

**WORLD JUSTICE PROJECT**  
**Impact of the Rule of Law**  
**On Fields of Endeavor**

April 5, 2008

We live in a world with a rule of law deficit. This shortcoming undermines efforts to make societies safe, lift people from poverty, reduce corruption, improve public health, and enhance education. By contrast, communities that adhere to and invest in the rule of law are characterized by opportunity and equity.

As validated by the World Justice Project's multidisciplinary outreach meetings, the rule of law is essential for individual disciplines to achieve their goals. The information below lists for different disciplines the connection between the rule of law and their objectives.

Business:

- Businesses need certainty of and stability in policy, regulation, operating environment, and dispute resolution.
- The rule of law is a top determinant of investment decisions around the world. Where the rule of law is weak, legal uncertainty creates high risk and increases the unpredictability of returns.
- Businesses function best where there is no threat of violence or corruption; where their employees and the community are free of serious health issues; and where workers and consumers enjoy a certain level of education.
- Businesses find themselves at a disadvantage when they operate according to the rule of law and the competition does not. The rule of law serves as a tool to level the playing field for businesses and equalize unfair competition.
- The phrase "justice delayed is justice denied" rings true for the business community. Timely access to the legal system is a significant need.

Education:

- All students should have fair and equal access to educational opportunity. The rule of law supports the equitable allocation of resources to communities, including for schools, salaries, and learning materials.
- Schools should assess and evaluate students fairly and without bias. Admissions, grades and diplomas should be awarded based on merit and free of corruption or favoritism.
- Schools should maintain an atmosphere conducive to learning. All students, including girls and minorities, should be able to attend school free from coercion, discrimination, threat or physical danger.

Engineering:

- Engineers may face corruption in licensing, permitting and inspection processes. Corruption may exclude honest practitioners from a given market. For those who do pay bribes, this diverts money meant for projects or profits.
- Increased costs due to corruption may create pressures to cut corners in construction or manufacturing.

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- Engineers may have to use building materials, chemicals, and other inputs that were not subject to adequate quality control. Lack of quality control can contribute to unsafe structures or products. So too can weaknesses in the licensing of engineering professionals.
- Corruption in permitting or inspection can result in the approval of projects that do not function properly, that threaten public safety, or that pollute the environment.

#### Environmental protection:

- The rule of law establishes standards for, regulates and enforces the use and preservation of natural resources.
- Mining and manufacturing, in countries where regulation is lax, contaminate land, water and air with toxic substances.
- Where limits on resource extraction are not enforced, illegal extraction may result. In the case of forest products, this contributes to massive deforestation. Similarly, the lack of enforcement of fishing quotas is causing severe depletion of commercial and non-commercial species.
- Illegal extraction may result in smuggling, creating a new layer of rule of law issues.
- Environmental laws, where they do exist, may not reflect the interests of the public. The permitting or rule-making process is particularly significant, especially on large projects. Lack of access to information, lack of opportunities for public participation, and lack of responsiveness to public comments hamper the public's ability to have input on decisions affecting their communities.

#### Human rights:

- The rule of law provides access to justice and enforcement of guaranteed rights.
- Some governments hold unfettered power over their citizens. The rule of law ensures that the government and its officials and its agents are accountable under the law.
- Bias in the making, administration and the enforcement of the law can result in discriminatory outcomes. The rule of law requires that the process by which the laws are enacted, administered and enforced is accessible and fair.
- The failure for laws to be publicized or barriers of language, education, or access to information may keep people in the dark about their rights and responsibilities under the laws that apply to them. The rule of law is based on laws that are clear, publicized, stable and fair.
- Women in some societies do not have the right to own property, to inherit wealth, or to custody of their children when their husbands die.
- The poor face barriers in accessing justice due to their time, money, limited educational levels, even access to transportation. Strong rule of law assures that the process by which the laws are enacted, administered and enforced is accessible, fair and efficient for all – including those least able to secure it for themselves.

#### Labor:

- Labor advocates rely on the rule of law to assure that working people are paid fair and legal wages, shielded from having to work excessive hours, and are provided the benefits to which they are entitled.
- The rule of law assures that workers are afforded safe and healthy working conditions and are compensated for on-the-job injuries or harm. Protection from discrimination in

- hiring and firing and from discrimination, sexual harassment and other forms of abuse on the job is also provided by the rule of law.
- The right to form unions and bargain collectively for rights and protections depends on robust rule of law.
  - International labor issues require broad acceptance of the rule of law. These issues include elimination of child labor and human trafficking, promotion of common labor standards across countries, and development of international labor conventions.
  - Workers in the informal economy are generally not covered by labor legislation. Their rights and well-being are best advanced where the rule of law is strong.

#### Media and the Arts:

- The rule of law upholds rights to freedom of expression and association and the intellectual property protection of creative works.
- The news, public information and entertainment industries, journalists, and academics need freedom from oppressive contempt or libel laws and other infringements on the freedom of speech.
- Publishers of written and electronic works, art and music need the protection of intellectual property rights, as defined and enforced under the rule of law.
- The mass media can powerfully support and expand the rule of law by providing content that educates the public about rights, responsibilities, and the rule of law.
- Rule of law strengthens thriving, tolerant and peaceful communities, a foundation for developing cultural programs and artistic expression.

#### Military:

- Armed forces serve under the control and direction of civilian governments only when rule of law is strong. Where there is no rule of law, the rule of force generally prevails.
- The military is often called upon to act when the rule of law is overthrown. This may occur when there is weak law enforcement and private militias, the international drug trade, or organized crime operate.
- In the absence of global rules, globalization creates complicated rule of law issues for the military. Whether in the case of terrorism or cyber attacks on government computers, it may be unclear where an attack is coming from, who is behind it, who can be held responsible, who is supposed to be enforcing rules about it, and which rules apply.
- Security concerns may erode the rule of law. In order to combat undoubted evils such as terrorism, drug cartels and organized crime, actions are sometimes taken that erode fundamental principles of rule of law.

#### Public health:

- Safe, reliable and affordable medicines and medical treatment – even drinking water – require effective regulation, monitoring and enforcement. These can only be assured where there is rule of law.
- Health emergencies require rule of law. Guaranteeing health security in the face of a health emergency may require medical practitioners to inspect, inoculate, quarantine and treat people and animals.
- Because pandemic diseases do not respect national borders, there is increasing urgency for transnational protocols in the area of public health.

- Low rule of law correlates with high violence, and violence is the number 1 public health problem in many low-income, conflict, and post-conflict countries.
- Inadequate regulation of the medical profession may endanger patients. In some countries there is neither effective professional regulation nor professional associations with statutory backing for their work.
- Counterfeit drugs result in the persons not receiving medicines to treat their illnesses.

Public safety and law enforcement:

- Law enforcement officials require effective processes and resources to ensure public safety.
- Issues arise as governments are asked to strike a balance between local or national security and individual rights. This requires a clear, transparent and reliable framework of the rule of law.
- Corruption among legal professionals and law enforcement personnel – lawyers, judges, prosecutors, police – weakens the rule of law and diminishes public trust. Under the rule of law, laws are upheld, and access to justice is provided, by competent, independent and ethical officials, who are sufficient in number, have adequate resources, and reflect the makeup of the communities they serve.
- In some countries, lack of adequate safety for investigators, prosecutors and judges endangers those who prosecute corruption cases or who rule against prominent people.