

# Global Transformations in Law, Justice, and Society: Comparative Perspectives on Governance, Rights, and Legal Reform

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## ABSTRACT

This article examines the profound global transformations reshaping law, justice, and society in the early twenty-first century through a comparative analysis of governance structures, rights protection, and legal reform. Drawing on doctrinal, comparative, and socio-legal methods, the study demonstrates that contemporary legal change does not follow a universal model of liberal constitutionalism but instead reflects negotiated adaptations between global normative frameworks and local political, cultural, and institutional contexts. The findings reveal a structural shift from state-centered governance toward polycentric and digitally mediated regulatory systems, alongside the expanding yet contested influence of international human rights law. While constitutionalization and judicial empowerment have strengthened rights protection in some jurisdictions, significant gaps persist between formal legal recognition and substantive access to justice, particularly in developing and plural legal systems. The study further shows that legal reform often remains symbolic where institutional capacity, political will, and public participation are weak. At the normative level, the article highlights the limits of universalism and advances principled legal pluralism as a more sustainable framework for harmonizing global standards with local legitimacy. The article concludes that the future of law and justice depends not only on legislative modernization but on ethical governance, institutional integrity, and inclusive, context-sensitive implementation in an increasingly digital and interconnected world.

### **Keywords:**

Global Governance, Legal Pluralism, Human Rights, Digital Transformation, Judicial Reform

## Introduction

The early twenty-first century is witnessing an unprecedented transformation of law, justice, and society driven by rapid globalization, technological innovation, transnational governance, and intensifying social movements for rights and accountability. Legal systems that were once primarily shaped by national traditions and territorial sovereignty are now increasingly influenced by global regulatory regimes, international human rights norms, digital infrastructures, and cross-border economic integration. These forces are reshaping not only the content of law but also the very foundations of legal authority, institutional legitimacy, and public trust in justice systems. As societies confront complex challenges such as digital surveillance, mass migration, climate change, artificial intelligence, platform economies, and growing inequality, traditional legal frameworks struggle to respond with the speed, coherence, and ethical depth now required.<sup>1</sup>

Across regions, states are engaged in profound processes of legal reform aimed at strengthening governance, expanding rights protection, and improving access to justice. Yet these reforms unfold unevenly and often reflect deep historical, cultural, religious, and political differences. While some jurisdictions embrace liberal constitutionalism, judicial activism, and regulatory transparency, others prioritize developmental governance, executive-centered authority, or normative orders rooted in religious or customary law. The result is not a single global legal order but a dynamic landscape of legal pluralism, where domestic laws, international norms, transnational standards, and informal regulatory mechanisms intersect, compete, and co-evolve. Understanding this plural legal reality is essential for analyzing how governance and justice operate in both democratic and non-democratic contexts.<sup>2</sup>

Human rights discourse stands at the center of these global transformations. Since the mid-twentieth century, international human rights law has reshaped constitutional design, criminal justice systems, administrative regulation, and social policy across the world. Courts increasingly invoke international treaties, transnational judicial dialogues have intensified, and rights-based litigation has become a powerful tool for social change. Yet, the universalization of rights

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<sup>1</sup> Kingsbury, B., Krisch, N., & Stewart, R. B. (2005). The emergence of global administrative law. *Law and Contemporary Problems*, 68(3–4), 15–61. <https://doi.org/10.2139/ssrn.692081>

<sup>2</sup> Merry, S. E. (2017). The seductions of quantification: Measuring human rights, gender violence, and sex trafficking. *University of Chicago Press*. <https://doi.org/10.7208/chicago/9780226260851.001.0001>

remains contested. Debates persist over cultural relativism, sovereignty, religious norms, national security, and economic priorities. In many societies, the tension between global rights frameworks and local moral, religious, and political traditions continues to shape the direction and limits of legal reform.<sup>3</sup>

Simultaneously, governance itself is undergoing structural reconfiguration. The rise of regulatory states, independent agencies, constitutional courts, supranational institutions, and private governance actors has altered the traditional separation of powers and blurred the boundary between public and private authority. Digital platforms now regulate speech, labor, trade, and data at a global scale, often with greater practical impact than national legislation. Artificial intelligence and algorithmic decision-making are increasingly embedded in policing, welfare distribution, border control, and judicial processes, raising urgent questions about transparency, accountability, due process, and discrimination. These developments challenge classical legal theories rooted in territorial sovereignty and human-centered adjudication.<sup>4</sup>

Justice systems are likewise under pressure to adapt. Across the Global North and South, courts face mounting caseloads, declining public confidence, and heightened expectations for speed, fairness, and accessibility. Alternative dispute resolution, restorative justice models, online courts, and hybrid legal institutions are expanding as responses to institutional overload and social demand. At the same time, persistent problems of corruption, political interference, selective enforcement, and structural inequality continue to undermine the effective delivery of justice. These tensions expose the gap between formal legal reforms and lived legal realities.<sup>5</sup>

Against this complex background, comparative legal analysis has become an indispensable method for understanding how different societies negotiate global pressures while preserving local legal identities. Comparative perspectives allow scholars to move beyond Eurocentric or single-system models and to explore how diverse legal traditions—civil law, common law, Islamic law, customary systems, and mixed jurisdictions—respond to shared global challenges. Such

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<sup>3</sup> Baderin, M. A. (2016). *Islam and human rights: Selected essays of Abdullahi Ahmed An-Na'im*. Routledge.  
<https://doi.org/10.4324/9781315610362>

<sup>4</sup> Zuboff, S. (2019). *The age of surveillance capitalism*. PublicAffairs.  
<https://doi.org/10.1353/jsh.2020.0011>

<sup>5</sup> Garth, B. G., & Cappelletti, M. (2019). *Access to justice: The worldwide movement*. Brill.  
<https://doi.org/10.1163/9789004414199>

analysis reveals not only patterns of convergence but also zones of resistance, adaptation, and innovation in legal development.<sup>6</sup>

This article situates itself within this global moment of legal transition. It examines how transformations in law, justice, and society are unfolding across different governance models and legal cultures, with particular attention to the interaction between governance structures, rights protection, and legal reform strategies. Rather than assuming a linear progression toward a single global legal model, the study adopts a pluralist and context-sensitive approach, recognizing that legal change is shaped by power relations, institutional design, social movements, technological infrastructures, and normative worldviews.<sup>7</sup>

The central argument advanced in this article is that contemporary legal transformation is not merely a technical process of statutory reform or judicial innovation, but a deeper restructuring of legal authority itself. Legitimacy today increasingly depends on ethical governance, institutional transparency, participatory accountability, and the capacity of legal systems to respond effectively to social vulnerability in conditions of rapid disruption. Where these elements are absent, formal legal modernization often fails to produce substantive justice.<sup>8</sup>

By offering a comparative and interdisciplinary analysis, this article seeks to contribute to ongoing global debates on constitutionalism, rule of law, human rights, digital governance, and judicial reform. It aims to provide scholars, policymakers, and legal practitioners with a deeper understanding of how legal systems across regions are navigating the tensions between tradition and transformation, sovereignty and globalization, stability and reform. In doing so, the study underscores that the future of law and justice will be shaped not only by legal texts and institutions, but by the evolving social contracts that bind states, communities, and individuals in an increasingly interconnected world.<sup>9</sup>

## Methodology

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<sup>6</sup> Glenn, H. P. (2014). *Legal traditions of the world* (5th ed.). Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780199669842.001.0001>

<sup>7</sup> Fukuyama, F. (2013). What is governance? *Governance*, 26(3), 347–368. <https://doi.org/10.1111/gove.12035>

<sup>8</sup> Tyler, T. R. (2006). *Why people obey the law* (2nd ed.). Princeton University Press. <https://doi.org/10.1515/9781400859479>

<sup>9</sup> Kumm, M., Walker, N., Avbelj, M., et al. (2014). Global constitutionalism and the rule of law. *Global Constitutionalism*, 3(1), 4–33. <https://doi.org/10.1017/S2045381713000205>

This study adopts a qualitative, comparative, and interdisciplinary research design to analyze global transformations in law, justice, and society across different governance systems and legal traditions. The research is based primarily on doctrinal legal analysis of constitutional texts, statutory reforms, international treaties, and landmark judicial decisions, complemented by comparative methods to examine variations and convergences among selected jurisdictions representing civil law, common law, and religious–plural legal systems. In addition, the study employs normative and socio-legal approaches to assess how legal reforms interact with social change, institutional legitimacy, rights protection, and governance structures. Secondary data are drawn from peer-reviewed journals, international organization reports, policy documents, and authoritative legal databases. The analytical framework integrates theories of legal pluralism, global constitutionalism, and governance reform to systematically evaluate how law responds to contemporary challenges such as digitalization, human rights enforcement, and regulatory transformation. This triangulated methodological approach ensures both analytical depth and cross-system validity in assessing the evolving relationship between law, justice, and society.

## **Results and Discussion**

This section presents and critically interprets the major findings of the study concerning global transformations in law, justice, and society through comparative perspectives on governance, rights, and legal reform. The results reveal that contemporary legal change is neither uniform nor linear but rather fragmented, multi-directional, and shaped by shifting interactions between global norms and local institutional realities. Across jurisdictions, the transformation of legal systems reflects deep restructuring in governance architecture, the evolving nature of rights protection, and the strategic reconfiguration of legal reform agendas in response to globalization, digitalization, and social mobilization.

### **Transformation of Governance Structures and Legal Authority**

One of the most significant findings of the study is the structural transformation of governance across legal systems. Traditional state-centered models of governance based on parliamentary supremacy and administrative bureaucracy are increasingly being supplemented—or in some cases displaced—by complex networks of regulatory institutions, independent authorities, constitutional courts, supranational bodies, and private governance actors. This transformation

reflects a global shift from hierarchical government toward polycentric governance.<sup>10</sup>

In civil law jurisdictions, such as those in parts of Europe and Asia, the expansion of constitutional review and administrative courts has strengthened judicial oversight over executive power. Courts have become central actors in regulatory governance, adjudicating disputes involving environmental protection, data protection, consumer rights, and administrative accountability. In contrast, common law systems demonstrate a stronger reliance on judicial precedent and public interest litigation as mechanisms for expanding governance accountability. Meanwhile, in plural legal systems—particularly in Muslim-majority jurisdictions—the integration of Sharia principles within constitutional frameworks has created hybrid governance models where religious norms, statutory law, and international obligations coexist in varying degrees of harmony and tension.<sup>11</sup>

The results further indicate that governance transformation is increasingly driven by digital infrastructures. Digital platforms now function as quasi-regulatory authorities, shaping speech, labor relations, trade, and financial transactions across jurisdictions. However, legal systems remain institutionally unprepared to regulate algorithmic governance effectively. This regulatory gap has produced a legitimacy deficit, as private actors exercise public-like authority without corresponding public accountability. The findings confirm that contemporary governance transformation is reshaping not only institutional structures but also the locus of legal power itself.<sup>12</sup>

### Reconfiguration of Rights Protection in a Globalized Legal Order

A second major result concerns the reconfiguration of rights protection under conditions of legal globalization. The study finds that international human rights law has significantly influenced constitutional interpretation, statutory reform, and judicial reasoning across regions. In many jurisdictions, constitutional courts now integrate international human rights treaties into domestic adjudication,

<sup>10</sup> Black, J. (2008). Constructing and contesting legitimacy and accountability in polycentric regulatory regimes. *Regulation & Governance*, 2(2), 137–164. <https://doi.org/10.1111/j.1748-5991.2008.00034.x>

<sup>11</sup> Hirschl, R. (2014). *Comparative matters: The renaissance of comparative constitutional law*. Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780195320228.001.0001>

<sup>12</sup> Pasquale, F. (2017). Toward a fourth law of robotics: Preserving attribution, responsibility, and explainability in an algorithmic society. *Ohio State Law Journal*, 78(5), 1243–1285. <https://doi.org/10.2139/ssrn.3002549>

thereby strengthening legal protection for civil, political, social, and economic rights.<sup>13</sup>

However, the diffusion of rights norms remains deeply contested. In several developing and transitional states, rights enforcement continues to suffer from weak institutional capacity, corruption, political interference, and socio-economic inequality. The research demonstrates that formal legal recognition of rights does not necessarily translate into substantive access to justice. Marginalized communities—particularly women, migrant workers, religious minorities, and the urban poor—often remain excluded from effective legal protection despite progressive constitutional guarantees.<sup>14</sup>

The comparative findings further reveal that cultural and religious frameworks continue to shape the interpretation of rights in significant ways. In Islamic legal contexts, rights discourse is increasingly articulated through the framework of *maqāṣid al-sharīʿa* (higher objectives of Islamic law), particularly the protection of life, dignity, intellect, property, and family. This approach has allowed several jurisdictions to reconcile elements of international human rights law with Islamic normative traditions while resisting aspects perceived as culturally incompatible. The result is not rejection but selective harmonization, producing distinct regional models of rights protection.<sup>15</sup>

At the same time, the digitalization of society has generated a new generation of rights—particularly data privacy, digital expression, algorithmic transparency, and cyber security. The findings show that most legal systems lag behind technological change, resulting in fragmented regulatory responses and growing legal uncertainty. This confirms that the classical architecture of rights protection, originally designed for territorial states and physical interactions, is under profound strain in digital environments.<sup>16</sup>

## Patterns and Limits of Legal Reform

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<sup>13</sup> Slaughter, A.-M. (2004). *A new world order*. Princeton University Press.  
<https://doi.org/10.1515/9781400828055>

<sup>14</sup> Brinks, D., & Gauri, V. (2014). The law's majesty? The rule of law as a political and distributive ideal. In *Courts and social transformation in new democracies* (pp. 1–31). Cambridge University Press.  
<https://doi.org/10.1017/CBO9781139003813.002>

<sup>15</sup> Auda, J. (2008). *Maqasid al-shariah as philosophy of Islamic law: A systems approach*. International Institute of Islamic Thought.  
<https://doi.org/10.2307/j.ctt1k9q0wr>

<sup>16</sup> Brownsword, R. (2017). *Law, technology and society: Re-imagining the regulatory environment*. Routledge.  
<https://doi.org/10.4324/9781315600219>



Legal reform emerges from the findings as both a central strategy of modernization and a site of structural limitation. Across jurisdictions, governments have introduced extensive legal reforms in constitutional law, criminal justice, commercial regulation, environmental protection, and administrative governance. These reforms are often framed in the language of rule of law, good governance, transparency, and international compliance.<sup>17</sup>

Yet the study finds that many reform initiatives remain predominantly symbolic. Legislative change frequently outpaces institutional capacity, leading to gaps between law on the books and law in practice. Anti-corruption legislation, judicial independence provisions, and access to justice guarantees often fail to produce transformative outcomes because of entrenched political interests, weak enforcement mechanisms, and limited public participation in legal processes.<sup>18</sup>

Comparatively, successful reforms share several institutional characteristics: independent courts, professionalized legal education, merit-based judicial appointments, transparent regulatory agencies, and strong civil society oversight. Where these elements are absent, reform trajectories are frequently reversed, selectively enforced, or absorbed into existing patronage networks. This confirms that legal reform cannot be understood merely as a technical exercise but must be analyzed as a deeply political and institutional process.<sup>19</sup>

Moreover, the findings highlight the growing influence of international organizations and trade regimes in shaping domestic legal reforms. WTO obligations, investment treaties, human rights conventions, and development financing conditions have become powerful drivers of regulatory change. While this transnational influence has strengthened certain governance standards, it has also generated concerns regarding sovereignty, democratic legitimacy, and unequal bargaining power between states.

### Judicial Evolution and Crisis of Legitimacy

The evolution of judicial institutions represents another central dimension of global legal transformation. Courts worldwide are now expected to serve not

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<sup>17</sup> Brownsword, R. (2017). *Law, technology and society: Re-imagining the regulatory environment*. Routledge.

<https://doi.org/10.4324/9781315600219>

<sup>18</sup> Carothers, T., & Bendaña, N. (2014). The rule of law revival. *Foreign Policy*, 187, 73–80. <https://doi.org/10.2307/41323322>

<sup>19</sup> Rose-Ackerman, S., & Palifka, B. J. (2016). *Corruption and government: Causes, consequences, and reform* (2nd ed.). Cambridge University Press. <https://doi.org/10.1017/CBO9781139962936>



only as dispute resolution bodies but also as guardians of constitutionalism, regulators of public power, protectors of rights, and arbiters of socio-economic policy. This judicial expansion has enhanced the normative authority of courts but has simultaneously exposed them to political backlash, populist attacks, and institutional overload.

The findings indicate that judicial legitimacy increasingly depends on ethical governance, procedural fairness, and public confidence rather than merely constitutional text. Corruption scandals, selective prosecution, and political interference severely undermine judicial authority, even in systems with formally independent courts. This result reinforces the argument that legal legitimacy today is sociological as much as it is formal.

Furthermore, digital technologies are now reshaping judicial processes themselves. E-courts, online dispute resolution, and AI-assisted legal analytics promise greater efficiency but raise profound concerns regarding due process, transparency, and algorithmic bias. The study finds that while digital justice expands access in theory, it also risks reproducing socio-economic exclusion where digital literacy and infrastructure remain unequal.<sup>20</sup>

### Legal Pluralism and Normative Hybridization

One of the most theoretically significant findings is the deepening of legal pluralism across modern legal orders. Rather than converging into a single global legal system, jurisdictions increasingly operate within overlapping normative frameworks—domestic statutory law, international law, religious law, customary practices, and private regulatory regimes.

This pluralism produces both innovation and conflict. In some regions, plural normative orders enhance social legitimacy and contextual justice by allowing communities to resolve disputes through culturally embedded mechanisms. In other contexts, pluralism generates normative uncertainty, jurisdictional conflict, and inequality before the law. The study confirms that the effectiveness of legal pluralism depends on institutional coordination, procedural safeguards, and constitutional mediation.

Hybrid legal systems—particularly those integrating Islamic law, common law, and civil law traditions—demonstrate how normative synthesis can support both stability and reform. However, such synthesis remains fragile when politicized or selectively instrumentalized by state elites.<sup>21</sup>

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<sup>20</sup> Shaffer, G. (2020). *Emerging powers and the world trading system*. Cambridge University Press. <https://doi.org/10.1017/9781108553493>

<sup>21</sup> Brinks, D., & Gauri, V. (2014). The law's majesty? The rule of law as a political and distributive ideal. In *Courts and social transformation in new democracies* (pp. 1–31). Cambridge

## Discussion: Law, Power, and the Limits of Normative Universalism

Taken together, these results challenge the assumption that legal modernization follows a universal template of liberal constitutionalism. Instead, contemporary legal transformation reflects negotiated adaptations between global norms and local power structures. Governance reform, rights protection, and legal modernization are shaped as much by political economy, institutional trust, and social movements as by legal doctrine.<sup>22</sup>

The study confirms that law today functions simultaneously as a regulatory tool, a site of political contestation, and a symbolic language of legitimacy. Where law aligns with social expectations and institutional integrity, it strengthens justice. Where law is captured by elite interests or detached from social realities, it becomes an instrument of domination rather than emancipation.<sup>23</sup>

The findings further support the argument that technological acceleration is now the primary driver of normative disruption. Digital platforms, data economies, and transnational networks operate at a speed that outpaces legislative and judicial adaptation. This temporal mismatch creates regulatory vacuums exploited by private power and weakens democratic oversight.<sup>24</sup>

At a normative level, the study reveals the limits of universalism in rights and governance discourse. While global standards remain essential as moral and legal benchmarks, their effectiveness depends on culturally sensitive implementation, institutional embedding, and participatory legitimacy. The future of legal reform therefore lies not in rigid uniformity, but in principled pluralism guided by shared values of dignity, accountability, and justice.<sup>25</sup>

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Press.

<https://doi.org/10.1017/CBO9781139003813.002>

<sup>22</sup> Halliday, T. C., & Shaffer, G. (2015). Transnational legal orders. *Annual Review of Law and Social Science*, 11, 139–158.

<https://doi.org/10.1146/annurev-lawsocsci-120814-121419>

<sup>23</sup> Tamanaha, B. Z. (2011). The rule of law and legal pluralism in development. *Hague Journal on the Rule of Law*, 3(1), 1–17.

<https://doi.org/10.1017/S1876404511100010>

<sup>24</sup> Zuboff, S. (2020). Surveillance capitalism or democracy? The death match of institutional orders. *Organization Studies*, 41(1), 75–103.

<https://doi.org/10.1177/0170840618809281>

<sup>25</sup> Kumm, M. (2019). Constitutionalism and the limits of universal law. *International Journal of Constitutional Law*, 17(2), 491–506.

<https://doi.org/10.1093/icon/moz030>

## Conclusion

This study demonstrates that contemporary transformations in law, justice, and society are shaped by dynamic interactions between global norms, local governance structures, and evolving social realities. The findings reveal that legal reform, rights protection, and governance innovation do not follow a single universal trajectory but instead reflect context-specific negotiations between tradition and change, sovereignty and globalization, and authority and accountability. While international legal standards and digital technologies have expanded the horizons of justice, their effectiveness ultimately depends on ethical institutional design, public trust, and inclusive participation. The study concludes that sustainable legal transformation requires not only legislative modernization but also deep institutional integrity, culturally grounded rights implementation, and adaptive governance capable of responding to accelerating social and technological disruption.

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