

FROM CASE RESOLUTION TO RIGHTS FULFILMENT: RECONSTRUCTING CIVIL JUSTICE IN THE TWENTY-FIRST CENTURY

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Abstract

Contemporary civil justice systems have undergone significant procedural reforms to improve judicial efficiency, reduce case backlogs, accelerate dispute resolution, and expand access to justice. Despite these achievements, civil justice effectiveness continues to be assessed primarily through procedural indicators, including case clearance rates, disposition time, and judicial productivity, while limited attention is paid to whether judicial decisions actually fulfil litigants' legal rights. This procedural orientation creates a fundamental paradox: cases may be resolved efficiently, yet substantive justice and rights realization remain incomplete. This study aims to reconstruct the conceptual foundation of civil justice by shifting its primary objective from case resolution to rights fulfilment. Employing normative legal research with a qualitative, library-based approach, the study examines contemporary scholarship on procedural justice, access to justice, responsive law, human rights-based approaches, civil justice reform, and people-centred justice. Data were analyzed using doctrinal, conceptual, and thematic approaches to identify the limitations of existing paradigms and formulate a new conceptual model. The findings demonstrate that procedural efficiency alone cannot ensure meaningful legal protection because contemporary civil justice remains constrained by weak judgment enforcement, fragmented institutional coordination, unequal access to legal remedies, and inadequate outcome-based evaluation. To address these limitations, the article proposes the Rights Fulfilment Civil Justice Framework (RFCJF), consisting of five interconnected dimensions: rights protection, institutional collaboration, enforcement effectiveness, responsive legal governance, and justice outcomes. The framework redefines civil justice effectiveness according to the extent to which judicial processes produce enforceable rights, substantive legal protection, and sustainable justice, offering a theoretical and evaluative foundation for twenty-first-century civil justice reform.

Keywords: Civil Justice; Rights Fulfilment; Procedural Justice; Access to Justice; Legal Protection.

Introduction

For decades, the performance of civil justice systems has been evaluated primarily through procedural indicators such as case clearance rates, disposition time, backlog

reduction, and judicial efficiency (Bhattacharjee, 2025). These indicators have become the dominant benchmarks for assessing court performance because they are quantifiable, administratively convenient, and capable of measuring institutional productivity. Judicial reforms implemented across various jurisdictions have therefore concentrated on accelerating case processing, simplifying procedural rules, expanding alternative dispute resolution mechanisms, and introducing digital technologies to improve court efficiency (Goncharuk, 2026). While these reforms have undoubtedly enhanced judicial administration and increased institutional accountability, they have also reinforced a procedural understanding of justice in which the completion of litigation is frequently regarded as the ultimate objective of civil adjudication. Consequently, contemporary civil justice systems often equate successful dispute resolution with the issuance of a legally binding judgment, despite the fact that judicial decisions do not necessarily guarantee the realization of the substantive rights they are intended to protect (Welsh, 2025). This growing emphasis on procedural performance has generated an important paradox within modern civil justice: cases may be resolved efficiently, yet justice itself may remain unrealized. Accordingly, the fundamental purpose of civil justice should not merely be the resolution of disputes but the effective fulfillment of legal rights and the restoration of justice for those seeking judicial protection.

The limitations of this procedural paradigm become increasingly apparent when judicial outcomes are examined from the perspective of rights realization. Across many legal systems, litigants frequently obtain favorable judgments but continue to encounter significant obstacles in enforcing court decisions, recovering damages, obtaining compensation, securing contractual performance, or restoring legal relationships disrupted by civil disputes. Delays in enforcement, fragmented institutional responsibilities, unequal access to legal assistance, procedural complexity, and socio-economic disparities often prevent judicial victories from producing meaningful legal protection (Borisova and Vyushkina, 2025). Consequently, the conclusion of litigation cannot automatically be interpreted as the completion of justice because the rights recognized by courts frequently remain only partially implemented or, in some cases, entirely unrealized. These challenges are further intensified by the increasing complexity of twenty-first-century civil disputes, which commonly involve cross-border transactions, digital commerce, technological innovation, vulnerable litigants, and multiple institutional actors whose responsibilities extend beyond traditional judicial functions (Anggraeni et al., 2025). Such developments demonstrate that measuring the effectiveness of civil justice solely through procedural efficiency is no longer sufficient. Instead, civil justice must be evaluated according to its capacity to ensure that judicial decisions produce tangible improvements in the legal, economic, and social conditions of the parties whose rights have been adjudicated.

Recent scholarship has contributed significantly to the ongoing debate concerning the future direction of civil justice reform, although existing studies remain fragmented in their analytical focus. The first stream of research emphasizes access to justice, arguing that legal systems should remove procedural, economic, and geographical barriers preventing individuals from seeking judicial remedies (Kramer et al., 2025). A second body of literature examines procedural justice, highlighting the importance of fairness, transparency, neutrality, and public participation in strengthening confidence in judicial institutions (Hasan et al., 2026). A third line of inquiry explores civil justice reform and judicial efficiency, demonstrating how procedural simplification, case management, and digital technologies have improved court performance and reduced litigation delays (Ramos-Maqueda and Chen, 2026). More recent studies investigate digital justice, examining the opportunities and challenges associated with online dispute resolution, electronic litigation, artificial intelligence, and digital court administration (Choubey, 2026). Finally, an emerging body of socio-legal scholarship evaluates judgment enforcement and post-adjudication effectiveness, arguing that legal protection cannot be considered complete until judicial decisions are effectively implemented and the rights recognized by courts are realized in practice. Collectively, these studies have substantially advanced contemporary understanding of civil justice by expanding discussions beyond traditional procedural doctrine toward broader questions of accessibility, institutional performance, technological innovation, and legal effectiveness. Despite these important contributions, the existing literature continues to exhibit several conceptual limitations. Most studies analyze civil justice through isolated perspectives, focusing separately on procedural efficiency, access to justice, judicial digitalization, alternative dispute resolution, or judgment enforcement without integrating these dimensions into a comprehensive framework of rights realization. Even research examining post-judgment enforcement generally treats enforcement as the final procedural stage of litigation rather than as part of a broader system designed to ensure substantive legal protection.

This study addresses these limitations by proposing a fundamental shift in the conceptual orientation of contemporary civil justice from case resolution toward rights fulfilment. Rather than understanding civil justice as a system primarily concerned with resolving disputes efficiently, this article argues that the ultimate purpose of civil adjudication is the effective realization of legally recognized rights. To operationalize this paradigm, the study develops the Rights Fulfilment Civil Justice Framework (RFCJF), a multidimensional model consisting of five interconnected components: rights protection, institutional collaboration, enforcement effectiveness, responsive legal governance, and justice outcomes. Unlike existing approaches that evaluate judicial performance predominantly through procedural indicators, the proposed framework measures the

effectiveness of civil justice according to its capacity to transform judicial decisions into practical legal protection capable of restoring rights, strengthening public trust, and promoting substantive justice. Accordingly, this study contributes to contemporary civil justice scholarship by introducing a new theoretical framework that repositions rights fulfilment as the primary benchmark for evaluating and reconstructing civil justice systems in the twenty-first century.

Research Method

This study employs normative legal research using a qualitative and library-based approach to examine the conceptual transformation of civil justice from a case resolution paradigm toward a rights fulfilment paradigm. Rather than evaluating the operation of a particular legal institution or jurisdiction, the study focuses on reconstructing the theoretical foundations of civil justice by critically examining legal doctrines, scholarly literature, and contemporary theories concerning legal protection, access to justice, procedural justice, and civil justice reform. The research is conceptual in nature, aiming to develop a new analytical framework capable of evaluating civil justice according to the realization of substantive rights rather than procedural performance alone.

The study relies exclusively on documentary sources consisting of primary and secondary legal materials. Primary materials include international legal instruments concerning access to justice, human rights, civil justice, and judicial protection, as well as national legislation and judicial policy documents relevant to civil litigation and judgment enforcement. Secondary materials comprise peer-reviewed journal articles, scholarly books, legal commentaries, policy reports, and academic publications addressing civil justice reform, procedural justice, judgment enforcement, digital justice, responsive legal governance, and rights-based legal protection. Priority is given to recent publications indexed in Scopus and Web of Science to ensure that the analysis reflects current developments in contemporary civil justice scholarship.

Data were collected through a systematic literature review conducted using major academic databases, including Scopus, Web of Science, HeinOnline, Google Scholar, SSRN, and official legal repositories. The literature search focused on publications discussing civil justice reform, access to justice, procedural justice, rights fulfilment, judgment enforcement, digital justice, court governance, and legal protection. Relevant literature was identified through predefined keywords, screened according to relevance and scholarly quality, and subsequently classified into thematic categories to facilitate conceptual comparison and synthesis. The analytical process employs qualitative doctrinal, conceptual, and thematic content analysis. Doctrinal analysis is used to examine the evolution of legal concepts relating to civil justice and legal protection. Conceptual analysis identifies the underlying assumptions, relationships, and theoretical

limitations of existing approaches to civil justice, particularly those emphasizing procedural efficiency and case disposition. Thematic content analysis is subsequently applied to synthesize recurring concepts across the literature and to identify key dimensions necessary for reconstructing a rights-oriented model of civil justice. Through this analytical process, the study develops the Rights Fulfilment Civil Justice Framework (RFCJF), a multidimensional conceptual framework consisting of rights protection, institutional collaboration, enforcement effectiveness, responsive legal governance, and justice outcomes. The proposed framework serves as both an evaluative model for assessing contemporary civil justice systems and a normative reference for future legal reform aimed at strengthening substantive rights protection in the twenty-first century.

Result and Discussion

The Procedural Paradigm of Civil Justice: Achievements and Contemporary Challenges

Civil justice has long been regarded as one of the principal mechanisms through which modern legal systems uphold the rule of law, protect private rights, and maintain social order (Guliyeva, 2025). Unlike criminal justice, which primarily addresses offenses against the state and public interests, civil justice governs disputes arising from private legal relationships, including contractual obligations, property rights, tort liability, commercial transactions, family matters, and various forms of civil responsibility (Usmonqulova and Sharipova, 2026). Through impartial adjudication, civil courts are expected to provide legally enforceable remedies capable of restoring rights, resolving conflicts, and promoting legal certainty. Consequently, the effectiveness of civil justice has traditionally been associated with its ability to provide accessible, predictable, and impartial dispute resolution. Over the past several decades, however, the role of civil justice has expanded considerably in response to increasing social complexity, economic globalization, technological innovation, and the growing recognition of human rights. Contemporary civil justice is no longer expected merely to settle disputes between private parties but also to facilitate social stability, support economic development, strengthen public confidence in legal institutions, and ensure that individuals can effectively exercise and enforce their legal rights.

The transformation of civil justice has been accompanied by significant institutional reforms across numerous jurisdictions. Governments, judicial councils, and international organizations have invested substantial resources in modernizing court administration, simplifying procedural rules, promoting judicial transparency, expanding alternative dispute resolution mechanisms, and introducing digital technologies designed to improve efficiency (Goncharuk, 2026). These reforms emerged largely in response to persistent concerns regarding excessive litigation costs, prolonged

delays, judicial backlogs, and unequal access to justice. As the volume and complexity of civil disputes increased, particularly within rapidly developing economies and technologically advanced societies, procedural modernization became an essential component of broader judicial reform. Consequently, improving the operational performance of courts gradually became a dominant objective of civil justice policy throughout the late twentieth and early twenty-first centuries.

This modernization process fundamentally influenced the way judicial performance came to be evaluated. Rather than measuring courts solely according to abstract legal principles, policymakers increasingly relied upon quantitative performance indicators capable of monitoring institutional productivity and administrative efficiency. Among the most influential indicators are case clearance rate, disposition time, backlog reduction, and broader measures of judicial efficiency. Collectively, these indicators have become internationally recognized benchmarks for assessing the effectiveness of civil courts because they provide measurable evidence concerning the ability of judicial institutions to process disputes within reasonable timeframes while managing limited institutional resources (Mansour et al., 2026). International organizations, including the OECD, the World Bank, and the European Commission for the Efficiency of Justice (CEPEJ), have consistently encouraged judicial systems to adopt performance measurement frameworks emphasizing efficiency, transparency, accountability, and timely dispute resolution.

The case clearance rate has become one of the most widely used indicators of judicial performance because it compares the number of resolved cases with newly filed cases within a given period. A clearance rate approaching or exceeding one hundred percent is generally interpreted as evidence that courts are effectively managing incoming caseloads without allowing significant accumulation of unresolved disputes (Rocha et al., 2026). Similarly, disposition time estimates the average duration required for courts to conclude pending litigation, thereby serving as an indicator of procedural efficiency and institutional responsiveness. Judicial systems capable of resolving disputes within shorter periods are frequently perceived as more effective because timely adjudication reduces litigation costs, increases legal certainty, and minimizes the social and economic consequences associated with prolonged legal disputes (Kramer et al., 2025). Backlog reduction complements these indicators by measuring the capacity of courts to eliminate accumulated pending cases, while broader concepts of judicial efficiency evaluate institutional productivity through the relationship between judicial outputs, financial resources, and administrative capacity.

These performance indicators have undoubtedly generated substantial improvements in the administration of civil justice. Courts operating under clearly defined performance standards have generally become more transparent, accountable,

and administratively disciplined. Procedural simplification has reduced unnecessary formalities, electronic case management systems have improved administrative coordination, and digital filing mechanisms have increased accessibility for legal professionals and court users (Goncharuk, 2026). Many jurisdictions have also introduced differentiated case management techniques, specialized commercial courts, online dispute resolution platforms, and virtual hearings capable of accelerating litigation while reducing operational costs. Collectively, these innovations have contributed to a more responsive judicial environment capable of accommodating growing litigation demands within increasingly complex legal systems.

Digital transformation has further accelerated these developments by fundamentally changing the operational structure of civil justice institutions. Electronic filing systems, online access to judicial information, virtual court hearings, automated scheduling, integrated case management platforms, and digital evidence management have substantially increased administrative efficiency while expanding public access to judicial services (Mansour et al., 2026). The integration of digital technologies has also strengthened institutional transparency by enabling litigants to monitor procedural developments in real time, thereby reducing informational asymmetries between courts and court users. Particularly following the COVID-19 pandemic, digital justice has emerged as an essential component of contemporary judicial reform, demonstrating that technological innovation possesses considerable potential for improving the accessibility, flexibility, and resilience of civil justice systems.

Equally important has been the expansion of alternative dispute resolution mechanisms, including mediation, arbitration, conciliation, and negotiated settlement procedures. These mechanisms seek to reduce judicial workloads while encouraging consensual dispute resolution capable of preserving commercial relationships and minimizing adversarial conflict (Younas, 2025). Many jurisdictions have integrated mandatory or voluntary mediation into civil procedure, reflecting the growing recognition that litigation should not always constitute the primary avenue for resolving private disputes. By diverting appropriate cases away from formal adjudication, alternative dispute resolution has contributed significantly to reducing court congestion while promoting more efficient and cost-effective dispute settlement.

Taken together, these reforms represent remarkable achievements in the modernization of civil justice. Compared with previous generations of judicial administration characterized by excessive procedural complexity, prolonged delays, and limited transparency, contemporary civil courts operate within significantly more sophisticated institutional environments supported by digital technologies, standardized performance indicators, and increasingly professional administrative management (Marchetti, 2026). Judicial institutions are now better equipped to process growing

caseloads, allocate resources more effectively, and provide litigants with greater procedural certainty than at any previous stage in the history of modern civil justice. These developments demonstrate that procedural reform has played a crucial role in strengthening institutional capacity and improving the operational performance of courts across diverse legal traditions.

Nevertheless, the remarkable success of procedural modernization has simultaneously generated an unintended conceptual consequence. As judicial reforms increasingly concentrated on administrative performance, procedural efficiency gradually became synonymous with judicial success itself (Goncharuk, 2026). Courts are now frequently evaluated according to the speed with which cases are processed, the volume of disputes resolved, or the extent to which institutional targets are achieved. While these indicators remain indispensable for ensuring accountability and efficient court administration, they reveal comparatively little about whether judicial decisions actually restore the legal rights of litigants, remedy the harms giving rise to litigation, or produce meaningful substantive justice (Williams, 2025, 6. p.). Consequently, a growing tension has emerged between measuring judicial performance and measuring the realization of justice. This distinction is fundamental because a court may successfully resolve thousands of cases while many litigants continue to experience unfulfilled rights, ineffective remedies, or unenforced judgments. The increasing reliance upon procedural performance indicators therefore raises an important normative question: Should the success of civil justice be measured by the number of cases completed, or by the extent to which judicial processes actually fulfill the rights that civil justice exists to protect? This question forms the foundation of the critique developed in the following section, where the procedural paradigm of civil justice is examined against the realities of rights realization in contemporary legal systems.

The increasing reliance on procedural performance indicators has undoubtedly strengthened judicial administration, yet it has also revealed a fundamental limitation within contemporary civil justice. Measuring institutional success through case completion, processing speed, and administrative productivity assumes that the conclusion of litigation necessarily signifies the realization of justice. Such an assumption, however, is increasingly difficult to sustain in modern legal systems where the effectiveness of judicial protection extends far beyond the issuance of a final judgment (Goncharuk, 2026). Civil justice should not merely determine legal rights; it must also ensure that those rights become practically enforceable and capable of producing meaningful legal, economic, and social consequences for the parties involved. Consequently, the completion of judicial proceedings should be understood as an important procedural milestone rather than the ultimate objective of civil justice itself.

The distinction between resolving disputes and realizing rights becomes particularly apparent during the post-judgment stage. In many jurisdictions, litigants who have successfully obtained legally binding judgments continue to encounter significant obstacles in securing the practical implementation of judicial decisions (Madiyya et al., 2026). Monetary compensation may remain unpaid, contractual obligations may remain unperformed, property may not be transferred, and injunctions may fail to produce effective compliance. As a result, judicial recognition of legal rights frequently exists only at the normative level while the substantive interests protected by those rights remain unrealized in everyday life. This phenomenon illustrates that the true effectiveness of civil justice cannot be evaluated solely through adjudication because the value of judicial decisions ultimately depends upon their capacity to generate actual legal protection.

Weak judgment enforcement represents one of the most persistent structural challenges confronting contemporary civil justice systems. Although enforcement mechanisms constitute an integral component of civil procedure, they are frequently treated as secondary administrative processes rather than essential elements of rights protection (Tatulych and Fedrak, 2026). Enforcement commonly depends upon separate institutional actors, additional procedural requirements, financial resources, and the willingness or capacity of losing parties to comply voluntarily with judicial orders. Where institutional coordination is weak or enforcement procedures are excessively complex, the authority of judicial decisions becomes significantly diminished. Consequently, litigants may obtain legal victories while simultaneously experiencing practical defeat because the rights recognized by courts cannot be effectively implemented.

The consequences of ineffective enforcement extend beyond individual litigants to the legitimacy of civil justice itself. Public confidence in judicial institutions is shaped not only by perceptions of procedural fairness but also by the expectation that judicial decisions will produce meaningful legal consequences (Skrybka, 2025). When legally binding judgments remain unenforced, the credibility of courts is gradually undermined because citizens begin to question whether litigation represents an effective mechanism for protecting their rights. In such circumstances, the symbolic authority of judicial institutions remains intact while their practical capacity to deliver justice becomes increasingly fragile (Proudfoot et al., 2024). This divergence between legal recognition and practical realization highlights a fundamental weakness within procedural conceptions of justice that prioritize adjudication over implementation.

Closely related to enforcement problems is the broader issue of rights fulfilment. Civil litigation is initiated because individuals seek the protection or restoration of legal rights that have been violated, threatened, or denied. The ultimate expectation of litigants is therefore not simply the receipt of a judicial decision but the effective realization of

those rights through enforceable legal remedies. Nevertheless, contemporary judicial performance frameworks rarely evaluate whether court decisions actually fulfill the substantive rights of litigants (Vaya-Arboledas et al., 2025). Instead, institutional assessments remain dominated by procedural indicators that measure the efficiency of dispute resolution rather than the effectiveness of rights realization. As a consequence, judicial institutions may appear highly successful according to administrative benchmarks while failing to achieve their more fundamental purpose of protecting legally recognized rights.

Economic accessibility constitutes another major challenge confronting procedural models of civil justice. Despite extensive procedural reforms, civil litigation continues to impose substantial financial burdens upon litigants through court fees, legal representation, expert witnesses, documentary evidence, and enforcement costs (Luca, 2025). These expenses disproportionately affect economically disadvantaged individuals and small businesses whose limited financial resources reduce their ability to pursue legitimate legal claims. In many legal systems, the cost of litigation may exceed the economic value of the disputed rights themselves, thereby discouraging potential litigants from seeking judicial remedies altogether. Access to justice consequently becomes dependent not only upon the existence of legal rights but also upon the economic capacity to exercise those rights effectively.

The procedural paradigm also inadequately addresses the experiences of vulnerable litigants whose participation within civil justice is shaped by structural inequalities extending beyond legal doctrine. Older persons, persons with disabilities, individuals with limited legal literacy, migrants, economically marginalized communities, and self-represented litigants frequently encounter barriers that cannot be resolved merely through procedural simplification. These individuals often require accessible legal information, institutional assistance, adapted procedural accommodations, affordable legal services, and coordinated social support throughout the litigation process (Xu et al., 2026). However, conventional procedural reforms generally assume that litigants possess relatively equal capacities to navigate legal institutions independently. This assumption overlooks the diverse realities experienced by vulnerable groups and contributes to unequal outcomes despite formally equal procedural rules.

The rapid digitalization of civil justice has introduced additional complexities within this landscape. Electronic filing systems, virtual hearings, online dispute resolution, and digital communication platforms have significantly expanded opportunities for improving judicial efficiency and accessibility (Mansour et al., 2026). Yet these technological innovations have simultaneously exposed new forms of exclusion associated with unequal access to digital infrastructure, technological literacy, and

internet connectivity. Older persons, rural communities, economically disadvantaged populations, and individuals lacking digital competencies may experience increased difficulty participating effectively within technologically advanced judicial environments. Consequently, digital transformation illustrates that procedural modernization alone cannot guarantee substantive equality because technological innovation may simultaneously reduce certain barriers while creating entirely new forms of legal vulnerability.

Institutional fragmentation further limits the capacity of procedural justice to deliver comprehensive legal protection. Civil disputes frequently involve multiple governmental agencies, administrative authorities, enforcement bodies, legal aid organizations, financial institutions, and community-based organizations operating independently under separate legal mandates (Irene et al., 2025). While courts possess authority to determine legal rights, they often lack direct control over the administrative or institutional mechanisms necessary for implementing judicial decisions. Effective rights fulfilment therefore depends upon coordinated collaboration among numerous institutions whose responsibilities extend well beyond formal adjudication (Smanio and Oliveira, 2025). Nevertheless, existing civil justice systems frequently evaluate institutional performance within isolated organizational boundaries rather than examining how effectively these institutions cooperate to achieve common legal objectives. As a result, fragmentation weakens the continuity of legal protection and reduces the overall effectiveness of judicial remedies.

These interconnected challenges reveal that the principal limitation of contemporary civil justice does not lie exclusively in procedural inefficiency but rather in the conceptual assumptions underlying procedural evaluation itself (Xu et al., 2026). Existing performance frameworks implicitly regard dispute resolution as the endpoint of judicial responsibility, whereas the practical realities of civil litigation demonstrate that legal protection extends far beyond the conclusion of courtroom proceedings. Rights require implementation, remedies require enforcement, institutions require coordination, and litigants require continuing support before justice can be regarded as fully realized (Madnick et al., 2023). Consequently, the traditional procedural paradigm provides only a partial understanding of judicial effectiveness because it concentrates primarily upon institutional outputs while paying comparatively less attention to the substantive outcomes experienced by those seeking legal protection.

This critique does not suggest that procedural efficiency, judicial productivity, or administrative accountability are unimportant. On the contrary, timely dispute resolution, transparent judicial administration, and effective case management remain indispensable components of a well-functioning civil justice system (Welsh, 2025). However, these achievements should be understood as means rather than ends. Efficient

procedures create opportunities for justice, but they do not constitute justice in themselves. The ultimate legitimacy of civil justice depends upon its ability to transform judicial decisions into practical rights protection capable of restoring legal relationships, protecting legitimate interests, strengthening public confidence, and promoting substantive justice.

Accordingly, this study argues that the dominant procedural paradigm should be reconsidered. The effectiveness of civil justice should no longer be assessed solely according to how many cases courts resolve or how rapidly litigation concludes, but according to whether judicial processes successfully fulfill the rights that civil justice exists to protect. This requires a fundamental shift in analytical perspective from evaluating case resolution as the primary indicator of success toward evaluating rights fulfilment as the ultimate objective of civil justice. Such a paradigm shift provides the conceptual foundation for the next section, which develops a rights-oriented understanding of civil justice capable of integrating procedural fairness, institutional responsiveness, effective enforcement, and substantive legal protection within a unified framework for twenty-first-century civil justice reform.

From Procedural Justice to Rights Fulfilment: Reframing the Purpose of Civil Justice

The limitations of the procedural paradigm discussed in the previous section demonstrate that improving the efficiency of civil justice alone is insufficient to ensure the realization of justice. Contemporary civil justice requires a broader conceptual foundation capable of integrating procedural fairness, institutional responsiveness, substantive rights protection, and effective implementation of judicial decisions. Over the past several decades, numerous theoretical approaches have attempted to redefine the objectives of civil justice by emphasizing different dimensions of fairness, accessibility, institutional responsiveness, and human rights. Collectively, these approaches have significantly enriched contemporary legal scholarship. Nevertheless, each continues to address only particular aspects of civil justice without providing a comprehensive framework capable of positioning rights fulfilment as the ultimate purpose of civil adjudication (Bambrick and Castrillón, 2026). Consequently, a reassessment of these theoretical developments is necessary to establish a more integrated understanding of civil justice in the twenty-first century.

One of the most influential theoretical contributions is Procedural Justice Theory, developed primarily through the work of Tom R. Tyler (Chan et al., 2023). Procedural Justice Theory argues that public confidence in legal institutions depends not merely upon legal outcomes but upon the perceived fairness of legal procedures. Individuals are more likely to comply voluntarily with judicial decisions when they believe that decision-making processes are impartial, transparent, respectful, and participatory. Accordingly,

procedural legitimacy derives from the quality of institutional interaction rather than solely from the substantive content of judicial outcomes. This perspective has profoundly influenced judicial reform by encouraging courts to improve transparency, neutrality, consistency, and opportunities for litigant participation throughout legal proceedings. Procedural fairness has therefore become an essential indicator of institutional legitimacy within contemporary civil justice systems.

Despite its substantial contribution, Procedural Justice Theory remains primarily concerned with the fairness of judicial processes rather than the effectiveness of post-judgment rights realization. Fair procedures undoubtedly strengthen institutional legitimacy; however, procedural fairness alone cannot ensure that legally recognized rights are ultimately fulfilled (Zulaichah et al., 2026). A litigant may experience respectful treatment, transparent proceedings, and impartial adjudication while still remaining unable to enforce a favorable judgment or obtain effective legal remedies. Consequently, procedural justice represents an indispensable condition for legitimate adjudication but cannot by itself constitute the final objective of civil justice. The effectiveness of legal protection ultimately depends upon whether fair procedures produce meaningful legal outcomes capable of restoring rights in practice.

A second influential framework is the Access to Justice movement pioneered by Mauro Cappelletti and Bryant Garth (Borisova and Vyushkina, 2025). Their scholarship fundamentally transformed legal thinking by arguing that justice should be evaluated according to the practical ability of individuals to obtain legal remedies rather than the formal existence of legal rights alone. Through their well-known "three waves" of access to justice, Cappelletti and Garth emphasized legal aid for disadvantaged groups, procedural reform to facilitate collective and public-interest litigation, and broader institutional innovations capable of overcoming structural barriers to justice. This perspective expanded the focus of civil justice beyond courtroom procedures toward questions of affordability, accessibility, equality, and institutional inclusiveness.

Although Access to Justice significantly broadened the scope of civil justice reform, its principal concern remains the removal of barriers preventing individuals from entering the legal system. The framework pays comparatively less attention to whether legal protection continues effectively after judicial proceedings have concluded. Access to courts, while essential, does not automatically guarantee access to remedies, enforcement, or sustained protection of legal rights. Individuals may successfully access judicial institutions yet continue to experience injustice if favorable judgments remain unenforced or legal remedies fail to restore their substantive rights. Thus, access should be understood as the beginning of justice rather than its completion (Lozanovska et al., 2024).

A further theoretical development emerges from Responsive Law, introduced by Philippe Nonet and Philip Selznick (Dylag, 2023). Responsive Law rejects rigid legal formalism and argues that legal institutions should respond actively to changing social realities rather than merely applying legal rules mechanically. Law is viewed as a dynamic social institution whose legitimacy depends upon its capacity to solve practical problems, protect vulnerable groups, and promote social justice. Within this framework, judges, legislators, and legal institutions are expected to interpret and implement legal norms in ways that remain sensitive to contemporary societal needs. Responsive Law therefore moves beyond procedural legality by emphasizing the social function of law and the importance of institutional adaptability.

Nevertheless, Responsive Law remains largely concerned with institutional responsiveness rather than developing measurable standards for evaluating whether legal rights have actually been fulfilled. The theory explains how legal institutions should behave but provides comparatively limited guidance regarding the substantive outcomes that civil justice should ultimately achieve. Responsiveness improves the capacity of institutions to address emerging legal challenges, yet responsiveness alone cannot determine whether judicial interventions genuinely restore rights, strengthen legal certainty, or enhance public trust (Borisova and Vyushkina, 2025). Consequently, the theory requires further development to connect institutional responsiveness with concrete measures of rights realization.

The emergence of the Human Rights-Based Approach (HRBA) has further expanded contemporary understandings of legal protection by placing human rights at the center of public governance and legal decision-making (Al-Sari, 2025, 708. p.). Rather than viewing rights as abstract legal entitlements, HRBA emphasizes the practical obligations of public institutions to respect, protect, and fulfill human rights through participatory, accountable, transparent, and non-discriminatory governance. Within civil justice, this approach reinforces the principle that judicial institutions exist primarily to protect rights rather than merely administer legal procedures. It also highlights equality, participation, accountability, and effective remedies as indispensable components of justice.

Closely connected to this perspective is the concept of human dignity, which has increasingly become the normative foundation of constitutionalism, international human rights law, and contemporary legal philosophy (Tejeda, 2025). Human dignity recognizes every individual as possessing inherent worth that legal institutions are obliged to respect and protect. Civil justice therefore derives its legitimacy not solely from procedural regularity but from its ability to safeguard the dignity of litigants through meaningful legal protection. Judicial institutions that fail to ensure effective remedies, equal participation, or practical realization of rights ultimately fail to respect the dignity

of those seeking legal protection, regardless of procedural compliance. Human dignity thus redirects attention from institutional performance toward the lived experiences of justice recipients.

Recent discussions on Civil Justice Reform have sought to combine these theoretical developments through judicial modernization, digital transformation, simplified procedures, active case management, and enhanced institutional accountability. Reform initiatives implemented across numerous jurisdictions demonstrate that efficiency and accessibility remain important priorities for strengthening judicial institutions. Similarly, the OECD Principles on People-Centred Justice emphasize that justice systems should be designed around the needs of people rather than the administrative convenience of institutions. These principles encourage governments to improve accessibility, coordination, transparency, responsiveness, and user-centered service delivery (Liang et al., 2025). Together, these developments represent a significant evolution in contemporary civil justice by shifting attention toward the experiences of justice seekers.

Despite their considerable contributions, these theoretical approaches remain analytically fragmented. Procedural Justice prioritizes fair decision-making; Access to Justice emphasizes accessibility; Responsive Law focuses on institutional adaptability; the Human Rights-Based Approach highlights rights protection; Human Dignity establishes the ethical foundation of justice; Civil Justice Reform promotes institutional modernization; and the OECD Principles encourage people-centered governance (Al-Sari, 2025). Each framework addresses an essential component of civil justice, yet none fully integrates these elements into a unified paradigm capable of evaluating civil justice according to the extent to which legal rights are ultimately fulfilled. Existing theories therefore remain largely complementary rather than integrative, explaining particular dimensions of justice without redefining its ultimate purpose.

This conceptual limitation necessitates a fundamental shift from evaluating civil justice according to procedural performance toward evaluating it according to rights fulfilment. Within this study, rights fulfilment refers to the effective realization of legally recognized rights through a continuous process encompassing access to justice, fair adjudication, enforceable remedies, institutional coordination, effective implementation, and sustainable legal protection. Rights fulfilment therefore extends beyond obtaining a favorable judgment (Yadav, 2025). It requires that judicial decisions generate tangible legal, economic, and social consequences capable of restoring the legitimate interests of litigants while strengthening confidence in legal institutions. In this sense, rights fulfilment represents the substantive endpoint of civil justice rather than merely one stage within judicial procedure.

Reframing civil justice around rights fulfilment also transforms the way judicial performance should be evaluated. The primary question is no longer whether courts dispose of cases efficiently but whether civil justice effectively protects rights, resolves legal vulnerability, restores legal relationships, and produces meaningful remedies for those seeking judicial protection. Procedural efficiency, institutional accountability, technological innovation, and accessibility remain indispensable; however, they become instrumental objectives serving the broader purpose of rights realization rather than independent indicators of judicial success (Marchetti, 2026). Civil justice consequently evolves from a litigation-centered system into a rights-oriented institution whose legitimacy derives from its capacity to transform legal recognition into practical protection.

Accordingly, this study proposes a new paradigm of Rights-Oriented Civil Justice, which positions rights fulfilment as the central objective of civil adjudication in the twenty-first century. Unlike traditional procedural approaches, this paradigm integrates procedural fairness, access to justice, institutional responsiveness, human rights, effective enforcement, and people-centered governance within a single conceptual orientation focused on substantive legal protection (Al-Sari, 2025). This paradigm provides the theoretical foundation for the next section, which introduces the Rights Fulfilment Civil Justice Framework (RFCJF) as a multidimensional model for reconstructing contemporary civil justice beyond case resolution toward comprehensive rights fulfilment.

Reconstructing Civil Justice: The Rights Fulfilment Civil Justice Framework (RFCJF)

The preceding discussion has demonstrated that contemporary civil justice has reached an important turning point. Procedural modernization has substantially improved judicial efficiency, expanded access to courts, strengthened institutional accountability, and accelerated dispute resolution through technological innovation and administrative reform. Nevertheless, these achievements have not fundamentally altered the conceptual orientation of civil justice itself (Putri et al., 2026). Existing systems continue to evaluate success predominantly through procedural indicators that measure institutional performance rather than the realization of legal rights. Consequently, contemporary civil justice remains characterized by an inherent paradox: courts may successfully resolve disputes while the substantive rights underlying those disputes remain only partially protected or, in some cases, entirely unrealized.

This paradox indicates that the principal challenge confronting twenty-first-century civil justice is no longer procedural capacity but conceptual orientation. Judicial systems have become increasingly effective in processing cases; however, they remain comparatively less effective in ensuring that judicial decisions produce meaningful legal

protection after litigation concludes. The prevailing emphasis on case disposal, procedural efficiency, and administrative productivity has unintentionally shifted institutional attention away from the broader objectives of justice, namely the restoration of rights, protection of legitimate interests, and strengthening of public confidence in legal institutions (Welsh, 2025). Consequently, incremental procedural reforms are unlikely to resolve this problem because they operate within the same procedural paradigm that equates successful litigation with successful justice.

This study therefore argues that civil justice requires a more fundamental reconstruction extending beyond procedural reform toward a new conceptual architecture capable of integrating rights protection, institutional coordination, effective enforcement, responsive governance, and substantive justice within a single analytical framework. Rather than viewing civil justice as a sequence of isolated procedural stages, the proposed approach conceptualizes it as an interconnected system whose legitimacy depends upon its capacity to transform judicial recognition into practical rights fulfilment (Balarabe, 2026). Accordingly, this article proposes the Rights Fulfilment Civil Justice Framework (RFCJF) as a multidimensional model for evaluating and reconstructing contemporary civil justice.

The RFCJF departs from conventional approaches in three important respects. First, it redefines the primary objective of civil justice from case resolution to rights fulfilment, thereby repositioning judicial performance around substantive legal outcomes rather than procedural outputs. Second, it integrates judicial institutions with broader governance mechanisms by recognizing that effective legal protection depends upon collaboration among courts, enforcement agencies, administrative authorities, legal aid organizations, alternative dispute resolution institutions, and community actors (Al-Sari, 2025). Third, it introduces outcome-based evaluation by measuring the effectiveness of civil justice according to its contribution to legal certainty, public trust, social justice, and human dignity. In this way, the framework functions not merely as an evaluative instrument but as a normative model for future civil justice reform. The proposed framework consists of five interconnected dimensions that operate sequentially and interactively. Rather than functioning independently, each dimension reinforces the others, creating an integrated system through which legal rights are progressively transformed into substantive justice (Balarabe, 2026). The effectiveness of civil justice therefore depends not upon the strength of any single component but upon the coherence of the system as a whole.

The first dimension establishes rights protection as the normative foundation of civil justice. Under the procedural paradigm, judicial institutions primarily determine whether legal claims satisfy procedural and substantive legal requirements. Within the RFCJF, however, the recognition of rights constitutes only the beginning of legal

protection rather than its completion (Sousa, 2026). Civil justice must ensure that every litigant possesses meaningful opportunities to obtain effective legal remedies, equal treatment before the law, accessible judicial services, and adequate legal assistance throughout the dispute resolution process. Rights protection therefore extends beyond judicial recognition toward the practical realization of legal entitlements.

Effective remedies occupy a central position within this dimension because legal rights acquire practical significance only when accompanied by mechanisms capable of restoring injured interests. Similarly, legal aid strengthens equality by reducing structural disparities between litigants possessing unequal economic and informational resources (Rofiansyah et al., 2025). Accessibility ensures that judicial institutions remain open to all members of society regardless of financial capacity, geographical location, physical ability, or technological literacy. Collectively, these elements transform rights protection from a procedural entitlement into a substantive guarantee capable of promoting genuine legal equality. The second dimension recognizes that contemporary civil justice cannot operate effectively through judicial institutions alone. The increasing complexity of civil disputes requires coordinated collaboration among multiple institutions responsible for different aspects of legal protection (Al-Sari, 2025). Courts determine legal rights, enforcement agencies execute judicial decisions, legal aid organizations facilitate representation, alternative dispute resolution institutions encourage consensual settlement, governmental agencies provide administrative support, and community organizations frequently assist vulnerable litigants throughout the litigation process. The RFCJF conceptualizes these institutions as components of an integrated justice ecosystem rather than independent administrative bodies. Collaboration enables information sharing, coordinated implementation, institutional accountability, and continuity of legal protection beyond the courtroom. This integrated approach significantly reduces institutional fragmentation while increasing the capacity of civil justice to respond comprehensively to complex legal disputes.

The third dimension represents one of the principal innovations of the proposed framework. Existing civil justice models generally regard enforcement as the final procedural stage following adjudication. The RFCJF instead positions enforcement as the central mechanism through which judicial recognition is transformed into actual rights fulfilment. Effective enforcement encompasses timely execution of judgments, voluntary and compulsory compliance, digital enforcement mechanisms, continuous monitoring of implementation, and post-judgment protection of litigants' rights. Judicial authority therefore extends beyond delivering legally binding decisions toward ensuring that those decisions generate meaningful legal consequences (Yasim, 2026). Within this framework, unsuccessful enforcement constitutes a failure of civil justice itself rather than merely an administrative deficiency.

The fourth dimension emphasizes the institutional qualities required to sustain rights-oriented civil justice within rapidly changing societies. Contemporary judicial institutions must operate transparently, accountably, efficiently, and adaptively while simultaneously embracing technological innovation (Mansour et al., 2026). Digital justice, integrated case management systems, transparent decision-making, public accountability, and responsible use of artificial intelligence collectively strengthen institutional responsiveness and improve public access to judicial services. Importantly, technological modernization should function as an instrument for enhancing rights protection rather than an objective in itself. Artificial intelligence, predictive analytics, automated case management, and digital platforms should therefore remain subject to principles of fairness, transparency, explainability, and human oversight. Responsive governance thus combines technological innovation with democratic accountability and human-centered judicial administration.

The fifth dimension distinguishes the RFCJF from conventional procedural models by introducing outcome-oriented evaluation. Rather than measuring judicial success through clearance rates or case disposition alone, the framework evaluates civil justice according to the substantive outcomes generated by legal institutions (Balarabe, 2026). Rights fulfilment represents the primary indicator because it reflects the effective realization of judicially recognized rights. Public trust demonstrates institutional legitimacy, while social justice measures the equitable distribution of legal protection across different social groups. Legal certainty ensures predictability and stability within civil legal relations, whereas human dignity affirms that every individual receives meaningful legal protection consistent with fundamental principles of equality and respect (Susi, 2024). Finally, sustainable justice recognizes that civil justice should not merely resolve immediate disputes but should contribute to long-term social stability, institutional resilience, and enduring confidence in the rule of law.

Taken together, these five dimensions establish a coherent model through which civil justice can be reconstructed around the principle of rights fulfilment. Unlike conventional procedural approaches, the RFCJF recognizes that effective justice emerges through the interaction of rights protection, institutional collaboration, effective enforcement, responsive governance, and measurable substantive outcomes. Civil justice therefore becomes a continuous institutional process rather than a sequence of isolated procedural events. The principal contribution of the Rights Fulfilment Civil Justice Framework lies in its capacity to reposition the purpose of civil justice itself. Instead of asking whether courts have successfully resolved disputes, the framework asks whether civil justice has effectively fulfilled the rights that litigation was intended to protect. This shift transforms judicial evaluation from institutional productivity toward substantive legal impact, establishing a new paradigm through which future reforms may better

respond to the demands of increasingly complex legal systems. Accordingly, the RFCJF provides not merely an alternative framework for evaluating civil justice but a new conceptual foundation for understanding the relationship between courts, legal institutions, and the realization of justice in the twenty-first century.

Conclusion

This study demonstrates that the dominant procedural paradigm of contemporary civil justice is no longer sufficient to respond to the increasingly complex legal challenges of the twenty-first century. Although procedural reforms have significantly improved judicial efficiency, case management, digitalization, and access to justice, the success of civil justice continues to be measured predominantly through administrative performance indicators such as case clearance rates, disposition time, and judicial productivity. These indicators, while valuable for evaluating institutional efficiency, do not adequately reflect whether judicial decisions effectively restore legal rights, protect legitimate interests, or produce substantive justice. Consequently, contemporary civil justice remains characterized by a persistent gap between procedural case resolution and the actual fulfilment of the rights that judicial institutions are intended to protect. By critically examining Procedural Justice Theory, Access to Justice, Responsive Law, the Human Rights-Based Approach, Human Dignity, Civil Justice Reform, and the OECD Principles on People-Centred Justice, this study argues that existing theoretical approaches have substantially enriched contemporary civil justice but remain analytically fragmented. Each framework explains an important dimension of justice, yet none fully integrates procedural fairness, institutional collaboration, effective enforcement, and substantive rights realization into a single conceptual model. This limitation necessitates a fundamental paradigm shift in which the effectiveness of civil justice is evaluated according to rights fulfilment rather than procedural completion alone. The principal contribution of this study is the development of the Rights Fulfilment Civil Justice Framework (RFCJF) as a multidimensional model for reconstructing civil justice. The framework integrates five interconnected dimensions: rights protection, institutional collaboration, enforcement effectiveness, responsive legal governance, and justice outcomes into a unified rights-oriented approach capable of transforming judicial recognition into practical legal protection. By repositioning rights fulfilment as the primary objective of civil justice, the framework offers a new conceptual foundation for evaluating judicial performance beyond procedural efficiency and case disposal. It also provides policymakers, judicial institutions, and legal scholars with an analytical reference for designing more responsive, integrated, and human-centred civil justice systems capable of strengthening legal certainty, public trust, substantive justice, and

sustainable rights protection. Future research should empirically examine the applicability of the proposed framework across different legal systems and institutional contexts to assess its practical contribution to contemporary civil justice reform.

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