

Constraints on Government Powers as Determinants in the Rule of Law: An International Investigation from 2023 to 2024

Eltayeib Hussein Mahmoud Sharaf Addin*

Department of Law, College of Business Administration, Northern Border University, Arar, Northern Border Region, Saudi Arabia.

*Corresponding Author's Email: eltayeibhussein@yahoo.co.uk, eltayeibhussein@yahoo.co.uk

Abstract

The limitation of government powers is of vital prominence worldwide and is a prerequisite for the rule of law. This study aimed to analyze changes in factor one of the rule of law following the World Justice Project (WJP) Index, namely, the "Constraints on Government Powers" (CGP) between 2023 and 2024, including the six sub-factors: oversight by legislative, judicial, and independent auditing entities; sanctions for misconduct; non-governmental checks; legal rules for power transitions; and non-governmental checks. The "Paired t-test" is employed to assess whether there is a significant difference in mean scores between 2023 and 2024 for each sub-factor and the overall factor of CGP. The analysis compares mean values based on paired t-tests worldwide for the overall factor (CGP) and its three subcomponents: legislative oversight, non-governmental checks, and adherence to the law in transitions of power. Significant declines have occurred across all three domains. In contrast, countries with higher levels of economic development tend to be stable, albeit with isolated threats to independent checks from non-governmental organizations, suggesting institutional fragility in the context of predicted declines. These results underscore the need for targeted reforms to enhance governance mechanisms and accountability frameworks, thereby supporting the rule of law in various contexts.

Keywords: Constraints on Government Powers, International Investigations, Paired T-Test, Rule of Law.

Introduction

The rule of law is one of human thought's most deeply rooted principles and a vital component of modern legal systems. It is a legal and political regime in which the law establishes orders and expectations concerning how a country functions, on the one hand, and limits the government's powers by promoting specific individual liberties on the other (1). In this regard, the rule of law precludes the misuse of state power, entails that all individuals obey the law, and guarantees that legal rights are upheld in practice (2). World Justice Project defines the rule of law as "a durable system of laws, institutions, norms, and community commitment that delivers accountability, just law, open government, and accessible and impartial justice" (3). In the same vein, the United Nations stated that the rule of law is "a principle of governance in which all persons, institutions, and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced, and independently adjudicated, and which are consistent with

international human rights norms and standards. It requires measures to ensure adherence to the principles of the supremacy of the law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness, and procedural and legal transparency (4).

The World Justice Project (WJP) developed and managed an index to measure the rule of law in practice. The 2024 Index comprises eight factors, each divided into 44 sub-factors. This study aims to investigate factor one of these factors, along with its six sub-factors of the rule of law, such as factor one, namely CGP, which represents the essential principles that the ruler is subject to legal restraints and that no one is above the law. The WJP defines "Constraints on Government Powers" as encompassing a range of formal checks, such as judicial independence and legislative oversight, as well as informal accountability mechanisms provided by civil society, the media and other non-

This is an Open Access article distributed under the terms of the Creative Commons Attribution CC BY license (<http://creativecommons.org/licenses/by/4.0/>), which permits unrestricted reuse, distribution, and reproduction in any medium, provided the original work is properly cited.

(Received 16th February 2025; Accepted 10th July 2025; Published 20th October 2025)

governmental actors. The study aims to compare this factor between 2023 and 2024 across 142 countries. This evaluation is significant because the rule of law, of which constraints on government powers is one of its indices, is continuously experiencing backsliding in the majority of the sampled countries concerning executive power overreach, the breakdown of the justice system, and weakened human rights, according to WJP Rule of Law Indices, in the 2023 and 2024 years respectively (3, 5). Moreover, the study responds to global events and crises, such as governmental AI use. Approximately 13% of American Federal Government AI cases could impact individuals' rights or safety, which necessitates that government agencies implement tangible safeguards before AI usage (6). The COVID-19 pandemic crisis has also extended the government's powers. For example, restrictions on the right to a peaceful assembly have been imposed, which require constraints on government powers (7). Furthermore, the selection of 2023 and 2024 is deliberate, as these years mark a post-pandemic period characterized by political recalibration, renewed elections in multiple countries, and increased scrutiny over executive authority. Using this time frame, we can assess how formal and informal restraints on governmental authority have evolved in response to current international issues.

However, current global developments underscore the importance of monitoring limitations on governmental power, particularly as many nations face democratic regression and the concentration of executive authority (8). In light of post-pandemic transitions and heightened geopolitical tensions, this analysis provides empirical insights into the changes in these restrictions between 2023 and 2024, contributing to ongoing discussions. The different sub-factors of this factor constraint on government powers are: "The legislature effectively limits government powers," effectively limited by independent auditing and review," "government officials are sanctioned for misconduct," "government powers are subject to non-governmental checks," and "the transition of power is subject to the law" (3).

The first two sub-factors are based on the checks and balances principle, which refers to the way the government's legislative, executive, and judicial branches oversee one another (9). The sub-factor'

government powers are efficiently limited by legislative measures to the extent that legislative bodies have the independence and aptitude to exercise adequate checks on and control of the government." The primary role of legislative bodies is to determine whether laws are effectively implemented and whether they address and solve the problems as intended by the legislators, in addition to preparing planned policies (10). The sub-factor of the judiciary effectively limits government powers, particularly in terms of the court's authority to determine whether public authorities' actions are within the confines of the law (11). According to the sub-factor, the government's powers are effectively limited by independent auditing and review. Government auditing provides impartial and objective assessments of whether public resources are utilized reliably and efficiently to achieve the intended results (12). Regarding the sub-factor that the government officials are being sanctioned for misconduct, as per the general rule, the public official who commits any administrative offense shall be subject to disciplinary, criminal, and civil sanctions (13). Building a culture of responsible behavior in public administration is essential, primarily formed by strengthening self-responsibility (14). The sub-factor that the government officials are being sanctioned for misconduct measures whether government officials in the executive, legislature, judiciary, and the police are being investigated, accused, and disciplined for job misconduct and other abuses. Referring to the sub-factor that the government's powers are subject to non-governmental checks, independent media, civil society organizations, political parties, and individuals, it measures the extent to which non-governmental bodies are unrestricted in reporting and articulating government policies without fear of retribution. The last sub-factor is that the transition of power is subject to the law. In this regard, the law that guarantees a peaceful transition of power is the state's constitution, which contains rules that regulate the distribution of powers, functions, and duties among the various agencies and officers of government and limits the relationship between these bodies and individuals (15). This sub-factor assesses whether government officials are chosen or appointed by the guidelines outlined in the Constitution. Polls also evaluate the transparency

of the electoral process, taking into account factors such as voting rights, the absence of intimidation, and public scrutiny of election outcomes. These problems highlight the growing concerns about governance and its impact on the accountability of these instruments. Therefore, to maintain public trust in the governance system, it is imperative to maintain transparency and respect the rule of law to the extent that CGP adaptation takes place. In contrast, decomposing CGP into its various sub-factors from the WJP Rule of Law Index helps to specify better where we should seek empirical evidence about how government changes. By contrast, unpacking CGP into its constituent sub-components helps to target more closely where we should look for empirical tests of how government changes. Understanding short-term trends and changes in the CGP from year to year, between 2023 and 2024, helps explain how well governance and accountability mechanisms function over time. Furthermore, distinguishing between developed and developing nations in terms of the rule of law enables a more nuanced understanding of the various governance issues faced by countries at different stages of development, providing implementation-oriented avenues for strengthening institutional frameworks. A critical view of the same could help developing countries handle principles related to the development-return-based land-sharing model.

The present study aims to bridge the knowledge gap by discussing the application of the rule of law, specifically the Constraints on Government Powers (CGP), in various countries under investigation. This study presents a fresh perspective on the global assessment of these criteria. It notifies about the advances vis-à-vis the rule of law, considering that constraints on government powers derive their importance from the rule of law, as it is a sub-indicator. The rule of law is universally recognized as essential for promoting peace, justice, human rights, effective democracy, and sustainable development (3). This study examines whether this criterion varies across the two categories of nations, providing insights into the comparison of developed and developing countries. Additionally, it explores the extent to which geographic location impacts this metric.

This study is structured as follows: The second section presents the materials and methods used,

such as the data and statistical methodology. Section three is reserved for the results and discussion. Finally, Section Four concludes the study and presents some implications of the different results.

Methodology

Data Description

In this study, we conduct a comparative analysis between 2023 and 2024 for the different components of the first factor of the rule of law, namely “Constraints on Government Powers” (CGP). The World Justice Project (WJP) Rule of Law Index (2024) is used to collect data. This reference provides measures of this factor, among others, as determinants of the rules of law. The datasets comprise various indicators for a period spanning from 2013 to 2024, expressed as scores for the Rule of Law Index across 142 countries. The chosen factor is broken down into its six sub-factors, indicating the different constraints related to government powers, listed as follows:

- **SF (1.1):** Government powers are effectively limited by the legislature.
- **SF (1.2):** Government powers are effectively limited by the judiciary.
- **SF (1.3):** Government powers are effectively limited by independent auditing and review.
- **SF (1.4):** Government officials are sanctioned for misconduct.
- **SF (1.5):** Government powers are subject to checks by non-governmental entities.
- **SF (1.6):** Transition of power is subject to the law.

According to the WJP Rule of Law Index, scores in the main index (Factor one) and its six sub-factors (SF1.1 to SF1.6) represent the considered data. These calculations are based on survey data from the general population and experts, capturing the real-world experiences and perceptions of governance across 142 countries. The data used in this study covers 142 countries with diverse incomes and political regimes. While the Index is exhaustive globally, data collectability in highly closed or authoritarian regimes may affect full global coverage. This limitation is noted as it may lead to partial underrepresentation of cases where government constraints are systematically repressed or unreported. The scores are normalized on a scale from 0 to 1, where higher

values indicate stronger adherence to the rule of law. To have a preliminary idea of the differences between countries regarding the CGP, Figure 1 plots the global distribution of the CGP Score in 2024 across the sampled countries. The map illustrates broad regional differences: Northern and Western European countries, along with Canada, Australia, and New Zealand, have high scores on CGP [above 0.8], measuring robust legal institutions, independent judiciaries, and effective mechanisms for accountability.

In contrast, many Sub-Saharan African countries, the Middle East, South Asia, and parts of Latin America register low scores [below 0.5], indicating chronic issues with judicial independence, corruption, and transparency in institutions. These results suggest that the capacity to restrain governmental authority remains unequally distributed worldwide, with significant implications for governance, democratic stability, and the rule of law.

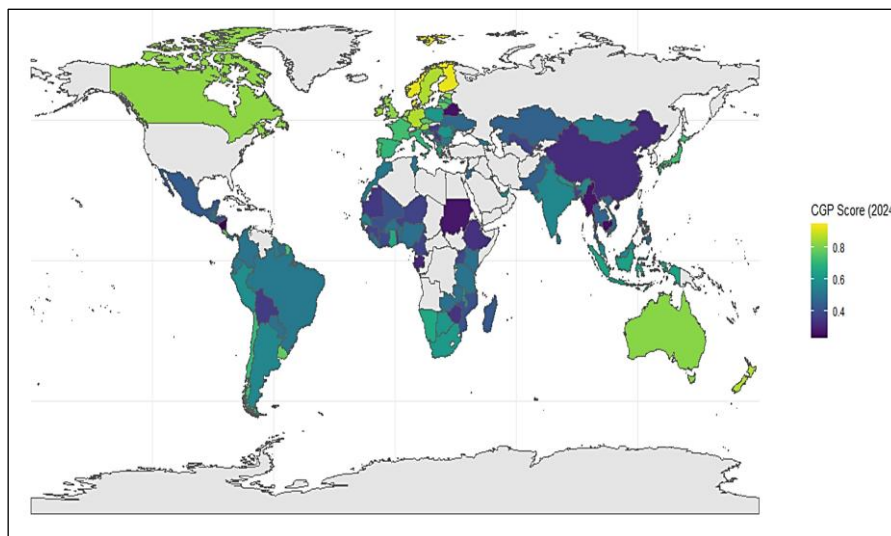


Figure 1: Global Distribution of CGP Scores [2024]

Data for 2023 and 2024 are collected to evaluate the evolution of the above factor and its sub-factors. Further analysis is conducted to examine the differences in these indicators across various development criteria. The sample of countries is divided into developed and developing countries to discover the degree of commitment to applying the rule of law across the development criteria. Although legal systems and governance traditions vary widely across countries, the WJP Rule of Law Index ensures comparability using standardized data collection instruments tailored to local contexts. It combines expert assessments with nationally representative household surveys adapted linguistically and culturally to reflect local perceptions. This approach enables the measurement of government constraints in a

manner that is both globally consistent and locally meaningful.

Figure 2 plots the variation of CGP between 2023 and 2024 on the world map. The map highlights that most countries experienced marginal change and positive developments in some countries, especially in Eastern and Central Europe [e.g., remarkable growth in Latvia]. Against this, there are small decreases in some African, Middle Eastern, and Asian countries, reflecting deteriorating checks and balances or institutional performance. The Overall, the trend shows that although some countries have made significant progress in improving governmental accountability, most continue to experience setbacks or stasis, highlighting ongoing challenges in strengthening the rule of law worldwide.

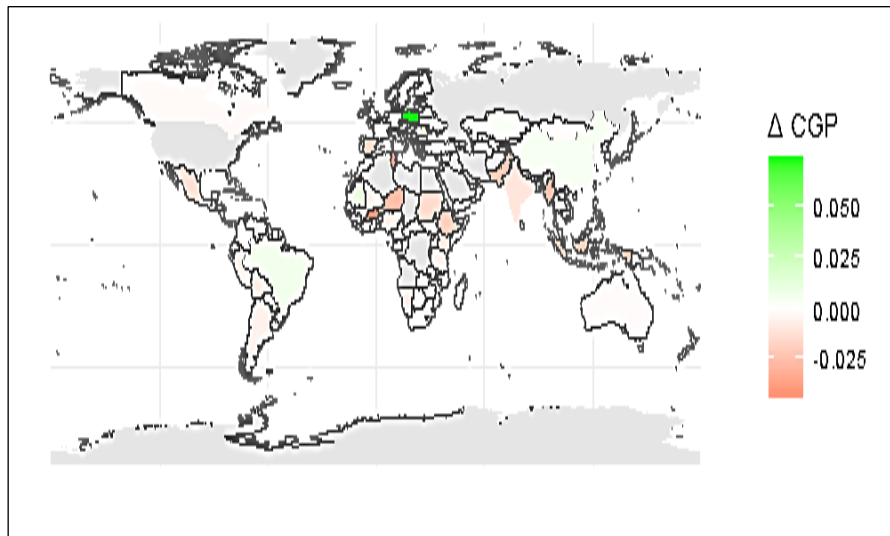


Figure 2: Change in CGP Score between 2023 and 2024

To determine whether there is a statistically significant difference in the mean scores between 2023 and 2024 for the global CGP and each of its sub-factors, the paired t-test is used. This test compares the paired differences between the means of two samples over two different periods. This study employs the testing procedure to

{H1: There

where $\bar{d}$ is the mean value of the $d_i; i = 1, \dots, 142$.

The test statistic is

$$t^c = \sqrt{n} \cdot \frac{\bar{d}}{s}$$

Where s is the empirical standard deviation, and n is the sample size ($n=142$)

Under the Normality hypothesis of the differences between the paired scores, the statistic t^c follows a Student distribution à $(n-1)$ degree of freedom. Then, the decision rule of this test depends on the value of t^c , which will be compared to the critical value ($CV=1.96$).

When the $t^c \geq CV$, the null hypothesis is rejected.

Then, there is a significant difference between the two years.

However, when $t^c < CV$, the null hypothesis is accepted, and there is no difference between the values of 2023 and 2024.

investigate potential changes in each country's considered scores between the 2023 and 2024 scores. The principle of this procedure is to test the significance of the mean of differences between values in 2023 and 2024 for the different countries ($d_i = x_i(2024) - x_i(2023); i = 1, 2, \dots, 142$).

Then, the core hypothesis of this test is

Results

Descriptive Analysis

Table 1 presents descriptive statistics of CGP globally and its sub-factors over the years 2023 and 2024. These descriptive statistics are the mean and standard deviation (Std. Dev). For CGP, the average scores across 2023 and 2024 slightly decreased from a mean of 0.543 in 2023 to 0.539. Most sub-factors also exhibited minor decreases. For instance, the first. These results indicate a slight reduction in the effectiveness of the global government power constraint from 2023 to 2024, along with stable variability across countries.

Table 1: Descriptive Statistics for the Global CGP and its Various Sub-Factors in 2023 And 2024

	2023		2024	
	Mean	Std. Dev	Mean	Std. Dev
Factor: CGP	0,543	0,164	0,539	0,165
SF(1.1)	,576	0,159	0,572	0,157
SF(1.2)	0,528	0,177	0,526	0,177

SF(1.3)	0,515	0,186	0,516	0,189
SF(1.4)	0,468	0,172	0,467	0,173
SF(1.5)	0,556	0,176	0,548	0,174
SF(1.6)	0,613	0,203	0,608	0,206

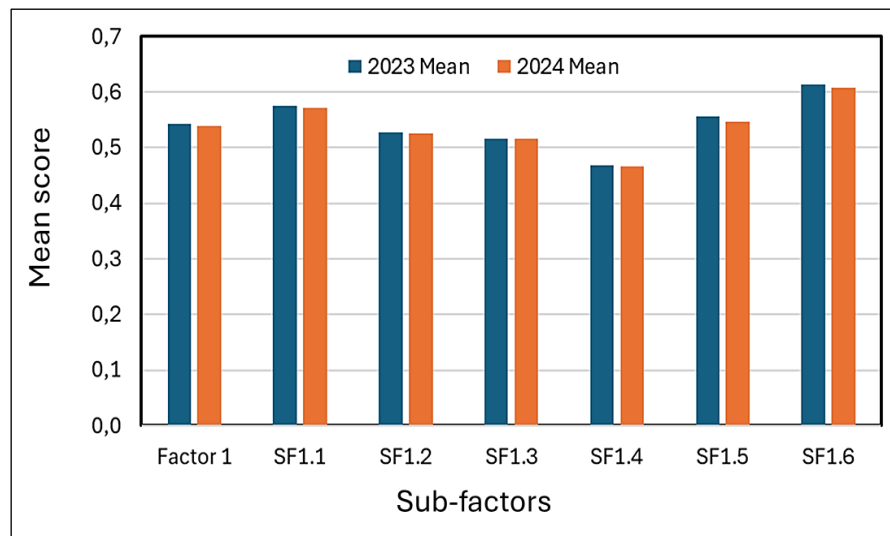


Figure 3: Mean Scores between 2023 and 2024

The Same remark is confirmed by Figure 3, which presents a bar chart of the mean values of scores for the years 2023 and 2024 across the main factor (CGP), the different sub-factors (SF1.1 to SF1.6),

and the overall factor. Indeed, this figure shows that the other variables are characterized by a slight decrease from 2023 to 2024.

Table 2: Descriptive Statistics on the Scores for Developed and Developing Countries

	2023 Mean	Std. Dev	2024 Mean	Std. Dev
Developed countries				
Factor 1: CGP	0,731	0,122	0,728	0,121
SF(1.1)	0,722	0,136	0,717	0,132
SF(1.2)	0,710	0,131	0,708	0,131
SF(1.3)	0,731	0,151	0,735	0,145
SF(1.4)	0,672	0,140	0,669	0,143
SF(1.5)	0,719	0,135	0,706	0,135
SF(1.6)	0,833	0,123	0,830	0,122
Developing countries				
Factor 1: CGP	0,472	0,114	0,468	0,116
SF(1.1)	0,519	0,131	0,517	0,128
SF(1.2)	0,461	0,139	0,457	0,139
SF(1.3)	0,434	0,123	0,433	0,127
SF(1.4)	0,389	0,108	0,391	0,110
SF(1.5)	0,495	0,147	0,488	0,147
SF(1.6)	0,539	0,165	0,524	0,164

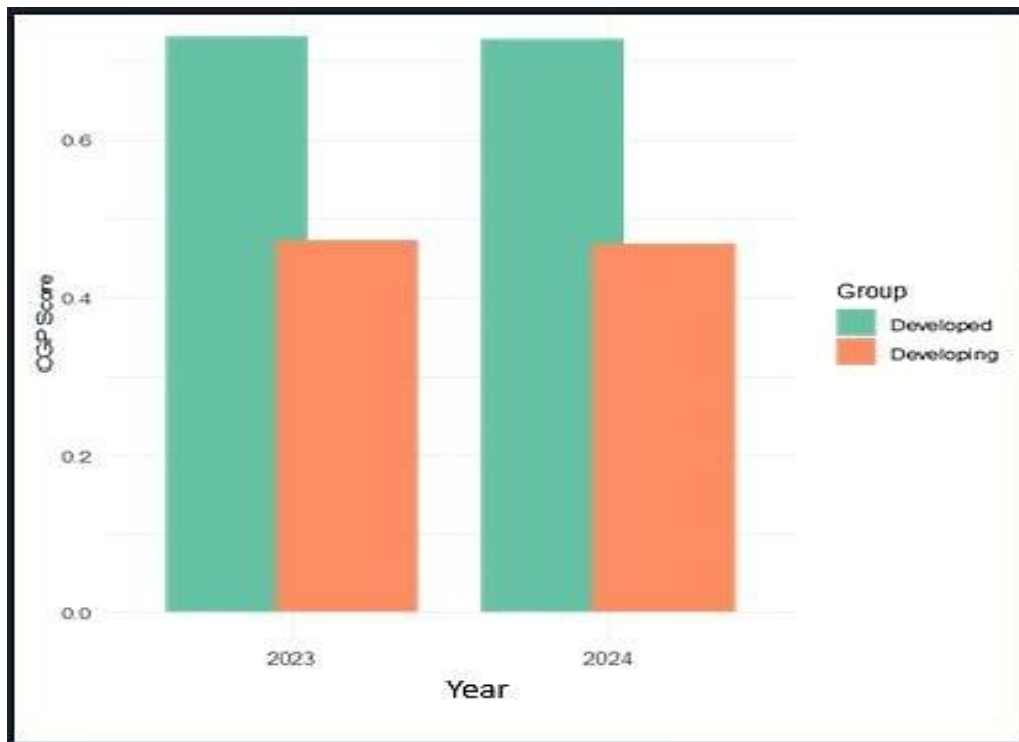


Figure 4: GCP Scores by Development Level [2023 vs 2024]

Figure 4 graphically demonstrates the gap in average Constraints on Government Powers [CGP] scores between developed and developing nations between 2023 and 2024. The bar chart illustrates a significant and persistent gap: developed countries consistently have higher CGP scores, exceeding 0.85, indicating stronger institutional checks on executive authority. On the contrary, developing countries score very low, staying at around 0.5, with no real difference between 2023 and 2024. This differential indicates the structural variation, such as the governance arrangements and the quality of rule-of-law institutions. It reiterates the need for continuing institutional reform and capacity-building in developing countries to enhance accountability and government oversight.

By comparing the descriptive statistics between developed and developing countries in Table 2, the results demonstrate that in 2023 and 2024, developed nations continuously display superior mean scores for the overall and all sub-factors. These findings demonstrate how industrialized nations adhere to the rule of law more strongly, as evidenced by stricter restrictions on governmental authority, efficient judicial supervision, and accountability systems. While there is a slight

decrease between 2023 and 2024, the mean ratings for developed countries show a generally positive trend. On the other hand, the situation in developing countries is more contradictory, with certain sub-factors exhibiting modest increases and others declining. According to this, the rule of law is still emerging in developing nations, which are confronted with issues like independent checks on power and government accountability. This change between the two years requires a more detailed analysis to rigorously verify the significance of the changes across the CGP factor and its sub-factors, and to localize in which factor(s) the change occurs.

Testing the Difference between 2023 and 2024

Table 3 provides the results of the paired T-test for the global factor (CGP) and its different sub-factors. This table contains the calculated statistics and their corresponding probability (p-value), which means the risk of rejecting the null hypothesis when it later is true. For instance, at the 5% significance level, a p-value below 0.05 indicates a significant change, while a p-value above 0.05 suggests no statistically significant difference.

Table 3: Paired Sample T-Test Results for the Whole Sample (Between 2023 and 2024)

	T-Statistic	p-value
Factor 1: CGP	-3,084	0,002*
SF(1.1)	-2,504	0,012*
SF(1.2)	-1,389	0,165
SF(1.3)	-0,250	0,802
SF(1.4)	-0,743	0,458
SF(1.5)	-4,829	0,000*
SF(1.6)	-2,768	0,006*

Notes: This table reports the paired t-test results, including the test statistics and the p-value.

(*) indicates that the null hypothesis is rejected at a 5% significance level.

For the overall factor (CGP), the results show a significant negative test statistic (-3.084), with a corresponding p-value below the significance level ($0.002 < 0.05$), indicating a statistically significant decline in global CGP between 2023 and 2024. This result suggests that, on average, constraints on government powers weakened over the observed period.

Among the sub-factors, the first one (1.1), “Government powers are effectively limited by the legislature,” also shows a significant decline with a t-statistic of -2.504 and a p-value of 0.012, highlighting a noticeable weakening in the effectiveness of legislative oversight. Similar results are found regarding other sub-factors, such as (1.5) and (1.6), namely: “Government powers are subject to non-governmental checks, which exhibits the most significant decline” and “The transition of power is subject to the law, which also demonstrates a significant reduction,” respectively. Indeed, the negative T-statistics of these two sub-factors exceed (in absolute values) the critical value of 1.96 (t-statistics are -4.829 and -2.768, respectively). In addition, these two sub-factors exhibit p-values of 0.000 and 0.006, respectively.

In contrast, the remaining sub-factors do not show statistically significant changes. For (1.2)

“Government powers are effectively limited by the judiciary,” (1.3) “Government powers are effectively limited by independent auditing and review,” and (1.4) “Government officials are sanctioned for misconduct,” having t-statistics below the critical value and p-values more than the significance level of 5%.

The results imply that significant deterioration has only occurred in legislative oversight, nongovernmental checks, and legal power transitions; all other areas have stayed comparatively more substantial. More detailed results also indicate where constraints on government powers have suffered the most significant erosion, and potentially which areas policymakers need to consider further strengthening their governance frameworks.

Differences between 2023 and Across Development Criteria

Due to the differences between developed and developing countries in terms of governance structure, institutional capacities, and rule of law enforcement, it is crucial to distinguish between these two groups of countries when analyzing the differences between 2023 and 2024 in CGP and its various sub-factors.

Table 4: Paired T-Test Results for Developed and Developing Countries

	Developed		Developing	
	T-Statistic	p-value	T-Statistic	p-value
Factor 1: CGP	-1,334	0,182	-3,088	0,002*
SF(1.1)	-1,237	0,216	-1,171	0,242
SF(1.2)	-0,683	0,494	-2,059	0,040*
SF(1.3)	-1,052	0,293	-0,268	0,789
SF(1.4)	-0,917	0,359	-0,721	0,471
SF(1.5)	-3,247	0,001*	-3,635	0,000*
SF(1.6)	-0,898	0,369	-1,939	0,053

This Table reports the paired t-test results for the two groups of countries (developed and developing). It presents the test statistics and the p-value. (*) indicates that the null hypothesis is rejected at a 5% significance level.

Table 4 presents the paired t-test results, separating the sample by development criteria, to investigate the significant difference between 2023 and 2024 among developed and developing countries. These results reveal substantial differences in the changes to constraints on government powers between 2023 and 2024. None of the factors for developed countries shows statistically significant changes at the 5% level, as indicated by p-values greater than 0.05 across all sub-factors. For example, the overall Factor 1 has a t-statistic of -1.334 and a p-value of 0.182, suggesting no significant decline in constraints on government powers. Meanwhile, the sub-factor (1.5), "Government powers are subject to non-governmental checks," is the only sub-factor showing a significant decline (t-statistic = -3.247 and p-value of 0.001). This result highlights the deterioration of non-governmental actors' monitoring in industrialized economies. In the meantime, variables such as the transfer of power (1.6) and judicial oversight (1.2) remain statistically stable, indicating that institutions in industrialized countries are typically robust. However, the results for developing countries are different. In contrast, the results for developing countries show different results. Indeed, significant declines are observed in the overall factor CGP and several other sub-factors. The CGP factor exhibits a t-statistic of -3.088 and a p-value of 0.002, indicating a significant decline in constraints on government powers. On the other hand, sub-factors such as (1.2), with a t-statistic = -2.059 and p-value = 0.040, and (1.5), with t-statistic = -3.635 and p-value = 0.000, show statistically significant declines, highlighting the increasing difficulties in upholding judicial independence and the function of non-governmental actors in ensuring that governments are held responsible. Furthermore, with a p-value of 0.053, the sub-factor (1.6) is influenced by the relevance of the law, which raises questions regarding the stability of political transitions in developing countries.

Discussion

The results obtained from the paired sample t-test confirm considerable distinctions in the shifts in constraints on governmental power between 2023 and 2024 in specific sub-factors. The diminishing score of the overall factor (CGP) can be interpreted as a weakness in checks and balances over governments. There was a statistically significant reduction in levels of legislative oversight (1.1) and non-governmental checks (1.5), showing growing pressures against those institutions and individuals that are the most basic measures against the exercise of government power. The legislative checks and balances are significant, as Holcombe states that governmental institutions must include checks and balances to prevent the government from misusing its power (16). Reports are not achieved when reducing legislative oversight, which is effective oversight supporting progress toward achieving sustainable development goals by strengthening legislation and policies, leading to human and economic development (17), and the inability of non-governmental organizations. It is worth noting that the goals set by international organizations are to play an effective role in implementing the rule of law, maintaining its independence, and directly addressing the victims of arbitrary behavior (18). The drastic drop in (1.6) the transfer of power and fundamental laws creates concerns about the prevention of violence and other elements of legalism in power politics, especially when governance conditions are lacking. However, the consistency seen in third-party review (1.3), judicial review (1.2), and misconduct (1.4) indicates that these processes have neither improved nor deteriorated significantly over the period in question. These results may indicate some adverse developments, especially in countries with poorer institutionalization, where decreased oversight mechanisms may exacerbate governance problems, as judicial review plays a vital role in stabilizing democratic governance (19). Moreover, institutional discipline is essential for managing and controlling employees' behavior in public agencies (20). Further analysis distinguishing between developed and developing countries could provide deeper insights into whether these trends are more pronounced in specific economic or political contexts. The results highlight a notable difference between advanced

and emerging economies in the evolution of restrictions on government powers from 2023 to 2024. That is, except for the non-governmental checks' explanatory variable (1.5), which stands out due to its extreme negative change (Explanation 3). The overall stability of the sub-factors for developed countries indicates that their governance mechanisms remain relatively stable. This suggests that while formal institutions, such as the legislature and judiciary, remain resilient, the ability of non-state actors to hold governments accountable may weaken.

However, widespread and significant declines are evident in developing countries, particularly in judicial oversight (1.2) and non-governmental oversight (1.5), highlighting institutional fragility and mounting governance issues. The view that courts worldwide frequently seem ineffective in providing justice due to the drawn-out resolution of disputes, exorbitant expenses, and partiality in favour of the wealthy and politically connected is consistent with the decline in judicial scrutiny in developing countries (21). Additionally, developing countries often lack transparency in their legal measures and the application of legal frameworks (22). Since laws, regulations, and standards govern the transition of power and an atmosphere that empowers people, the significant decline in the transition of power (1.6) raises questions about political stability in these nations (23). These results highlight the vulnerability of developing countries to a reversal in governance, where a lack of institutional frameworks may exacerbate accountability issues. Strengthening judicial independence, empowering non-governmental actors, and ensuring smooth power transitions remain critical priorities for improving the rule of law in developing countries. These recommendations are consistent with Fukuyama's observation that there has been little comparative theorizing about why the rule of law is more effective in some countries than others (24).

The study's results provide national governments with policy recommendations that strengthen the rule of law institutions by highlighting the most vulnerable areas of government accountability. International agencies and donors can utilize the results to inform their planning of interventions, such as supporting legislative processes, enhancing judicial independence, or empowering civil society actors in countries experiencing

governance backsliding.

Conclusion

This study examines changes related to Factor One, which encompasses the restrictions on government powers as reported in the World Justice Project (WJP) Rule of Law Index for 2023 and 2024, focusing on its six sub-factors. The results provide essential information on governance and general accountability of institutions within different economies by computing the average scores and then performing paired T-tests for the entire global sample and the developed and developing countries separately. Overall, the authors' conclusions portray that there is a tiny but noticeable change at the aggregate level towards a less restrictive environment concerning all limitations on governmental powers (Factor One), mainly where local practices include active legislative oversight (1.1), non-governmental (1.5), and lawful transition of power (1.6). Such results reemphasize the growing challenges of sustaining mechanisms that fasten accountability, transparency, and compliance with legal norms. Certain aspects, namely, but not limited to, judicial oversight (1.2), independent auditing (1.3), and sanctions for misconduct (1.4), are said to foster the stability of the system. However, the lack of improvements shows backsliding in the accountability system.

A significant difference arises when differentiating between developed and developing nations. In developed countries, governance frameworks tend to be relatively stable, with most sub-factors displaying no notable statistical changes. Nonetheless, a noteworthy decrease in non-governmental checks (1.5) suggests a diminishing influence of civil society and other non-state entities in ensuring government accountability. This discovery indicates that informal oversight methods may face increasing pressures or challenges even in established governance systems. In contrast, developing nations demonstrate notable reductions in various sub-factors, especially in judicial supervision (1.2) and non-governmental controls (1.5). This highlights the growing vulnerabilities in institutional autonomy and the increasing capacity of non-state entities to serve as meaningful checks on government authority. Furthermore, the nearly significant drop in power transfer (1.6) raises

concerns about political stability and compliance with legal structures during transitions, which are essential for confidence in governance.

Apparent differences are readily apparent when comparing developed and developing countries. Developed countries typically have stable governance systems, with most sub-factors exhibiting minimal change. However, there is a noticeable decline in non-governmental checks (1.5), implying that civil society and other non-state groups have less power to hold governments accountable. This means that even the most consolidated governance systems may face challenges regarding the output of informal control mechanisms. On the other hand, it is observed that developing countries have noticeable declines in almost all sub-factors, particularly in the judicial component (1.2) and external restraints (1.5). Such factors indicate a decrease in the separation of state institutions and an increase in the involvement of non-state actors in limiting the state's power. In addition, the most drastic fall in the transition of power (1.6) draws attention to the issues of political legitimacy and lawfulness in the context of leadership problems, which are relevant to earning confidence in the system. These results highlight the fragility of governance systems in the developing world. A weaker institutional arrangement may result in more significant accountability challenges and hinder the rule of law, thereby hindering progress. Moreover, they emphasize the effort to strengthen governance systems so that government functions are not unfettered. The results reinforce a disturbing trend of reduced oversight, especially in non-governmental evaluations, highlighting the decline in domestic governance in developing countries. Coordinated changes are necessary to address these issues, strengthen the separation of powers, promote judicial and legislative independence, engage other societal stakeholders, and ensure a peaceful and lawful transition of power.

Abbreviations

CGP: Constraints on Government Powers, WJP: World Justice Project.

Acknowledgment

The authors extend their appreciation to the Deanship of Scientific Research at Northern Border University, Arar, KSA, for funding this research

work through the project number "NBU-FFR-2025-2512-03".

Author Contributions

Sole contributor.

Conflict of Interest

The author declares no conflicts of interest related to this article.

Declaration of Artificial Intelligence (AI) Assistance

The author declares that Grammarly and QuillBot are used to enhance language and edit texts, with a focus on grammar checks and sentence structure. (<https://www.grammarly.com>, <https://www.QuillBot.com>).

Ethics Approval

Not applicable.

Funding

No funding has been received from any of the sources for this study, either before or during the writing of this article. However, the Deanship of Scientific Research at the Northern Border University will grant what is known as "Rapid Funding" after the research is accepted for publication and before actual publication in Q1 and Q2 journals. Therefore, the acknowledgment to the Deanship of Scientific Research herein is included in the present article.

References

1. Qinghu F. The Concept of the Rule of Law: Some Reflections from an Asian-African Perspective. <https://www.aalco.int/Rule%20of%20Law%20-%20Dr.%20Feng%20Qinghu.pdf>
2. James L, Smit Jan van Z. The Rule of Law: What Is It, and Why Does It Matter? 2022. <https://constitution-unit.com/2022/12/15/the-rule-of-law-what-is-it-and-why-does-it-matter/>
3. World Justice Project. WJP Rule of Law Index. 2024. <https://worldjusticeproject.org/rule-of-law-index/>
4. United Nations. New Vision of the Secretary-General for the Rule of Law. <https://www.un.org/ruleoflaw/wp-content/uploads/2023/07/New-Vision-of-the-Secretary-General-for-the-Rule-of-Law.pdf>
5. World Justice Project. WJP Rule of Law Index. 2023. <https://worldjusticeproject.org/rule-of-law-index/downloads/WJPIndex2023.pdf>
6. Martoran C. AI IN Action: 5Essential Findings from the 2024 Federal AI Use Case Inventory. <https://www.cio.gov/ai-in-action/>
7. Amnesty International Report 2022/23: The State of the World's Human Rights. <https://www.amnesty.org/en/wp->

- content/uploads/2023/03/WEBPOL1056702023ENGLISH.pdf?
8. Levitsky S, Ziblatt D. *How Democracies Die*. New York: Crown Publishing Group. 2018. https://teeh.org.mx/iipce/images/Programas/Diplomado_Internacional_Derecho_Electoral/Lectura%20M%C3%B3dulo%202.pdf
 9. James L, Renwick A, Russell M. Checks and balances: What are they, and why do they matter? 2023. https://www.ucl.ac.uk/constitution-unit/sites/constitution_unit/files/checks_and_balances.pdf
 10. Pelizzo R, Stapenhurst A. Tools for Legislative Oversight: An Empirical Investigation. *Quaderni di Scienza Politica*. 2004;11(1):175-88.
 11. Panou C. Judicial Controls over the Bureaucracy. *Oxford Research Encyclopedia of Politics*. 2020. <https://oxfordre.com/politics/view/10.1093/acrefore/9780190228637.001.0001/acrefore-9780190228637-e-1729>
 12. The Institute of Internal Auditors. *The Role of Auditing in Public Sector Governance*. 2006. https://www.ca-ilg.org/sites/main/files/file-attachments/auditing_in_public_sector.pdf?1441835528
 13. Hashim W, Murshida W, Mazlena MH. Misconduct in the Public Appraisal of Legal Perspectives in Malaysia. *Journal of Administrative Science*. 2021; 18(2):179-96.
 14. Anđelković J. Accountability of Employees in Public Administration. *Journal of Economics Management Informatics*. 2023;14(1):111.
 15. Loveland I. *Constitutional Law, Administrative Law, and Human Rights: A Critical Introduction*, 9th ed. London: Oxford University Press. 2021. <https://www.oxfordlawtrove.com/view/10.1093/he/9780198860129.001.0001/he-9780198860129>
 16. Holcombe RG. Checks and Balances: Enforcing Constitutional Constraints. *Economies*. 2018;6(4):57:2-12.
 17. Springer D. The importance of parliamentary oversight. SSRN. 2023. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4653361
 18. Macaulay F. Non-governmental organisations and the rule of law: The experience of Latin America. *In Handbook on the Rule of Law*. Edward Elgar Publishing. 2018 Aug 31:257-270. <https://www.elgaronline.com/abstract/edcoll/9781786432438/9781786432438.00023.xml>
 19. Issachoff S. Judicial Review in Troubled Times: Stabilizing Democracy in a Second-Best World. *North Carolina Law Review*. 2019;98(1):1-57.
 20. Okolie UC, Udom ID. Disciplinary Actions and Procedures in the Workplace: The Role of HR Managers. *Journal of Economics and Management Research*. 2019; 8:90-105.
 21. Bosio E. Survey of Judicial Effectiveness: The Last Quarter Century of Empirical Evidence. *Governance Global Practice*, World Bank Group. 2023. <https://documents1.worldbank.org/curated/en/099330206262335739/pdf/IDU0c20eb45a08f4504ce09199072bada1c4771.pdf>
 22. Hansen UE, Nygaard I, Romijn H, Wiczorek A, Kamp LM, Klerkx L. Sustainability transitions in developing countries: Stocktaking, new contributions and a research agenda. *Environmental Science & Policy*. 2018 Jun 1;84:198-203.
 23. Okumu, W. *Managing Smooth Transfer and Peaceful Transition of Power in Africa: A 'Get Ready to Govern' Guide*. Nairobi: Hanns Seidel Foundation; 2022. https://www.researchgate.net/publication/368311039_Managing_Smooth_Transfer_and_Peaceful_Transition_of_Power_in_Africa_A_Get_Ready_to_Govern_Guide
 24. Fukuyama F. Democracy's Past and Future: Transitions to the Rule of Law. *Journal of Democracy*. 2010; 21(1):31-44.

How to cite: Sharaf Addin EHM. Constraints on Government Powers as Determinants in the Rule of Law: An International Investigation from 2023 to 2024. *Int Res J Multidiscip Scope*. 2025;6(4):29-40. doi: 10.47857/irjms.2025.v06i04.04120