

INDEX

- ABA-CEELI Judicial Reform Index
 description 296
 accountability *see* ethics, integrity and
 accountability
 Accra ‘roundtable’ meeting
 Millennium Development Goals
 138
 ADB *see* Asian Development Bank
 aid, evaluation of 137
 case studies
 Asian Development Bank study
see Asian Development Bank
 Law and Policy Reform
 Program
 AusAID study *see* AusAID Papua
 New Guinea Law and Justice
 Program
 generally *see* case studies
 Voices from the Asia Pacific
 Experience study *see* Voices
 from the Asia Pacific
 Experience study
 constructivist approach
 154–5
 debate generally 146
 debate over evaluative models
 149–50
 ‘development evaluation gap’ as to
 practice evaluation 157–60
 history of 137
 improvement of development
 effectiveness 138–9
 justifications *see* economic
 justifications for reform;
 justifications for reform
 key concepts 134–5
 main issues 133
 managing for development results
see managing for development
 results (MfDR)
 Millennium Development Goals *see*
 Millennium Development
 Goals (MDGs)
 models generally 135–6
 Paris Declaration on Aid
 Effectiveness 139
 positivist approach 150–4
 practice evaluation and
 ‘development evaluation gap’
 157–60
 professionalisation model 137–8
 project management and
 logical-framework approach
 146–9
 purpose generally 135–6
 spending on judicial reform 30–1
 summary of issues 160–3
 Aristotle
 ‘good life’ concept *see* good life
 on justice and equity 25–6
 rule of law theories 80–1
 Asia Pacific Experience *see* Voices from
 the Asia Pacific Experience
 study
 Asian Development Bank Law and
 Policy Reform Program
 achievements 210, 219–20
 case study
 background 199–200
 conclusions: generally 215–16;
 significance for evaluation of
 judicial reform 218–20;
 significance for purpose of
 judicial reform 216–18

- general findings 200
 - introduction 20–1, 197–9
 - outline 194
- establishment of 204, 206, 217
- evaluation systems
 - developmental issues 213–14
 - generally 211–12
 - for judicial reform 215
 - for technical assistance 214–15
- implementation
 - generally
 - justifications for reform:
 - confusion over 207–8;
 - evolution of 206–7
 - lessons as to 211
 - reform activities 208–10
- Office of General Council (OGC),
 - role of 206, 208–9, 210, 211, 217
- policy framework
 - generally 200
 - governance policy 200–2
 - long-term strategies 203–4
 - poverty strategy 202–3
- AusAID Papua New Guinea Law and Justice Program
- case study
 - background 222–5
 - conclusions:
 - ethnomethodological insights 247–50; generally 240;
 - significance for evaluation of judicial reform 244–7;
 - significance for purpose of judicial reform 240–4
 - general findings 225
 - introduction 21, 221–2
 - outline 194
- challenges for implementation 225–8
- document inventory 314–18
- Justice Advisory Group (JAG)
 - role of 247, 248
- managing for development results
 - evaluation of impact of 233–6
 - generally 228
 - performance monitoring 231–3
 - planning 228–31
- newspaper extracts 312–13
- restorative justice *see* restorative justice
- strategic approaches
 - change management and incentives 239–40
 - generally 236
 - restorative justice and bias to formal sector 236–9
- Australia
 - aid agency *see* AusAID
 - Productivity Commission Reports on Government Services 297–8
- Bentham, Jeremy
 - economic theories 84
- Bertelsmann Transformation Index
 - description 300
- Blair, Harry
 - critique of rule of law approach 178–9
- capacity-building
 - case study evaluation of 264–5
- Carothers, Thomas
 - judicial reform classification 50
 - on rule of law and liberal democracy 36–7
 - rule of law defined 36
 - rule of law theories 36
- case management
 - reform of 254–5
- case studies
 - ethnomethodological insights *see* ethnomethodology
 - introduction to 19–22, 193–4
 - lessons 272–5
 - main findings 22–4, 275–8
 - methodology 195, 305–6
 - outlines 194–5
 - participation 306–7
 - structure 196
- Chang, Ha-Joon
 - economic development analysis 109–10

- change management
 - implementation 241–3
 - program evaluation 239–40
- Chemin, Matthieu
 - on judicial independence and economic development 119–20
- ‘Chicago school’ of economics
 - ‘Washington Consensus’ 85–6
- classical theory *see* theories of reform
- Collier, Paul
 - economic development analysis 108–9
- community
 - case study evaluation of 261–2
- Comprehensive Development Framework
 - and judicial reform 42–3
- constitutionalism
 - balanced allocation of powers 71–5
 - promotion of justice 115–18
- constructivist approach to evaluation
 - generally 154–5
 - paradigm war *see* paradigm war and participatory evaluation 155–7
- content and structure of book 5–6
- corruption
 - definition by USAID 35–6
 - Transparency International Global Corruption Barometer 300
- courts *see also* judiciary
 - International Framework for Court Excellence 298–9
- customary and informal law
 - engagement with judicial reform 64–5
- Dakolias, Maria
 - on judicial reform and development 110
- DataGob
 - description 301
- democracy
 - and rule of law 36–7
- Department for International Development (DfID)
 - and change management 241–3
 - and logical-framework approach (‘logframe’) 147
 - political economy approach to reform 65–8
 - review of 159
- determinants of growth *see* economic development
- development, economic *see* economic development
- Development Assistance Committee (DAC) *see* OECD
- development assistance principles (OECD)
 - conformity with 180
 - formulation of 135–6, 137–8
 - review of application of 184
- development effectiveness
 - improvement of 138–9
- ‘development evaluation gap’
 - aid, evaluation of 157–60
- development programs
 - OECD estimates of evaluation of 138
 - review of OECD members’ evaluation systems 158–9
- dichotomy between theory and practice
 - analytical use of 77–9, 98–9
 - definition of dichotomy
 - empirical evidence, role of 102–3
- ‘difference principle’
 - justice as fairness 92
- distributional dimension of reform 68–71
- Djankov, Simeon
 - on governance and development 115, 119
- Doha ‘roundtable’ meeting
 - Millennium Development Goals 138
- Dollar, David
 - new comparative economics 112
- donors
 - case study evaluation of 262–3
- Dworkin, Ronald
 - theory of justice 92–3
 - ‘thick’ conception of justice 51–2

- Easterly, William Russell
 economic development analysis 107–8
- economic development *see also entries at development*
 analysis 107–10
 determinants of growth
 empirical inquiry 13, 14, 100,
 102–3, 109–12, 120, 121, 122–3,
 208, 281
 good governance as 14
 globalisation, critique of *see* Stiglitz,
 Joseph Eugene
 and judicial independence 118–20
 Millennium Development Goals *see*
 Millennium Development
 Goals (MDGs)
 Monterrey Consensus on Financing
 for Development 138–9
 taxonomy of just development
 289–91
- economic justifications for reform
 justice and growth, evidence for
 constitutional checks and balances
 118–20
 effectiveness of empirical inquiry
 120–3
 institutions, role of 115–18
 key propositions 122
 main issues 111–12
 new comparative economics
 and good governance
 113–15
 transplantation and ‘legal origins’
 debate 112–13
 main issues 100–1
 manifestations of 47
 sufficiency of, evidence for
 development and equitable
 growth 105–9
 empirical evidence, role of
 102–3
 historical evidence of market
 economy 103–5
 ideology and selection of evidence
 109–11
 main issues 101–2
- economics
 determinants of growth *see*
 economic development
 as ‘dismal science’ 121
 and neo-liberalism 85–7
- Economist*
 economic development analysis
 108
 economics as ‘dismal science’
 121
 on rule of law approach 117
 on World Bank policy 41, 121
- empirical evidence and inquiry
 determinants of growth *see*
 economic development
 and dichotomy between theory and
 practice 102–3
 effectiveness of inquiry 120–3
 role of evidence 102–3
- ‘empowerment’ approach to reform
 and paradigm shift 58–64
 UN and 61
- Enlightenment theory *see* theories of
 reform
- equality
 in classical theory of reform
 80–1
- equity
 approach to reform
 World Bank 43–5
 in classical theory of reform
 80–1
 and economic growth
 evidence for 105–9
- equity gap
 increase in 12, 14, 27, 101, 126, 128,
 282, 291–2
 World Development Report 43–4,
 101, 282
- ethics, integrity and accountability *see*
 also corruption
- Global Integrity Index 300
- judiciary 257
- Transparency International
 Global Corruption Barometer
 300
- Transparency International Global
 Diagnostic Checklist 301

- ethnomethodology
 Asian Development Bank study 308–9
 AusAID study 247–50, 309–10
 insights generally 307–8
 Voices from the Asia Pacific
 Experience study *see* Voices from the Asia Pacific
 Experience study
 European Commission for the Efficiency of Justice
 description 297
 evaluation *see also* measurement
 frameworks; performance
 measurement and monitoring
 of aid *see* aid, evaluation of
 definition of 134
 human rights instruments as
 framework 186
 of judicial reform *see* judicial reform
 monitoring distinguished 134–5
 normative framework *see* normative framework for evaluation
 paradigm war *see* paradigm war
 of USAID projects 185
 ‘evaluation gap’
 ‘development evaluation gap’
 157–60
 existence of 181
 ‘fireman’s syndrome’ concept
 182–3
 main issues 177–8
 ‘meta-evaluation gap’ 183–5
 ‘missing middle’ 181–2
 perceptions of ‘performance gap’
 53–7
 proposals for filling 185–6
 evidence *see* economic justifications for reform
 fairness
 justice as (‘difference principle’) 92
 ‘fireman’s syndrome’ concept
 evaluation of judicial reform 182–3
 Flint, Michael
 review of DfID 159
 fragile states
 judicial reform and 45–7
 Freedom House World Survey
 description 300
 Friedman, Milton
 economic theories 85–6
 Galanter, Mark
 critique of law-and-development movement 178
 gaps in performance and evaluation *see* ‘evaluation gap’; performance measurement and monitoring
 Gini coefficient of inequality
 cost of 188
 use of 167, 187
 Global Integrity Index
 description 300
 globalisation
 critique of *see* Stiglitz, Joseph Eugene
 goals
 editorial and ethnomethodological analysis 259–60
 good governance *see* governance
 good life *see also* wellbeing
 and determinants of growth *see* economic development
 humanist alternative to liberal policy 125
 judicial reform and 14
 justice and 9, 92, 125, 127
 normative foundation 164
 state support for attainment of 78, 80, 81, 84–5, 94
 governance
 definition by World Bank 40–1
 and new comparative economics 113–15
 policy framework evaluation 200–2
 World Bank 40–1
 World Governance Assessment 301–2
 Worldwide Governance Indicators 302–3
 growth, determinants of *see* economic development

- Hammergren, Linn
 ‘fireman’s syndrome’ concept 182–3
 on judiciary strengthening measures 50
- Hansen, Gary
 critique of rule of law approach 178–9
- Hayek, Friedrich August
 economic and legal theories 85, 89
- Heller, Thomas C *see also* Jensen, Erik
 on rule of law assistance 74
- Hobbes, Thomas
 rule of law theories 81–2
- human rights *see also* wellbeing
 convergence with judicial reform 58–64
- instruments
 adoption of 59–61
 as evaluative framework 186
 and justice and fairness
 measurement of, development of methods for 187–9
 USAID approach 34–5
- humanist theories of reform
 generally 91–3
 and good life 125
 justifications for reform 48
 paradigm shift towards *see* paradigm shift
- Sen’s theory 93–7
- IFES Rule of Law Tool
 description 296–7
- independence of judiciary *see* judiciary
- ‘indicator’
 OECD definition 166–7
- inequality, measurement of *see* Gini
 coefficient of inequality
- inequity gap *see* equity gap
- informal and customary law
 engagement with judicial reform 64–5
- institutionalist theories of reform
 generally 88–9
 North’s theory 89–91
- institutions
 promotion of justice 115–18
- integrity *see* ethics, integrity and accountability
- International Framework for Court Excellence
 description 298–9
- Jensen, Erik
 rule of law theories
 ‘standard package’ of reform 50–1
 on ‘thin’ and ‘thick’ concepts of justice 52
- judicial reform *see also* judiciary; justice
 building of better theory of 123–8
 classification by Carothers 50
 common features of approaches to (‘standard package’) 49–51
 content and structure of book 5–6
 development expenditure on 30–1
 dissatisfaction with progress of 53–7
 economic justifications for *see* economic justifications for reform
 effectiveness of, constraints on measurement of 14–19
 evaluation of
 adequacy of (‘evaluation gap’) *see also* ‘evaluation gap’: main issues 177–8
 ‘evaluation gap’ *see* ‘evaluation gap’
 evaluative commentary, nature of 179–81
 frameworks for: critique of 173–6; generally 171–3
 human rights measurement, development of methods for 187–9
 improved methods of, proposals for 185–6
 indicators and metrics 166–8
 law-and-development movement 178
 main issues 129–31, 164–5
 measurement frameworks *see* measurement frameworks

- judicial reform (*cont.*)
- performance measurement
 - generally 166 *see also*
 - performance measurement and monitoring
 - proposals for improving 185–6
 - quality or quantity of justice, whether 169–71
 - ‘rule of law’ approach 178–9
 - summary of issues 189–91
- and good life 14
- historical context
- chapter summary 47–8
 - Comprehensive Development Framework 42–3
 - developmental stages 31–2
 - equity approach 43–5
 - fragile states 45–7
 - good governance approach 40–1
 - law-and-development movement 32–3
 - main issues 29–31
 - poverty reduction strategies 33–4
 - rule of law approach *see* rule of law approach to reform
 - safety and security issues 45–7
 - ‘structural adjustment’ 33–4
 - ‘Washington Consensus’ 33–4
 - World Bank 38–40
- justifications for
- nature of
- chapter summary 75–6
 - main issues 49
- paradigm shift *see* paradigm shift
- paradigm war *see* paradigm war
- performance *see* performance measurement and monitoring
- practice *see* practice of reform
- promotion of justice as purpose of 1–5, 6–9, 27–8
- recent origin of 29
- shift in approach to
- constitutionalism and balancing of powers 71–5
 - convergence with human rights and empowerment 58–64
 - distributional dimension of reform 68–71
 - elements of
 - engagement with informal and customary law 64–5
 - legal pluralism approach 64–5
 - political economy approach 65–8
 - spending on 30–1
 - ‘standard package’ (Jensen) 49–51
 - structure and content of book 5–6
 - theories of *see* theories of reform
 - and ‘thin’ and ‘thick’ concepts of justice
 - way forward
 - building of better theory 123–8
 - main issues 279–86
 - next steps 291–2
 - taxonomy of just reform 288–91
 - theory into practice 286–8
- judiciary *see also* courts
- education 258
 - ethics, integrity and accountability 257
 - independence of
 - case study evaluation 263–4
 - USAID approach 35
 - RechtspraakQ judicial quality measure 298
 - strengthening measures generally 49–51
 - training and capacity-building, case study evaluation of 264–5
- justice *see also* judicial reform
- access to, promotion of 255–6
 - in classical theory of reform 80–1
 - definition of 9–11
 - and economic growth *see* economic justifications for reform
 - and equity *see* equity
 - European Commission for the Efficiency of Justice 297
 - expressions of 10
 - and fairness *see* fairness
 - as fairness (‘difference principle’) 92
 - and good life 9, 92, 125, 127
 - importance of 11–14
 - Justice for the Poor (J4P) program 44–5

- justice reform
 - World Development Report*, 46–7
- promotion of, as purpose of judicial reform 1–5, 6–9, 27–8
- promotion of access to 255–6
- qualitative/quantitative measurement
 - evaluation of reform initiatives 169–71
 - Rechtspraak judicial quality measure (Netherlands) 298
- renditions of 10
- restorative justice *see* restorative justice
- securing of 254
- taxonomy of just reform 288–91
- theory of justice reform 24–6
- ‘thin’ and ‘thick’ concepts *see* ‘thin’ and ‘thick’ concepts of justice
- and wellbeing *see* wellbeing
- Justice Advisory Group (JAG)
 - role of 247, 248
- Justice for the Poor (J4P) program
 - World Bank 44–5
- justifications for reform
 - confusion over 207–8
 - economic *see* economic justifications for reform
 - evolution of 206–7
 - humanist 48
 - judicial reform generally 206–8
 - political 47
 - social 48
- Kaufmann, Daniel
 - on governance and development 114
- Keefer, Philip
 - on governance and development 115–16
- Keynes, John Maynard
 - economic theories 85–6
- Kleinfeld-Belton, Rachel
 - rule of law defined 37–8
- Knack, Stephen
 - on governance and development 115–16
- Kraay, Aart
 - on governance and development 112, 114
- La Porta, Rafael
 - on governance and development 115
 - on judicial independence and economic development 118–19
 - legal transplantation debate 113
- Latin America
 - judicial reform performance
 - judiciary strengthening measures 50
- law-and-development movement
 - evaluation of 178
 - judicial reform and 32–3
- leadership
 - case study evaluation of 260–1
 - ‘legal origins’ debate
 - legal transplantation and 112–13
- legal pluralism approach to reform 64–5
- legal procedures *see* procedures and processes
- liberal democracy *see* democracy
- liberal theory *see also* good life
 - fulcrum of 84–5
 - generally 79–80
 - neo-liberal theory 85–7
 - significance of 87
- Liverani, Andrea
 - review of OECD members’ evaluation systems 158–9
- local people
 - participatory evaluation by 155–7
- Locke, John
 - rule of law theories 82
- logical-framework approach to project management (‘logframe’)
 - managing for development results 146–9
 - OECD definition 146
 - USAID and 146
- Lorenz curve
 - use of 167, 187

- managing for development results (MfDR)
 - critique of 143–6
 - evaluation of
 - evaluation of impact of MfDR 233–6
 - generally 228
 - performance monitoring 231–3
 - planning 228–31
 - logical-framework approach ('logframe') 146–9
 - and Millennium Development Goals 139, 141
 - OECD definition 141–2
 - performance measurement 142
 - usefulness as evaluation tool
- Marrakech 'roundtable' meeting
 - Millennium Development Goals 138–9
- Mauro, Paolo
 - on governance and development 114
- McMahon, Edward R.
 - 'missing middle' concept 181–2
- measurement frameworks *see also* performance measurement and monitoring
 - balance of clarity and simplicity 303–4
- court-level measures
 - ABA-CEELI Judicial Reform Index 296
 - European Commission for the Efficiency of Justice 297
 - generally 295
 - IFES Rule of Law Tool 296–7
 - International Framework for Court Excellence 298–9
 - Productivity Commission Reports on Government Services (Australia) 297–8
 - RechtspraakQ judicial quality measure (Netherlands) 298
 - Rule of Law Index 298–9
 - Vera indicators for the justice sector 296
- government-level measures
 - Bertelsmann Transformation Index 300
 - DataGob 301
 - Freedom House World Survey 300
 - generally 299–300
 - Gini coefficient *see* Gini coefficient of inequality
 - Global Integrity Index 300
 - Lorenz curve 167, 187
 - Transparency International Global Corruption Barometer 300
 - Transparency International Global Diagnostic Checklist 301
 - World Bank 'Doing Business' 302
 - World Governance Assessment 301–2
 - World Justice Project Rule of Law Index 301
 - Worldwide Governance Indicators 302–3
 - OECD development of 299
- Messick, Richard E.
 - on judicial reform and development 110
- meta-evaluation
 - OECD definition 183
 - of USAID projects 184
 - 'meta-evaluation gap'
 - evaluation of judicial reform 183–5
- methodology
 - case studies 195, 305–6
 - ethnomethodology *see* ethnomethodology
 - for human rights measurement of, development of 187–9
 - proposals for improvement of 185–6
- Mill, John Stuart
 - theory of government 84
- Millennium Development Goals (MDGs)
 - attainment measures 139–40
 - and managing for development results (MfDR) 139, 141

- monitoring, emphasis on 140–1
- Monterrey Consensus 138–9
- Paris Principles 139, 140–1
- progress 141
- ‘roundtables’ 138
- significance 140
- ‘missing middle’
 - evaluation of judicial reform 181–2
- Mitchell, Arthur M
 - justifications for judicial reform 206–8
- modern theories of reform *see* theories of reform
- monitoring *see* measurement frameworks; performance measurement and monitoring
- Monterrey Consensus on Financing for Development
 - and Millennium Development Goals 138–9
- Montesquieu, Charles-Louis de
 - Secondat, baron de La Brède et de
 - rule of law theories 82
- neo-liberal theory
 - ‘Washington Consensus’ 85–7
- Netherlands
 - RechtspraakQ judicial quality measure 298
- new public management (NPM) *see* managing for development results (MfDR)
- normative foundations for good life 164
- normative framework for evaluation
 - provision of 19, 25, 131, 186, 282, 298
- North, Douglass Cecil
 - theory of institutions and development 89–91
- Norton, Joseph
 - evaluation models 136
 - review of OECD development assistance principles implementation 184
- OECD
 - development assistance principles *see* development assistance principles (OECD)
 - estimates of evaluation of official development programs 138
 - evaluation of Paris Principles implementation 141
 - framework development by 299
 - indicator
 - definition of 166–7
 - logical-framework approach to project management (‘logframe’)
 - definition of 146
 - managing for development results
 - definition 141–2
 - members’ evaluation systems
 - review of 158–9
 - meta-evaluation
 - definition of 183
 - political economy analysis
 - definition of 65–6
 - professionalisation of practice 137–8, 160, 161, 283
 - and rule of law approach 178
 - security and terrorism guidelines 46
- Office of General Council (OGC)
 - role of 206, 208–9, 210, 211, 217
- Papua New Guinea
 - case study *see* AusAID Papua New Guinea Law and Justice Program
 - newspaper extracts 312–13
- paradigm shift
 - development of 96
 - documentation of 254, 260
 - and empowerment approach 58–64
 - existence of 24, 157, 193, 231, 284
 - and Millennium Development Goals 138–9
 - need for 2, 11, 12, 25, 60, 214, 292
- paradigm gap 64
- participatory evaluation as 155
- progression of 240, 244, 274

- paradigm shift (*cont.*)
 Sen's analysis 93
 time needed for 232–3
- paradigm war
 and evaluative models 149–50, 157, 161, 306
 key issue 15, 129–30
 persistence of 162
 protagonists 15, 133, 146, 189, 283
- Paris Declaration on Aid Effectiveness
 Paris Principles 139, 140–1
- participatory evaluation
 by local people 155–7
- performance measurement and
 monitoring *see also*
 measurement frameworks
 characteristics of initiatives 176
 constructivist approach *see*
 constructivist approach to
 evaluation
- core notions 142
- gap in performance, perceptions of
 53–7 *see also* 'evaluation gap'
- judicial reform evaluation generally
 166 *see also* judicial reform
- managing for development results
 see managing for development
 results (MfDR)
- Millennium Development Goals
 140–1
- monitoring and evaluation
 distinguished 134–5
- participatory evaluation 155–7
- positivist approach *see* positivist
 approach to evaluation
- USAID approach 143–4
- Pistor, Katharina
 legal transplantation debate 113
- Polanyi, Karl
 economic and legal theories
 103–5
- political economy analysis
 OECD definition 65–6
- political economy approach to reform
 generally 65–8
- political justifications for reform
 manifestations of 47
- Porter, Doug
 'standard package' of reform 51
- positivist approach to evaluation
 managing for development results
 150–4
 paradigm war *see* paradigm war
- poverty reduction strategies
 judicial reform and 33–4
- Justice for the Poor (J4P) program
 44–5
- Millennium Development Goals *see*
 Millennium Development
 Goals (MDGs)
- policy framework evaluation 202–3
- practice of reform
 in relation to theory
 empirical evidence, role of 102–3
 generally 77–9
- procedures and processes
 and 'thin' conception of justice 51
- Productivity Commission Reports on
 Government Services
 (Australia)
 description 297–8
- professionalisation of practice
 OECD initiatives for 137–8, 160,
 161, 283
- project management
 and logical-framework approach
 ('logframe') 146–9
- qualitative/quantitative measurement
 of justice *see* justice
- Rajan, Raghuram
 on governance and development
 116
- Rawls, John
 on justice as fairness ('difference
 principle') 91–2
- RechtspraakQ judicial quality measure
 (Netherlands)
 description 298
- reform *see* judicial reform; justice
- restorative justice
 concept of 21, 274
 and formal legal sector 221, 236–9,
 240–1

- implementation 221, 285
- results-based management (RBM) *see*
 - managing for development
 - results (MfDR)
- rights *see* human rights
- Rodrik, Dani
 - on governance and development 116–18
- Rome ‘roundtable’ meeting
 - Millennium Development Goals 138–9
- ‘roundtable’ meetings
 - Millennium Development Goals 138
- Rousseau, Jean-Jacques
 - rule of law theories 82–3
- rule of law approach to reform
 - conceptual critiques of 37–8
 - definition by Carothers 36
 - definition by Kleinfeld-Belton 37–8
 - definition by Upham 37
 - Economist* critique of 117
 - evaluation of 178–9
 - IFES Rule of Law Tool 296–7
 - and liberal democracy 36–7
 - OECD and 178
 - Rule of Law Index 298–9
 - and ‘thick’ conception of justice 51–2
 - three pillars of 39
 - use of 34–7
 - World Bank 38–40
 - World Justice Project Rule of Law Index 301
- Sachs, Jeffrey
 - ‘poverty trap’ thesis 107
- Sage, Caroline
 - on equity and development 44
- Searching for Success in Judicial Reform: Voices from the Asia Pacific Experience study
 - background 251–3
 - conclusions
 - ethnomethodological insights 270–2
 - generally 267
 - significance for the evaluation of judicial reform 269–70
 - significance for the purpose of judicial reform 268–9
- editorial and ethnomethodological analysis
 - community 261–2
 - data 265–6
 - donors 262–3
 - ethnomethodological insights 310–11
 - generally 259
 - goals 259–60
 - independence 263–4
 - leadership 260–1
 - results 266–7
 - training and capacity-building 264–5
- findings
 - case-management reform and delay reduction 254–5
 - ethics, integrity and judicial accountability 257
 - generally 253–4
 - judicial education 258
 - promotion of access to justice 255–6
 - securing justice 254
 - introduction 21–2, 251
 - outline 194–5
- security of states *see* states
- Sen, Amartya
 - theory of development 93–7
- Shihata, Dr Ibrahim F. I.
 - ‘rule of law’ approach to judicial reform 38–40
- Smith, Adam
 - economic and legal theories 83–4
- social justifications for reform
 - manifestations of 48
- states
 - safety and security of
 - judicial reform and 45–7
 - OECD guidelines 46
 - support for attainment of good life 78, 80, 81, 84–5, 94

- Stiglitz, Joseph Eugene
 economic and legal theories 105–7, 120
 on globalisation 13, 14, 86, 102, 105, 112, 124, 282
 ‘structural adjustment’
 judicial reform and 33–4
 structure and content of book 5–6
- taxonomy
 just development 289–91
 just reform 288–91
- technical assistance
 program evaluation 214–15
- terrorism and security *see* states
- theories of reform
 building of better theory 123–8
 chapter summary 97–9
 classical theory 80–1 *see also* good life
 development approach
 humanism *see* humanist theories of reform
 institutionalism *see* institutionalist theories of reform
 Enlightenment theory
 fulcrum of liberalism 84–5
 generally 81–7
 neo-liberalism and economics 85–7
 significance of liberalism 87
 equality in classical theory 80–1
 equity in classical theory 80–1
 institutionalism *see* institutionalist theories of reform
 justice in classical theory 80–1
 liberal theories 79–80 *see also* good life
 main issues 77
 modern theories
 generally 88
 humanist *see* humanist theories of reform
 institutionalist *see* institutionalist theories of reform
 neo-liberalism and economics 85–7
 in relation to practice *see* practice of reform
 summary of theoretical approaches 123–8
 ‘thin’ and ‘thick’ concepts of justice and judicial reform 52–3
 and promotion of wellbeing 53
 ‘thick’ concepts
 ‘rule of law’ emphasis 51–2
 ‘thin’ concepts
 prevalence of 51, 53
 procedural emphasis of 51
 usefulness of typology 52
 training and capacity-building
 case study evaluation of 264–5
 transparency *see* ethics, integrity and accountability
 Transparency International Global Corruption Barometer
 description 300
 Transparency International Global Diagnostic Checklist
 description 301
 transplantation, legal
 and ‘legal origins’ debate 112–13
 Trubek, David
 critique of law-and-development movement 178
- United Kingdom (UK)
 DfID *see* Department for International Development (DfID)
- United Nations (UN)
 and ‘empowerment’ approach to reform 61
 endorsement of human rights framework 186
 measurement frameworks
 development 299–300
 Millennium Development Goals *see* Millennium Development Goals (MDGs)
 and rule of law 58
- United Nations Development program (UNDP)
 case study *see* Searching for Success in Judicial Reform: Voices from the Asia Pacific Experience

- Upham, Frank
 rule of law defined 37
- USAID
 approach generally 6–7
 definition of corruption 35–6
 human rights approach 34–5
 and judicial independence 35
 law-and-development movement *see*
 law-and-development
 movement
 and logical-framework approach to
 project management
 ('logframe') 146
 meta-evaluation 184
 performance management and
 measurement systems
 143–4
 performance measurement
 143–4
 program evaluation 185
 World Bank compared 38, 40, 48,
 49, 66
- Vera indicators for the justice sector
 description 296
- 'Washington Consensus'
 judicial reform and 33–4
 neo-liberalism 85–7
- Weber, Max
 economic and legal theories 88–9
 welfare *see* wellbeing
 wellbeing *see also* good life; human
 rights
 and 'thin' and 'thick' concepts of
 justice 53
- Woolcock, Michael
 on equity and development 44
- World Bank
 approach generally 6–7
 chief counsel *see* Shihata, Dr
 Ibrahim F. I.
 Comprehensive Development
 Framework 42–3
 definition of governance 40–1
 Economist critique on policy 41,
 121
 equity approach 43–5
 good governance approach 40–1
 Justice for the Poor (J4P) program
 44–5
 'rule of law' approach 38–40
 USAID compared 38, 40, 48, 49,
 66
 World Development Report see *World
 Development Report*
- World Bank 'Doing Business'
 description 302
- World Development Report*
 conflict, security and development
 (2011) 8, 11, 46–7, 280
 equity and development (2006) 13,
 43–4, 61, 101, 107, 110–11, 120,
 167, 280, 282
 on governance and development
 (2002) 41
- World Governance Assessment
 description 301–2
- World Justice Project Rule of Law Index
 description 301
- Worldwide Governance Indicators
 description 302–3