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“Are OECD Member Countries in a Rule of Law Recession?”

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Abstract

This paper examines whether there is a rule of law recession among OECD member countries. This formal inquiry is motivated by the recent findings of a democratic recession across several countries with a long tradition of democratic values. I conduct a quantitative and qualitative analyses using the rule of law index from the World Justice Project, as well as different government and academic reports. Results show that by and large there is no such rule of law recession among OECD member countries. Findings indicate that 12 out of the 28 OECD member countries analyzed in this paper, continue to expand their level of adherence to the rule of law during the period 2014-2020. In fact, just as many OECD member countries have stable scores in their respective rule of law index. In contrast, only Tukey, Hungary, Korea, and Poland, are under a rule of law recession.

Keywords: rule of law, OECD, recession, decay.

1 Introduction

The world continues to see the emergence of authoritarian, populist political leaders in the world. Although this type of politicians appears frequently in developing countries, the election into office of these figures in the last few years in developed nations comes as a surprise. Some of these populist politicians in high income countries seem willing to defy the fundamental values of democracy and the rule of law for their own benefit, always appealing to ad hominem fallacies and strawman arguments, in detriment of institutional stability.

Scholars, mostly in the field of political science, refer to this political phenomenon as a *democratic recession*, *democratic backsliding*, or *democracy meltdown*.¹ Many of these papers also include current patterns on the rule of law, even though most of these focus exclusively on democracy.² The conclusions in this set of papers discuss about a democratic decay in the world since 2006, with the most concerning dimension being the decline in democratic values in the West.³ Worse yet, the COVID-19 pandemic continues to deepen this democratic recession, pushing the values of certain democracy indexes, such as the one from the Economist Intelligence Unit, to an all-time low worldwide.⁴

¹ See for example, Larry Diamond, “Facing up to the democratic recession,” *Journal of Democracy*, 26 no. 1 (2015), 141-155; see also Nancy Bermeo, “On democratic backsliding,” *Journal of Democracy*, 27 no. 1 (2016), 5-19, and Joshua Kurlantzick, “The great democracy meltdown,” *New Republic*, 242 no. 8 (2011), 12-15.

² Diamond (2015), *Ibid.*, at 147.

³ *Ibid.*, at 152.

⁴ The Economist Intelligence Unit, *Democracy Index 2020: In sickness and in health?* (February 15, 2021), available at <https://www.eiu.com/public/topical_report.aspx?campaignid=democracy2020>. According to this report, democracy world average declines from 5.52 in 2006 to 5.37 in 2020, with 10 being the best score possible. In particular and in order of appearance, the United States drops from 8.22 in 2006 to 7.92 in 2020, Austria from 8.69 (2006) to 8.16 (2020), Belgium from 8.15 (2006) to 7.51 (2020), Czech Republic from 8.17 (2006) to 7.67 (2020), Denmark from 9.52 (2006) to 9.11 (2020), Finland from 9.25 (2006) to 9.20 (2020), France from 8.07 (2006) to 7.99 (2020), Germany from 8.82 (2006) to 8.67 (2020), Greece from 8.13 (2006) to 7.39 (2020), Hungary from 7.53 (2006) to 6.56 (2020), the Netherlands from 9.66 (2006) to 8.96 (2020), Poland from 7.30 (2006) to 6.85 (2020), Portugal from 8.16 (2006) to 7.90 (2020), Slovenia from 7.96 (2006) to 7.54 (2020), Spain from 8.34 (2006) to 8.12 (2020), Sweden from 9.38 (2006) to 9.26 (2020), Turkey from 5.70 (2006) to 4.48 (2020), Mexico from 6.67 (2006) to 6.07 (2020), Australia from 9.09 (2006) to 8.96 (2020), and Japan from 8.15 (2006) to 8.13 (2020). Conversely, Canada, Chile, Italy, Estonia, New Zealand, Norway, South Korea, and the United Kingdom show an increase in its democracy from 2006 to 2020, as measured by the Economist Intelligence Unit.

An emerging legal literature incorporates the consequence of the ascent of authoritarianism on the rule of law as a new state-of-the-art topic named “rule of law decay”,⁵ hereinafter referred in this paper as *rule of law recession* to homologate terminology with that of the political science discipline. Contrary to the democratic recession literature, the rule of law recession literature is too thin and remains at a general conceptualization stage, without theory or data backing up this current political events.⁶ The previous presents a knowledge gap in which legal scholars can contribute to understand the political cycles of the rule of law for countries in which this political idea exists partly or fully.

In that regard, within the law discipline, the law and development field has the ideal tools to examine the rule of law formation and reformation.⁷ Further, this field seeks to promote the rule of law for development purposes as one of its primary objectives.⁸ Although much of the law and development field concentrates on poor countries, the changing political realities in the developed world give sufficient ground to examine the trajectory of the rule of law, both quantitatively and qualitatively, in rich countries.

Just as in the democracy recession literature, much of the interesting results for the rule of law recessions resides on the current institutional path that high income countries are following.⁹ I examine the trajectory of the rule of law among member countries of the Organisation for Economic Co-operation and Development (OECD) to determine whether any or all of these countries are experiencing a rule of law recession. I use this group of countries as all of them are high income countries, with exception of Mexico and Turkey, both of which are upper-middle income nations. These countries together make about 61% of

⁵ See Maurice Adams, and Ronald Janse. "Rule of law decay: Terminology, causes, methods, markers and remedies." *Hague Journal on the Rule of Law*, 11 no.1 (2019): 1-8.

⁶ There is only one special issue at the *Hague Journal on the Rule of Law*, vol. 11 no.1. Much this special issue concentrates in the current situation in Europe, and makes no proper conceptualization of the rule of law decay.

⁷ See Michael J. Trebilcock, and Ronald J. Daniels. *Rule of law reform and development: charting the fragile path of progress* (Edward Elgar Publishing, 2009), at 1-11.

⁸ *Ibid.*, at 341-351.

⁹ Diamond (2015), *supra note 1*, at 152-153.

the worlds’ total gross domestic product, with only 17% of the world population.¹⁰ Moreover, all countries in the OECD group have reliable quantitative and qualitative data to make an accurate assessment of the trajectory of the rule of law.

This papers proceeds as follows. Section 2 provides a definition of the rule of law recession, based on legal theory. Section 3 describes the trajectory of the rule of law in OECD member nations, employing data from the World Justice Project. Section 4 incorporates qualitative data from government reports and academic sources to support the quantitative analysis. Section 5 discusses possible implications and future research.

2 Theoretical Background

2.1 Definitions of the rule of law

Before embarking in a conceptualization of what a rule of law recession is supposed to encompass, it is important first to define what the rule of law means. The legal literature identifies two different group of definitions: thick conceptions and thin conceptions.

Thick conceptions: this set of definitions incorporates moral elements into the rule of law. Such moral elements are based on the goodness of the law. The main exponents of this type of definitions are Albert Venn Dicey,¹¹ Friedrich Hayek,¹² and Lon Fuller.¹³ The first legal scholar to propose a definition of the rule of law, A. V. Dicey, considers that the main element of the rule of law must be “equality [of all subjects] before the law”.¹⁴ Such definition opens a framework in which human rights are linked to the rule of law. Hayek, another proponent of this moral meaning of the rule of law, suggests the foreseeability through the protection of property rights and individual freedom as the most important features of the rule of law.¹⁵

¹⁰ See World Bank Data for OECD member countries together at <<https://data.worldbank.org>>.

¹¹ See Albert Venn Dicey. *Introduction to the Study of the Law of the Constitution*. (Liberty Fund: ed. Roger E. Michener, 1982). Accessed from <<http://oll.libertyfund.org/title/1714> on 2013-06-17>.

¹² See Friedrich Hayek. *The Constitution of Liberty*. (Gateway Editions Ltd., 1960).

¹³ See Lon L. Fuller. *The morality of law*. (Yale University Press, 1964).

¹⁴ Dicey, *supra note* 11, at 120.

¹⁵ Hayek, *supra note* 12, at 338.

Finally, Fuller proposes the inner morality of the legal system as a necessary condition for the rule of law. This inner morality consists of eight different principles that the law must meet: (i) general, (ii) promulgated, (iii) prospective, (iv) clear, (v) coherent, (vi) practicable, (vii) constant, and (viii) congruent when enforced.¹⁶

Thin conceptions: these are definitions of the rule of law that are amoral in nature. Two of the most important proponents of this conception of the rule of law are Joseph Raz and John Rawls. For Raz, thick conceptions are wrong because “[i]f the rule of law is the good law then to explain its nature is to propound a complete social philosophy. But if this is so the term lacks any functional definition”.¹⁷ Still, Raz proposes eight different principles that may guide the rule of law: (i) “[a]ll laws should be prospective, open, and clear,” as opposed to retroactive; (ii) “[l]aws should be relatively stable”; (iii) “[t]he making of particular laws (particular legal orders) should be guided by open, stable, clear and general rules”, (iv) “[t]he independence of the judiciary must be guaranteed”; (v) “[t]he principles of natural justice must be observed”; (vi) “[t]he courts should have review powers over the implementation of the other principles”; (vii) “[t]he courts should be easily accessible”; and (viii) “[t]he discretion of crime-preventing agencies should not be allowed to pervert the law.”¹⁸ Nevertheless, Raz clarifies that these principles can lose their applicability depending on the particular context of each country.¹⁹ By the same token, Rawls agrees with the procedural elements as a necessary condition for the existence of the rule of law, regardless of the substantive content of the law.²⁰

2.2 Conceptualization of the rule of law recession

Having explored some of the different definitions of the rule of law, there are two common characteristics among all definitions. i) That the people and the government must obey the law, and

¹⁶ Fuller, *supra* note 13, at 39.

¹⁷ See Joseph Raz. “The rule of law and its virtue.” *Law Quarterly Review*, 93 no.2 (1977): 195-211; at 195-196.

¹⁸ See Joseph Raz. *The authority of law: essays on law and morality*. (Oxford University Press on Demand, 2009), at 214-218.

¹⁹ *Ibid.*, at 46.

²⁰ See John Rawls. *A theory of justice*. (Harvard University Press, 2009), at 221, 235.

ii) the law must meet the necessary characteristics (e.g. prospective, open, stable, clear and general) that allow the people and the government to obey it. To that extent, the rule of law in each country has a continuous range in which it adheres fully, partly, or not at all.

Moreover, the rule of law, just as other institutions, is not a static set of rules. Quite the contrary, the rule of law is a set of political arrangements that is constantly under transformation.²¹ Therefore, a nation can improve, degrade, or stay at the same level of the rule of law from one political period to the next. This dynamic nature of the rule of law provides the basis to define the rule of law recession as follows: *A rule of law recession occurs when, from one political period to another, there is a detriment on how the people and the government obey the law, or a deterioration on the necessary characteristics of the law (e.g. prospective, open, stable, clear and general) that allow adherence in any given legal system.*

The aforementioned political periods, determined by a particular local or global discretionary clock, tie the rule of law up with other political institutions such as democracy. Even though there is no consensus in the philosophical legal literature on whether democracy is a necessary condition for the rule of law,²² empirical evidence relates the rule of law with democracy, making both institutions “mutually reinforcing”.²³ Hence, one may suspect of a rule of law recession if there is a democracy recession. Given the conclusions of a democracy recession in high-income countries from several democracy indexes,²⁴ I test for a possible rule of law recession among OECD member countries.

3 Quantitative Analysis

To examine whether currently there is a rule of law recession in OECD member countries, I conduct a quantitative analysis using a rule of law index. In particular, I employ data from the World Justice Project to measure the rule of law.²⁵ This quantitative analysis is fully descriptive.

²¹ See Douglass C North. *Institutions, institutional change and economic performance*. (Cambridge University Press, 1990), at 3-4.

²² Trebilcock and Daniels, *supra note 7*, at 15-16.

²³ See Roberto Rigobon and Dani Rodrik. "Rule of law, democracy, openness, and income: Estimating the interrelationships1." *Economics of transition*, 13 no .3 (2005): 533-564, at 533.

²⁴ The Economist Intelligence Unit, *supra note 4*, at 6-8.

²⁵ See World Justice Project, *Rule of Law Index 2020*, available at: <<https://worldjusticeproject.org/our-work/research-and-data/wjp-rule-law-index-2020>>

3.1 World Justice Project

The rule of law index proposed by the World Justice Project consists of a framework of nine different dimensions of the rule of law: constraints on government powers, absence of corruption; open government; fundamental rights; order and security; effective regulatory enforcement; access to civil justice; effective criminal justice; and informal justice.²⁶ The theoretical framework gathers ideas from the U.S. Federal Constitution, the English Magna Carta, the French Declaration of the Rights (of citizens), and the Universal Declaration of Human Rights.²⁷ To that extent, this rule of law index resembles more to a thick definition of the rule of law than a thin conception. Yet, the index is totally applicable to the legal systems for the countries analyzed in this paper.

To build this index, the World Justice Project gathers data from a general population poll with a representative sample in three cities per country, as well as a qualified respondent questionnaire for scholars and practitioners with expertise in several areas of the law such as civil, commercial, criminal, labor, and health.²⁸ Both of these surveys contain subjective and objective data. The subjective items appear more frequently in the general population polls, while the objective items, in

²⁶ See Juan Carlos Botero and Alejandro Ponce. "Measuring the rule of law." *SSRN*, 1966257 (2011), at 2, 9-15. Each of the dimensions are defined as follows by Botero and Ponce. Constraints on government powers “measures the extent to which those who govern are subject to law. This factor addresses the fundamental principle that the ruler is subject to legal restraints”. Absence of corruption “measures [...] the use of public power for private gain. Corruption is imperative to any assessment of the rule of law as it is a manifestation of the extent to which government officials abuse their power or fulfil their obligations under the law”. Open government “allows for a broader level of access, participation, and collaboration between the government and its citizens, and plays a crucial role in the promotion of accountability”. Fundamental rights “measures protection of fundamental human rights. It recognizes that the rule of law must be more than merely a system of rules”. Order and security “measures how well the society assures the security of persons and property. Human security is one of the defining aspects of any rule of law society and a fundamental function of the state”. Effective regulatory enforcement “measures the fairness and effectiveness in enforcing government regulations. Public enforcement of government regulations is pervasive in modern societies as a method to induce ‘good’ conduct”. Access to civil justice “is central to the rule of law. In a rule of law society, all people should be able to obtain remedies in conformity with fundamental rights”. Effective criminal justice “is a key aspect of the rule of law, as it constitutes the natural mechanism to redress grievances and bring action against individuals for offenses against society. Effective criminal justice systems are capable of investigating and adjudicating criminal offences effectively and impartially, while ensuring that the rights of suspects and victims are protected. An assessment of such systems, however, should take into consideration the entire system; including police, lawyers, prosecutors, judges, and prison officers”. Last, informal justice, “concerns [to] the role played in many countries by traditional, or ‘informal’, systems of law.”

²⁷ *Ibid.*, at 5-6.

²⁸ *Ibid.*, at 17-20.

the qualified respondent questionnaire. Hence, this rule of law index is a hybrid between subjective and objective data, which might carry some perceptual biases.

Data on each of the dimensions of the rule of law, with the exception of informal justice, is available at the World Justice Project website.²⁹ The rule of law index contains information for the period 2012-2020; however, the 2012-2013 wave is not comparable to the rest of the years. Consequently, I use data from 2014 to 2020 for 28 OECD member countries with a year of accession dating back to at least 2014, and with data available from the World Justice Project on the rule of law. That means that the political period in this analysis runs for seven consecutive years. The final dataset includes the following countries: Australia, Austria, Belgium, Canada, Chile, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Japan, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Slovenia, Spain, Sweden, Turkey, the United Kingdom, and the United States.

3.2 Descriptive Statistics

Table 1 contains the average score over the period 2014-2020 for the rule of law index, as well as for each of the dimensions of the rule of law. The index ranges from 100 to 0, with 100 being the best possible adherence to the rule of law.³⁰ Similarly, each of the dimensions range from 1 to 0, with 1 being the best score possible for each principle.³¹ Immediately noticeable is the fact that no country reaches a perfect score in any of the dimensions, and consequently, no country has a perfect score in the overall rule of law index. That means that there is room for improvement based on objective and subjective data.

Leading up the OECD group in terms of adherence to the rule of law are Denmark with an average score of 88.72, Norway (88.30), Finland (86.28), and Sweden (85.84).³² All of these four countries are located in the same geographical area in Northern Europe. These countries also share a lot of political, economic, and social similarities. In the case of Denmark, Norway, and Sweden, they even have the same Scandinavian culture. All four countries score very high in the eight dimensions of

²⁹ World Justice Program, *supra note 25*.

³⁰ *Ibid.*

³¹ *Ibid.*

³² *Ibid.*

the rule of law, but particularly high in constraints on government powers and absence of corruption.

This reinforces the idea that for the rule of law to exist, the government must also obey the law.

Table 1. Descriptive Statistics

Name of Country	Rule of Law	Const. Govt	Abs. Corrupt.	Open Govt.	Fund. Right	Order & Sec.	Regulat. Enf.	Civil Justice	Crim. Justice
Australia	80.48	0.84	0.83	0.78	0.81	0.87	0.82	0.75	0.74
Austria	82.26	0.85	0.83	0.74	0.86	0.90	0.82	0.78	0.80
Belgium	77.74	0.82	0.80	0.73	0.84	0.83	0.77	0.74	0.71
Canada	79.91	0.82	0.82	0.80	0.81	0.90	0.79	0.71	0.73
Chile	67.48	0.73	0.70	0.70	0.73	0.69	0.65	0.63	0.57
Czech R.	72.23	0.74	0.65	0.64	0.80	0.88	0.67	0.70	0.71
Denmark	88.72	0.94	0.95	0.84	0.91	0.92	0.86	0.85	0.83
Estonia	78.91	0.82	0.79	0.77	0.81	0.87	0.77	0.77	0.71
Finland	86.28	0.90	0.90	0.83	0.91	0.91	0.82	0.79	0.85
France	73.29	0.76	0.75	0.75	0.75	0.75	0.75	0.70	0.64
Germany	82.48	0.85	0.83	0.77	0.85	0.88	0.82	0.84	0.76
Greece	60.37	0.67	0.56	0.58	0.66	0.73	0.56	0.58	0.50
Hungary	56.00	0.47	0.53	0.49	0.62	0.88	0.50	0.49	0.51
Italy	64.64	0.70	0.61	0.61	0.73	0.74	0.58	0.57	0.64
Japan	78.09	0.74	0.83	0.71	0.76	0.92	0.79	0.78	0.72
Mexico	45.37	0.49	0.32	0.58	0.53	0.55	0.46	0.41	0.29
Netherther.	84.22	0.87	0.88	0.81	0.85	0.85	0.85	0.86	0.77
N. Zealand	82.67	0.86	0.89	0.82	0.82	0.88	0.83	0.78	0.74
Norway	88.30	0.92	0.93	0.86	0.90	0.90	0.87	0.85	0.83
Poland	68.20	0.66	0.70	0.64	0.70	0.85	0.61	0.64	0.66
Portugal	70.12	0.79	0.72	0.65	0.79	0.77	0.61	0.67	0.63
R. of Korea	74.48	0.73	0.71	0.71	0.72	0.86	0.74	0.77	0.72
Slovenia	66.87	0.64	0.62	0.64	0.76	0.85	0.62	0.63	0.59
Spain	69.97	0.71	0.71	0.66	0.78	0.80	0.66	0.65	0.64
Sweden	85.84	0.88	0.91	0.84	0.88	0.91	0.84	0.81	0.79
Turkey	44.50	0.34	0.49	0.43	0.35	0.64	0.46	0.47	0.38
UK	79.53	0.83	0.82	0.79	0.80	0.85	0.80	0.73	0.74
USA	72.40	0.76	0.75	0.75	0.72	0.81	0.71	0.64	0.65

Mean over the period 2014-2020. Calculations are my own. Source: World Justice Project.

Lagging behind in the rule of law index for OECD member countries are Turkey with an average score of 44.50, Mexico (45.37), Hungary (56.00), and Greece (60.37).³³ These four countries have different reasons to lag behind in the rule of law implementation. In the case of Turkey, the main problems are constraints on government, fundamental rights, and effective criminal justice.³⁴ Mexico, in turn, lags behind in terms of absence of corruption, effective civil justice, and effective criminal justice.³⁵ Further, Hungary presents problems in constraints on government, open government, and effective civil justice.³⁶ Finally, Greece has an area of opportunity in absence of corruption, regulatory enforcement and effective criminal justice.³⁷

3.3 Longitudinal data

Next, I examine the trajectory of the rule of law from 2014 to 2020 for each of the 18 countries in the sample. Figure 1 contains two different panel. The top panel depicts stable levels of the rule of law for all OECD member countries, with the exceptions of Turkey (last line from top to bottom), Hungary (third to last line from top to bottom), Poland (fifth to last line from top to bottom), and Korea (thick dash line in the middle of the panel). The rest of the lines basically are completely horizontal, with very soft bumps in between. Prima facie, there is no pattern indicating an overall decline in the rule of law among OECD member countries.

The bottom panel of Figure 1 shows a more intuitive picture for the longitudinal data by building a country-specific index in which the year 2014, the beginning of our political period, serves as a base. This base takes the value of 100 for all countries in order to calculate the change by the end of our political period, in 2020. In this graph, we can see that most OECD member countries remain stable with regards to its adherence to the rule of law. The exceptions are Turkey, Hungary, Korea, and Poland, which exhibit a clear negative trend in their respective level of the rule of law. However, the implications are completely different for each these OECD member countries.

³³ *Ibid.*

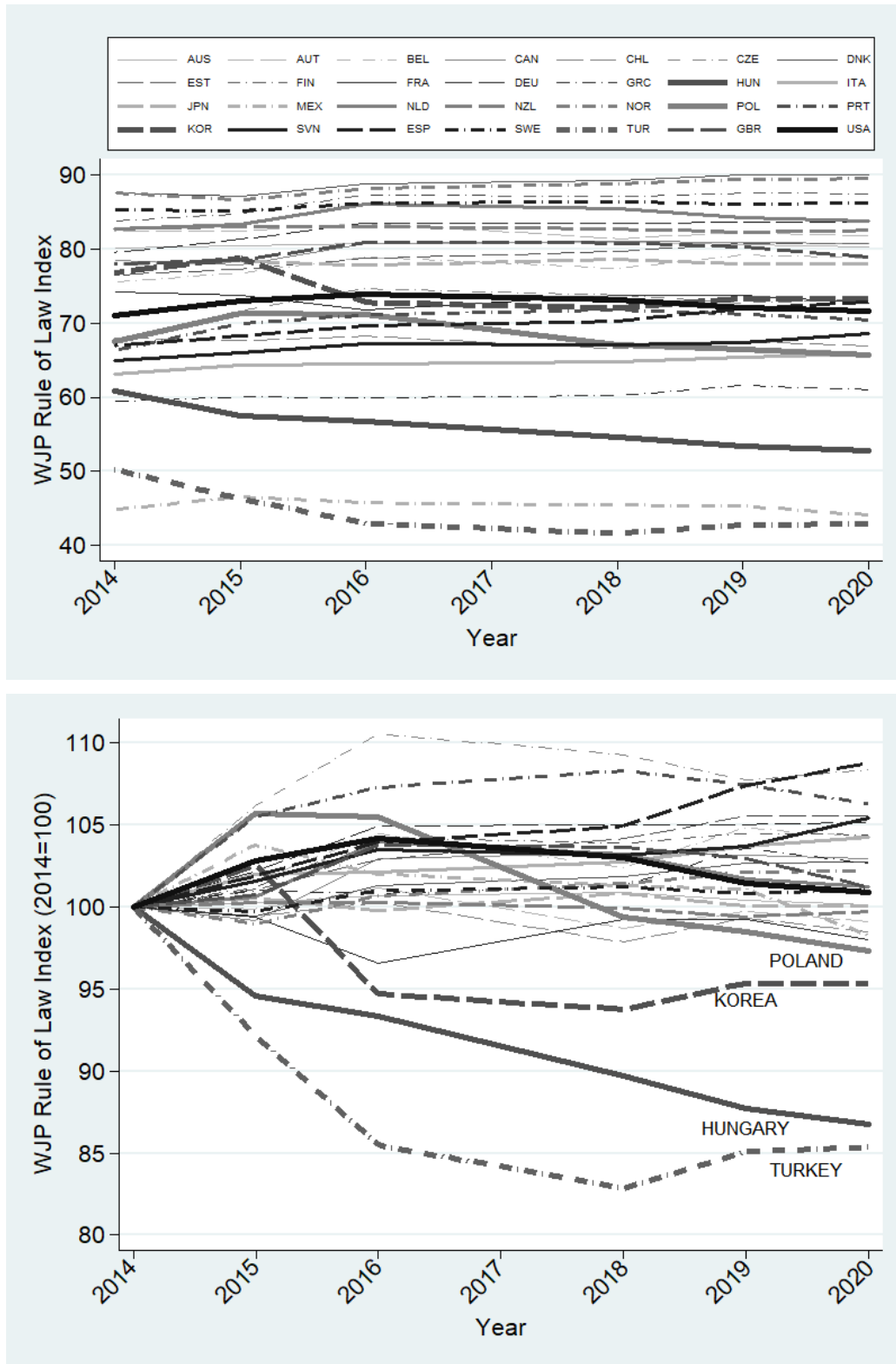
³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ *Ibid.*

³⁷ *Ibid.*

Figure 1: Longitudinal Analysis



Rule of law index over the period 2014-2020. Graphs are my own. Source: World Justice Project.

First, Turkey is the country to fall the most with a drop of around 15% in the rule of law with respect to that in 2014. The drop for Turkey occurs until 2018, at which point the rule of law stabilizes in that nation. Next, Hungary shows a decline of around 14%, but with no signs of stabilization. This makes the rule of law recession situation in Hungary more serious than in Turkey, as of 2020. Korea also exhibits a drop of 5% in its rule of law level with respect to 2014, which is a more moderate fall in comparison to Hungary or Turkey. Further, the rule of law level in Korea is stable since 2018. Finally, Poland exhibits only a 3% decline in its rule of law level. Nevertheless, this small drop is deceiving for two main reasons: First, at the beginning of the political period, 2014-2016, Poland shows tremendous growth in its values for the rule of law index, but losses all gains between 2016 and 2020. Second, since 2018, Poland is the country with the steepest negative trend in its rule of law level. This is worrisome for a nation that improved its rule of law significantly in previous political periods.

4 Qualitative Analysis

Next, I incorporate a qualitative analysis for each of the OECD member countries analyzed in this paper. I link the quantitative analysis with the qualitative study in two different ways. On the one hand, I categorize each nation using its country-specific rule of law index performance in 2020 with respect to 2014 by *expansion* (more than 2% growth in its rule of law level), *recession* (more than 2% decline in its rule of law level), or *stable* (not growing or declining by more than 2% growth in its rule of law level). On the other hand, I connect the different dimensions of the rule of law with reforms or efforts subtracted from government reports or academic sources. Table A.1 in the appendix section contains the specific values for each of the dimensions of the rule of law, for all OECD member countries, for each year covered in this paper. I conduct the analysis by region, dividing the sample into three different regions: Europe, Americas, and Asia and Oceania.

4.1 Europe

Austria (stable): this Central European country is implementing a full-fledged digitalization effort to make its judicial system more efficient.³⁸ Further, Austria is reviewing the procedures to appoint the administrative court presidents as well as how prosecutors are assigned to cases.³⁹ There are two dimensions of the rule of law in which Austria is declining: constraints on government powers and

³⁸ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Austria, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602583621586&uri=CELEX%3A52020SC0319>>.

³⁹ *Ibid.*

absence of corruption. However, the country is currently pushing anti-corruption reforms after the famous cases on political parties financing.⁴⁰

Belgium (expansion): this Western European country is also pushing reforms on case process digitalization and management of resources in the judiciary.⁴¹ Other efforts in Belgium include lowering court fees, and fostering the independence of the judiciary through a robust system to substitute judges.⁴² Belgium is improving in all dimension of the rule of law, with the exception of order and security, meaning that there is space to improve in police and anti-terrorist forces.

Czech Republic (expansion): this other Central European country ranks second in expanding its adherence to the rule of law during the period of analysis. Judiciary reforms in the Czech Republic consist of new disciplinary procedures and selection process for judges and public prosecutors.⁴³ Moreover, the Czech Republic is introducing an e-file system to accelerate accessibility to courts.⁴⁴ The Czech Republic is improving in all dimensions of the rule of law index proposed by the World Justice Project.

Denmark (expansion): as mentioned above, this Scandinavian country ranks top in its adherence to the rule of law during the period 2014-2020. Denmark’s upcoming judiciary reforms are on a digitalization effort to optimize the length a judicial case takes to resolve.⁴⁵ This country has no agency in place to prevent corruption, and few regulations on ethics and integrity for top government officials.⁴⁶ Nonetheless, Denmark ranks first in absence of corruption, as well as in other dimensions of the rule of law such as constraints on government, fundamental rights, order and security, and effective regulatory enforcement.

⁴⁰ *Ibid.*

⁴¹ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Belgium, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602582109481&uri=CELEX%3A52020SC0300>>.

⁴² *Ibid.*

⁴³ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Czechia, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602579986149&uri=CELEX%3A52020SC0302>>.

⁴⁴ *Ibid.*

⁴⁵ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Denmark, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602579986149&uri=CELEX%3A52020SC0303>>.

⁴⁶ *Ibid.*

Estonia (expansion): this country ranks fourth in expanding its adherence to the rule of law for the period 2014-2020. The judicial system in Estonia has one of the most advanced technologies in the world, which provide a lot of efficiency through flexibility and accessibility.⁴⁷ Rule of law efforts in Estonia focus currently on anti-corruption policy.⁴⁸ According to the dimensions of the rule of law index by the World Justice Project, there are opportunities of improvement in the area of effective criminal justice.

Finland (expansion): this Northern European country ranks third in the rule of law index during the period cover in this paper. Finland is introducing a new independent National Courts Administrator in charge of strengthening judicial independence.⁴⁹ Further, the country is restructuring the National Prosecution Service for efficiency purposes.⁵⁰ Finland keeps advancing in all of the dimensions of the rule of law, signaling a clear commitment of the Finnish government towards this political institution.

France (stable): this Western European country is working at improving the independence and efficiency of the French Judiciary.⁵¹ Reforms in the matter include the upgrading of the competences of the High Council for the Judiciary, and channeling more resource to the judicial branch.⁵² With regards to the dimensions of rule of law, there is a rapid deterioration of effective criminal justice during the period 2014-2020, meaning that efforts must be directed into this dimension of the rule of law.

Germany (expansion): this Western European country is also at an expansion stage, improving every year during the period 2014-2020. Recent efforts to strengthen the rule of law include a “Pact for the rule of law” between the federation and the states to bring more resources in the form of new posts

⁴⁷ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Estonia, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602579986149&uri=CELEX%3A52020SC0305>>.

⁴⁸ *Ibid.*

⁴⁹ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Finland, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602582718489&uri=CELEX%3A52020SC0325>>.

⁵⁰ *Ibid.*

⁵¹ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter France, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602579986149&uri=CELEX%3A52020SC0308>>.

⁵² *Ibid.*

for judges and prosecutors.⁵³ Germany’s upcoming challenges in the rule of law area include naming retiring judges and prosecutors.⁵⁴

Greece (expansion): this Southern European country is implementing a significant amount of efforts to strengthen the independence of the judiciary in Greece.⁵⁵ These efforts include the restructuring and management of courts, the use of technology, and the advancement of alternative dispute resolutions to make the Greek judiciary system more efficient. There remain areas of the rule of law to reform such as in the dimension concerning with effective criminal justice.

Hungary (recession): this Eastern European country is declining rapidly in its adherence to the rule of law, at least since 2014. The European Union is raising concerns about the institutional trajectory being followed in Hungary because of the ascent of an increasingly authoritarian regime.⁵⁶ In fact, the European Parliament is considering activating article 7 of the Treaty of the European Union to suspend certain membership rights because of new rules in Hungary that allow for the election of Supreme Court members that go outside normal procedure.⁵⁷ The strongest detriment in the dimensions of rule of law in Hungary are in constraints on government and fundamental rights.

Italy (expansion): this Southern European country is also at an expansion stage, with constant improvements annually since 2014. According to the dimensions of the rule of law index proposed by the World Justice Project, the areas of opportunities reside on increasing effectiveness in civil justice and criminal justice. Reforms to streamline civil and criminal cases are under way.⁵⁸ In addition, more human and technological resources are being allocated to optimize procedural law in Italy.⁵⁹

⁵³ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Germany, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602582109481&uri=CELEX%3A52020SC0304>>.

⁵⁴ *Ibid.*

⁵⁵ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Greece, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020SC0307>>.

⁵⁶ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Hungary, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602582109481&uri=CELEX%3A52020SC0316>>.

⁵⁷ *Ibid.*

⁵⁸ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Italy, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602582109481&uri=CELEX%3A52020SC0311>>.

⁵⁹ *Ibid.*

Netherlands (stable): the Dutch judiciary remains independent and stable, with a strong adherence to the rule of law.⁶⁰ There are several initiatives under discussion related to the appointment of judges in the Netherlands.⁶¹ Further, the legislative branch is also considering a reform on the legal aid system.⁶² The Netherlands scores very high in the dimensions of the rule of law related to open government, fundamental rights, order and security, effective regulatory enforcement, and access to civil justice.

Norway (stable): as mentioned in the quantitative analysis, this Scandinavian country ranks second in its adherence to the rule of law among the analyzed OECD member countries in the period 2014-2020. Giving the increase in time it takes to process cases in Norway, the parliament is working on organizing and funding adequately courts.⁶³ In the meanwhile, this problem is causing a stagnation in the dimensions of the rule of law related to effectiveness in civil and criminal justice.

Poland (recession): after performing extraordinarily well in its adherence to the rule of law in previous periods, this Eastern European country is now declining since 2016. This is mainly due to Poland’s controversial justice reform of 2015, which increased the power of the Executive and Legislative branches in detriment of the Judicial branch, including the Constitutional Tribunal, the Supreme Court, the National Council for the Judiciary, and ordinary courts, among other judicial institutions.⁶⁴ The European Union is launching infringements on Poland to guarantee judicial independence in the country.⁶⁵ Just as in the Hungarian case, the European Parliament is also considering activating article 7 of the Treaty of the European Union.⁶⁶ For Poland, the strongest detriment in the dimensions of the rule of law are in constraints on government and effective criminal justice.

⁶⁰ European Commission, European Union. *2020 Rule of Law Report*. Country chapter Netherlands, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602579986149&uri=CELEX%3A52020SC0318>>.

⁶¹ *Ibid.*

⁶² *Ibid.*

⁶³ See European Network of National Human Rights Institutions. *Independence and effectiveness of the Norwegian National Human Rights Institution*. available at: <<http://ennhri.org/rule-of-law-report/norway/>>.

⁶⁴ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Poland, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602579986149&uri=CELEX%3A52020SC0320>>.

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*

Portugal (expansion): this Southern European ranks third in expanding its adherence to the rule of law level during the period 2014-2020, among all OECD member states analyzed in this paper. There are several judiciary reforms under way such as digitalization and the adaptation of the judicial map, aimed at improving the efficiency of justice.⁶⁷ With the exception of effective criminal justice, all other dimension of the rule of law are improving significantly for Portugal.

Slovenia (expansion): this Central European country ranks fifth in expanding its rule of law level for the period 2014-2020, among OECD member countries. Resolutions from Slovenia’s Constitutional Court on the legality of the Legislative’s Parliamentary Inquires Act, which pretended to look into the actions of judges or prosecutors in certain criminal cases, is reinforcing the judiciary independence in Slovenia.⁶⁸ More efforts are needed to increase efficiency in criminal justice to continue expanding the rule of law level in this country.

Spain (expansion): this Southern European nation ranks first in expanding its adherence to the rule of law level, among all OECD member states analyzed in this paper. Spain is climbing in its scores for all dimensions of the rule of law at a staggering pace. New judiciary reforms intend to keep up with this pace. For instance, there is an upcoming new Code of Criminal Procedure, intended to further increase the effectiveness of criminal justice.⁶⁹ Also, there are political discussions on the appointment and term of the Prosecutor General in Spain.⁷⁰

Sweden (stable): this Northern European country ranks fourth in its adherence to the rule of law during the period 2014-2020. Upcoming reforms include incorporating several judicial procedures online to advance on the digitalization of the Swedish judicial system.⁷¹ Sweden has a remarkable stability in each of the principles that make up the theoretical framework of the rule of law.

⁶⁷ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Portugal, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602579986149&uri=CELEX%3A52020SC0321>>.

⁶⁸ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Slovenia, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602579986149&uri=CELEX%3A52020SC0323>>.

⁶⁹ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Spain, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602579986149&uri=CELEX%3A52020SC0308>>.

⁷⁰ *Ibid.*

⁷¹ See European Commission, European Union. *2020 Rule of Law Report*. Country chapter Sweden, available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602582109481&uri=CELEX%3A52020SC0326>>.

United Kingdom (stable): this Northern European country has a strong and long tradition of adhering to the rule of law. All dimensions of the rule of law continue with a stable trend. However, there are many political challenges brought by the exiting process of the United Kingdom from the European Union (Brexit), including new possible episodes of political violence between Great Britain and Northern Ireland.⁷² Thus far, the transition period into Brexit remains peaceful.⁷³ Other reforms in the United Kingdom include policies designed to prevent terrorism and serious violence crimes.⁷⁴

4.2 Americas

Canada (expansion): this North American country ranks ninth in its adherence to the rule of law during the period 2014-2020, for the OECD member countries analyzed. Canada is expanding its scores in all dimensions of the rule of law. Different Canada’s jurisdictions are rapidly adopting e-filing, which makes the judicial process faster, while reducing costs.⁷⁵ Further, the province of Ontario is asking for more resources destined to their own local courts, which might be a trend for other Canadian provinces as well.⁷⁶

Chile (stable): this South American nation is preparing local elections to elect members of a convention to write a new constitution to replace the one left by the military dictatorship of Pinochet.⁷⁷ This occurs as a result of long-lasting protests in Santiago, as well as a national plebiscite that asked voters about writing a new constitution.⁷⁸ The outcomes of this new constitution may strength the constraints on government and may expand fundamental rights. However, the new constitution may instead jeopardize the independence of the judiciary and the stability of rule of law in the country. Currently, Chile has areas of opportunity regarding the dimensions of the rule of law in order and security, access to civil justice, and effectiveness of criminal justice.

⁷² See House of Commons Library. *Insights for the new Parliament*, available at: <https://commonslibrary.parliament.uk/content/uploads/2020/01/HoP_Insights_Publication_FULL1.pdf>.

⁷³ *Ibid.*

⁷⁴ *Ibid.*

⁷⁵ See LexisNexis. *Rule of Law Report*. Canada LexisNexis, 3 no. 3 (2020), at 5-9.

⁷⁶ *Ibid.*

⁷⁷ See Claudia Zilla and Franziska F. N Schreiber. *The Constitutional Process in Chile*. Stiftung Wissenschaft und Politik, 17 (2020), at 1-2.

⁷⁸ *Ibid.*

Mexico (stable): this North American nation continues to lag behind in its adherence to the rule of law. As it stands now, Mexico ranks the lowest among OECD members in absence of corruption, access to civil justice, and effectiveness of criminal justice. Mexico now enters into the twelfth year of a long reformation of its criminal justice system to transition from an inquisitorial system to an adversarial system.⁷⁹ Reports show that the implementation of this reform makes judge’s ruling clearer and faster.⁸⁰ However, the implementation remains gradual and at heterogeneous stages across the different Mexican States.⁸¹ The new Federal government is working on reducing widespread corruption, even though it has not yet revealed a proper plan to do so.⁸²

United States (stable): this North American country is suffering the consequences of political polarization brought by the last two federal administrations (Obama-Trump).⁸³ Immigration policy in the United States is a clear example of how these federal administrations overused the powers vested upon the Executive branch, instead of working through a political consensus with other branches of government.⁸⁴ This is reflected in a declining score in constraints on governments in the rule of law index by the World Justice Project. Upcoming reforms include a new criminal justice reform looking at the private operation of prisons as well as racial biases in incarcerations.⁸⁵ The United States continue to be a beacon for the rest of the American countries in terms of its adherence to the rule of law as indicated in the scores obtained in the different dimensions of the index.

4.3 Asia and Oceania

Australia (stable): this Oceanian country performs very well in all dimensions of the rule of law, even though its score for the overall rule of law index remain basically the same from 2014 to 2020. The one dimension of the rule of law that is consistently dropping in Australia is absence of corruption. The Australian Law Reform Commission is suggesting a comprehensive work program that includes

⁷⁹ See World Justice Project Mexico. *Mexico’s New Criminal Justice System: Substantial Progress and Persistent Challenges*. (June 2020), at 3-8.

⁸⁰ *Ibid.*

⁸¹ *Ibid.*

⁸² See Bonnie J Palifka. "Corruption, organized crime and the public sector in Mexico." *Handbook on Corruption, Ethics and Integrity in Public Administration*. (Edward Elgar Publishing, 2020), at 1-2.

⁸³ See Rubenstein, David S. "Taking care of the rule of law." *Geo. Wash. L. Rev.* 86 (2018): 168-299, at 171.

⁸⁴ *Ibid.*

⁸⁵ See White House. *Executive Order on Reforming Our Incarceration System to Eliminate the Use of Privately Operated Criminal Detention Facilities*, available at: <<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/26/executive-order-reforming-our-incarceration-system-to-eliminate-the-use-of-privately-operated-criminal-detention-facilities/>>.

protection for whistleblowers in the public sector to enhance absence of corruption, as well as the establishment of a standing body to analyze the current reforms to the Australian constitutions, and digitalization efforts for the usability of the law.⁸⁶

New Zealand (stable): this Oceanian country ranks seventh in its adherence to the rule of law during the period 2014 to 2020, among all OECD member countries in the sample. There are areas of opportunity to increase efficiency in civil justice and criminal justice in New Zealand. The Ministry of Justice currently works on a Crimes Amendment Act to repeal outdated laws, as well as on instituting the Criminal Case Review Commission, a new standing body that reviews possible miscarriages of justice.⁸⁷ This last reform concerning the Criminal Case Review Commission comes from similar models from other countries, including the United Kingdom and Norway.⁸⁸

Japan (stable): this Asian country continues to work on regulatory enforcement. The new Japanese Prime Minister is putting regulatory reform at the center of its government to tackle administrative inefficiencies.⁸⁹ Also, new criminal justice policies that require video and audio of interrogations for a segment of cases are being introduced, particularly after allegations of human right violations.⁹⁰ Japan continues to score high in all dimensions of the rule of law.

Korea (recession): this Asian country is in a rule of law recession since 2016, when the first successful impeachment in South Korea occurred after allegations of corruption. A single party dominance over all three branches of government is rapidly deteriorating certain dimension of the rule of law in South Korea.⁹¹ Worse yet, current interference on Korean courts from other branches of government by plunging retiring judges into partisan politics, always in the side of the current regime, is undermining

⁸⁶See Australian Law Reform Commission, Australian Government. *The Future of Law Reform*. (December 2019), at 9-11.

⁸⁷ See New Zealand Ministry of Justice. *Key Initiatives*. (February 2021), available at <<https://www.justice.govt.nz/justice-sector-policy/key-initiatives/>>.

⁸⁸ *Ibid*.

⁸⁹ See Nikkei Asia. *Japan's Suga puts regulatory reform at center of new government*. (September 2020), available at <<https://asia.nikkei.com/Politics/Japan-after-Abe/Japan-s-Suga-puts-regulatory-reform-at-center-of-new-government/>>.

⁹⁰ See Human Rights Watch. *Japan events 2019*. (2020), available at <<https://www.hrw.org/world-report/2020/country-chapters/japan/>>.

⁹¹ Shin, Gi-Wook. "South Korea's Democratic Decay." *Journal of Democracy*, 31 no.3 (2020): 100-114, at 100-101.

the rule of law.⁹² The dimensions of the rule of law that are declining most rapidly are constraints on government, absence of corruption, and open government. Reform on the rule of law includes a Corruption Investigation Office for High-ranking Officials, which could rebalance power in all three branches of government.⁹³

Turkey (recession): this Eurasian country ranks last in its adherence to the rule of law during the period 2014-2020, among OECD member countries analyzed in this paper. The independence of the judiciary is practically inexistent, with the judiciary completely captured by the executive branch.⁹⁴ The Judicial Reform Strategy 2019-2023, announced by the Turkish President, does nothing to guarantee the independence of judges and prosecutors.⁹⁵ Hence, further efforts to shield the selection of members of the Council of Judges and Prosecutors are necessary to strengthen the independence of the Turkish judiciary.⁹⁶

5 Conclusion

This paper examines whether there is a rule of law recession among OECD member countries. This formal inquiry is motivated by the recent findings of a democratic recession across several countries with a long tradition of democratic values. Results show that by and large there is no such rule of law recession among OECD member countries. In particular, we find that only Turkey, Hungary, Poland, and Korea are under a rule of law recession. In the case of Turkey, Hungary, and Poland due to the ascent of authoritarian right-wing regimes. Korea, in turn, is suffering from the policies instated by an increasingly authoritarian left-wing regime. Notwithstanding the results for these four countries, findings indicate that 12 out of the 28 OECD member countries analyzed in this paper, continue to expand their level of adherence to the rule of law. In fact, just as many OECD member countries have stable scores in their respective rule of law index during the period 2014-2020.

⁹² *Ibid.*, at 103-104.

⁹³ *Ibid.*, at 107.

⁹⁴ See European Commission, European Union. *Key findings of the 2020 Report on Turkey*. (October 2020), available at: <https://ec.europa.eu/commission/presscorner/detail/en/country_20_1791>.

⁹⁵ *Ibid.*

⁹⁶ *Ibid.*

Gordon Brown, former prime minister of the United Kingdom, famously said that “in establishing the rule of law, the first five centuries are always the hardest”.⁹⁷ And so, if indeed it takes so long to establish the rule of law in a country, maybe that means that it is just as hard to destroy completely this political institution in any given nation with certain level of adherence. Even among OECD member countries with a rule of law recession, we can find efforts to uphold to the values of the rule of law. A robust civil society, judges, prosecutors, and other foreign political organizations, like the European Union, are forcing these countries to reverse certain judicial reforms undermining the establishment of the rule of law.⁹⁸

Further, all countries, without exception, are advancing legislation and reforms to continue to expand the level of the rule of law. The European Union, a leading entity in the matter, just released its first Rule of Law Report, meant to continue to strengthen this institution among member countries.⁹⁹ Other OECD member countries, and the OECD itself, should follow suit. Also, scholars and non-governmental organizations such as the World Justice Project, continue to play an important role in advancing our understanding of the rule of law.

Future research on the promotion of the rule of law, within the law discipline, should continue to expand the theoretical framework of what a recession or an expansion of the rule of law entails in terms substantive and procedural law. In that sense, the knowledge in which the promotion of the rule of law operates remains thin.¹⁰⁰ Other disciplines such as economics or development have the tools to interact with legal theory to build the much needed theoretical framework that advises future policy. Last, the law and development field must continue to study advanced economies as these nations also face important challenges in terms of their adherence to the rule of law. The way these rich nations choose solve these problems might help guide other developing countries with their own decisions.

⁹⁷ See Luis Felipe López-Calva, UNDP. *To my friends, anything; to my enemies, the law*. (February 2020), available at: <https://www.latinamerica.undp.org/content/rblac/en/home/presscenter/director-s-graph-for-thought/_to-my-friends--anything--to-my-enemies--the-law.html>.

⁹⁸ See for example AP News. EU lashes out at Turkey over rule of law, rights, freedoms. (October, 2020), available at <<https://apnews.com/article/turkey-europe-archive-recep-tayyip-erdogan-c9dac01595e38d1401467ef039ffe391>>.

⁹⁹ See European Commission, European Union. *Rule of law: First Annual Report on the Rule of Law situation across the European Union*. (September 2020), available at: <https://ec.europa.eu/commission/presscorner/detail/en/IP_20_1756>.

¹⁰⁰ See Thomas Carothers. "Promoting the rule of law abroad: the problem of knowledge". *Carnegie Endowment for International Peace, Working Papers*. (2003): 1-18, at 5.

6 Appendix

Table A.1. Longitudinal Data for Dimensions of the Rule of Law

Country	Year	Rule of Law	D1	D2	D3	D4	D5	D6	D7	D8
Australia	2014	80.15	0.86	0.86	0.75	0.82	0.86	0.80	0.73	0.73
Australia	2015	80.35	0.83	0.84	0.74	0.82	0.89	0.81	0.74	0.77
Australia	2016	80.73	0.83	0.83	0.78	0.81	0.87	0.82	0.77	0.75
Australia	2018	80.85	0.84	0.83	0.80	0.81	0.86	0.85	0.75	0.74
Australia	2019	80.50	0.83	0.81	0.82	0.79	0.87	0.81	0.76	0.73
Australia	2020	80.29	0.82	0.82	0.81	0.79	0.87	0.82	0.76	0.73
Austria	2014	82.45	0.86	0.84	0.78	0.87	0.88	0.81	0.75	0.81
Austria	2015	82.35	0.85	0.83	0.72	0.87	0.90	0.81	0.79	0.82
Austria	2016	83.42	0.86	0.84	0.75	0.88	0.90	0.80	0.80	0.83
Austria	2018	81.38	0.83	0.84	0.72	0.85	0.90	0.81	0.79	0.77
Austria	2019	82.23	0.84	0.84	0.72	0.85	0.90	0.84	0.78	0.80
Austria	2020	81.72	0.85	0.82	0.71	0.85	0.90	0.84	0.77	0.80
Belgium	2014	75.52	0.81	0.81	0.67	0.83	0.85	0.71	0.69	0.67
Belgium	2015	76.74	0.81	0.81	0.70	0.84	0.86	0.73	0.72	0.67
Belgium	2016	78.91	0.83	0.78	0.73	0.84	0.84	0.77	0.76	0.76
Belgium	2018	77.34	0.81	0.78	0.75	0.83	0.78	0.77	0.73	0.72
Belgium	2019	79.17	0.83	0.80	0.77	0.84	0.81	0.81	0.76	0.72
Belgium	2020	78.74	0.83	0.80	0.76	0.84	0.81	0.80	0.76	0.71
Canada	2014	78.40	0.80	0.81	0.82	0.77	0.86	0.79	0.72	0.72
Canada	2015	77.78	0.78	0.81	0.75	0.79	0.90	0.77	0.70	0.72
Canada	2016	80.70	0.84	0.83	0.80	0.82	0.91	0.79	0.72	0.74
Canada	2018	80.97	0.84	0.83	0.82	0.82	0.91	0.79	0.72	0.74
Canada	2019	80.86	0.85	0.83	0.81	0.83	0.91	0.81	0.70	0.73
Canada	2020	80.74	0.84	0.83	0.81	0.82	0.91	0.81	0.70	0.74
Chile	2014	68.00	0.76	0.73	0.65	0.74	0.71	0.68	0.61	0.57
Chile	2015	67.62	0.74	0.72	0.68	0.74	0.70	0.65	0.61	0.56
Chile	2016	68.19	0.73	0.70	0.72	0.75	0.68	0.66	0.64	0.58
Chile	2018	66.55	0.71	0.69	0.71	0.73	0.68	0.62	0.63	0.56
Chile	2019	67.55	0.72	0.70	0.72	0.73	0.68	0.65	0.63	0.57
Chile	2020	66.96	0.72	0.69	0.71	0.72	0.67	0.64	0.63	0.56
Czech Republic	2014	67.49	0.72	0.60	0.52	0.80	0.82	0.63	0.65	0.67
Czech Republic	2015	71.67	0.74	0.66	0.64	0.80	0.89	0.63	0.69	0.69
Czech Republic	2016	74.61	0.76	0.68	0.69	0.81	0.89	0.68	0.73	0.73
Czech Republic	2018	73.75	0.74	0.65	0.66	0.80	0.90	0.67	0.72	0.74
Czech Republic	2019	72.71	0.73	0.64	0.66	0.78	0.90	0.70	0.70	0.70
Czech Republic	2020	73.13	0.73	0.65	0.67	0.79	0.90	0.71	0.69	0.71
Denmark	2014	87.55	0.94	0.96	0.79	0.90	0.90	0.84	0.82	0.84
Denmark	2015	87.04	0.92	0.96	0.78	0.91	0.92	0.81	0.83	0.84
Denmark	2016	88.68	0.93	0.96	0.86	0.92	0.92	0.85	0.84	0.82
Denmark	2018	89.18	0.94	0.95	0.86	0.90	0.92	0.87	0.86	0.82
Denmark	2019	89.92	0.95	0.95	0.86	0.92	0.93	0.90	0.87	0.83
Denmark	2020	89.95	0.94	0.95	0.88	0.92	0.93	0.90	0.86	0.83
Estonia	2014	76.46	0.80	0.78	0.71	0.80	0.84	0.75	0.72	0.72

Estonia	2015	77.27	0.79	0.78	0.72	0.81	0.88	0.75	0.75	0.71
Estonia	2016	78.68	0.80	0.78	0.81	0.80	0.85	0.78	0.77	0.70
Estonia	2018	79.64	0.84	0.79	0.79	0.82	0.90	0.77	0.78	0.68
Estonia	2019	80.69	0.84	0.80	0.80	0.83	0.89	0.79	0.80	0.71
Estonia	2020	80.71	0.83	0.79	0.81	0.82	0.89	0.79	0.80	0.71
Finland	2014	83.73	0.88	0.90	0.76	0.89	0.89	0.78	0.75	0.85
Finland	2015	84.74	0.88	0.90	0.76	0.91	0.92	0.79	0.78	0.85
Finland	2016	87.29	0.89	0.92	0.85	0.92	0.93	0.83	0.80	0.85
Finland	2018	87.00	0.92	0.89	0.86	0.91	0.92	0.81	0.80	0.85
Finland	2019	87.49	0.92	0.89	0.87	0.92	0.92	0.84	0.80	0.84
Finland	2020	87.43	0.92	0.89	0.86	0.91	0.91	0.86	0.81	0.83
France	2014	74.22	0.79	0.78	0.70	0.76	0.81	0.75	0.69	0.65
France	2015	73.78	0.78	0.75	0.69	0.78	0.81	0.74	0.70	0.66
France	2016	71.68	0.77	0.74	0.77	0.75	0.63	0.72	0.71	0.65
France	2018	73.68	0.76	0.75	0.80	0.72	0.75	0.77	0.70	0.65
France	2019	73.65	0.74	0.75	0.79	0.74	0.77	0.77	0.71	0.63
France	2020	72.72	0.73	0.74	0.78	0.73	0.75	0.76	0.71	0.62
Germany	2014	79.52	0.83	0.83	0.73	0.84	0.87	0.74	0.82	0.71
Germany	2015	81.26	0.85	0.83	0.72	0.87	0.88	0.77	0.82	0.76
Germany	2016	83.46	0.85	0.84	0.79	0.85	0.87	0.85	0.86	0.77
Germany	2018	83.49	0.86	0.83	0.79	0.85	0.88	0.85	0.85	0.77
Germany	2019	83.53	0.85	0.82	0.79	0.85	0.89	0.85	0.86	0.78
Germany	2020	83.63	0.85	0.82	0.79	0.85	0.89	0.85	0.85	0.79
Greece	2014	59.44	0.66	0.56	0.50	0.69	0.74	0.54	0.61	0.46
Greece	2015	60.04	0.65	0.54	0.57	0.65	0.76	0.54	0.59	0.49
Greece	2016	59.93	0.64	0.55	0.57	0.65	0.75	0.56	0.57	0.51
Greece	2018	60.21	0.68	0.55	0.60	0.63	0.72	0.54	0.57	0.53
Greece	2019	61.58	0.69	0.57	0.61	0.66	0.72	0.59	0.58	0.51
Greece	2020	61.02	0.68	0.56	0.61	0.65	0.71	0.58	0.59	0.50
Hungary	2014	60.85	0.61	0.64	0.50	0.68	0.84	0.57	0.49	0.53
Hungary	2015	57.56	0.49	0.50	0.51	0.65	0.86	0.51	0.53	0.55
Hungary	2016	56.80	0.46	0.51	0.52	0.62	0.86	0.51	0.52	0.54
Hungary	2018	54.58	0.44	0.51	0.49	0.59	0.90	0.46	0.50	0.47
Hungary	2019	53.39	0.41	0.51	0.46	0.58	0.91	0.47	0.46	0.48
Hungary	2020	52.79	0.40	0.51	0.46	0.58	0.89	0.47	0.45	0.47
Italy	2014	63.08	0.69	0.60	0.49	0.73	0.74	0.59	0.58	0.63
Italy	2015	64.34	0.69	0.59	0.61	0.74	0.74	0.56	0.58	0.63
Italy	2016	64.43	0.70	0.60	0.63	0.72	0.72	0.57	0.57	0.64
Italy	2018	64.83	0.71	0.62	0.64	0.71	0.74	0.57	0.56	0.64
Italy	2019	65.42	0.71	0.63	0.63	0.73	0.74	0.59	0.56	0.64
Italy	2020	65.77	0.71	0.63	0.63	0.73	0.75	0.61	0.56	0.64
Japan	2014	77.92	0.76	0.84	0.77	0.75	0.92	0.78	0.73	0.69
Japan	2015	78.36	0.76	0.86	0.72	0.76	0.93	0.76	0.74	0.74
Japan	2016	77.76	0.74	0.83	0.68	0.75	0.90	0.82	0.82	0.68
Japan	2018	78.58	0.74	0.85	0.70	0.76	0.91	0.80	0.79	0.74
Japan	2019	77.98	0.71	0.82	0.69	0.78	0.92	0.78	0.79	0.74
Japan	2020	77.96	0.71	0.82	0.68	0.77	0.92	0.79	0.79	0.76
Mexico	2014	44.88	0.55	0.37	0.52	0.55	0.47	0.50	0.39	0.25
Mexico	2015	46.58	0.51	0.33	0.56	0.56	0.52	0.50	0.44	0.31
Mexico	2016	45.79	0.47	0.32	0.61	0.51	0.61	0.44	0.41	0.29
Mexico	2018	45.47	0.46	0.31	0.61	0.52	0.59	0.44	0.40	0.30

Mexico	2019	45.37	0.47	0.29	0.61	0.54	0.57	0.46	0.40	0.29
Mexico	2020	44.11	0.46	0.27	0.60	0.52	0.53	0.45	0.39	0.30
Netherlands	2014	82.73	0.86	0.88	0.78	0.85	0.84	0.82	0.84	0.75
Netherlands	2015	83.23	0.87	0.89	0.76	0.85	0.85	0.82	0.86	0.75
Netherlands	2016	86.02	0.89	0.88	0.85	0.86	0.85	0.88	0.88	0.80
Netherlands	2018	85.41	0.88	0.86	0.84	0.85	0.85	0.88	0.87	0.80
Netherlands	2019	84.17	0.86	0.88	0.82	0.84	0.85	0.86	0.86	0.76
Netherlands	2020	83.75	0.86	0.88	0.82	0.84	0.85	0.85	0.85	0.76
New Zealand	2014	82.73	0.88	0.91	0.83	0.84	0.87	0.81	0.74	0.72
New Zealand	2015	82.95	0.85	0.90	0.81	0.83	0.88	0.82	0.78	0.77
New Zealand	2016	82.96	0.86	0.90	0.84	0.82	0.86	0.82	0.78	0.75
New Zealand	2018	82.68	0.85	0.88	0.81	0.81	0.89	0.85	0.79	0.74
New Zealand	2019	82.23	0.85	0.87	0.81	0.80	0.89	0.85	0.78	0.72
New Zealand	2020	82.50	0.85	0.87	0.82	0.81	0.89	0.85	0.78	0.72
Norway	2014	87.50	0.90	0.94	0.85	0.90	0.85	0.87	0.86	0.83
Norway	2015	86.61	0.88	0.93	0.81	0.90	0.87	0.86	0.86	0.82
Norway	2016	88.09	0.91	0.92	0.87	0.89	0.90	0.86	0.85	0.83
Norway	2018	88.77	0.94	0.93	0.88	0.88	0.93	0.87	0.85	0.83
Norway	2019	89.36	0.94	0.94	0.88	0.90	0.93	0.87	0.85	0.83
Norway	2020	89.44	0.94	0.94	0.89	0.91	0.93	0.87	0.85	0.83
Poland	2014	67.49	0.73	0.66	0.56	0.72	0.83	0.59	0.62	0.69
Poland	2015	71.34	0.77	0.65	0.67	0.77	0.85	0.60	0.65	0.74
Poland	2016	71.19	0.68	0.73	0.72	0.74	0.85	0.62	0.66	0.69
Poland	2018	67.07	0.61	0.72	0.66	0.66	0.85	0.61	0.64	0.62
Poland	2019	66.45	0.58	0.73	0.63	0.66	0.86	0.62	0.64	0.61
Poland	2020	65.69	0.58	0.73	0.60	0.64	0.86	0.62	0.63	0.60
Portugal	2014	66.27	0.74	0.69	0.59	0.76	0.72	0.59	0.62	0.59
Portugal	2015	69.91	0.79	0.71	0.64	0.80	0.76	0.57	0.65	0.67
Portugal	2016	71.10	0.80	0.72	0.67	0.79	0.77	0.60	0.66	0.67
Portugal	2018	71.77	0.80	0.74	0.68	0.79	0.79	0.61	0.69	0.64
Portugal	2019	71.21	0.79	0.72	0.67	0.79	0.79	0.64	0.69	0.60
Portugal	2020	70.44	0.78	0.72	0.66	0.78	0.79	0.62	0.68	0.59
Republic of Korea	2014	76.82	0.76	0.79	0.74	0.73	0.89	0.74	0.74	0.76
Republic of Korea	2015	78.79	0.79	0.82	0.73	0.73	0.90	0.78	0.80	0.76
Republic of Korea	2016	72.74	0.68	0.65	0.68	0.70	0.83	0.75	0.81	0.71
Republic of Korea	2018	72.03	0.70	0.67	0.69	0.71	0.84	0.72	0.74	0.70
Republic of Korea	2019	73.26	0.72	0.67	0.69	0.74	0.84	0.73	0.77	0.71
Republic of Korea	2020	73.24	0.72	0.67	0.71	0.73	0.84	0.72	0.76	0.71
Slovenia	2014	64.99	0.65	0.60	0.60	0.79	0.78	0.59	0.61	0.58
Slovenia	2015	66.01	0.62	0.60	0.60	0.77	0.82	0.60	0.64	0.63
Slovenia	2016	67.28	0.61	0.60	0.66	0.77	0.83	0.62	0.64	0.66
Slovenia	2018	67.06	0.63	0.63	0.67	0.74	0.89	0.63	0.59	0.58
Slovenia	2019	67.38	0.65	0.66	0.65	0.73	0.89	0.64	0.63	0.55
Slovenia	2020	68.51	0.65	0.66	0.65	0.75	0.89	0.65	0.66	0.56
Spain	2014	66.96	0.68	0.69	0.55	0.78	0.79	0.63	0.62	0.61
Spain	2015	68.25	0.69	0.69	0.62	0.78	0.80	0.62	0.64	0.62
Spain	2016	69.61	0.70	0.69	0.68	0.77	0.79	0.67	0.65	0.63
Spain	2018	70.26	0.71	0.71	0.69	0.77	0.78	0.66	0.66	0.64
Spain	2019	71.93	0.72	0.72	0.70	0.78	0.82	0.68	0.67	0.66
Spain	2020	72.84	0.74	0.73	0.71	0.79	0.82	0.70	0.67	0.67
Sweden	2014	85.29	0.90	0.91	0.82	0.91	0.89	0.83	0.78	0.78

Sweden	2015	85.06	0.88	0.91	0.81	0.90	0.90	0.82	0.81	0.78
Sweden	2016	86.14	0.88	0.91	0.84	0.88	0.92	0.85	0.81	0.79
Sweden	2018	86.34	0.88	0.91	0.85	0.87	0.93	0.85	0.81	0.80
Sweden	2019	86.01	0.87	0.91	0.86	0.86	0.92	0.85	0.81	0.81
Sweden	2020	86.17	0.87	0.91	0.86	0.87	0.92	0.84	0.82	0.80
Turkey	2014	50.29	0.46	0.55	0.42	0.47	0.67	0.54	0.52	0.39
Turkey	2015	46.33	0.37	0.49	0.45	0.36	0.69	0.51	0.49	0.35
Turkey	2016	43.00	0.32	0.48	0.42	0.34	0.59	0.44	0.46	0.40
Turkey	2018	41.67	0.30	0.50	0.42	0.32	0.52	0.44	0.44	0.40
Turkey	2019	42.79	0.29	0.48	0.42	0.32	0.67	0.42	0.45	0.38
Turkey	2020	42.93	0.30	0.47	0.42	0.32	0.69	0.41	0.44	0.38
United Kingdom	2014	77.92	0.81	0.80	0.77	0.78	0.84	0.78	0.72	0.72
United Kingdom	2015	78.49	0.80	0.82	0.74	0.79	0.86	0.77	0.74	0.76
United Kingdom	2016	80.87	0.85	0.82	0.84	0.81	0.85	0.79	0.75	0.76
United Kingdom	2018	80.77	0.84	0.82	0.81	0.81	0.84	0.84	0.75	0.74
United Kingdom	2019	80.24	0.84	0.83	0.80	0.82	0.85	0.82	0.73	0.75
United Kingdom	2020	78.88	0.82	0.82	0.79	0.79	0.84	0.81	0.71	0.72
United States	2014	70.94	0.74	0.75	0.70	0.71	0.85	0.67	0.61	0.65
United States	2015	72.92	0.76	0.75	0.73	0.73	0.82	0.73	0.67	0.64
United States	2016	73.91	0.81	0.73	0.78	0.75	0.80	0.71	0.65	0.68
United States	2018	73.09	0.77	0.75	0.77	0.72	0.79	0.72	0.67	0.65
United States	2019	71.99	0.73	0.74	0.77	0.72	0.80	0.73	0.64	0.63
United States	2020	71.58	0.71	0.74	0.78	0.72	0.81	0.71	0.62	0.63

Notes: Dimension 1: Constraints on Government Powers

Dimension 2: Absence of Corruption

Dimension 3: Open Government

Dimension 4: Fundamental Rights

Dimension 5: Order and Security

Dimension 6: Regulatory Enforcement

Dimension 7: Civil Justice

Dimension 8: Criminal Justice