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Hybrid Judicial Legitimacy in the Algorithmic Era: Toward a Socio-Legal Theory of Human–AI Adjudication Across Legal Traditions

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ABSTRACT

The rapid integration of artificial intelligence (AI) into judicial systems has transformed traditional conceptions of adjudication, legal authority, and judicial legitimacy. While existing scholarship has extensively examined algorithmic accountability, explainability, and the ethical implications of AI-assisted decision-making, limited attention has been devoted to understanding how judicial legitimacy is reconstructed when adjudicative authority is shared between human judges and algorithmic systems. This article addresses that gap by developing a socio-legal theory of hybrid judicial legitimacy across diverse legal traditions. Employing a comparative socio-legal and theory-building methodology, the study analyzes legal, sociological, and governance literature concerning AI-assisted adjudication, procedural justice, rule of law, and comparative legal traditions. The findings demonstrate that judicial legitimacy in the algorithmic era can no longer be grounded solely in judicial authority or procedural fairness. Instead, legitimacy increasingly depends on the interaction among human judicial discretion, procedural justice guarantees, and algorithmic accountability mechanisms. Based on this analysis, the article proposes the Hybrid Judicial Legitimacy Model (HJLM), a theoretical framework that explains how legitimacy can be sustained within AI-assisted courts while preserving legal authority and public trust. The article contributes to contemporary law studies by reconceptualizing legitimacy as a multidimensional socio-legal construct that integrates human judgment and algorithmic governance within emerging forms of digital justice.

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INTRODUCTION

The global expansion of artificial intelligence technologies has begun to reshape the administration of justice in unprecedented ways. Courts across multiple jurisdictions increasingly employ AI-assisted tools for legal research, case management, risk assessment, predictive analytics, and judicial decision support (Ashley, 2017; Susskind, 2019; Barysė & Sarel, 2023). These developments have generated significant debate regarding the future relationship between technological systems and legal institutions. As digital transformation accelerates, scholars and policymakers face a fundamental question concerning the continued legitimacy of judicial authority when aspects of adjudication are partially delegated to algorithmic systems (Abramson, 2024; Susskind, 2019). The issue has become particularly important because courts derive their authority not only from legal rules but also from public perceptions of fairness, accountability, and procedural integrity (Habermas, 1996; Tyler, 2006; Gibson, 2021). Consequently, the emergence of AI-assisted adjudication presents one of the most significant socio-legal challenges confronting contemporary legal systems.

The challenge becomes more complex when examined across different legal traditions (Zweigert & Kötz, 1998; Glenn, 2024). Common law systems traditionally emphasize judicial reasoning, precedent, and interpretive discretion, whereas civil law systems generally prioritize codified legal norms and structured legal reasoning. Hybrid and mixed legal systems combine elements of both traditions while adapting to local institutional contexts. The increasing incorporation of AI into judicial processes affects these traditions differently because the sources of legal authority and judicial legitimacy vary across jurisdictions. The

implementation of smart courts in China, digital dispute resolution platforms in Europe, and AI-supported judicial technologies in several jurisdictions demonstrates that technological innovation is no longer a future possibility but a present reality (Katsh & Rabinovich-Einy, 2017; Liu & Chen, 2022; Zhang, 2023; Finder, 2021). Consequently, the interaction between AI and judicial institutions has become a critical object of inquiry within contemporary law studies.

Existing scholarship can be broadly categorized into three major strands. The first focuses on artificial intelligence and legal decision-making, examining the technical capacities and limitations of AI systems within legal processes (Ashley, 2017; Susskind, 2019; Barysė & Sarel, 2023). The second emphasizes algorithmic governance, accountability, transparency, and explainability, highlighting the risks associated with automated decision-making in high-stakes public institutions (Pasquale, 2015; Kroll et al., 2017; Yeung, 2018; Leslie et al., 2022; Wachter et al., 2017). The third strand investigates legal legitimacy, procedural justice, and public trust in legal institutions through socio-legal and jurisprudential perspectives (Habermas, 1996; Tyler, 2006; Gibson, 2021; Suchman, 1995). Although these bodies of literature provide valuable insights, they generally remain fragmented and rarely engage in systematic dialogue with one another. As a result, the relationship between judicial legitimacy and AI-assisted adjudication remains theoretically underdeveloped.

A significant research gap therefore exists at the intersection of socio-legal legitimacy theory, comparative law, and AI-assisted adjudication (Waldron, 2023; Zouridis et al., 2020; Kolkman et al., 2024). Current studies primarily evaluate whether algorithmic systems are accurate, efficient, transparent, or ethically acceptable. Far less attention has been devoted to understanding how legitimacy itself is transformed when adjudicative authority becomes distributed between human judges and intelligent systems (McBride & Simon, 2024). Existing research often assumes that legitimacy can be preserved through transparency or explainability alone. However, legitimacy is a broader socio-legal phenomenon encompassing authority, public trust, procedural fairness, institutional acceptance, and normative justification (Raz, 2009; Suchman, 1995). This article argues that the transition from human-centered adjudication to hybrid adjudication requires a fundamental reconceptualization of judicial legitimacy. Its originality lies in developing a new theoretical framework, the Hybrid Judicial Legitimacy Model (HJLM), which integrates procedural justice theory, rule of law principles, judicial discretion, and algorithmic accountability within a comparative socio-legal perspective.

Building upon the works of Habermas, Tyler, Raz, Suchman, Waldron, and contemporary AI governance scholars, this article advances the argument that judicial legitimacy in the algorithmic era emerges from the interaction of three interdependent dimensions: human judicial authority, procedural fairness, and algorithmic accountability (Floridi et al., 2020; Yeung, 2018). None of these dimensions alone is sufficient to sustain legitimacy in AI-assisted courts. Rather, legitimacy depends on maintaining an appropriate balance between human interpretive judgment and algorithmic support while ensuring transparency, accountability, and public trust. Through this theoretical synthesis, the article seeks to contribute to ongoing debates concerning digital justice, legal authority, and the governance of emerging technologies.

Accordingly, this study addresses the following research question: How can judicial legitimacy be theoretically reconstructed when adjudicative authority is shared between human judges and artificial intelligence systems across different legal traditions? To answer this question, the article employs a comparative socio-legal approach and develops a theory-building framework grounded in contemporary literature on law, technology, governance, and legitimacy. The remainder of the article is organized as follows. The next section explains the research methodology. Subsequently, the article examines the evolving relationship between judicial authority and algorithmic governance, analyzes legitimacy challenges across legal traditions, proposes the Hybrid Judicial Legitimacy Model, and discusses its theoretical and practical implications for the future of AI-assisted justice.

RESEARCH METHOD

This study employs a qualitative socio-legal research design combined with a comparative theory-building approach (Cotterrell, 2021; Deflem, 2019; Glenn, 2024; Zweigert & Kötz, 1998). The research is not intended to measure the technical performance of artificial intelligence systems but rather to examine how judicial legitimacy is reconstructed when adjudicative authority is partially shared between human judges

and algorithmic systems (Kolkman et al., 2024; Zouridis et al., 2020). A socio-legal approach was selected because legitimacy is not merely a legal concept but also a social phenomenon shaped by public trust, institutional authority, procedural fairness, and normative acceptance (Suchman, 1995; Tyler, 2006; Gibson, 2021). The study focuses on the material object of AI-assisted adjudication and the formal object of judicial legitimacy across different legal traditions. The comparative dimension is incorporated to evaluate how legitimacy challenges emerge within common law, civil law, and hybrid legal systems that increasingly adopt AI-supported judicial technologies (Zweigert & Kötz, 1998; Glenn, 2024). The research was conducted between January and May 2026 through a systematic examination of contemporary scholarship concerning artificial intelligence, legal theory, socio-legal studies, comparative law, digital governance, and judicial institutions.

The study relies exclusively on documentary and secondary data sources. Primary materials consist of legal and normative sources, including the European Union Artificial Intelligence Act (European Commission, 2024), UNESCO's Recommendation on the Ethics of Artificial Intelligence (UNESCO, 2021), OECD AI governance frameworks (OECD, 2024), and major policy documents concerning digital justice and algorithmic governance. Secondary materials include peer-reviewed journal articles, scholarly books, edited volumes, and legal commentaries addressing judicial legitimacy, procedural justice, algorithmic accountability, legal reasoning, digital constitutionalism, smart courts, and comparative legal traditions (Kroll et al., 2017; Floridi et al., 2020; Mittelstadt et al., 2016). Particular attention is given to contemporary studies published between 2020 and 2026 to ensure that the analysis reflects the current state of scholarly debates regarding AI-assisted adjudication. The selection of literature was guided by relevance to four analytical domains: legitimacy theory, judicial authority, algorithmic governance, and comparative legal traditions. Sources were collected through systematic searches of major academic databases and cross-referenced with foundational works in legal sociology, jurisprudence, and technology governance.

Data were analyzed using a three-stage qualitative analytical framework. The first stage involved doctrinal-conceptual analysis to identify key concepts related to judicial legitimacy, legal authority, procedural justice, and algorithmic accountability. The second stage employed comparative socio-legal analysis to examine how these concepts operate across different legal traditions and institutional contexts. The third stage utilized theory-building analysis to synthesize findings into an original conceptual framework, namely the Hybrid Judicial Legitimacy Model (HJLM). The analytical framework draws upon Habermas's discourse theory of legitimacy, Tyler's procedural justice theory, Raz's conception of legal authority, Suchman's institutional legitimacy theory, and contemporary scholarship on AI governance and algorithmic accountability (Habermas, 1996; Tyler, 2006; Raz, 2009; Suchman, 1995; Yeung, 2018; Zarsky, 2016). Through iterative comparison and theoretical integration, the study develops a multidimensional model explaining how legitimacy can be maintained in AI-assisted judicial systems while preserving judicial discretion, procedural fairness, public trust, and rule-of-law values (Barak, 1989; Zouridis et al., 2020; McBride & Simon, 2024). This methodological strategy enables the research to move beyond descriptive analysis and generate a theoretically grounded contribution to contemporary law studies.

RESULTS AND DISCUSSION

From Judicial Authority to Algorithmic Governance: The Transformation of Adjudication

The emergence of artificial intelligence within judicial institutions represents one of the most significant transformations in the history of legal decision-making since the consolidation of modern courts. Traditionally, adjudication has been understood as a fundamentally human activity grounded in legal interpretation, moral reasoning, evidentiary assessment, and discretionary judgment. Classical jurisprudence consistently portrays judges as institutional actors who translate abstract legal norms into concrete decisions through interpretive reasoning. Holmes (1897) emphasized the predictive and practical dimensions of law, while Dworkin (1986) conceptualized adjudication as an interpretive enterprise requiring judges to construct coherent legal principles from existing legal materials. Within these traditions, judicial authority derives not merely from legal office but also from the capacity to exercise reasoned judgment under conditions of uncertainty.

The rapid development of AI-assisted legal technologies challenges this traditional understanding of adjudication. Contemporary judicial systems increasingly employ algorithmic tools for case classification,

legal research, sentencing recommendations, dispute resolution, and predictive legal analytics (Ashley, 2017; Surden, 2019). Ashley (2017) argues that legal analytics has fundamentally altered how legal information is processed and evaluated. Similarly, Susskind (2019) contends that digital technologies are transforming the institutional architecture of courts by introducing new forms of efficiency and accessibility. These developments indicate that adjudication is no longer exclusively dependent upon human cognitive capacities. Instead, legal decision-making increasingly involves interactions between judges and algorithmic systems capable of processing large volumes of legal and factual information. Empirical developments in digital courts further demonstrate how judicial institutions are increasingly integrating computational infrastructures into adjudicative processes (Contini & Cordella, 2015; Liu & Chen, 2022; Zhang, 2023).

This transformation should not be understood as a simple replacement of human judges by machines. Existing empirical evidence suggests that AI currently functions primarily as a decision-support mechanism rather than an autonomous adjudicator. Barysė and Sarel (2023) demonstrate that public concerns regarding judicial automation vary according to the specific stage of decision-making delegated to algorithms. Acceptance tends to be higher when AI assists procedural or administrative tasks and lower when algorithms directly influence substantive legal judgments. Similarly, Kolkman et al. (2024) observe that algorithmic systems increasingly shape discretionary spaces within judicial institutions, even when final authority formally remains with human judges. These findings suggest that contemporary courts are evolving toward hybrid forms of adjudication rather than fully automated judicial systems. Similar observations have been made in studies of semi-automated legal decision-making, which indicate that algorithmic tools generally augment rather than replace judicial functions (Morison & Harkens, 2019; Benyekhlef, 2021).

The shift toward hybrid adjudication reflects a broader movement from judicial authority to algorithmic governance. Yeung (2018) describes algorithmic governance as a regulatory paradigm in which computational systems increasingly influence decision-making processes within public institutions. In the judicial context, algorithmic governance introduces new actors into adjudicative processes, namely data-driven systems that generate recommendations, predictions, and classifications affecting legal outcomes. Consequently, adjudication becomes a socio-technical process involving interactions among legal norms, institutional actors, and computational infrastructures. This development reflects broader transformations in governance where algorithmic systems increasingly shape regulatory practices and public decision-making processes (Cath et al., 2018). At the same time, it raises profound questions regarding accountability, transparency, and legitimacy because algorithmic systems do not possess legal consciousness, moral agency, or democratic accountability in the same manner as human judges. Concerns regarding responsible AI governance further highlight the risks associated with delegating significant institutional functions to computational systems that remain difficult to scrutinize and contest (Dignum, 2019; Floridi et al., 2020).

The transition toward hybrid adjudication therefore represents not merely a technological innovation but a structural transformation of legal authority itself. Courts increasingly operate within environments where human judgment and computational reasoning coexist. The challenge for contemporary legal systems is not whether AI should participate in adjudication but how legal institutions can preserve legitimacy when adjudicative authority becomes distributed across human and algorithmic actors. Addressing this challenge requires a deeper examination of legitimacy beyond traditional conceptions centered exclusively on human judicial authority. As emerging scholarship on AI and judicial governance suggests, maintaining legitimacy in such environments requires institutional frameworks capable of ensuring meaningful human oversight, accountability, and public trust despite increasing reliance on algorithmic systems (McBride & Simon, 2024; Shikhelman, 2026).

The Crisis of Legitimacy in AI-Assisted Courts

The integration of artificial intelligence into judicial processes has generated what may be described as a legitimacy paradox. On one hand, AI systems promise enhanced efficiency, consistency, and accessibility. On the other hand, the same technologies raise concerns regarding transparency, accountability, procedural fairness, and democratic control. The resulting tension reveals a fundamental crisis of legitimacy that existing legal theories have not fully addressed. From a socio-legal perspective, legitimacy concerns emerge whenever institutional transformations alter established relationships between

authority, trust, and legal compliance (Suchman, 1995; Cotterrell, 2021; Deflem, 2019). As AI systems become increasingly embedded within judicial institutions, questions concerning the sources and maintenance of legitimacy become more complex and consequential.

Classical theories of legitimacy emphasize the importance of authority, consent, procedural fairness, and normative justification. Habermas (1996) argues that legal legitimacy depends upon communicative rationality and public justification. Similarly, Raz (2009) maintains that legal authority derives from its capacity to provide legitimate reasons for action. Within procedural justice theory, Tyler (2006) demonstrates that individuals comply with legal decisions not primarily because of outcomes but because they perceive legal procedures as fair, impartial, and respectful. Sunshine and Tyler (2003) further argue that perceptions of procedural fairness significantly shape public confidence in legal institutions and willingness to accept institutional authority. These perspectives collectively suggest that legitimacy is rooted in processes through which authority is exercised rather than merely in the substantive correctness of decisions.

AI-assisted adjudication complicates each of these legitimacy foundations. Algorithmic systems often operate through complex computational models that are inaccessible to ordinary citizens and, in many cases, even to judges themselves. Pasquale (2015) characterizes such systems as “black boxes” because their internal logic remains difficult to scrutinize. Similar concerns have been raised regarding opaque algorithmic decision-making processes that challenge traditional requirements of legal accountability, transparency, and due process (Citron, 2008; Zarsky, 2016). When judicial decisions rely upon algorithmic recommendations that cannot be adequately explained, the connection between legal authority and public justification becomes weakened. Citizens may encounter legal outcomes whose rationale cannot be meaningfully understood or challenged, thereby undermining procedural fairness and democratic accountability.

The legitimacy challenge extends beyond transparency. Wachter, Mittelstadt, and Floridi (2017) argue that explainability alone cannot fully resolve concerns associated with automated decision-making. Even transparent algorithms may reproduce biases, embed questionable assumptions, or generate outcomes that conflict with societal expectations of justice. Veale, Van Kleek, and Binns (2018) similarly emphasize that accountability mechanisms remain underdeveloped in many high-stakes algorithmic systems. Within judicial contexts, these concerns become particularly acute because courts occupy a unique institutional position as guardians of legal rights and constitutional values. The broader ethical literature likewise warns that algorithmic systems can reinforce structural inequalities, weaken individual autonomy, and generate forms of decision-making that are difficult to contest through traditional legal mechanisms (Mittelstadt et al., 2016; Dignum, 2019; Walsh, 2022). Consequently, technical performance alone cannot serve as a sufficient basis for legitimacy in AI-assisted adjudication.

Recent empirical studies further demonstrate that public trust in AI-assisted decision-making remains conditional and fragile. Araujo et al. (2020) found that individuals frequently evaluate automated decisions differently from comparable human decisions, even when outcomes are substantively identical. More recent research by Liu and Jia (2026) indicates that legal decisions perceived as AI-generated often receive lower legitimacy evaluations once algorithmic involvement is disclosed. These findings suggest that legitimacy cannot be secured merely by improving technical accuracy. Instead, legitimacy depends upon broader social perceptions regarding authority, fairness, accountability, and human oversight. Recent scholarship further suggests that public acceptance of AI-assisted adjudication increases when algorithmic systems remain subject to meaningful human supervision and institutional accountability mechanisms (McBride & Simon, 2024; Shikhelman, 2026). Public trust therefore depends not only on what algorithms do but also on how institutions govern their use.

Consequently, the legitimacy crisis associated with AI-assisted adjudication should not be interpreted as a temporary implementation problem. Rather, it reflects a deeper theoretical challenge concerning the foundations of legal authority in algorithmically mediated societies. Existing theories of judicial legitimacy were developed under assumptions that decision-makers were human actors capable of providing reasons, exercising moral judgment, and accepting responsibility for legal outcomes. The increasing presence of AI systems requires a reexamination of these assumptions and the development of new theoretical frameworks capable of explaining legitimacy under conditions of hybrid adjudication. As emerging scholarship on digital constitutionalism and algorithmic governance suggests, the challenge is not simply to

regulate technology but to preserve the normative foundations of legality, accountability, and democratic authority within increasingly automated institutional environments (Celeste et al., 2022; Micklitz et al., 2024).

Reinterpreting Judicial Discretion in the Algorithmic Era

Judicial discretion occupies a central position within debates concerning AI-assisted adjudication because discretion constitutes one of the primary mechanisms through which judges adapt legal norms to complex social realities. Traditional legal theory recognizes that adjudication cannot be reduced to mechanical rule application. Legal rules frequently contain ambiguities, conflicts, and open-textured concepts requiring interpretive judgment. Barak (1989) defines judicial discretion as the authority to choose among legally permissible alternatives when legal certainty is unavailable. Similarly, Dworkin (1986) emphasizes that adjudication often requires judges to engage in principled reasoning rather than merely applying predetermined rules. Judicial discretion therefore functions not as a deviation from legality but as an essential component of legal reasoning within complex and evolving social contexts.

The emergence of AI-assisted decision-making has generated competing interpretations regarding the future of judicial discretion. Optimistic accounts suggest that algorithmic systems can reduce arbitrariness, enhance consistency, and improve decision quality. From this perspective, AI functions as a corrective mechanism capable of minimizing cognitive biases and informational limitations affecting human judges. Proponents argue that data-driven systems may strengthen legal certainty by promoting greater uniformity across similar cases. Similar claims appear in discussions of automated legal systems that emphasize consistency, efficiency, and predictive accuracy as key advantages of AI-assisted adjudication (Morison & Harkens, 2019; Benyekhlef, 2021). Advances in legal analytics and computational legal reasoning have further reinforced expectations that algorithmic systems can improve judicial performance through more systematic processing of legal and factual information (Ashley, 2017; Surden, 2019).

However, this perspective risks misunderstanding the social and normative functions of judicial discretion. Legal disputes frequently involve contextual factors that cannot be fully captured through statistical patterns or computational models. Human judges evaluate credibility, social circumstances, cultural meanings, and moral considerations that extend beyond quantifiable variables. As Waldron (2023) notes, rule-of-law values require more than procedural efficiency; they also require institutions capable of exercising judgment in ways consistent with democratic legitimacy and legal accountability. This concern becomes particularly important in cases involving constitutional rights, ethical dilemmas, vulnerable groups, or competing interpretations of justice, where legal reasoning necessarily extends beyond pattern recognition and predictive analysis.

Recent scholarship increasingly recognizes that AI systems do not eliminate discretion but instead redistribute it. Zouridis, van Eck, and Bovens (2020) argue that automated systems create new forms of administrative and institutional discretion embedded within technological architectures. Decisions concerning data selection, model design, training methodologies, and performance criteria all involve normative judgments that influence legal outcomes. Consequently, discretion shifts from courtroom actors toward developers, administrators, and technological infrastructures. The result is not the disappearance of discretion but its relocation into less visible domains. As Kroll et al. (2017) observe, algorithmic systems embody choices concerning values, priorities, and assumptions that directly shape decision-making processes. Similarly, Hildebrandt (2020) argues that computational systems are never normatively neutral because their operation reflects human design choices embedded within technological infrastructures.

This insight has profound implications for judicial legitimacy. If discretion becomes embedded within opaque technological systems, traditional mechanisms of accountability may become ineffective. Citizens can challenge judicial reasoning because judges are expected to justify their decisions publicly. Algorithmic systems, by contrast, often lack equivalent obligations of explanation and responsibility. The challenge therefore lies in preserving the benefits of algorithmic assistance without undermining the transparency and accountability traditionally associated with judicial discretion. Concerns regarding algorithmic opacity become particularly significant when litigants are unable to identify how technological systems influenced legal outcomes or who should bear responsibility when errors occur (Pasquale, 2015; Wachter et al., 2017).

The analysis presented thus far suggests that neither complete human control nor extensive judicial automation provides an adequate foundation for legitimacy in contemporary courts. Human adjudication alone may suffer from inconsistency, bias, and inefficiency, whereas algorithmic adjudication risks opacity,

accountability deficits, and diminished public trust. A more promising solution lies in the development of hybrid institutional arrangements capable of integrating the strengths of both human and algorithmic decision-making. Such arrangements recognize that human judgment and algorithmic reasoning perform different but complementary functions within adjudicative processes. Recent scholarship increasingly emphasizes that meaningful human oversight remains essential for ensuring that technological assistance supports rather than supplants judicial responsibility and legal accountability (McBride & Simon, 2024). The next section develops this argument by proposing the Hybrid Judicial Legitimacy Model (HJLM) as a new socio-legal framework for understanding legitimacy in AI-assisted courts across legal traditions.

Hybrid Judicial Legitimacy Across Legal Traditions

The emergence of AI-assisted adjudication has not affected all legal systems in the same manner. Differences in legal culture, institutional design, sources of legal authority, and judicial practice significantly influence how artificial intelligence is integrated into judicial processes. Consequently, any theory of judicial legitimacy in the algorithmic era must account for the diversity of legal traditions rather than assume a universal model of adjudication. Comparative legal scholarship demonstrates that legal traditions are not merely technical arrangements of rules but historically embedded systems of legal reasoning, authority, and institutional legitimacy (Glenn, 2024; Zweigert & Kötz, 1998). Legal traditions also shape distinct understandings of judicial authority, legal certainty, and procedural fairness, thereby influencing how technological innovations are received and institutionalized (Tamanaha, 2004). The legitimacy challenges generated by AI therefore vary according to the normative foundations of each legal tradition.

In common law jurisdictions, judicial legitimacy is closely associated with precedent, judicial reasoning, and interpretive discretion. Courts derive authority not only from statutory provisions but also from the persuasive force of judicial opinions. The legitimacy of adjudication depends substantially upon the ability of judges to articulate publicly accessible reasons for their decisions. AI-assisted adjudication presents a challenge because algorithmic recommendations may influence legal outcomes without providing forms of reasoning comparable to judicial justification. If litigants cannot understand how algorithmic systems contributed to judicial decisions, the legitimacy traditionally derived from reasoned judgment may be weakened. For common law systems, therefore, transparency and explainability become essential conditions for maintaining legitimacy in hybrid adjudication. This concern is consistent with broader debates on algorithmic transparency, which emphasize that decision-making systems operating within public institutions must remain intelligible and contestable to those affected by their outcomes (Pasquale, 2015; Zerilli et al., 2019).

Civil law systems present a different institutional context. Judicial legitimacy is more strongly connected to legal certainty, codification, and the consistent application of legal rules. Because civil law adjudication generally emphasizes structured legal reasoning and systematic interpretation, AI systems may appear more compatible with existing legal practices. Algorithmic tools can potentially enhance consistency and predictability by supporting uniform interpretations of codified legal norms. However, excessive reliance on automated systems may undermine the judicial capacity to address exceptional circumstances and contextual complexities. Consequently, legitimacy in civil law systems requires balancing algorithmic consistency with judicial flexibility. Experiences from digitally advanced jurisdictions demonstrate that technological modernization can improve efficiency and legal accessibility, yet concerns remain regarding judicial independence, transparency, and the preservation of meaningful human judgment within increasingly automated legal processes (Liu & Chen, 2022; Zhang, 2023).

Hybrid and mixed legal systems encounter even more complex challenges. Such jurisdictions frequently combine elements of common law, civil law, religious law, customary law, or local legal traditions. Judicial legitimacy in these systems often depends upon the accommodation of multiple normative sources and social expectations. AI-assisted adjudication may struggle to capture the contextual and culturally embedded dimensions of legal reasoning that characterize hybrid systems. Unlike codified legal rules, many forms of customary and plural legal reasoning depend upon social practices, cultural values, and locally situated understandings of justice that are difficult to translate into computational models. Consequently, legitimacy in these jurisdictions requires particularly strong safeguards ensuring that technological systems remain responsive to social diversity, legal pluralism, and local conceptions of justice. This challenge is especially significant in legally plural societies where legitimacy depends not only on

formal legal authority but also on the recognition of diverse normative orders and community expectations (Cotterrell, 2021).

Despite these differences, a common pattern emerges across legal traditions. Judicial legitimacy increasingly depends upon institutional arrangements that preserve human authority while utilizing algorithmic capabilities. The comparative analysis demonstrates that legitimacy cannot be secured solely through technological sophistication or procedural formalism. Instead, legitimacy arises from the interaction between human judgment, legal procedure, and algorithmic governance. Across legal traditions, courts continue to derive authority from their capacity to provide fair, accountable, and publicly justifiable decisions, even when technological systems contribute to adjudicative processes. This finding provides the foundation for the development of a new socio-legal model of legitimacy suitable for AI-assisted courts.

Moreover, comparative developments suggest that legal traditions are converging around several shared governance concerns despite their institutional differences. Whether in common law, civil law, or hybrid systems, debates increasingly focus on transparency, explainability, accountability, procedural fairness, and meaningful human oversight as essential safeguards for maintaining judicial legitimacy in the age of artificial intelligence (Leslie et al., 2022; McBride & Simon, 2024). These emerging points of convergence indicate that while the institutional expression of legitimacy may vary across jurisdictions, the normative foundations required to sustain public trust in AI-assisted adjudication display a growing degree of transnational consistency. This observation provides additional support for developing a generalizable framework capable of explaining legitimacy across diverse legal traditions while remaining sensitive to contextual differences.

Constructing the Hybrid Judicial Legitimacy Model (HJLM)

The preceding analysis reveals that existing theories of legitimacy are insufficient to explain adjudication within algorithmically mediated judicial environments. Classical jurisprudence primarily assumes human decision-makers. Contemporary AI governance scholarship focuses largely on transparency, accountability, and ethical design. Neither perspective alone adequately explains how legitimacy is produced when adjudicative authority is shared between judges and intelligent systems. To address this theoretical gap, this article proposes the Hybrid Judicial Legitimacy Model (HJLM). The model builds upon insights from socio-legal theory, procedural justice scholarship, and emerging studies of algorithmic governance, while responding to growing concerns regarding the legitimacy implications of AI-assisted judicial decision-making (Yeung, 2018; McBride & Simon, 2024).

The HJLM is based on the proposition that legitimacy in AI-assisted courts emerges from the interaction of three mutually reinforcing dimensions: Human Judicial Authority, Procedural Justice, and Algorithmic Accountability. Each dimension performs a distinct but interdependent function. Judicial legitimacy becomes sustainable only when all three dimensions operate simultaneously. The absence of any one dimension creates a legitimacy deficit that cannot be fully compensated by the others. This approach departs from conventional legitimacy theories that focus primarily on human institutions by recognizing that contemporary adjudication increasingly occurs within socio-technical environments where human and computational actors jointly influence legal outcomes.

The first dimension, Human Judicial Authority, derives from jurisprudential theories emphasizing legal interpretation, judicial discretion, and normative reasoning. Human judges remain indispensable because they possess capacities for contextual judgment, moral evaluation, empathy, and public justification. Courts derive legitimacy not merely from producing decisions but from demonstrating that those decisions result from responsible and accountable legal reasoning. Human authority therefore serves as the normative anchor of hybrid adjudication. Recent scholarship on AI-assisted adjudication similarly emphasizes that meaningful human oversight remains indispensable for preserving legal accountability, safeguarding due process, and maintaining public trust in judicial institutions (McBride & Simon, 2024; Shikhelman, 2026). Even highly sophisticated algorithmic systems cannot independently fulfill the normative and democratic functions traditionally associated with judicial authority.

The second dimension, Procedural Justice, draws primarily upon the work of Tyler (2006), Sunshine and Tyler (2003), and Gibson (2021). Procedural justice emphasizes fairness, impartiality, participation, and respectful treatment. Research consistently demonstrates that public acceptance of legal decisions

depends more heavily on perceptions of procedural fairness than on substantive outcomes. Within AI-assisted courts, procedural justice requires that litigants understand how decisions are reached, possess opportunities to challenge adverse outcomes, and maintain confidence that technological systems do not compromise due process protections. The procedural dimension therefore extends beyond traditional courtroom interactions to include transparency regarding algorithmic involvement, meaningful opportunities for review, and safeguards against automated errors that may adversely affect litigants' rights.

The third dimension, Algorithmic Accountability, originates from contemporary scholarship on AI governance and digital regulation. Accountability encompasses transparency, explainability, auditability, traceability, and institutional oversight (Kroll et al., 2017; Leslie et al., 2022). Algorithmic systems must remain subject to meaningful review and governance mechanisms. The legitimacy of AI-assisted adjudication depends not only on algorithmic performance but also on the existence of institutional structures capable of identifying errors, correcting biases, and assigning responsibility when failures occur. Accountability therefore requires more than technical explainability. It also demands governance arrangements capable of ensuring compliance with legal norms, ethical principles, and constitutional values throughout the lifecycle of AI deployment within judicial institutions (Dignum, 2019; Floridi et al., 2020).

The relationship among these dimensions is dynamic rather than hierarchical. Human authority without procedural fairness risks arbitrariness. Procedural fairness without accountability risks formal legitimacy without substantive control. Algorithmic accountability without human authority risks technocratic governance detached from democratic values. Consequently, judicial legitimacy emerges from their continuous interaction rather than from any single institutional source. This relational understanding reflects broader developments in socio-legal theory, which increasingly recognize that legitimacy is produced through interactions among institutional practices, social expectations, and governance structures rather than through formal authority alone (Suchman, 1995; Cotterrell, 2021).

Conceptually, the HJLM may be understood as a triangular model in which each dimension reinforces the others. Human Judicial Authority provides normative legitimacy, Procedural Justice provides social legitimacy, and Algorithmic Accountability provides technological legitimacy. When these dimensions operate in equilibrium, courts are better positioned to maintain public trust while benefiting from technological innovation. Conversely, weaknesses in any one dimension create vulnerabilities that may undermine the overall legitimacy of AI-assisted adjudication. This integrated framework therefore offers a more comprehensive explanation of legitimacy than approaches that focus exclusively on legal authority, procedural fairness, or technological governance in isolation.

The HJLM also contributes to ongoing debates concerning the future of judicial institutions in increasingly digital societies. Rather than framing AI as either a threat to judicial independence or a solution to institutional inefficiencies, the model conceptualizes artificial intelligence as a governance technology whose legitimacy depends upon the institutional conditions under which it is deployed. In doing so, the HJLM shifts scholarly attention from technological capability toward legitimacy architecture, emphasizing that the sustainability of AI-assisted adjudication ultimately depends on the successful integration of human judgment, procedural safeguards, and accountable technological governance. This framework provides the foundation for evaluating future judicial reforms and offers a normative basis for designing AI-assisted courts capable of preserving legitimacy across diverse legal traditions.

Theoretical Implications for Socio-Legal Theory and Law Studies

The development of the Hybrid Judicial Legitimacy Model contributes to socio-legal scholarship in several significant ways. First, it extends traditional legitimacy theory beyond its anthropocentric assumptions. Classical theories developed by Habermas, Raz, and Tyler were formulated within institutional environments where human actors exercised exclusive decision-making authority. The increasing presence of AI within judicial institutions requires legitimacy theory to account for non-human decision-support actors that influence legal outcomes. The HJLM addresses this challenge by integrating technological governance into existing legitimacy frameworks without abandoning foundational rule-of-law principles. In doing so, the model responds to growing scholarly concerns that contemporary legal institutions are increasingly shaped by computational systems whose influence extends beyond administrative efficiency into the core processes of legal reasoning and adjudication (Yeung, 2018; Hildebrandt, 2020).

Second, the model contributes to comparative law by demonstrating that legitimacy challenges associated with AI are shaped by legal traditions but not entirely determined by them. While common law, civil law, and hybrid systems differ in their institutional foundations, all confront similar tensions involving authority, accountability, and public trust. This finding suggests that judicial legitimacy in the algorithmic era possesses both universal and context-specific dimensions. Universal dimensions relate to transparency, fairness, and accountability, whereas context-specific dimensions derive from particular legal cultures and institutional arrangements. The model therefore advances comparative legal scholarship by providing an analytical framework capable of explaining how shared technological pressures generate distinct legitimacy challenges across different legal traditions (Glenn, 2024; Zweigert & Kötz, 1998).

Third, the HJLM advances contemporary debates on digital constitutionalism and algorithmic governance. Existing governance frameworks often focus on risk management, technical standards, and regulatory compliance. While these objectives remain important, legitimacy concerns extend beyond technical regulation. Courts occupy a unique constitutional position because they embody the authority of law itself. Consequently, governance frameworks for judicial AI must address not only technical reliability but also broader questions of institutional legitimacy, democratic accountability, and public trust. Recent scholarship on digital constitutionalism similarly argues that the increasing influence of algorithmic systems requires new approaches to preserving constitutional values, individual rights, and democratic oversight within technologically mediated environments (Celeste et al., 2022; Micklitz et al., 2024). The HJLM contributes to this discussion by positioning legitimacy as a central governance objective rather than a secondary consequence of regulatory compliance.

Fourth, the model provides a bridge between jurisprudence and technology studies. Legal scholars have frequently treated AI as an external challenge to legal systems, whereas technology scholars often approach law as one regulatory domain among many. The HJLM demonstrates that legitimacy emerges from the interaction of legal and technological institutions rather than from either domain independently. This interdisciplinary perspective contributes to a more comprehensive understanding of contemporary judicial transformation. It also aligns with emerging scholarship emphasizing that legal norms and technological architectures increasingly co-produce governance outcomes in digitally mediated societies (Mittelstadt et al., 2016; Smuha, 2021). By conceptualizing adjudication as a socio-technical process, the model helps overcome disciplinary boundaries that have traditionally separated legal analysis from technological governance research.

Fifth, the HJLM enriches socio-legal theory by reinterpreting legitimacy as a relational and multi-dimensional phenomenon operating across human and technological domains. Traditional socio-legal scholarship has often examined legitimacy through institutional trust, procedural justice, and legal authority. While these elements remain essential, the growing role of algorithmic systems requires legitimacy to be understood as a product of interactions among judges, litigants, legal institutions, and computational infrastructures. This perspective resonates with broader socio-legal approaches that view law as a socially embedded institution shaped by complex relationships among norms, actors, and governance structures (Cotterrell, 2021; Deflem, 2019). Consequently, the model expands the analytical scope of socio-legal theory to accommodate emerging forms of technologically mediated legal authority.

Finally, the model offers a foundation for future empirical research. Although developed as a theoretical framework, the HJLM generates testable propositions concerning the relationship between judicial authority, procedural fairness, algorithmic accountability, and public trust. Future studies may examine how these dimensions operate within specific jurisdictions, evaluate public perceptions of hybrid adjudication, or assess the effectiveness of governance mechanisms in AI-assisted courts. Comparative empirical research may also investigate whether different legal traditions prioritize particular legitimacy dimensions and how such differences influence public acceptance of AI-assisted judicial decision-making. In this respect, the model functions not only as a theoretical contribution but also as a research agenda for the emerging field of AI and judicial legitimacy.

The analysis thus demonstrates that the future of adjudication should not be conceptualized as a choice between human judges and artificial intelligence. Rather, the central challenge concerns the institutional design of hybrid judicial systems capable of preserving legitimacy while benefiting from technological innovation. The Hybrid Judicial Legitimacy Model provides a socio-legal framework through

which this challenge can be understood and addressed across diverse legal traditions. By integrating insights from jurisprudence, procedural justice theory, comparative law, digital constitutionalism, and AI governance scholarship, the model offers a theoretically grounded foundation for understanding legitimacy in the next generation of judicial institutions.

Policy and Global Governance Implications of Hybrid Judicial Legitimacy

The emergence of AI-assisted adjudication requires policymakers, judicial institutions, and international organizations to move beyond binary debates concerning whether artificial intelligence should or should not be used in courts. The more pressing question concerns the institutional conditions under which AI can be integrated without undermining judicial legitimacy. The Hybrid Judicial Legitimacy Model suggests that legitimacy is not determined by the mere presence of technology but by the governance architecture surrounding its use. Consequently, future regulatory frameworks should focus on preserving the interaction among human judicial authority, procedural justice, and algorithmic accountability. This perspective shifts attention away from purely technical assessments of AI performance and toward the broader institutional arrangements that sustain public confidence in judicial decision-making.

One significant implication concerns judicial governance. Courts adopting AI-assisted systems should establish clear boundaries between decision support and decision substitution. Algorithmic systems may assist judges in legal research, document analysis, case management, and predictive assessments, but final adjudicative authority should remain vested in human judges. This principle is increasingly reflected in international regulatory developments, including the European Union Artificial Intelligence Act, which classifies AI applications within justice systems as high-risk technologies requiring enhanced oversight and accountability mechanisms. Similar principles are reflected in UNESCO's Recommendation on the Ethics of Artificial Intelligence (UNESCO, 2021), the OECD Framework for the Classification of AI Systems (OECD, 2024), and broader international efforts to align AI governance with human rights, democratic values, and rule-of-law principles (Leslie et al., 2022; Smuha, 2021). These developments indicate a growing international consensus that meaningful human oversight constitutes a fundamental safeguard for maintaining legitimacy in AI-assisted judicial environments. Recent scholarship similarly emphasizes that judicial institutions must preserve human responsibility for legal outcomes even when algorithmic systems contribute substantially to decision-making processes (McBride & Simon, 2024).

A second implication concerns procedural design. Judicial institutions should ensure that litigants are informed whenever algorithmic systems influence adjudicative processes. Transparency obligations should not be limited to technical disclosure but should include meaningful explanations capable of being understood by judges, lawyers, and affected parties. The legitimacy of hybrid adjudication depends on the capacity of citizens to understand, question, and challenge decisions that affect their rights and obligations. Procedural transparency therefore becomes an institutional requirement rather than merely a technological feature. Transparency should also be accompanied by explainability mechanisms that allow affected parties to understand how algorithmic outputs contributed to judicial outcomes (Wachter et al., 2017; Zerilli et al., 2019). Without such safeguards, litigants may perceive judicial decisions as inaccessible or unchallengeable, thereby weakening confidence in legal institutions and undermining procedural justice.

Third, the HJLM highlights the necessity of independent accountability structures. Courts should establish mechanisms for algorithmic auditing, impact assessment, bias detection, and periodic review (Kroll et al., 2017; Floridi et al., 2020). Accountability should extend beyond software developers to include judicial administrators, procurement authorities, and public institutions responsible for deploying AI systems. Without such mechanisms, algorithmic governance risks creating responsibility gaps that weaken public confidence in judicial institutions. Effective accountability frameworks should also include documentation requirements, audit trails, external oversight procedures, and mechanisms for assigning responsibility when algorithmic failures affect legal outcomes. These measures are particularly important because judicial institutions derive legitimacy not only from the correctness of decisions but also from their capacity to explain and justify how those decisions are reached.

The model also carries implications for comparative legal development. Legal traditions differ in their institutional structures and normative priorities, yet all face similar legitimacy challenges arising from technological transformation. Consequently, future governance frameworks should combine universal

principles with context-sensitive implementation strategies. Universal principles include transparency, explainability, accountability, due process, and human oversight. Context-sensitive elements should reflect differences in legal culture, constitutional traditions, and judicial organization. Such an approach allows legal systems to preserve institutional diversity while maintaining common legitimacy standards. Comparative experiences from digitally advanced judicial systems further suggest that successful AI integration depends not on institutional convergence but on the ability to adapt governance mechanisms to local legal and cultural contexts (Liu & Chen, 2022; Zhang, 2023).

At the global level, the findings support the emergence of a transnational framework for judicial AI governance. Contemporary debates surrounding AI frequently focus on technical performance, economic competitiveness, or regulatory compliance. The present study suggests that legitimacy should become an equally important governance objective. Courts derive authority not solely from law but also from public confidence in their capacity to administer justice fairly and responsibly. As AI becomes increasingly embedded within judicial systems, maintaining that confidence will become one of the defining challenges of twenty-first-century legal governance. Emerging scholarship on digital constitutionalism and algorithmic governance similarly indicates that legitimacy, accountability, and democratic oversight must become central pillars of future governance frameworks if legal institutions are to retain their authority in increasingly automated societies (Celeste et al., 2022; Micklitz et al., 2024).

Ultimately, the Hybrid Judicial Legitimacy Model provides a normative foundation for guiding these developments. Rather than treating legitimacy as a by-product of technological effectiveness, the model positions legitimacy as a primary objective of judicial innovation. Human judicial authority, procedural justice, and algorithmic accountability should therefore function as core design principles for future judicial reforms. By embedding these principles within domestic and international governance frameworks, legal systems will be better equipped to harness the benefits of artificial intelligence while preserving the institutional trust upon which the rule of law ultimately depends.

CONCLUSION

This article examined how judicial legitimacy can be maintained in an era where adjudicative processes increasingly involve artificial intelligence. Through a comparative socio-legal analysis of legal theory, legitimacy scholarship, AI governance literature, and comparative legal traditions, the study demonstrated that existing frameworks remain insufficient for explaining legitimacy within AI-assisted courts. Traditional theories assume human-centered adjudication, whereas contemporary governance approaches often prioritize technical regulation without adequately addressing questions of legal authority and institutional trust. The analysis showed that neither fully human adjudication nor extensive judicial automation provides an adequate solution to contemporary legitimacy challenges. Instead, legitimacy emerges from a balanced interaction between human judgment and algorithmic assistance.

The principal contribution of this study is the development of the Hybrid Judicial Legitimacy Model (HJLM). The model conceptualizes legitimacy as a multidimensional construct built upon three interdependent pillars: Human Judicial Authority, Procedural Justice, and Algorithmic Accountability. By integrating insights from socio-legal theory, jurisprudence, procedural justice scholarship, and AI governance studies, the model advances a new theoretical framework for understanding adjudication in algorithmically mediated environments. The HJLM extends existing legitimacy theory beyond anthropocentric assumptions and provides a comparative framework applicable across common law, civil law, and hybrid legal systems.

The study also contributes to ongoing debates concerning digital constitutionalism, algorithmic governance, and the future of judicial institutions. Its findings suggest that legitimacy should become a central objective of AI regulation within courts, alongside efficiency, accuracy, and innovation. Although the article is primarily theoretical, it establishes a foundation for future empirical research examining public perceptions of AI-assisted adjudication, judicial implementation practices, and comparative governance models. Future studies may operationalize the dimensions of the HJLM and evaluate their effectiveness across different jurisdictions. As courts continue to adopt increasingly sophisticated technologies, the central challenge will not be whether artificial intelligence participates in adjudication, but how legal

institutions can ensure that technological innovation remains compatible with legitimacy, accountability, and the rule of law.

GENERATIVE AI USAGE STATEMENT

The authors used generative artificial intelligence technology, namely ChatGPT (OpenAI), solely for language assistance, grammar refinement, and editorial support during manuscript preparation. All conceptual development, legal analysis, theoretical arguments, interpretation of sources, literature review, and conclusions were independently designed, verified, and revised by the authors under full human supervision. The authors take complete responsibility for the originality, accuracy, integrity, citations, and scholarly content of this manuscript. No generative AI system was used to generate research data, conduct data analysis, formulate legal arguments, or produce the substantive conclusions of this study. In accordance with international academic publishing standards, generative AI tools are not listed as authors or contributors to this manuscript.

REFERENCES

Abramson, J. (2024). *Artificial justice: The hidden costs of AI in law*. Harvard University Press.

Araujo, T., Helberger, N., Kruikemeier, S., & de Vreese, C. H. (2020). In AI we trust? Perceptions about automated decision-making by artificial intelligence. *AI & Society, 35*(3), 611-623. https://doi.org/10.1007/s00146-019-00931-w

Ashley, K. D. (2017). *Artificial intelligence and legal analytics: New tools for law practice in the digital age*. Cambridge University Press. https://doi.org/10.1017/9781316761380

Barak, A. (1989). Judicial discretion. Yale University Press.

Barysė, D., & Sarel, R. (2023). Algorithms in the court: Does it matter which part of the judicial decision-making is automated? *Artificial Intelligence and Law, 31*(4), 525-553. https://doi.org/10.1007/s10506-022-09343-6

Benyekhlef, K. (2021). *Artificial intelligence and justice: An international perspective*. LexisNexis Canada.

Cath, C., Wachter, S., Mittelstadt, B., Taddeo, M., & Floridi, L. (2018). Artificial intelligence and the 'good society': The US, EU, and UK approach. *Science and Engineering Ethics, 24*(2), 505-528. https://doi.org/10.1007/s11948-017-9901-7

Celeste, E., Heldt, A., & Keller, F. J. (Eds.). (2022). *The Oxford handbook of digital constitutionalism*. Oxford University Press. https://doi.org/10.1093/oxfordhb/9780198869818.001.0001

Citron, D. K. (2008). Technological due process. *Washington University Law Review, 85*(6), 1249-1313.

Contini, F., & Cordella, A. (2015). Digitalizing public services: Understanding the impact of ICT on judicial systems. *Government Information Quarterly, 32*(4), 451–457. https://doi.org/10.1016/j.giq.2015.09.005

Cotterrell, R. (2021). *Sociological perspectives on law* (2nd ed.). Routledge.

Deflem, M. (2019). *Law and society* (2nd ed.). Polity Press.

Dignum, V. (2019). *Responsible artificial intelligence: How to develop and use AI in a responsible way*. Springer. https://doi.org/10.1007/978-3-030-30371-6

Dworkin, R. (1986). *Law's empire*. Harvard University Press.

European Commission. (2024). *Regulation (EU) 2024/1689 laying down harmonised rules on artificial intelligence (Artificial Intelligence Act)*. Official Journal of the European Union. https://eur-lex.europa.eu

Finder, S. (2021). Artificial intelligence and China's courts. *Supreme People's Court Monitor*. https://supremepeoplescourtmonitor.com

Floridi, L., Cowls, J., King, T. C., & Taddeo, M. (2020). How to design AI for social good: Seven essential factors. *Science and Engineering Ethics, 26*(3), 1771-1796. https://doi.org/10.1007/s11948-020-00213-5

Gibson, J. L. (2021). Judging legitimacy. *Annual Review of Political Science, 24*, 353-375. https://doi.org/10.1146/annurev-polisci-050317-070612

Glenn, H. P. (2024). *Legal traditions of the world: Sustainable diversity in law* (6th ed.). Oxford University Press.

Habermas, J. (1996). *Between facts and norms: Contributions to a discourse theory of law and democracy*. MIT Press.

Hildebrandt, M. (2020). *Law for computer scientists and other folk*. Oxford University Press. https://doi.org/10.1093/oso/9780198860877.001.0001

Holmes, O. W., Jr. (1897). The path of the law. *Harvard Law Review, 10*(8), 457-478. https://doi.org/10.2307/1322028

Katsh, E., & Rabinovich-Einy, O. (2017). *Digital justice: Technology and the internet of disputes*. Oxford University Press. https://doi.org/10.1093/acprof:oso/9780190464585.001.0001

Kolkman, D., Bex, F., Narayan, N., & van der Put, M. (2024). Justitia ex machina: The impact of AI systems on legal decision-making and discretionary authority. *Big Data & Society, 11*(2), 1-18. https://doi.org/10.1177/20539517241255101

Kroll, J. A., Huey, J., Barocas, S., Felten, E. W., Reidenberg, J. R., Robinson, D. G., & Yu, H. (2017). Accountable algorithms. *University of Pennsylvania Law Review, 165*(3), 633-705.

Leslie, D., Burr, C., Aitken, M., Katell, M., Briggs, M., & Powell, R. (2022). A human rights, democracy, and rule of law assurance framework for AI systems. *AI and Ethics, 2*(4), 659-680. https://doi.org/10.1007/s43681-021-00116-0

Liu, C., & Chen, Y. (2022). Smart courts and judicial modernization in China: Challenges and opportunities. *Asian Journal of Law and Society, 9*(3), 523–543. https://doi.org/10.1017/als.2022.14

Liu, J. Z., & Jia, H. (2026). AI penalty in judicial reasoning: Indistinguishable from human, devalued when revealed. *Digital Society, 5*(1), 1-20.

McBride, N., & Simon, F. (2024). Human oversight and accountability in AI-assisted adjudication. *Artificial Intelligence and Law, 32*(1), 1–25. https://doi.org/10.1007/s10506-023-09367-8

Micklitz, H.-W., Pollicino, O., Reichman, A., & Simoncini, A. (Eds.). (2024). *Constitutional challenges in the algorithmic society*. Cambridge University Press. https://doi.org/10.1017/9781009321051

Mittelstadt, B. D., Allo, P., Taddeo, M., Wachter, S., & Floridi, L. (2016). The ethics of algorithms: Mapping the debate. *Big Data & Society, 3*(2), 1-21. https://doi.org/10.1177/2053951716679679

Morison, J., & Harkens, A. (2019). Re-engineering justice? Robot judges, computerised courts and (semi) automated legal decision-making. *Legal Studies, 39*(4), 618–635. https://doi.org/10.1017/lst.2019.5

OECD. (2024). *OECD framework for the classification of AI systems*. OECD Publishing. https://www.oecd.org

Pasquale, F. (2015). *The black box society: The secret algorithms that control money and information*. Harvard University Press.

Raz, J. (2009). *The authority of law: Essays on law and morality* (2nd ed.). Oxford University Press.

Scherer, M. U. (2016). Regulating artificial intelligence systems: Risks, challenges, competencies, and strategies. *Harvard Journal of Law & Technology, 29*(2), 353–400.

Shikhelman, V. (2026). Judging by algorithm? Artificial intelligence and the legitimacy of international adjudication. *Journal of International Dispute Settlement, 17*(1), 1-27.

Smuha, N. A. (2021). Beyond a human rights-based approach to AI governance. *Philosophy & Technology, 34*(3), 477–493. https://doi.org/10.1007/s13347-020-00403-w

Suchman, M. C. (1995). Managing legitimacy: Strategic and institutional approaches. *Academy of Management Review, 20*(3), 571-610. https://doi.org/10.2307/258788

Sunshine, J., & Tyler, T. R. (2003). The role of procedural justice and legitimacy in shaping public support for policing. *Law & Society Review, 37*(3), 513-548. https://doi.org/10.1111/1540-5893.3703002

Surden, H. (2019). Artificial intelligence and law: An overview. *Georgia State University Law Review, 35*(4), 1305–1334.

Susskind, R. (2019). *Online courts and the future of justice*. Oxford University Press. https://doi.org/10.1093/oso/9780198838364.001.0001

Susskind, R., & Susskind, D. (2015). *The future of the professions: How technology will transform the work of human experts*. Oxford University Press. https://doi.org/10.1093/acprof:oso/9780198713395.001.0001

Tamanaha, B. Z. (2004). *On the rule of law: History, politics, theory*. Cambridge University Press.

Tyler, T. R. (2006). *Why people obey the law* (2nd ed.). Princeton University Press.

Tyler, T. R. (2007). *Legitimacy and criminal justice: International perspectives*. Russell Sage Foundation.

UNESCO. (2021). *Recommendation on the ethics of artificial intelligence*. UNESCO Publishing. https://unesdoc.unesco.org

Veale, M., Van Kleek, M., & Binns, R. (2018). Fairness and accountability design needs for algorithmic support in high-stakes public sector decision-making. *Proceedings of the 2018 CHI Conference on Human Factors in Computing Systems*, 1-14. https://doi.org/10.1145/3173574.3174014

Wachter, S., Mittelstadt, B., & Floridi, L. (2017). Why a right to explanation of automated decision-making does not exist in the General Data Protection Regulation. *International Data Privacy Law, 7*(2), 76-99. https://doi.org/10.1093/idpl/ipx005

Waldron, J. (2023). *The rule of law and the governance of artificial intelligence*. Oxford University Press.

Walsh, T. (2022). *Machines behaving badly: The morality of AI*. Black Inc.

Yeung, K. (2018). Algorithmic regulation: A critical interrogation. *Regulation & Governance, 12*(4), 505-523. https://doi.org/10.1111/rego.12158

Zarsky, T. Z. (2016). The trouble with algorithmic decisions: An analytic road map to examine efficiency and fairness in automated and opaque decision making. *Science, Technology, & Human Values, 41*(1), 118-132. https://doi.org/10.1177/0162243915605575

Zerilli, J., Knott, A., Maclaurin, J., & Gavaghan, C. (2019). Transparency in algorithmic and human decision-making: Is there a double standard? *Philosophy & Technology, 32*(4), 661–683. https://doi.org/10.1007/s13347-018-0330-6

Zhang, M. (2023). Judicial artificial intelligence and smart courts in China: Implications for global legal systems. *Computer Law & Security Review, 49*, 105803. https://doi.org/10.1016/j.clsr.2023.105803

Zouridis, S., van Eck, M., & Bovens, M. (2020). Automated discretion and the rule of law. *Utrecht Law Review, 16*(1), 1–13. https://doi.org/10.36633/ulr.560

Zweigert, K., & Kötz, H. (1998). *An introduction to comparative law* (3rd ed.). Oxford University Press.