THE IMPERATIVE OF MAINTAINING THE RULE OF LAW AND ITS ASSESSMENT

[1]SAMSON DAVOYAN

[1]Doctor of Economic Sciences, professor member of Association of Economists of Armenia, lecturer professor in Russian-Armenian (Slavonic) University, director of Gyumri branch of the Armenian State Economic University. Samson Davoyan was a student in 1965-1967 in Yerevan State University, faculty of economics, section of economic cybernetics, in 1967-1970 in Novosibirsk State University, personal program study, in 1970-1973 post-graduate school of Central Economic-Mathematical institute, in 1976- Candidate of Economic Science, in 1980- doctor (associate professor), 1994-1995 "Market economics and financial analysis" specialization retraining course in Vienna joint institute of World Bank and U.N.O and in Prague university by Charles, from 2003- professor, from 2003- Doctor of Economic Science)
Yerevan, Armenia

PhD, senior researcher in "Ambert" research center at Armenian State University of Economics, MBA, bachelor and master degree at Yerevan State University, master school at George Town University in the USA for 2006-2007, Finance academy in Switzerland in 2008, "Business Management" Start-up project of Skolkovo in Moscow for 2013. Yerevan, Armenia

Armenian State University of Economics, Gyumri branch, PhD student in the Chair of Theory of Economics, assistant. In 2010-2014 bachelor of international economic relations and in 2014-2016 master of Finance at Armenian State University of Economics Gyumri branch. Gyumri, Armenia

E-mail: [1]samsondavoyan2014@gmail.com, [2]ashot_davoyan@yahoo.com, [3]arpinesargsyan1994@gmail.com

Abstract - One of the most important basis for a democratic state is the principle of the Rule of law, which protects the rights of citizens, limits the power of government and maintains order. In a democracy, everyone is equal under the law. In an ideal situation, the rule of law is necessary to maintain economic, political and social sustainability, to ensure the protection of human rights and freedoms, implement democratic governance, etc. Taking into account the importance of maintaining a certain level of the rule of law in a country, this principle has become a final goal, the aim that all governments strive to achieve. Since the moment when the Rule of Law became the foundation of a new order, many countries have tried to test it in practice and bring it into reality.. Due to this imperative importance, many national, international, governmental and non-governmental organizations, individual researchers and research groups are conducting analysis on the basis and components of the Rule of law aiming to reveal factors that either positively or negatively influence on the level of the Rule of Law in a particular country.

The idea of our research is to define basic components of the Rule of law, to consider main obstacles and challenges that the world is still facing in the area of practical application of the Rule of Law as well as to define the steps to be taken to shift and improve the situation so that the respect to the rule of law becomes an accomplished goal. The key character of this research is to develop new methodology and assess the level of the Rule of law through integral index of the Rule of Law. We have created a new index that is not limited in the number of included indicators and can be supplemented by additional indicators describing as many areas and indicators of the rule of law in a particular country as possible.

For the construction of the index of the Rule of Law, we have used the method of Factor analysis. Our new integral index represents the levels of the rule of law in observed countries, as well as its change over time.

Several steps have developed our research. Firstly, we have constructed the integral index of the Rule of law for 141 countries for 2011-2016. Secondly, we have extended the scope of our research by comparing the Index's results for South Caucasus- Armenia, Azerbaijan and Georgia. Thirdly, we have applied the results achieved in the second step to conclude in which directions these countries have policies, that are more effective compared to others and in which directions they have failed.

The most outstanding advantage of our research methodology is that it is useful for evaluating social, political or economic policies in a given country and its results can be applied in the process of policymaking. One of the most distinguishing features of this new methodology is that it allows us to add more indicators to existing ones and make the research broader - depending on the purposes and given circumstances. The integral index of The Rule of Law is designed to become a useful device for achieving high levels of democracy and constitutionality in the world.

Keywords - Rule of law, constitutionality, method, factor analysis, pillar, rank, comparative, index, weighted average, governance, policy, research.

I. INTRODUCTION

Democracy is a widely recognized universal core value, a principle for any legal state. Concepts of democracy and the Rule of Law are strongly interrelated, equally primary, mutually supportive and exist in indissoluble relationship. When addressing the rule of law and democracy nexus, we see that the rule of law is one of the most important 5 key elements for democracy building among Competition, Consensus, Inclusion and Good governance[1].

The principle of the rule of law is strongly interrelated to the laws as well. In this context, a fundamental distinction has to be drawn between

[1] In fact, the Rule of Law is ranked the first key element, according to USAID Guide to Rule of Law Country Analysis: The Rule of Law Strategic Framework, January 2010

"rule by law", whereby law is an instrument of government and government is considered above the law, and "rule of law", which implies that everyone, the government as well, is bound by the law. Laws are made for the welfare of the people to maintain equity in society, which is applicable due to maintaining law and order in a society and developing a peaceful environment for the people. In this regard, the concept of the Rule of Law plays an important role in this process.

The principle of the rule of law is not Western, European or American. It is universal concept and is available to all societies. The principle of rule of law, however, transcends all the differences in which states differ (i.e. in terms of laws and the treaties, legal cultures, legal systems, etc.).

The term Rule of Law is also interlinked with constitution and constitutionality. A constitution without legitimacy, without practical application will not be respected by the people, its principles cannot be upheld. On the other hand, the existence of a constitution is seen as a necessary basis of both democracy and the Rule of Law. The Constitution is the legal guarantee for ensuring respect of human rights and freedoms, for sustaining the level of the Rule of Law.

The imperative to assess and deeply observe the rule of law arose with the will to reach high level of democracy, to have good governmental bodies, satisfied society and to increase the welfare in the state. Obviously, the problem exists; instead of becoming a practical concept and a living reality, for numerous cases, the rule of law remains a fairy-tale, a might-have-been principle. Consequently, the goal to reach a high level of the rule of law and make it a principle in action is still on the agenda not only for individual researchers, politicians and state-leaders, but also for international organizations and the world Community.

Given this importance various International, non-government organizations (i.e. Freedom House, World Economic Forum, United Nations, World Justice Project, Vera Institute of Justice, World bank, Bertelsmann foundation, etc.) have created many methodological and research tools, that assess the level of the rule of law in different areas and scopes.

We have used a unique methodology for the assessment of the level of the rule of law in observed 141 countries. Our new methodology and integral index aims to assess the rule of law in all possible areas that are available for research and contains many of the above-mentioned indexes, indicators that were considered to be fundamental factors for the rule of law, governance, justice, etc., thus is considered more useful for making country comparisons and conclude in which areas their policies succeed and in which ones they fail. The objective of our research is to focus first on identifying the principle of the rule of law and its components, find out the key problems that undermine the rule of law, make comparative analysis in order to find which practice is to be identified as the best and then offer solutions.

II. THE ORIGIN OF THE TERM AND ITS COMPONENTS

Thus, the term “rule of law” is used frequently in reference to a desired end states, to describe an ideal situation, that all democratic nations strive to achieve, but "...sometimes fail to live up to"[2]. Giving a certain and clear definition to the term “the rule of law" is a controversial issue. In fact, neither scholars nor practitioners have settled upon an accepted definition. Many scientists, politicians, jurists, economists and other theorists have created various concepts of the meaning, scope and evaluation of the Rule of law. Greater impacts on the development of this term have had A.V. Dicey (who has introduced formal definition of this term), Joseph Raz (inspired by Friedrich Hayek, who has defined key components of the rule of law), Trever Allan (tried to evaluate the scope), Devis, Ivor Jennings, etc.

As the definition of the term has caused many debates among scholars, the separation of its key components/ elements has become a controversial issue for them.

A.V. Dicey, the founder of the term “Rule of law” defines the following main principles associated with this concept:

1. Absence of Arbitrary Power or Supremacy of Law,
2. Equality before Law,
3. Constitution as the result of the ordinary law of the land.
4.

One of most outstanding research methodologies was suggested by the European Commission for Democracy through Law - Venice Commission[3]. The Venice Commission’s checklist of the Rule of Law includes more than 170 indicators, which has the following core components[4];

1. Legality, including a transparent, accountable and democratic process for enacting law;
2. Legal certainty;
3. Prohibition of arbitrariness;
4. Access to justice before independent and impartial courts, including judicial review of administrative acts;
5. Respect for human rights;
6. Non-discrimination and equality before the law.

[2] American Bar Association’s World, Division for Public Education, https://www.americanbar.org/content/dam/aba/migrated/publiced/features/Part1DialogueROL.authcheckdam.pdf

[3] http://www.concourt.am/ news/doc/CDL-AD(2016)007-e.pdf

[4] http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2016)007-e

According to the United Nation's methodology, the Rule of law has been assessed using 135 indicators, which have been grouped under three institutions[5] (the police; the judicial system; Prisons).

One of the most used and famous assessments of the Rule of law was made by the World Justice Project non-governmental organization. The index of the Rule of Law includes 44 indicators that capture the rule of law in 9 areas[6]:

1. Constraints on Government Powers,
2. Absence of Corruption,
3. Open Government,
4. Fundamental Rights,
5. Order and Security,
6. Regulatory Enforcement,
7. Civil Justice,
8. Criminal Justice,
9. Informal Justice.

According to the USAID the Rile of law has the following key dimensions[7];

1.Order and security,
2.Legitimacy,
3.Checks and balances,
4.Fairness,
5.Effective application.

The Vera Institute of Justice has made another approach of assessing the rule of law. This organization assesses the principle of the Rule of law using more than 50 indicators, which describe the following four areas[8]:

1.law-enforcement,
2.judiciary,
3.corrections,
4.informal justice mechanisms.

Taking into account this definitional confusion, throughout this research we will refer to the official definition by the UN , according to which the rule of law "… refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards."

The Rule of Law refers to the recognition of the inherent rights and protection of liberties among the people. Given this importance of the principle of the Rule of law, Constitutions have adopted this principle. For these reasons, the rule of law is a principle, which has a special interest for governments, constitutional courts, politicians, international organizations, etc.

This principle is observed by many other organizations, institutions and individual theorists as the rule by a democratic law; a law which is passed in a democratically elected parliament after adequate debate and discussion, as an existence of law and order, elimination of discretion, fixed rules, fairness, etc. The president of the Constitutional Court of Armenia, one of the members of the Venice commission G.G. Harutyunyan is one of the outstanding specialists in research of the level of the rule of law[9].

Meanwhile, there are still problems concerning not only quantitative, but also qualitative and comparative analysis of the level of the Rule of Law in a given country. For solving these problems, we have created a new index, which makes comprehensive analyses possible.

III. STATISTICAL REVIEW AND DATA

Our methodology is based on the construction of the integral index of the Rule of Law, which contains statistical data from mentioned data-sources (World economic forum, Freedom house, Bertelsmann foundation, Heritage foundation, etc.), which, according to the Venice commission, are represented as core principles of the rule of law and constitutionality.

As the main source of our database, we have observed indicators included in the World Bank's "Worldwide Governance indicators"[10] and assessed as the measures of "The Rule of Law". Thus, the integral index includes 8 components (pillars), which are described in the Table 1.

Table 1: The 8 pillars included in the Rule of Law index

#	Data Sources (Pillars)	Indicators
1	Economist Intelligence Unit (EIU)	Violent crime
		Organized crime
		Fairness of judicial process
		Enforceability of contracts
		Speediness of judicial process
		Confiscation/expropriation
		Intellectual property rights protection
		Private property protection
2	Global Competitiveness Report (GCS)	Business Cost of Crime and Violence
		Cost of Organized Crime
		Reliability of Police Services
		Judicial Indepdendence
		Efficiency of Legal Framework for Challenging Regulations
		IPR protection
		Property Rights
		Informal Sector

[5] http://www.un.org/en/events/peacekeepersday/2011/publications/un_rule_of_law_indicators.pdf

[6] http://worldjusticeproject.org/rule-of-law-index

[7] Guide to Rule of Law Country Analysis: The Rule of Law Strategic Framework, available at http://issat.dcaf.ch/Learn/Resource-Library/Books/Guide-to-Rule-of-Law-Country-Analysis

[8] http://archive.vera.org/sites/default/files/resources/downloads/Developing_Indicators_to_Measure_the_Rule_of_Law_Online_version2.pdf

[9] Components Of Constitutionalism: Rule Of Law, Sustainable Development, G. Harutyunyan (in Armenian, in Russian, Summary in English), http://www.concourt.am/armenian/structure/president/articles/vestnik52.pdf

[10] World bank, "Worldwide governance indicators" http://info.worldbank.org/governance/wgi/index.aspx#doc

#	Data Sources (Pillars)	Indicators
3	Gallup World Poll (GWP)	Confidence in the police force
		Confidence in judicial system
		Have you had money property stolen from you or another household member?
		Have you been assaulted or mugged?
4	Heritage Foundation Index of Economic Freedom (HER)	Property Rights
5	Institutional Profiles Database (IPD)	Degree of security of goods and persons by criminal organizations (drug trafficking, weapons, prostitution...)
		Degree of judicial independence vis-à-vis the State
		Degree of enforcement of court orders
		Timeliness of judicial decisions
		Equal treatment of foreigners before the law (compared to nationals)
		Practical ability of the administration to limit tax evasion
		Efficiency of the legal means to protect property rights in the event of conflict between private stakeholders?
		Generally speaking, does the State exercise arbitrary pressure on private property (e.g. red tape...)?
		Does the State pay compensation equal to the loss in cases of expropration (by law or fact) when the expropriation concerns land ownership?
		Does the State pay compensation equal to the loss in cases of expropration (by law or fact) when the expropriation concerns production means?
		Degree of observance of contractual terms between national private stakeholders
		Degree of observance of contractual terms between national and foreign private stakeholders
		In the past 3 years, has the State withdrawn from contracts without paying the corresponding compensation... vis-à-vis national stakeholders?
		In the past 3 years, has the State withdrawn from contracts without paying the corresponding compensation... vis-à-vis foreign stakeholders?
		Respect for intellectual property rights relating to… trade secrets and industrial patents
		Respect for intellectual property rights relating to… industrial counterfeiting
		Does the State recognize formally the diversity of land tenure system?
6	Political Risk Services International Country Risk Guide (PRS)	Law and order
7	US State Department Trafficking in People report (TPR)	Trafficking in People
8	Global Insight Business Condition and Risk Indicators (WMO)	*Judicial Independence* An assessment of how far the state and other outside actors can influence and distort the legal system. This will determine the level of legal impartiality investors can expect.
		Crime How much of a threat businesses face from crime such as kidnapping, extortion, street violence, burglary and so on. These problems can cause major inconvenience for foreign investors and require them to take expensive security precautions.
		Expropriation. The risk that the state or other sovereign political authority will deprive, expropriate, nationalise, or confiscate the assets of private businesses, whether domestic or foreign.
		State contract alteration. The risk that a government or state body alters the terms of, cancels outright, or frustrates (usually through delay) contracts it has with private parties without due process.
		Contract enforcement. The risk that the judicial system will not enforce contractual agreements between private-sector entities, whether domestic or foreign, due to inefficiency, corruption, bias, or an inability to enforce rulings promptly and firmly.

IV. METHODOLOGY

The Integral index is calculated as a weighted average of 8 pillars and its scores range from 0 to 1 (with 1 indicating strongest adherence to the rule of law, the effective legislative regulation of public relationships, and 0 indicating the opposite situation and the lowest level of the rule of law and constitutionality (absence).

The integral index of the Rule of law is calculated by the following steps.

A. Creating a database for all 141 countries 2011-2016, including the scores of 8 pillars.

As individual indicators had different ranges and scores, we have normalized the score of each indicator /pillar to bring them to the same (0,1) interval and make them more comparable.

B. Calculating the scores of individual pillars as the simple average of its component indicators (tab 1),

C. Calculating weighting coefficients for 8 pillars (Coefficients are presented in the Table 2):

We have conducted factor analysis with the help of SPSS program. The extraction of the factors has been based on the method "Principal Component". The weighting coefficients of 8 pillars represent the comparative importance of a given pillar in formatting the overall index (in maintaining the rule of law).

TABLE 2: The 8 pillars included in the Rule of Law index.

Pillar	2011	2012	2013	2014	2015	2016
EIU	0,82	0,828	0,816	0,826	0,842	0.839
GCR	0,756	0,733	0,748	0,73	0,733	0.738
GWP	0,982	0,93	0,979	0,988	0,919	0.894
HER	0,424	0,42	0,401	0,398	0,432	0.465
IPD	0,339	0,417	0,65	0,749	0,779	0.811
PRS	0,725	0,725	0,729	0,708	0,7	0.621
TPR	0,464	0,437	0,496	0,458	0,643	0.593
WMO	0,808	0,832	0,835	0,834	0,769	0.772

D. Combinig the scores of the 8 pillars in a single-integral index by using the followong formula.

$$H^{j}_{\text{int}.index} = \sum_{i=1}^{8} \alpha_i^j N_i^j$$

$H^{j}_{\text{int}.index}$ - the Integral Index of the Rule of Law,

i = 1,2,….8 – 8 pillars.

j=1, 2,....141 - observed countries

α_i^j - the weighting coefficient of each pillar,

N_i^j - the score of the j country by i pillar.

The results witness, that according to the results observed in 2016, we can separate the countries, with the highest levels of the rule of law.

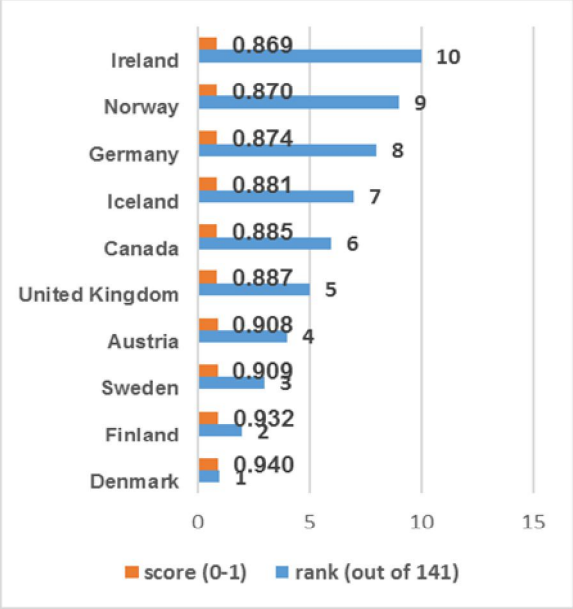


Fig. 1. The top 10 countries with the high level of the Rule of Law according to the integral index of the Rule of Law, 2016.

V. COMPARATIVE ANALYSIS FOR SOUTH CAUCASUS

The results of the Integral index of The Rule of Law can be applied in any country and show all advantages and disadvantages of policies in those countries, which will help their governments make effective decisions and apply them in practice, thus increasing the level of the rule of law, improving the welfare of citizens. In order to check the usage of the index results' in practice, we have made comparative analysis of the results of the integral index of the Rule of Law; we have conducted comparative analysis for Armenia, Azerbaijan and Georgia. The results for these countries are presented below, in the Figure 1.

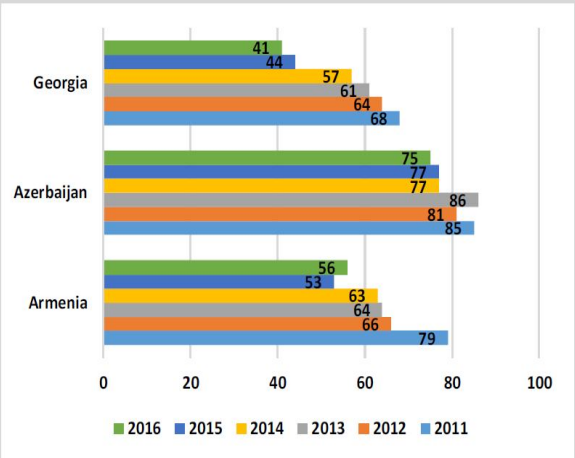


Fig. 3: Comparative results for Armenia, Azerbaijan and Georgia in 2011-2015.

Thus, the results of the Rule of Law index witness, that Georgia is the leader among the three countries; Armenia is the second and can be described as a country with a middle level of the Rule of Law.

For implementing thorough analysis and research we have taken the results of the integral index of the Rule of Law not only for the last year, but also for all the observed time period, and not only according to the composite index, but also according to its pillars and indicators.

In the next stage of our research, we have separated the indicators that have positively influenced on the level of the Rule of Law in South Caucasus, and the ones that have undermined the latter in observed countries. The results of this stage's research are applicable in evaluating governance and policymaking processes in three countries. As it was mentioned above, this method of conducting comparative analysis can be used for any country and groups of countries depending on given circumstances.

For differentiating positively influencing factors from negative ones, we have looked inside the pillars and observed its components' scores for three countries.

We have found out, that according to the results of the Rule of Law index, Effiency of legal framework, Personal safety and security, Law and order, private property protection, Equal treatment before the law can be taken as Armenia's comparative advantages. These indicators have had a positive influence on the level of the Rule of Law in Armenia during 2011-2016.

Indicators, that have had negative impact on the level of the Rule of Law in Armenia were Fairness and speediness of judical process, Judical independence, informal sector, intellectual property rights protection.

Georgia's advantages are Judicial system independence, its fairness and speediness, Reliability of Police services, etc., which are to be maintained in the future in order to keep this country's leading position. Georgia's policy lacks in the fight with trafficking, costs of crime and violence, personal safety.

As the research shows, the indicators which had positively impacted on the level of the Rule of Law in Azerbaijan are the fight with trafficking, efficiency of legal framework for challenging regulations, costs of crime and violence, fairness of judicial decisions. On the other hand, the indicators of Law and order, Personal safety and security, private property protection, organized crime, Equal treatment before the law have caused a decline in the level of the Rule of law in this country.

As a consequence, it can be inferred from the research, that Armenia needs serious reforms in the

judicial system, Georgia needs improvements in ensuring its citizens' personal safety and security and implementing property protection reforms is an imperative for Azerbaijan. These are final and the most important results of our research and the new methodology, thus it can become a very useful tool for policymakers.

CONCLUSION

To sum up, the concept of the Rule of Law reflects that the soundness of legislature the protection and implementation of laws are of a vital importance in ensuring high living standards and legal guarantees for a country's citizens.

Although many societies have developed institutions and procedures to make the rule of law a reality, some problems still exist. These problems include;

- ✓ public trust to the government and regulatory efficiency may be very low;
- ✓ special and effective mechanisms, including those at constitutional level, to guarantee the independence of the bodies responsible for the selection, career and disciplinary procedures for government and public officials have not been set up;
- ✓ the reform of legal system, in particular the reform of the judiciary and of the public prosecutor's office has been not yet accomplished;
- ✓ further reforms are still needed in the legal education system, including: higher education; professional initial and in-service training for judges and other professionals; creation of specialized education and training institutions for officers working in particular areas of public and social administration;
- ✓ judiciary is highly corrupted, inefficient and not independent etc.

The relevance of the Rule of Law is demonstrated by application of the following principles in practice.

- ✓ the rules of community life must be defined by law by the people, through their representatives in parliament;
- ✓ the law must be made in an open and transparent way and applied equally and fairly no one is above the law;
- ✓ corruption and the over-concentration of political, economic or social power in the hands of a few are all contrary to the notion of a law-governed state;
- ✓ respect for the rule of law implies that everyone, be they a government minister, judge, official or ordinary member of the public, is subject to the law, that no-one is above the law and that the law is equal for all;
- ✓ No one can be prosecuted and seen as a subject to any torture;
- ✓ the judiciary must be independent transparent and impartial, it must provide a fair and prompt trial and its decisions must be beyond reproach and implemented in good faith and law enforcement agencies must be professional, unbiased and free from corruption.
- ✓ people are presumed to be innocent until proven otherwise and are entitled to remain silent, they are not required to incriminate themselves (presumption of innocence); etc.

To sum up, based on the scientific and empiric results of our research, we can make the following conclusions:

- ✓ The Integral Index of the Rule of Law will be the guidance for many authorities to reveal which directions of reforms were implemented more effectively and also the areas of reforms with less efficiency for 2011-2016, to strengten all advantages and eliminate disadvantages.
- ✓ The results of our research on the Integral Index of the level of the Rule of Law and the assessment of comparative analysis give an opportunity to conclude that this index can be very useful in analysis in different fields, and we have more important theoretical, methodological and empirical issue to include more indexes and indicators that partially reveal quantitative assessment of the rule of law in some areas. Thus the synergy effect of those indicators will help to reveal constitutionality and the rule of law with more integrity.
- ✓ Furthermore, this methodology can be applied in both economics and other social sciences (sociology, statistics, etc.).

Thus, respecting the rule of law means ensuring order, stability and legal certainty. Unless this principle is respected, human rights cannot be fully guaranteed and protected. In any democracy, respect for the rule of law is a vital safeguard against arbitrary action at every level.

REFERENCES

[1] Alesina, Alberto, Torsten Persson, Guido Tabellini. 2006. Reply to Blankart and Koester's Political Economics versus Public Choice: Two Views of Political Economy in Competition. Kyklos. International Review for Social Science 59(2): 201– 208.
[2] Barber, Nicholas W. Constitutionalism: Negative and Positive, Oxford Legal Studies Research Paper № 7/2015, 2015
[3] Bingham, T., *The Rule of Law*, Allen Lane, 2010.
[4] Bailey, M.J.: Constitution for a Future Country, Basingstoke et al. 2001.
[5] Buchanan, James M., (The Domain of Constitutional Economics, 1990
[6] G. G. Harutyunyan., Constitutional Monitoring, Yerevan, Njar. 2016

[7] Castle, T. (ed.), *Speeches of a Chief Justice: James Spigelman 1998-2008*, CS2N Publishing, 2008 (Chapter II: The Rule of Law).
[8] Dicey, Introduction to the Study of the Law, 107–22.
[9] Ferejohn, John and Pasquale Pasquino. "Rule of Democracy and Rule of Law." In José Maria Maravall and Adam Przeworski, eds. Democracy and the Rule of Law. Cambridge: Cambridge University Press, 2003.
[10] Finn, John E. "The Rule of Law and Judicial Independence in Newly Democratic Regimes." The Good Society, Volume 13, No. 3, 2004.
[11] Gowder, Paul A. *The* Rule of Law *in the Real World*. New York: Cambridge University Press, 2016.
[12] Krygier, M., 'Chapter 10: The Rule of Law' *Oxford Handbook of Comparative Constitutional Law*, eds. M. Rosenfeld, A., Sajo, (Oxford University Press, 2010), pp.233-249.
[13] Raz, Joseph. "The Rule of Law and Its Virtue." The Law Quarterly Review. London: Volume 93
[14] Samson Davoyan, Ashot Davoyan, Arpine Sargsyan < THE CONCEPT OF THE RULE OF LAW AND ITS ASSESSMENT THROUGH INTEGRAL INDEX, 19th International Scientific Conference on Economic and Social Development Melbourne, Australia, 9-10 February 2017, ISSN 1849-7535, page 65
[15] Shklar, Judith N. "Political Theory and the Rule of Law." In *The Rule of Law: Ideal or Ideology?* edited by Allan C. Hutchinson and Patrick Monahan. Toronto;
[16] Tamanaha, B., *On the Rule of Law: History, Politics, Theory*, Cambridge University Press, 2004.
[17] Zurn, Michael; Nollkaemper, Andre; Peerenboom, Randy, eds. (2012). Rule of Law Dynamics: In an Era of International and Transnational Governance. Cambridge University Press. pp. 116–7. ISBN 9781139510974.

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