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The "Rule of Law" Paradigm and Justice Sector Reform in Post-Conflict Nations: The United Nations Rule of Law Indicators

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## THE "RULE OF LAW" PARADIGM AND JUSTICE SECTOR REFORM IN POST-CONFLICT NATIONS: THE UNITED NATIONS RULE OF LAW INDICATORS



**Principal Investigators:** Heather Schoenfeld, Department of Sociology (now at Northwestern)

Whether decrying attacks on civilians in Syria or debating the jailing of detainees at Guantanamo Bay, conversations about global security often invoke the "rule of law." Legal institutions are the foundation by which people in conflict-ravaged nations rebuild their countries.

Countless private, public, domestic, and transnational organizations, agencies and offices have emerged to facilitate transitions toward the rule of law. Yet such assistance is often executed in an ad hoc manner, without consulting national stakeholders or evaluating the results.

In this project, Heather Schoenfeld seeks to understand the influence of the "rule of law" paradigm on justice-sector reform in post-conflict nations by focusing on one rule of law initiative: the United Nations Rule of Law Indicator Project. Her research will:

- situate the U.N. Rule of Law Indicators in the larger field of rule of law assistance
- explore the process by which abstract rule of law principles are put into action
- evaluate how rule of law indicators influence efforts to rebuild and reform criminal justice institutions in post-conflict nations



Published in 2011, the U.N. Rule of Law Indicators are comprised of 135 measures designed to assess performance, transparency and accountability, treatment of vulnerable populations, and capacity in post-conflict nations. Schoenfeld plans to use these measures to produce the first empirical scholarship on how the "rule of law" paradigm is translated into the institutions that provide domestic security, including police, courts and prisons.

The project will be done in three phases:

- background research, already done, on how the U.N. Rule of Law Indicators complement or compete with existing ways to measure the rule of law, existing criminal justice assistance projects, and existing U.N. indicators such as the Human Development Index
- interviews funded by the Mershon Center of key personnel in the U.N. Department of Peacekeeping Operations, Office of High Commissioner for Human Rights, and Vera Institute of Justice, which developed the indicators
- site visits to two post-conflict nations that have implemented the U.N. Rule of Law Indicators to assess and monitor their courts and prisons, with application for funding to the National Science Foundation

Schoenfeld's research will make a critical contribution to sociology, criminology and law by drawing together three strands of scholarship on rule of law initiatives, "indicators" as a form of global governance, and domestic criminal justice reform.

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