Rule of Law: The Path to Economic Development

Dear Editor,

I write in response to the article published in The Cambodia Daily on Wednesday 15 June 2011 entitled “Cambodia Ranks Last in Global Rule of Law Index”, which highlights Cambodia’s recent low ranking in the Rule of Law Index as compiled by the World Justice Project. Cambodia is ranked much lower than most other countries in the region on all dimensions. The Index assessed 66 countries according to several Rule of Law factors, and found Cambodia’s overall legal and institutional environment to be weak, as highlighted by the low scores in key areas, including effective limits on government powers (ranking 65th out of 66); regulatory enforcement (65th); access to civil justice (64th); and absence of corruption (66th). Furthermore, property rights are very weak (66th), and police abuses remain a significant problem (no ranking given).

A weak rule of law means weak institutions, which tends to lead to a loss of trust and legitimacy in the eyes of the public, which in turn prevents sustainable economic development. The UK-based Overseas Development Institute recently issued a study on global development entitled “Mapping progress: evidence for a new development outlook”, which examined 24 developing nations. Its key message is that although donor aid helps to foster economic development, countries also need effective leadership, smart policies, international partnerships and strong institutional frameworks to prosper.

It is high time that the Royal Government of Cambodia (the “RGC”) strengthened the rule of law in Cambodia and prioritized the establishment of strong institutions – such as an independent judicial system and a robust legal framework, with the Extraordinary Chambers in the Courts of Cambodia as its role model. A balance needs to be struck between confronting impunity and resisting government interference. The rule of law is essential not only for holding governments to account, but also for stimulating long-term economic, political, and social development. However, it is clear from the Rule of Law Index that Cambodia has a lot of work still to do. The elite economic performers of the developing world – including neighboring Thailand and Vietnam – are proving that breaking out of the poverty cycle requires more than hard cash, but the RGC is choosing to look the other way. As long as it does so, Cambodia – and its people – will continue to wallow in poverty.

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