

The Evolution of Western Concepts of the Rule of Law: A Study of Transformations

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Abstract: The development of Western concepts of the rule of law exhibits a dynamic process of transformation filled with historical tension. Over centuries of change and adaptation, there are significant differences between ancient and modern governance concepts in areas such as natural justice, social groups, Leviathan, and social contract theory. However, these differences do not exist in isolation but are rooted in deep-seated origins and evolutions. This paper delves into the transformations in ancient and modern governance concepts, exploring their origins, principles, and impacts on society, and reveals the historical context and far-reaching societal implications.

1. Introduction

The evolution of Western rule of law reflects a dynamic interplay between historical tensions and societal transformation, spanning from ancient Greece to modern constitutionalism. Rooted in Greek poleis like Athens and Sparta, early governance systems were often autocratic, with rulers claiming divine or natural law legitimacy. Philosophers Plato and Aristotle, however, laid foundational ideas: Plato's Republic envisioned a hierarchical society led by philosopher-kings pursuing harmony, while Aristotle emphasized the political nature of humans, advocating for balanced governance that served both individual and collective good.

The medieval shift toward theological and monarchic frameworks reshaped legitimacy, often blending divine right with feudal hierarchies. Yet, seeds of modern thought emerged through scholastic critiques and nascent legal codes that gradually prioritized procedural fairness.

The Enlightenment marked a pivotal rupture, as thinkers like Locke and Montesquieu challenged absolutism. Locke's social contract theory posited government as a tool of popular consent, while Montesquieu's separation of powers became a bulwark against tyranny. Hobbes' Leviathan framed the state as a necessary mediator of human conflict, born from self-preservation and covenant. These ideas underpinned modern constitutions, which shifted power from monarchs to elected bodies, enshrining individual rights and legal equality.

Contemporary governance diverges sharply from ancient models. Whereas premodern rulers derived authority from divine or natural sources, modern states derive legitimacy from citizen consent, expressed through democratic processes and constitutional frameworks. Ancient systems prioritized stability through hierarchical control, often demanding unquestioning obedience. Modern states, by contrast, emphasize individual liberties, checks on power, and transparent

decision-making.

Globalization has further stressed these frameworks. Cross-border challenges—such as climate change, migration, and digital governance—expose limitations of nation-state-centric models. Some propose supranational constitutionalism to harmonize divergent legal systems, yet such efforts face practical hurdles like enforcement gaps and cultural resistance.

Today's rule of law requires dual resilience: safeguarding individual rights while adapting to global interdependence. This demands strengthened international cooperation, innovative constitutional designs that balance diversity with unity, and public engagement to nurture constitutional literacy. By reconciling tradition with innovation, and local autonomy with global solidarity, the rule of law can evolve as both a guardian of freedom and a catalyst for collective problem-solving in an interconnected world.

2. The Concept of the Rule of Law in Ancient Greece

Politeia, in ancient Greek political philosophy, transcended the simplistic notion of a "perfect city-state" or "ideal lifestyle,"^[1] instead constituting a profound framework that underpinned the entire edifice of political thought. Originating from the political experiments conducted in poleis like Athens and Sparta, Politeia emerged during an era when oligarchs and monarchs dominated societal structures, their authority imbued with divine sanctity and their decrees carrying absolute, irrevocable weight. This system operated on the axiom of "divine right of kings," a logic that legitimized hierarchical governance by positing innate superiority in certain individuals—the elite—while demanding unquestioned obedience from the populace.

The Athenian democracy, often cited as a beacon of participatory governance, paradoxically retained vestiges of this hierarchical order. While citizens theoretically possessed equal political rights, practical limitations—such as property qualifications for public office and the dominance of rhetoric by educated elites—enshrined disparities. In Sparta, the system was even more stratified, with state-sanctioned eugenics and rigorous military training producing a warrior-aristocracy that maintained iron control over society.

Central to this politico-philosophical construct was the concept of "arete," or excellence, which differed starkly from modern egalitarian ideals. Arete was not democratically distributed but was believed to reside inherently in specific lineages or individuals, justifying their ascendancy to positions of leadership. Plato's Republic, for instance, posited philosopher-kings as the only truly competent rulers, their wisdom derived from metaphysical insights rather than popular mandate. This philosophy permeated social structures, creating rigid castes defined by occupation, wealth, and birth—parameters that determined everything from marital alliances to judicial outcomes.

The consequences of this stratified order were profound. It produced a society where political participation was both privilege and burden, restricted to those deemed capable by virtue of their class or perceived merit. Dissent, when permitted, followed strict protocols, as seen in the Athenian ekklesia's requirement for quorum and procedural decorum. The legal system, too, reflected these hierarchies, with penalties often varying according to the social status of the accused. While this order ensured stability in an age of constant warfare and resource scarcity, it sowed the seeds of internal contradictions. Philosophers like Aristotle acknowledged these tensions, recognizing that while some forms of Politeia were "correct" by nature, others were merely "expedient" for maintaining social cohesion.

Ultimately, the Politeia framework reveals a dynamic interplay between idealism and pragmatism. It sought to balance the aspirational goal of a virtuous, self-governing community with the realities of power asymmetries and human imperfection. This tension, never fully resolved in antiquity, continues to resonate in contemporary political discourse, where debates about

meritocracy, democratic representation, and the role of elites persist as echoes of ancient Greek struggles with the concept of the "perfect" state.

2.1 Plato's Ideal State

In his masterpiece of political philosophy, *The Republic*, Plato constructed a unique city-state governance framework with profound insight. He accurately divided the ideal society into three levels:^[2] the ruling class of the philosophical king at the top of the pyramid, which dominated the development direction of the city-state as the wisdom center; The samurai class shouldering the security mission forged the bronze and iron walls to protect the city-state through military training and moral education; And the producer class that underpins material civilization, whose hard work forms the cornerstone of society's survival. This division goes beyond simple occupational division, and is essentially a philosophical division of labor based on the characteristics of the soul and social functions. The rulers control the city-state with rational reasoning, the warriors guard the order with courage, and the producers maintain the material supply with restraint, and the three work together to weave a precise network of social operation.

Plato's perception of individual happiness is quite subversive. He criticizes the vulgar concept of happiness as narrowly equating with material enjoyment or the satisfaction of individual desires, and emphasizes that true happiness is rooted in the individual's contribution to the common good of the city. In the famous "Cave Metaphor" of Book VII of the *Republic*, Plato reveals that the unenlightened individual is like a prisoner trapped in a cave, mistook an illusory image for reality. Only by removing the cognitive fog through philosophical education can individuals understand the concept of good, and then realize soul sublimation in the process of pursuing city-state justice. This collectivist view of happiness closely links the realization of individual value with the fate of the city-state, and shapes the tradition of "public good takes precedence over private good" in western political philosophy.^[3]

In the construction of the justice system, Plato showed amazing dialectical thinking. He put forward the concept of social justice of "each in his place", and believed that the greatest justice is for each class to abide by its duty. A ruler who overreaches his power for personal gain, a warrior who is cowardly and negligent, and a producer who is opportunistic will destroy the social balance. This concept of justice includes not only instrumental rationality -- clear social division of labor can maximize social effectiveness, but also value rationality -- recognizing human soul differences and realizing class mobility through education guidance. Plato's "king of philosophy" training mechanism, the essence of which is to break blood hereditary through elite education and provide philosophical channels for class mobility, predicted some characteristics of the modern civil service system two thousand years ago. This governance philosophy, which connects social justice with personal virtue, has profoundly influenced the development of western constitutional thought.

2.1.1 What is Natural Justice?

When man looked at the vast universe, the awe of the natural order gave birth to the philosophical motif of "natural law". In Plato's grand system of thought, natural law is endowed with a divine source - not a product of man-made construction, but an eternal river of justice flowing through the universe, as unalterable as the course of the stars. This kind of law transcends spatial boundaries and cultural differences, and regulates the existence of everything from nature to human society with objective necessity, and its authority comes from the ultimate legitimacy at the ontological level.

In the dialogues of the *Republic*, Plato cast the concept of justice and the spirit of natural law into the philosophical foundation of social governance. He criticizes the revenge ethic that reduces

justice to "an eye for an eye" and puts forward the organic justice concept of "each in his own place": The ruler guides the direction with philosophical wisdom, just as the captain controls the ship; Guardians defend order with courage and character, like loyal guardians; The producer creates wealth by virtue of temperance, as the earth nurtures its fruit. This kind of division of labor justice is not a cold class solidification, but a flow mechanism through education to realize the transformation of the soul - if the son of a farmer shoemaker shows his philosophical talent, he can also receive elite education to become a ruler.

2.1.2 The Rule of the Philosopher King

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2.1.3 The Cognition of Individuals in the Polis

Plato's philosophical blueprint for the ideal polis, as outlined in The Republic, represents a profound meditation on the nature of justice, order, and human flourishing. Central to his vision is the tripartite class structure—philosopher-kings, guardians, and producers—each assigned specific duties to maintain social harmony. This division, often misunderstood as hierarchical oppression, was in fact conceived as a functional specialization where mobility between classes existed for disobedient warriors, reflecting a dynamic rather than rigid system. Plato's disdain for egoistic individualism stemmed from his belief in humanity's inherently social nature, a conviction that preconditions human existence within cooperative frameworks.

The concept of natural justice, ^[4]derived from divine reason, underpinned Plato's belief in a cosmic order where gender equality, contrary to later interpretations, was achieved through differentiated but complementary roles. This equality wasn't about identical functions but about mutual recognition of essential dignity within a teleological framework. The philosopher-king, having ascended from the cave of sensory illusion to contemplate Forms, embodies reason's governance, ensuring the polis's alignment with transcendental truths.

Modern readings of Plato often critique his collectivism, yet his emphasis on systemic justice and educated leadership resonates in contemporary debates. The ideal state's pursuit of "the good" parallels modern welfare liberalism's aim to maximize collective well-being, while his critique of demagoguery finds echoes in discussions about populist threats to constitutional order. Plato's dialogue also invites reflections on meritocracy and expertise in governance, tension points in modern democracies navigating between technocracy and populist accountability. ^[5]

2.2 Aristotle's Political Society

Aristotle's pronouncement that "he who is unable to live in society, or who has no need because he is sufficient for himself, must be either a beast or a god" rings as a profound meditation on humanity's inherently political nature. This philosophical stance situates the individual not as an autonomous entity but as an integral part of the polis, the ancient Greek city-state. In his seminal work *Politics*, he elaborates on this vision, where citizens' commercial acumen, artisanal skills, and wealth-generating activities all serve the greater good of the collective. The polis, he posits, is the crucible where human potential is forged and realized, transforming individuals from solitary beings into moral and political agents.

Central to this concept is the idea of reciprocity. The polis endows its members with the means of survival—education, security, and infrastructure—thereby establishing a social contract where citizens owe allegiance and service in return. Those who sever this bond, prioritizing self-interest over communal welfare, are likened to beasts, their actions devoid of moral or political significance. Aristotle's metaphor serves as a stark warning against atomistic individualism, advocating instead for a symbiotic relationship between the individual and the collective.

The philosopher's emphasis on fair distribution rather than absolute equality underscores a pragmatic approach to justice. While material abundance is necessary, he cautions, it is the equitable allocation of resources that fosters social cohesion and political stability. Drawing a parallel to ancient Chinese wisdom—"it is not the scarcity but the unequal distribution that is problematic"—Aristotle highlights the danger of disparities eroding the social fabric. When wealth is distributed justly, he argues, it creates a virtuous cycle where material satisfaction and spiritual fulfillment reinforce each other, harmonizing individual and collective happiness.

This harmonious interplay between personal and public good reaches its zenith in Aristotle's concept of *eudaimonia*, often translated as "flourishing." For Aristotle, true happiness is inextricably linked to virtuous participation in the life of the polis. Citizens achieve *eudaimonia* not through isolation or self-aggrandizement, but by contributing to the common good, engaging in civic discourse, and upholding the laws that bind the community. In this way, the polis becomes both the stage and the judge of human excellence, where individual virtue finds its fullest expression in service to the collective.

2.3 Epicurus' Rebellion

In the constellation of ancient Greek philosophers, Epicurus occupies a uniquely radical position by challenging the traditional ethos of the polis. Disillusioned with the tumult of Athenian democracy, he embarked on a philosophical quest to redefine the summit of human aspiration, positing that authentic happiness—not civic duty or moral virtue—should be life's paramount pursuit. This marked a seismic shift from Plato's emphasis on collective justice and Aristotle's virtue ethics, establishing Epicurus as the first philosopher to systematically articulate the primacy of individual well-being in political philosophy.

Central to his philosophy is the distinction between kinetic and static pleasures. Rejecting transient gratifications like sexual indulgence, Epicurus championed the enduring joys of friendship, intellectual contemplation, and moderate living. His advocacy for "living in obscurity" involved strategic withdrawal from public life to cultivate inner peace, a concept that paradoxically laid groundwork for modern social contract theory. By arguing for minimal government focused solely on safeguarding life and property, Epicurus essentially conceptualized governance as a utilitarian tool rather than a moral end in itself.

This philosophy resonates surprisingly with contemporary liberal thought. Both share skepticism toward overreaching state power and prioritize individual autonomy. However, Epicurus diverges in

his rejection of political engagement altogether, advocating apolitical existence as the path to eudaimonia. In contrast, modern liberalism recognizes the necessity of political participation to protect individual rights and ensure equitable distribution of resources. The Epicurean ideal of "ataraxia" (freedom from disturbance) finds echoes in modern discussions about work-life balance and mental health, yet his solution—complete withdrawal from civic responsibilities—seems increasingly untenable in complex modern societies where collective action is often required to address systemic challenges.

3. The Rule of Law Conceptualized by Modern Bourgeois

The promotion of inertial motion in mechanics, coupled with the disintegration of localized feudal structures and the enclosure movement, thrust Western societies into a transformative era. These upheavals dismantling traditional agrarian economies and hierarchical social orders, compelled individuals to navigate the emerging capitalist landscape, each vying to carve out a secure niche through personal enterprise and labor. This tumultuous transition became a crucible for the birth of the "realm of reason," as societal norms and governance systems were increasingly subjected to rational inquiry and secular logic.

Modern bourgeois jurists, breaking from medieval traditions dominated by divine right and monarchic absolutism, embarked on a philosophical and legal revolution. They deconstructed previous constitutional paradigms, replacing them with theories grounded in social contract and natural rights. Justice, once a nebulous concept tethered to religious dogma, was reinterpreted through the lens of individual liberty and egalitarianism. By creatively deploying the metaphor of the social covenant—where citizens collectively cede limited authority to the state in exchange for protection of their inherent rights—thinkers like John Locke and Thomas Hobbes reconstructed the foundational narrative of state legitimacy.

Hobbes' advocacy for representative democracy marked a pivotal shift, introducing mechanisms where citizens' voices could shape governance through elected bodies. This model was underpinned by two core tenets: first, that all individuals possessed inalienable natural rights—to life, liberty, and property—which governments were obligated to respect; second, that no single entity, be it monarch or magistrate, should wield absolute power over others. The emphasis on checks and balances, both within government structures and between state and citizenry, reflected a profound skepticism toward concentrated authority, a sentiment deeply informed by historical precedents of tyranny and abuse.

This reimagining of political order did not occur in isolation but was intertwined with broader intellectual currents. The scientific revolution's emphasis on empirical observation and mechanistic principles seeped into social thought, fostering a belief in systems of governance that could be rationally designed and improved. Meanwhile, the enclosure movement's privatization of land accelerated the formation of a property-owning middle class, whose interests aligned with these nascent liberal ideologies. Their demand for legal frameworks that protected private property and facilitated market exchange further cemented the symbiosis between capitalist economic practices and Enlightenment political philosophies.

In this intellectual ferment, the concept of individual freedom emerged not merely as a philosophical ideal but as a practical necessity for societal progress. Freedom, however, was conceptualized within specific parameters—it was freedom from arbitrary state interference, freedom to participate in economic activities, and freedom to consent to governance through democratic processes. This nuanced understanding, balancing autonomy with collective responsibility, laid the groundwork for modern liberal democracies, where the state's role is both protector and regulator, ensuring that individual freedoms do not devolve into license, and that

communal interests are not sacrificed at the altar of individualism.

3.1 Hobbes' Leviathan

In the 17th century, Thomas Hobbes constructed a philosophical edifice that remains strikingly relevant today, particularly in its portrayal of human nature as inherently self-interested and the state as a necessary, if fearsome, construct. For Hobbes, the universe operated under the immutable laws of motion, where desire—that inertial force propelling all human action—constituted the fundamental good.^[6] This marked a radical departure from classical notions of a teleological cosmos governed by divine reason, instead framing ethics and politics as products of materialist mechanics.

The social compact emerged not from rational deliberation but from the brute calculus of self-preservation. Individuals, recognizing the futility of unenforceable promises in the state of nature, surrendered their absolute liberties to a sovereign Leviathan. This leviathan, though imagined as a benevolent deity,^[6] operated through fear—a psychological mechanism Hobbes deemed essential for social order. The state's legitimacy derived not from divine right or natural hierarchy, but from its utility in mitigating the "war of all against all," a concept that eerily prefigures contemporary security dilemmas.

Hobbes' thought experiments reveal a profound ambiguity about power. While he argued for absolute sovereignty as the only antidote to chaos, the text subtly undermines this position by depicting subjects' freedom as inextricably linked to their fear of the sovereign. This paradox—where obedience stems from fear rather than consent—anticipates modern critiques of authoritarianism. Yet Hobbes' emphasis on contractual governance, however unequal, laid crucial groundwork for Enlightenment thinkers who would later reframe these ideas around popular sovereignty and inalienable rights.

The Leviathan's enduring relevance lies in its unflinching honesty about human motivations. In an age where social media amplifies tribalism and geopolitical tensions resurrect Hobbesian fears, his analysis of fear's social function acquires renewed urgency. Contemporary debates about security states and surveillance capitalism echo the Hobbesian dialectic between liberty and order, inviting us to re-examine the balance between individual autonomy and collective security in an increasingly interconnected world.

3.2 Rousseau's Contract of Popular Sovereignty

Rousseau, the self-proclaimed epitaph writer for Hobbes, inherited yet transcended the English philosopher's bleak vision of human nature. Both thinkers anchored their political theories in the self-preserving impulses of individuals, rejecting divine command theories of justice in favor of secular, anthropocentric foundations. For Hobbes, the "natural condition of mankind" was a state of perpetual war, where self-love manifested as a brutish competition for resources. His Leviathan, the absolute sovereign, emerged as the necessary antidote to this anarchy, a mortal god whose power, though absolute, was justified by its role as the guarantor of social order.

Rousseau, while agreeing on the primordial force of self-interest, diverged sharply in his diagnosis of the social remedy. He argued that Hobbes's solution merely replaced natural anarchy with political tyranny, trading one form of instability for another. The Geneva philosopher posited instead the concept of the general will—that collective sovereign expression of the people's common good. This will, he believed, could only emerge authentically through direct democratic participation, where citizens legislated laws that reflected their shared interests rather than the dictates of a distant monarch.

In Rousseau's schema, the social contract was not a pragmatic insurance policy against violence

but a moral imperative to realize human freedom authentically. By surrendering their individual "natural liberties" to the collective body politic, citizens gained "civil liberty"—the right to participate in self-governance and the assurance of equal protection under laws they had helped to create. This exchange, however, demanded constant vigilance. Rousseau warned that the general will could degenerate into the "will of all"^[7] if citizens abdicated their responsibility to deliberate publicly, allowing particular interests to masquerade as universal goods.

Modern constitutional democracies wrestle with Rousseau's paradoxical legacy. His emphasis on popular sovereignty justified the expansion of voting rights and participatory institutions, yet his romanticized vision of homogenous collective identity struggles in pluralistic societies. The challenge remains: how to balance the procedural efficiencies of representative government with the democratic ideal of direct citizen engagement, ensuring that the state remains both protective of individual rights and responsive to the evolving general will.

4. Modern Conceptions of Supranational Rule of Law

The advent of supranational organizations has precipitated a cascade of public crises, ushering in what scholars term "modern constitutional dilemmas." As these entities, such as the European Union or the World Trade Organization, extend their reach across borders and jurisdictions, they expose fundamental fissures in the traditional constitutional frameworks of nation-states. These frameworks, designed for a world of sovereign entities with clear geographic and legal boundaries, struggle to address challenges that transcend national frontiers and institutional silos—migration crises, climate change, digital governance, and pandemic responses among them.

The limitations of traditional constitutional models are stark. Rooted in the Westphalian paradigm of absolute state sovereignty, they prioritize domestic order over transnational cooperation, often viewing cross-border collaboration as a compromise of national autonomy rather than a necessity of global interconnectedness. This inward-looking perspective hampers effective responses to crises that demand coordinated, multilateral action. Legal systems diverge widely in their interpretations of rights, obligations, and regulatory standards, creating friction when supranational bodies attempt to harmonize policies across member states.

Moreover, the emergence of supranational organizations has intensified debates about the allocation of power and accountability in a multi-layered governance ecosystem. Citizens increasingly interact with authorities beyond their national governments—yet these entities often operate with limited democratic oversight, raising concerns about legitimacy and transparency. The resulting accountability gaps erode public trust, fueling populist backlashes and complicating efforts to forge consensus on global solutions.

To address these fractures, legal theorists argue for the development of a unified constitutional framework that integrates diverse subsystems into a coherent whole. Such a constitution would not replace national charters but complement them, establishing principles for supranational cooperation, harmonizing legal standards, and clarifying lines of authority in cross-border contexts. It would need to balance competing values—sovereignty versus solidarity, national self-determination versus global collective action—while embedding mechanisms for democratic participation and accountability at multiple governance levels.

Critically, a unified constitutional order must also engage with non-state actors, from multinational corporations to civil society networks, whose influence now rivals that of states. This requires reimagining constitutional law as a dynamic, adaptive system capable of evolving alongside societal transformations, rather than a static set of rules rooted in a bygone era of nation-state primacy. Only through such innovation, proponents argue, can the world forge a governance architecture capable of navigating the complexities of the 21st century while upholding

the core tenets of constitutionalism: rule of law, human rights, and democratic accountability.

4.1 The Crisis of Modern Constitutionalism

The proliferation of social divisions has engendered a paradoxical dynamic where subsystem autonomy, initially intended to foster specialized governance, has morphed into centrifugal forces fragmenting societal cohesion. As functional domains like digital platforms, transnational corporations, and global NGOs develop their own normative frameworks, these "shadow constitutions" ^[8] incrementally erode the centrality of national charters. The internal logic of these subsystems often prioritizes sectoral efficiency over holistic justice, creating regulatory black holes where fundamental rights guaranteed by national constitutions lose their protective force.

This fragmentation disables the state's traditional role as the sole sovereign guarantor of rights. Citizens now navigate a labyrinth of competing jurisdictions—corporate data policies, international trade agreements, and algorithmic governance systems—each claiming legitimacy through self-referential logic. The absence of a transnational constitutional order capable of adjudicating these conflicts means that when a tech giant violates user privacy or a multinational exploits labor rights in developing nations, victims face a patchwork of ineffective remedies. National courts lack jurisdiction over extra-territorial actors, while international tribunals remain hamstrung by political maneuvering and corporate capture.

The stagnation in transnational constitutionalism reflects deeper pathologies. The prohibitive costs of establishing supranational judicial institutions, coupled with the diffuse nature of global power, make collective action on rights protection akin to herding cats. Meanwhile, neoliberal ideologies that prioritize market freedoms over social rights have discouraged investments in transnational public goods. Without authoritative adjudication mechanisms that can harmonize competing legal orders, the promise of global civil rights remains an aspiration rather than an entitlement.

This evolving governance landscape demands innovative solutions. Hybrid models combining decentralized blockchain-based rights registries with centralized enforcement mechanisms could create accountability frameworks that transcend national borders. Simultaneously, revitalizing international organizations through democratized representation and independent judicial oversight might reinvigorate transnational constitutionalism. The challenge lies in constructing a new constitutional imaginary that balances subsystem autonomy with the imperative of universal rights protection—a framework capable of navigating the complexities of 21st-century governance while preserving the dignity and agency of global citizens.

4.2 The Atrophy of Nation-States and the Expansion of Supranational Entities

The dual nature of traditional nation-states—simultaneously empowering citizens through autonomy while restraining them via legal frameworks—has long been the bedrock of national stability. This delicate balance, however, is undergoing seismic shifts in the contemporary era. As individual freedoms expand beyond national borders, citizens increasingly view themselves as global actors rather than mere subjects of their birth nations. The erosion of traditional state authority, compounded by the decline of state-dependent media, creates a governance vacuum that international organizations and multinational corporations are eagerly filling.

This power transition manifests in multiple dimensions. The United Nations and analogous entities now wield unprecedented influence in shaping global norms, while corporations like Apple or Alibaba construct alternative governance architectures through their platforms' terms of service. These new power brokers operate by distinct logics: international organizations through negotiated consensus, corporations via market dominance. Their actions often bypass traditional constitutional

constraints, creating parallel legal universes where supranational "rights" - such as data ownership or algorithmic transparency - gain currency outside national legal frameworks.

The fragmentation of legal authority produces cascading consequences. Citizens navigate a labyrinth of competing jurisdictions, from EU data protection laws to corporate end-user agreements, each claiming jurisdictional supremacy. Meanwhile, the state's traditional monopoly on violence and law-making erodes, replaced by distributed enforcement mechanisms like social media moderation algorithms or blockchain-based smart contracts. This diffusion of power challenges the very concept of sovereignty, transforming the nation-state from a hierarchical command structure into one node among many in a decentralized global network.

The rise of subsystem-specific legal orders further complicates governance. Professional guilds, academic disciplines, and digital platforms all develop their own normative frameworks, creating legal pluralism on a scale unprecedented in human history. While this specialization can enhance efficiency within domains, it risks fragmenting the social fabric. Without overarching meta-principles to harmonize these subsystems, we risk descending into a Tower of Babel where legal interpretations collide without resolution, leaving citizens to fend for themselves in the wilderness of competing jurisdictions. The imperative thus emerges for innovative constitutional engineering that can reconcile subsystem autonomy with the imperatives of global justice and human dignity.

5. Conclusion

The development of Western conceptions of rule of law resembles a tapestry of change, showcasing the evolution of ideas and social transformations from antiquity to modernity. Ancient governance notions of natural justice and social groups paved the way for modern concepts of natural rights and social contract theory. This evolution reflects fundamental shifts in values such as power, rights, freedom, and equality, profoundly influencing the development and governance of Western societies.

The origins of ancient governance ideas lie in natural justice and social groups. Rulers were endowed with absolute power derived from divine right or natural law. Under this ideology, rulers' decisions and governance were deemed legitimate, providing the foundation for social stability. Distinct social groups and familial formed class hierarchies, maintaining social order. However, this system could also lead to power abuse and social inequality. The emergence of Leviathan thought initiated the transformation of ancient governance concepts. As a symbol of central government, Leviathan represented a shift in power from divine right to popular consensus. This was a transition from power monopoly to pluralistic legitimacy, achieving power's justification through social contract. The crux of this transformation was that governance power was no longer merely a divine right but derived from social consensus, with social contract endowing government with legitimacy. The rise of social contract theory further emphasized the balance between individual rights and government responsibilities. The establishment of modern governance concepts relies on the idea of natural rights, with individuals possessing inherent and inalienable rights ^[9]. Government legitimacy stems from popular consensus, with social contract theory emphasizing that the people consent to be governed in exchange for social order and security. This implies a shift in the relationship between individuals and government from passive obedience to mutual agreement in a contract, with government power subject to popular authorization.

Under the influence of this evolution, modern society reflects greater power distribution and individual freedom in governance. The concept of natural justice is no longer limited to rulers' power but extends to every individual's rights, establishing a balance between individuals and government. The notion of social groups has also evolved into individual social participation,

emphasizing equality and diversity. This transformation has had a profound impact on the realization of individual freedom and social equity. In contemporary society, the influence of this evolution persists, presenting new challenges. With globalization and technological progress, the complexity of the information age has made governance more intricate. Simultaneously, global issues have highlighted the limitations of single-state governance ^[10]. Therefore, regarding the evolution of governance concepts, we must continually examine and adapt to changing social environments.

In summary, the evolution of Western conceptions of rule of law is not merely a historical process but a phenomenon reflecting human values and social progression. From natural justice to natural rights, from social groups to social contract, this evolution embodies the changing relationships between power and rights, individuals and government, freedom, and equality. A profound understanding of this evolution's historical context will aid us in better addressing contemporary societal challenges and providing clearer directions for future governance concepts.

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