarce In Promoting the Rule of Law Abroad leading practitioners and policy oriented scholars draw on years of experience in Russia China Latin America Central and Eastern Europe the Middle East and Africa to critically assess the rationale methods and goals of rule of law policies These incisive accessible essays offer vivid portrayals and penetrating analyses of the challenges that define this vital but surprisingly little understood field Contributors include Rachel Belton Truman National Security Project Lisa Bhansali World Bank Christina Biebesheimer World Bank Thomas Carothers Carnegie Endowment Wade Channell Stephen Golub and David Mednicoff University of Massachusetts Amherst Laure H l ne Piron Overseas Development Institute Matthew Spence Yale Law School Matthew Stephenson Harvard Law School and Frank Upham NYU School of Law

PROMOTING THE RULE OF LAW ABROAD: The Problem of Knowledge Thomas Carothers, 2022 The Cambridge Companion to the Rule of Law Jens Meierhenrich, Martin Loughlin, 2021-08-12 The Cambridge Companion to the Rule of Law introduces students scholars and practitioners to the theory and history of the rule of law one of the most frequently invoked and least understood ideas of legal and political thought and policy practice It offers a comprehensive re assessment by leading scholars of one of the world s most cherished traditions This high profile collection provides the first global and interdisciplinary account of the histories moralities pathologies and trajectories of the rule of law Unique in conception and critical in its approach it evaluates breaks down and subverts conventional wisdom about the rule of law for the twenty first century

Marginalized Communities and Access to Justice Yash Ghai CBE, Jill Cottrell, 2009-12-16 Presents a comparative study by some of the leading researchers in the field of law and justice of the imperatives and constraints of access to justice among a number of marginalized communities This title examines the role of courts and similar bodies in administering the laws that pertain to the entitlements of marginalized communities Advancing Rule of Law in a Global Context Heru Susetyo, Patricia Rinwigati Waagstein, Akhmad Budi Cahyono, 2020-02-25 The papers published in this proceedings volume are written by a selection of authors resulting from a call for papers for the 1st International Conference on Law and Governance in a Global Context ICLAVE originating from Indonesia and other countries This proceedings volume shall be a very valuable contribution to understand contemporary law issues in Indonesia which are not always taught in law schools These proceedings will not only serve as a useful reference for law students and academicians but also help law practitioners to understand law issues that may be encountered in Indonesia It covers selected items such as Administrative Law

Constitutional Law Business Law Intellectual Property Law Criminal Law Human Rights Law Adat Law Shariah Law Judiciary Law and International Law which are all important for undergraduate and post graduate law students as well as academicians and law practitioners in the law community

Strengthening the Rule of Law through the UN Security Council Jeremy Farrall, Hilary Charlesworth, 2016-04-14 The UN Security Council formally acknowledged an obligation to promote justice and the rule of law in 2003 This volume examines the extent to which the Council has honoured this commitment when exercising its powers under the UN Charter to maintain international peace and security It discusses both how the concept of the rule of law regulates or influences Security Council activity and how the Council has in turn shaped the notion of the rule of law It explores in particular how this relationship has affected the Security Council's three most prominent tools for the maintenance of international peace and security peacekeeping sanctions and force In doing so this volume identifies strategies for better promotion of the rule of law by the Security Council This book will be of interest to scholars and students of international law international relations international development and peacekeeping

Routledge Handbook of the Rule of Law Michael Sevel, 2024-10-24 This Handbook provides a state of the art survey of the study of the rule of law across law the humanities and social sciences as well as insights into the practice of building the rule of law within and among states Its 28 chapters are by many of the world's leading scholars of the rule of law as well as distinguished junior scholars from a dozen countries and representing a number of academic disciplines The chapters are ordered to progress first from theory to the practice of the rule of law and second from the rule of law within to beyond the state They divide into three parts The first part examines the concept history and value of the rule of law This section considers the importance of political and intellectual history in shaping the concept over the centuries and takes novel philosophical approaches to the connection between the rule of law and other important ideals such as justice equality and civil disobedience The second part transitions from theoretical studies to accounts of practical exercises in building the rule of law The chapters consider the challenges of rule of law reform including the use of local intermediaries facilitating interactions between international legal aid organizations and state governments the challenges of legal translation across vastly different societies the pathways of knowledge among the powerless about the protective potential of the rule of law as well as the possible future for artificial intelligence systems in helping to reinforce rule of law principles The third part examines the rule of law from a number of perspectives within particular supranational and national states such as the European Union China Singapore and South Africa among others and concludes by considering the prospects of the rule of law beyond the state both within and among international institutions such as the United Nations as well as non territorial spaces like the world's oceans This Handbook is aimed at rule of law scholars across law the humanities and the social sciences law and development practitioners policymakers and advanced students and researchers who seek a state of the art overview of the history theory and practice of the rule of law

New Courts in Asia Andrew Harding, Penelope

Nicholson,2010-01-21 This book examines the numerous new courts created throughout Asia during the last 20 years covering important jurisdictions including human rights intellectual property disputes bankruptcy petitions commercial contracts public law adjudication personal law labour and industrial disputes It evaluates their performances and considers the broader economic social and political implications

The EU's Conceptualisation of the Rule of Law in its External Relations Lisa Louwerse,2023-09-04 This book explores the question of how the EU understands the rule of law in its external relations with a particular focus on development cooperation and enlargement Although the EU's commitment to the rule of law is strong the relevant concept remains nebulous On the basis of a detailed analysis of two key EU external policy areas the main argument advanced is that the Union has adopted a mostly institutional approach to the concept by focussing largely on judicial reform By testing the relevant practice against the background of the constitutional traditions of the Member States and legal theory the book attests to the significance of developing a comprehensive approach to the rule of law in EU external relations

Rule of Law Dynamics Michael Zurn,Andre Nollkaemper,Randy Peerenboom,2012-06-18 This volume explores the various strategies mechanisms and processes that influence rule of law dynamics across borders and the national international divide illuminating the diverse paths of influence It shows to what extent and how rule of law dynamics have changed in recent years especially at the transnational and international levels of government To explore these interactive dynamics the volume adopts an interdisciplinary approach bringing together the normative perspective of law with the analytical perspective of social sciences The volume contributes to several fields including studies of rule of law law and development and good governance democratization globalization studies neo institutionalism and judicial studies international law transnational governance and the emerging literature on judicial reforms in authoritarian regimes and comparative law Islamic African Asian Latin American legal systems

[Military Law Review](#) , **Rethinking America** Jeff Maskovsky,Ida Susser,2015-11-17 How has domestic life been reorganised to accommodate the new U S imperial ambitions What are the consequences of empire for the people living here at home This new collection of essays answers these questions by exploring the cultural political and economic shifts that are now under way in the United States Encouraging a radical rethinking of what the country is today this book highlights the connection of U S imperial strategies to the production of insecurity uncertainty and deepening inequality at home Rethinking America also explores the instabilities and contradictions of the new imperialism from the unique vantage point of the newly emerging U S homeland Comprised of work from leading figures in the field of U S ethnography this book is essential reading for anyone interested in understanding the changes taking place in the United States in the early years of the twenty first century

The Beginner's Guide to Nation-Building James Dobbins,Seth G. Jones,Keith Crane,Beth Cole DeGrasse,2007-02-08 Since the end of the Cold War the United States NATO the United Nations and a range of other states and nongovernmental organizations have become increasingly involved in nation building operations Nation building involves the use of armed force as part of a broader effort

to promote political and economic reforms with the objective of transforming a society emerging from conflict into one at peace with itself and its neighbors This guidebook is a practical how to manual on the conduct of effective nation building It is organized around the constituent elements that make up any nation building mission military police rule of law humanitarian relief governance economic stabilization democratization and development The chapters describe how each of these components should be organized and employed how much of each is likely to be needed and the likely cost The lessons are drawn principally from 16 U S and UN led nation building operations since World War II and from a forthcoming study on European led missions In short this guidebook presents a comprehensive history of best practices in nation building and serves as an indispensable reference for the preplanning of future interventions and for contingency planning on the ground

Research Handbook on Law and Diplomacy Margaret E. McGuinness, David P. Stewart, 2022-12-08 This timely Research Handbook examines the dynamic and interdependent relationship between law and diplomacy in the contemporary international system Through accounts of the actual practice of international law and diplomacy it provides insights into how international law and relations operate and examines the complex relationship Institutions, Ideas and Leadership in

Russian Politics Julie Newton, William Thompson, 2010-06-23 A stimulating and thought provoking collection that challenges some of the emerging conventional wisdom about contemporary Russia It examines the role of leadership institutions and ideas and the interactions among them in shaping Russia's post Soviet transformation *Culture in Law and Development*

Lan Cao, 2016-05-02 Culture in Law and Development presents a provocative new solution to the seemingly intractable problem of combining international norms with local cultural traditions by changing culture through law and development In this book Lan Cao demonstrates how the gradual expansion of customary international law CIL provides a model for changing culture in ways that protect and advance local populations The book adopts a holistic view of development and argues that cultural norms that impede the human capabilities of the poor women and other marginal groups should be changed The book reveals how a more conscious coordinated effort on such change can succeed while non violative local traditions are otherwise honored and preserved Cao proposes that cultural change does not have to constitute cultural disrespect and that local societies only benefit by a careful combination of externally wrought change and internally fostered tradition The Spirit of Democracy

Larry Diamond, 2024-07-02 A neatly structured survey examines the prospects for universal democracy A refreshingly evenhanded overview of democracy's global prospects Kirkus Reviews Meticulous and gleaned from his experience Diamond is at his best when he recounts how ordinary people affect the democratic process The New York Times Book Review In 1974 nearly three quarters of all countries were dictatorships today more than half are democracies Yet recent efforts to promote democracy have stumbled and many democratic governments are faltering In this sweeping vision for advancing freedom around the world Larry Diamond a renowned sociologist at the Hoover Institution at Stanford University and coeditor of the Journal of Democracy examines how democracy progresses He demonstrates that the

desire for democracy runs deep even in very poor countries and why seemingly entrenched regimes like Iran and China could become democracies within a generation Diamond urges the United States to vigorously support good governance and free civic organizations Only then will the spirit of democracy be secured Diamond is eloquent in arguing that despite the recent blunders of American democracy promoters there is still a role for the international community in helping societies that are struggling to be free Foreign Affairs **Globalisation, Populism, Pandemics and the Law** Findlay, Mark, 2021-07-31

Advocating a style of law and a role for legal agency which returns to its essential humanist ideology and represents public spiritedness this unique book confronts the myths surrounding globalisation advancing the role for law as a change agent unburdened from its current market functionality Rebuilding the State Institutions Juan Antonio Le Clercq, Jose Pablo Abreu Sacramento, 2019-11-29 Contemporary Mexico faces a complex crisis of violence and insecurity with high levels of impunity and the lack of an effective rule of law These weaknesses in the rule of law are multidimensional and involve elements of institutional design the specific content of the laws particularities of political competition and a culture of legality in a country with severe social inequalities This book discusses necessary institutional and legal reforms to develop the rule of law in a context of democratic social and economic transformations The chapters are organized to address 1 The concept of the rule of law and its measurement 2 The fragility of the rule of law in Mexico 3 Structural reforms and implementation challenges 4 Social exclusion and the culture of legality The book addresses decision makers civil servants consultants scholars lecturers and students focusing on public policy rule of law sociology of law legislative studies and practice impunity and areas of political philosophy The book presents an interdisciplinary and integrated approach for understanding the rule of law in Mexico taking into account national particularities the regional context and global comparisons Chapters discuss recent institutional reforms in Mexico from a critical point of view and explore possible next steps to achieve effective implementation This book addresses the links between a weak rule of law and social phenomena like insecurity violence corruption and democratic deficits **Legal Consciousness and the Rule of Law in Post-Conflict Societies** Holly

Dunn, 2022-12-30 This book considers how legal reforms and awareness raising associated with building the rule of law have engaged the popular legal consciousness producing contradictions that have in turn shaped the nature of the resultant legality How are popular legal justice beliefs and practices transformed when legal reforms encounter local contexts and cultures For over a decade scholars have engaged with the argument that legal reform through rule of law building is the answer to the various ills of countries transitioning from war to peace or authoritarianism to democracy Yet scholars have also repeatedly critiqued rule of law building projects The rule of law in theory and in practice is a product of Western liberal thought and development and provides limited space for local culture norms and practices This tension has been playing out in multiple locations and in the Democratic Republic of Congo for about two decades This book examines how rule of law reforms in the Democratic Republic of Congo shape local understandings and practices of law and justice Instead of focusing

on their so called successes and failures it explores popular legal consciousness how people think about perceive and engage with the law to draw broader conclusions about the practical everyday outcomes of attempts to build the rule of law This book will appeal to comparativists Africanists and socio legal scholars who study post conflict reconstruction rule of law building legal consciousness access to justice and legal pluralism as well as those with practical interests in these areas

Whispering the Strategies of Language: An Psychological Journey through **Promoting The Rule Of Law Abroad In Search Of Knowledge**

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