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Integrating Sociopolitical, and Cultural Dimensions into the Donabedian Framework for Comparative Legal and Healthcare Policy Analysis

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ABSTRACT

This study presents an analytical framework based on the Donabedian model, designed to investigate the impact of sociopolitical and cultural influences on the evolution and perception of legal structures across different legal systems. By combining ideas from international relations and legal theory, the study seeks to reveal the intricacies and variances in the development of legal conceptions, as well as how language, culture, and sociopolitical dynamics impact legal discourse in distinct international contexts. The central hypothesis is that the classic Donabedian framework, which includes structure, procedure, and outcomes, needs to be expanded to account for the fluid character of legal ideas in the context of global sociopolitical and cultural interactions. This expanded model is presented as a critical tool for traversing the convoluted web of international legal concept creation and application, providing a more solid knowledge of legal system complexities. The study's approach aims to make a substantial contribution to comparative legal analysis by emphasising the importance of policy dimensions for the model's applicability in legal contexts, allowing for a nuanced cross-jurisdictional legal discourse.

Keywords: *Donabedian Model, Cultural Dimensions, Cross-Jurisdictional Analysis, Sociopolitical Influences, Comparative Legal Analysis.*

I. INTRODUCTION

Legal concepts can be comprehensively analysed across cultures and legal systems by delving into dimensions such as systems, processes, outcomes, and policies. Legrand and Munday (2003) give a core understanding of comparative legal studies by exploring the traditions and changes that exist within legal systems around the world. By studying the status of comparative legal studies, academics can get a more nuanced understanding of how legal concepts are treated and evolved in various cultural and legal settings².

¹ Diplomatische Akademie, Austria.

² Legrand, P. and Munday, R. (2003). Comparative legal studies: traditions and transitions. Cambridge University

(A) Legal Concepts are challenged by the existence of Diverse Systems

Comparative legal analysis is a key discipline that includes studying legal principles from different legal systems. This procedure involves a thorough examination of legal entities such as legal systems, specific fields of law, norms, techniques, institutions, and legal cultures (Hofmann, 2021)³. To ensure that the analysis is valid and that jurisprudence can become “truly scientific”, the acquired data, legal processes, and methods must be comparable (Loevinger, 1963)⁴. Comparative legal studies use approaches such as the 'functional approach' to go beyond legal families and national legal solutions (White & Glenn, 2005)⁵. This technique allows for a detailed comparison and examination, which assists in understanding legal systems beyond their surface differences.

Interdisciplinary contextualization is an important feature of comparative legal research, especially when investigating how the judiciary employs comparative legal analysis to gain insight into complex issues (Mak, 2015)⁶. Comparative legal studies shed light on the variables that impact legal regulations by looking into the history of law and its breakdown into legal formants (Cerchia, 2018)⁷. This thorough historical research aids in understanding the complexities of legal systems and the dynamics that generate legal norms.

Furthermore, comparative legal analysis contributes significantly to legal study by providing an overview of the world's legal systems, allowing for a better comprehension of various jurisdictional solutions and legal frameworks, including Islamic legal systems (Zakaria & Rabbani, 2018)⁸. It encourages rationalisation via deductive explanatory grounding, which helps to solve social challenges and fosters both convergence and divergence in legal jurisdictions (Pradhan & Haris, 2021)⁹.

Press. <https://doi.org/10.1017/cbo9780511522260>

³ Hofmann, R. (2021). Formalism versus pragmatism – a comparative legal and empirical analysis of the German and Dutch criminal justice systems with regard to effectiveness and efficiency. *Maastricht Journal of European and Comparative Law*, 28(4), 452-478. <https://doi.org/10.1177/1023263x211005983>

⁴ Loevinger, L. (1963). Jurimetrics: The methodology of legal inquiry. *Law and Contemporary Problems*, 28(1), 5-35. Duke University School of Law. <http://www.jstor.com/stable/1190721>

⁵ White, H. J. and Glenn, H. (2005). Environmental impact mitigation and bi-culture: a comparative legal analysis of flexibility within European legal regimes – biofilter deployment. *Aquaculture International*, 14(3), 297-317. <https://doi.org/10.1007/s10499-005-9035-9>

⁶ Mak, E. (2015). Watch out for the under toad: role and method of interdisciplinary contextualisation in comparative legal research. *Erasmus Law Review*. <https://doi.org/10.5553/elr.000041>

⁷ Cerchia, R. (2018). Legal mentality and its influence in shaping legal rules: the relationship between principal and agent. *The Global Jurist Journal*, 19(1). <https://doi.org/10.1515/gj-2018-0028>

⁸ Zakaria, M. H. and Rabbani, R. A. (2018). Categorized conception of Islamic legal history of Ibn Khaldun: a retrospective paradigm of legal cartography. *Journal of Ibn Haldun Studies, Ibn Haldun University*, 3(1), 141-158. <https://doi.org/10.36657/ihcd.2018.41>

⁹ Pradhan, D. and Haris, H. (2021). Religious tolerance in multifaith democracies: a comparative legal study of Indonesia and India. *Legality : Jurnal Ilmiah Hukum*, 29(1), 46-62. <https://doi.org/10.22219/ljih.v29i1.14694>

(B) Existing Frameworks and Limitations

Current legal theory frameworks frequently struggle to capture the complexities of legal systems in numerous contexts (Hsieh & Shannon, 2005)¹⁰. These frameworks may lack the adaptability to different legal traditions, political systems, and cultural subtleties, limiting their usefulness in comparative legal study. The inflexible architecture of current frameworks may fail to represent the dynamic character of legal concepts and their change over time (Engberg, 2009)¹¹. Furthermore, the static structure of some frameworks may limit their capacity to account for the sociopolitical and cultural forces that affect judicial systems across the world. It is “particularly regrettable” that there is a “pronounced deficiency in forward-thinking” within legal scholarship that adheres strictly to dogmatism. This dogmatic approach is one that rigidly clings to established doctrines and principles without considering the changing realities and future implications of the law. The approach exhibits a very strong “geographical orientation”, potentially overshadowing the dynamic global influences and the need for legal adaptability. To address these challenges, interdisciplinary legal research adopts an often “empirical perspective”, which necessitates “longer timeframes, more staff, larger collaborative teams, and invariably higher costs”. Yet, this investment is critical to foster a jurisprudence that is reflective of contemporary issues and future projections. Without this broader, empirically enriched perspective, legal scholarship risks stagnation and may fail to provide solutions for the emerging challenges that cross national boundaries and cultural divides (Lurger, 2023)¹².

(C) The Donabedian Model and its potential for understanding the inherent qualities of legal systems

The Donabedian Model, developed by Avedis Donabedian, is a key paradigm for measuring healthcare quality. It breaks down the evaluation into three important dimensions: structure, methodology, and outcome. The adaptability of this model allows it to be used in a variety of healthcare contexts, ranging from tiny clinics to big health systems, and it aids in the thorough description and analysis of patient care. Specifically, its comprehensive methodology makes it appropriate for evaluating regulated patient systems across borders, providing a sound framework for comparative legal research.

¹⁰ Hsieh, H. F. and Shannon, S. E. (2005). Three approaches to qualitative content analysis. *Qualitative Health Research*, 15(9), 1277-1288. <https://doi.org/10.1177/1049732305276687>

¹¹ Engberg, J. (2009). Assessing the dynamic character of legal terms. *Fachsprache*, 31(3-4), 126–138. <https://doi.org/10.24989/fs.v31i3-4.1414>

¹² Lurger, B. (2024). Rechtsdogmatik und Interdisziplinarität. In C. Bezemek (Ed.), *Rechtsdogmatik: Stand und Perspektiven* (pp. 115-132). Dike Verlag (in Kooperation mit Manz Verlag, Wien). <https://www.dike.ch/bezemek-rechtsdogmatik>

The Donabedian Model provides a detailed knowledge of healthcare quality and efficacy by evaluating the interconnectivity of healthcare structures, processes, and the subsequent results, allowing for targeted changes and policy formulation across diverse regulated healthcare systems globally¹³.

When used in conjunction with laws such as ISO 9001V2008, the Donabedian Model provides an organised way to enhancing the quality of treatment in healthcare facilities by aligning with the criteria of a Quality Management System (QMS)¹⁴. In the context of transnational genetic research, as discussed by Forgó and colleagues, the necessity of a robust ethical and legal framework is evident, particularly when considering informed consent and the balance between scientific progress and individual rights (Forgó et al, 2010). Forgó et al (2010) propose a sophisticated consent model and emphasize the ethical obligation of sharing research findings in a manner that respects donor autonomy—principles that can enrich the QMS by ensuring processes are not only efficient but also ethically sound. This meticulous approach to consent and data management is consistent with the ISO standards' emphasis on process optimisation and customer focus. They examine the usefulness and feasibility of a tiered consent approach, which would allow donors to pick their level of participation, so legitimising the use of their tissue for research in a more transparent manner. This level of detail in managing consent processes supports the ISO's focus on achieving customer objectives and increasing satisfaction, which in healthcare correlates with patient autonomy and confidence¹⁵.

This integration demonstrates the model's flexibility to articulating laws that adhere to ISO standards, emphasising the necessity of continual quality improvement. The model's components—structure, process, and outcomes—are consistent with the ISO 9001V2008 standards, allowing for systematic description and evaluation of healthcare services.

By investigating the compatibility of the Donabedian Model and ISO 9001V2008, healthcare facilities may efficiently manage the intricacies of regulatory regulations, assuring a patient-centered approach to quality improvement. This organised technique not only fulfils the unique demands of healthcare settings but also addresses larger organisational aims, proving the model's adaptability and usefulness in many situations¹⁶. These situations include manual

¹³ Bhat, P. I. (2020). Comparative Method of Legal Research: Nature, Process, and Potentiality. In *Idea and Methods of Legal Research*. Delhi: Oxford Academic. <https://doi.org/10.1093/oso/9780199493098.003.0009>

¹⁴ Ibn El Haj, H., Lamrini, M., & Rais, N. (2013). Quality of care between Donabedian model and ISO9001V2008. *International Journal for Quality Research*, 7(1), 17-30. Available at: <http://www.ijqr.net/journal/v7-n1/2.pdf>

¹⁵ Wilms, H.C. (2011). Ethical and legal requirements for transnational genetic research (Review). *European Journal of International Law*, 22, 614-617. https://www.researchgate.net/publication/235346443_Ethical_and_legal_requirements_for_transnational_genetic_research

¹⁶ Ibn El Haj, H., Lamrini, M., & Rais, N. (2013). Quality of care between Donabedian model and ISO9001V2008.

documentation analysis to apply Donabedian's model to the genetic counseling process, where literal wording and precise terminology are paramount. Beyond the clinical sphere, the versatility of the Donabedian model extends into the realm of legal analysis, particularly when it comes to the fluctuating landscape of national healthcare regulations¹⁷. The fluidity of legal provisions, which is similar to clinical outcomes, can differ drastically across jurisdictions and “change all the time”¹⁸. This characteristic makes the inclusion of comprehensive data analysis essential when applying the Donabedian model in a legal context. By incorporating a rigorous examination of legal documents, statutes, and case law, the model's structure-process-outcome framework can be aligned with the legal benchmarks that govern healthcare practices. Such an approach ensures that quality indicators are not only medically relevant but also legally sound, reflecting the ongoing convergence of healthcare delivery and the legal frameworks that shape it (Lević et al, 2020) ¹⁹.

(D) Research Objectives and Hypothesis

This study attempts to:

1. Create an expanded analytical framework based on the Donabedian model to better comprehend the impact of sociopolitical and cultural elements on legal concepts across different legal systems.
2. Investigate how language and legal discourse influence the evolution and interpretation of legal concepts qualitatively.
3. Evaluate the upgraded model's effectiveness using theoretical applications and thought experiments on specific legal ideas.

Hypothesis:

Expanding the Donabedian model to include sociopolitical, cultural, and linguistic aspects will result in a more comprehensive framework for analysing and comparing legal concepts across different legal systems and norm addressee.

International Journal for Quality Research, 7(1), 17-30. <http://www.ijqr.net/journal/v7-n1/2.pdf>

¹⁷ Lević, M., Krajnović, D., & Marinković, V. (2020). Proposed models for genetic counseling: which quality indicators by donabedian's model are more feasible?. *Acta facultatis medicae Naissensis*, 37(3), 274-285. https://farfar.pharmacy.bg.ac.rs/bitstream/id/8476/Proposed_Models_for_pub_2020.pdf

¹⁸ Forgo, N., Kollek, R., Arning, M., Krügel, T., & Petersen, I. (2010). Data protection framework within genetic research networks. In N. Forgo, R. Kollek, M. Arning, T. Krügel, & I. Petersen (Eds.), *Ethical and legal requirements for transnational genetic research* (pp. 101-123). C.H. Beck Hart Nomos.

¹⁹ Lević, M., Krajnović, D., & Marinković, V. (2020). Proposed models for genetic counseling: which quality indicators by donabedian's model are more feasible?. *Acta facultatis medicae Naissensis*, 37(3), 274-285. https://farfar.pharmacy.bg.ac.rs/bitstream/id/8476/Proposed_Models_for_pub_2020.pdf

II. UNDERSTANDING THE DONABEDIAN MODEL

Expanding on the well-known Donabedian model, which traditionally examines healthcare quality through the interconnected elements of structure, process, and outcomes, to include broader sociopolitical, cultural, and linguistic dimensions provides a comprehensive framework for analysing and comparing legal concepts across diverse legal systems²⁰. This capacity to adapt reflects the growing complexity of health-care systems and their intricate relationship with society norms and expectations (Beckfield, 2013).

The original Donabedian model serves as a core framework for the healthcare industry. It asserts that the quality of healthcare can be evaluated by meticulously examining the structure that provides the foundation of care (the 'hardware' of the system, which includes facilities, equipment, and human resources), the processes of care delivery (the interactions between providers and patients), and the outcomes of care (the resulting health states and patient satisfaction)²¹. The construct is a comprehensive perspective of health systems as social institutions and it expands this model to include sociopolitical and cultural aspects, as well as language subtleties, that impact the understanding and execution of healthcare policy (Donabedian, 2005).

The extended Donabedian framework now takes into account the legal and political structures that impact healthcare access and delivery. For example, the structure of a healthcare system must be considered in the context of legislative rules and government efforts that reflect and shape societal values²². We can draw parallels with Hoecke's (2015) methodological focus on comparative legal research. Just as Hoecke emphasises the necessity of understanding the methodology used in comparative legal studies, the extended Donabedian model emphasises the need to examine healthcare systems in light of their legal and political contexts²³.

The Donabedian model's process component has expanded beyond the interaction between healthcare practitioners and receivers to incorporate cultural competence and language appropriateness in healthcare delivery²⁴. This is consistent with Siems' (2019) work on the

²⁰ Donabedian A. (2005). Evaluating the quality of medical care. 1966. *The Milbank quarterly*, 83(4), 691–729. <https://doi.org/10.1111/j.1468-0009.2005.00397.x>

²¹ Beckfield, J., Olafsdottir, S., & Sosnaud, B. (2013). Healthcare Systems in Comparative Perspective: Classification, Convergence, Institutions, Inequalities, and Five Missed Turns. *Annual Review of Sociology*, 39, 127-146. <https://www.jstor.org/stable/43049629>

²² Donabedian A. (2005). Evaluating the quality of medical care. 1966. *The Milbank quarterly*, 83(4), 691–729. <https://doi.org/10.1111/j.1468-0009.2005.00397.x>

²³ Hoecke, M. V. (2015). Methodology of comparative legal research. *Law and Method*. <https://doi.org/10.5553/rem/.000010>

²⁴ Beckfield, J., Olafsdottir, S., & Sosnaud, B. (2013). Healthcare Systems in Comparative Perspective: Classification, Convergence, Institutions, Inequalities, and Five Missed Turns. *Annual Review of Sociology*, 39, 127-146. <https://www.jstor.org/stable/43049629>

power of comparative law and the significance of establishing the scope and units of comparison in legal research. To provide equitable and effective treatment, healthcare systems and regulations must be sensitive to cultural sensitivities and language clarity, just as they are in the law²⁵.

The results, which have historically been assessed by better health status or patient satisfaction, must now take into account the broader effects of healthcare on social well-being and legal principles²⁶. Magalhães et al. (2023) examine the framing effects and public reactions to high court verdicts in Europe, connecting legal outcomes with popular perception²⁷. Similarly, the enlarged Donabedian model contends that the outcomes of a healthcare system should be evaluated not just for their immediate health consequences, but also for their long-term repercussions for social justice, equality, and societal progress²⁸.

Furthermore, when analysing results, findings from research such as Amuedo-Dorantes and Bansak's (2011) examination of the influence of amnesty on labour market outcomes remind us that the efficacy of legal laws must be evaluated in terms of its actual impact on society²⁹. This demonstrates the enlarged Donabedian model's commitment to evaluating healthcare results within the greater sociopolitical context³⁰.

This improved Donabedian framework enables us to approach legal systems and concepts, such as those investigated by Huhta (2023) in the context of decarbonisation and Dalimunthe (2021) in the area of postal consumer protection regulations, as fundamental components of healthcare systems³¹. It implies that a strong healthcare system is intrinsically tied to the health of the legal and policy frameworks that support it (Beckfield, 2013).

²⁵ Siems, M. M. (2019). The power of comparative law: what types of units can comparative law compare?. *The American Journal of Comparative Law*, 67(4), 861-888. <https://doi.org/10.1093/ajcl/avz030>

²⁶ Beckfield, J., Olafsdottir, S., & Sosnaud, B. (2013). Healthcare Systems in Comparative Perspective: Classification, Convergence, Institutions, Inequalities, and Five Missed Turns. *Annual Review of Sociology*, 39, 127-146. <https://www.jstor.org/stable/43049629>

²⁷ Magalhães, P. C., Skiple, J. K., Pereira, M. M., Arnesen, S., & Bentsen, H. L. (2023). Beyond the myth of legality? framing effects and public reactions to High Court decisions in Europe. *Comparative Political Studies*, 56(10), 1537-1566. <https://doi.org/10.1177/00104140231152769>

²⁸ Beckfield, J., Olafsdottir, S., & Sosnaud, B. (2013). Healthcare Systems in Comparative Perspective: Classification, Convergence, Institutions, Inequalities, and Five Missed Turns. *Annual Review of Sociology*, 39, 127-146. <https://www.jstor.org/stable/43049629>

²⁹ Amuedo-Dorantes, C. and Bansak, C. (2011). The impact of amnesty on labor market outcomes: a panel study using the legalized population survey. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.1790687>

³⁰ Beckfield, J., Olafsdottir, S., & Sosnaud, B. (2013). Healthcare Systems in Comparative Perspective: Classification, Convergence, Institutions, Inequalities, and Five Missed Turns. *Annual Review of Sociology*, 39, 127-146. <https://www.jstor.org/stable/43049629>

³¹ Dalimunthe, F. Z. (2021). Postal consumer protection: comparison of Indonesian law with Malaysia and Vietnam. *Buletin Pos Dan Telekomunikasi*, 19(2), 81-96 <https://bpostel.kominfo.go.id/index.php/bpostel/article/view/190201/468>; Huhta, K. and Romppanen, S. (2023). Comparing legal disciplines as an approach to understanding the role of law in decarbonizing societies. *Transnational Environmental Law*, 12(3), 649-670. <https://doi.org/10.1017/s204710252300016x>

By incorporating these broader sociopolitical, cultural, and linguistic aspects, the expanded Donabedian model provides a more nuanced and multidimensional perspective that is in line with current demands for a healthcare system that is responsive not only to clinical needs but also to the social and legal realities of the populations it serves. This holistic approach is essential for conducting complete and relevant assessments of healthcare ideas across countries, reflecting the complex and interwoven character of legal comparisons in the evolving context of global health³².

(A) The Donabedian Model: Foundations and Origin

Avedis' Model is a basic framework that defines three main components necessary for evaluating the quality of healthcare services: structure, process, and result (Baloyi et al., 2022)³³.

Avedis Donabedian and his colleagues suggest an integrated strategy for studying the link between healthcare quality, associated expenditures, and health outcomes. It emphasises the necessity of defining medical care quality in terms of its influence on health status, with a focus on the intended benefits of the treatment delivered. This model navigates the complicated interplay between the unconstrained, efficient use of healthcare resources and the ensuing quality of treatment, taking into account both individual and society costs and benefits. It differentiates between personal preferences, social value, and an absolute definition of quality that ignores financial restrictions, emphasising the dynamic balance necessary to optimise healthcare service. Furthermore, the model delves into clinical and manufacturing efficiency, emphasising the need of a low-cost, high-quality healthcare system. It acknowledges that different definitions of quality exist based on individual ability to pay, societal preferences, and the distribution of healthcare benefits, and proposes a comprehensive approach to healthcare evaluation that balances quality, cost, and health outcomes in a way that reflects broader societal values and individual needs. This model provides a core framework for evaluating and enhancing the quality of healthcare services, ensuring that care is both effective and equitable (Donabedian, 1982).

The structural component addresses the environment in which healthcare is administered, including aspects such as buildings, equipment, and people qualifications. The term "process"

³² Beckfield, J., Olafsdottir, S., & Sosnaud, B. (2013). Healthcare Systems in Comparative Perspective: Classification, Convergence, Institutions, Inequalities, and Five Missed Turns. *Annual Review of Sociology*, 39, 127-146. <https://www.jstor.org/stable/43049629>

³³ Baloyi, OB., Jarvis, M. A., & Mtshali, N. G. (2022). A report of a south africans university's management of undergraduate nursing students' teaching and learning following the covid-19 interruptions. *Health SA Gesondheit*, 27. <https://doi.org/10.4102/hsag.v27i0.1816>

refers to the actual activities involved in providing care, such as interactions between healthcare personnel and patients, communication, and information sharing. Outcomes describe the outcomes of healthcare delivery, such as health condition, patient satisfaction, and related expenses (Baloyi et al., 2022).

Building on the fundamentals of structure, process, and outcomes, it is critical to understand how these elements interact to determine the overall quality of healthcare services. The structural integrity of healthcare facilities lays the basis, but it is the processes—those actual acts and interactions—that give life to this framework, directly impacting patient experiences and treatment efficacy. The effects of these efforts are evident in the outcomes, which include not only clinical results but also patient views and financial repercussions. This comprehensive approach emphasises the dynamic and cyclical character of healthcare quality improvement, with outcomes feeding back into structural and process changes, resulting in a continual cycle of review and refinement. Focusing on these three components allows healthcare systems to identify areas for improvement, implement targeted interventions, and ultimately raise the standard of care provided to patients, ensuring that it is not only effective and efficient but also patient-centered and responsive to changing healthcare needs and expectations³⁴.

The tripartite model has received widespread recognition for its capacity to provide a systematic method to quality evaluation in healthcare settings (Baloyi et al., 2022)³⁵.

Michael Perides' (2001) memorial tribute honours Professor Avedis Donabedian as a significant player in the field of healthcare quality. Donabedian's seminal work in the early 1960s substantially altered the approach to quality evaluation in healthcare, drawing on industrial techniques to establish an analytical framework focused on structure, process, and outcomes. This shift highlighted the significance of not just the physical and organisational characteristics of healthcare settings (structure), but also the critical assessment of care delivery (process) and the consequent health outcomes. Donabedian's methodology has had a significant impact on the quest of excellence in healthcare, arguing for a more humanistic and inclusive approach to continuous quality improvement, rather than rigorous inspection and control procedures.

His advocacy for the broad application of quality concepts, regardless of origin, as well as his conviction in mutual learning between the public and private sectors for organisational excellence, support his vision of a holistic and inclusive approach to enhancing healthcare

³⁴ Donabedian, A., Wheeler, J. R. C., & Wyszewianski, L. (1982). Quality, Cost, and Health: An Integrative Model. *Medical Care*, 20(10), 975-992. <https://www.jstor.org/stable/3764709>

³⁵ Baloyi, OB., Jarvis, M. A., & Mtshali, N. G. (2022). A report of a south africans university's management of undergraduate nursing students' teaching and learning following the covid-19 interruptions. *Health SA Gesondheit*, 27. <https://doi.org/10.4102/hsag.v27i0.1816>

delivery. The European Foundation for Quality Management (EFQM) Health Sector Group recognises Donabedian's alignment with their focus on people, processes, and outcomes as critical components of organisational success. The EFQM pledges to continue Donabedian's legacy by incorporating evolving quality improvement concepts into healthcare practice.

Donabedian's contributions continue to be a cornerstone for healthcare professionals and the larger community, assuring his long-term legacy in moulding quality healthcare delivery. His tripartite model offers a thorough and systematic approach to evaluate healthcare quality, emphasising its importance and general acceptance as a key framework for analysing and improving healthcare services³⁶.

By emphasising the interaction of structure, process, and result, the model provides a complete framework for assessing the efficacy and efficiency of healthcare delivery systems. The structural component guarantees that the essential resources and infrastructure are in place to enable excellent treatment, whereas the process component focuses on delivering care in an efficient, effective, and patient-centered way. The outcome component assesses the effect of care on patient health outcomes and satisfaction (Baloyi et al., 2022).

The Donabedian Model has helped guide quality improvement programmes and shape healthcare policy to improve patient care delivery (Baloyi et al., 2022). Using this paradigm, healthcare organisations may systematically analyse and improve the quality of care they deliver to patients, resulting in better health outcomes and higher patient satisfaction. The Donabedian Model's organised approach, which focuses on structure, process, and result, is an effective tool for evaluating and improving the quality of healthcare services in a variety of situations³⁷.

(B) Applications in healthcare and in assessing quality

Research has demonstrated the model's usefulness in assessing health facility structural resilience, prenatal care service provision, and the quality of integrated chronic illness management (Defar et al., 2020; Ameh et al., 2017)³⁸³⁹. The Model enables researchers to

³⁶ Perides, M. (2001). Avedis Donabedian - In Memoriam. *International Journal for Quality in Health Care*, 13(2), 163. Oxford University Press. <https://www.jstor.org/stable/45124996>

³⁷ Baloyi, OB., Jarvis, M. A., & Mtshali, N. G. (2022). A report of a south africans university's management of undergraduate nursing students' teaching and learning following the covid-19 interruptions. *Health SA Gesondheit*, 27. <https://doi.org/10.4102/hsag.v27i0.1816>

³⁸ Defar, A., Getachew, T., Taye, G., Tadele, T., Getnet, M., Shumet, T., ... & Bekele, A. (2020). Quality antenatal care services delivery at health facilities of ethiopia, assessments of the structure/input of care setting. *BMC Health Services Research*, 20(485). <https://doi.org/10.1186/s12913-020-05372-6>

³⁹ Ameh, S., Gómez-Olivé, F. X., Kahn, K., Tollman, S., & Klipstein-Grobusch, K. (2017). Relationships between structure, process and outcome to assess quality of integrated chronic disease management in a rural south african setting: applying a structural equation model. *BMC Health Services Research*, 17(229).

systematically analyse the infrastructure, procedures, and results of healthcare services, resulting in improved quality and patient outcomes (Dubois et al., 2013)⁴⁰.

Furthermore, the Model has been essential in directing quality improvement initiatives and developing healthcare policy to improve patient care delivery (Endeshaw, 2020)⁴¹. Its systematic approach, which focuses on the link between structure, process, and outcome, enables healthcare organisations to assess and improve the care they offer to patients (Avci, 2023)⁴². This strategy allows healthcare practitioners to identify areas for improvement, apply evidence-based procedures, and eventually enhance the overall quality of healthcare services (Iduye, 2022)⁴³.

The Donabedian Model's flexible and effective uses in healthcare systems and quality evaluation demonstrates its importance in assessing and improving care delivery quality. This model can help healthcare organisations enhance service delivery, optimise patient outcomes, and assure high-quality treatment in a variety of contexts (McCarty et al., 2022)⁴⁴.

(C) Limitations of the Standard Donabedian Model in the Legal Context

Critics of the Model in healthcare quality evaluation have expressed concerns about its simplifying of complicated healthcare systems, and little emphasis on patients' medical treatment⁴⁵.

<https://doi.org/10.1186/s12913-017-2177-4>

⁴⁰ Dubois, C., D'Amour, D., Pomey, M., Girard, F., & Brault, I. (2013). Conceptualizing performance of nursing care as a prerequisite for better measurement: a systematic and interpretive review. *BMC Nursing*, 12(7). <https://doi.org/10.1186/1472-6955-12-7>

⁴¹ Endeshaw, B. (2020). Healthcare service quality-measurement models: a review. *Journal of Health Research*, 35(2), 106-117. <https://doi.org/10.1108/jhr-07-2019-0152>

⁴² Avci, E. (2023). Co-production as a resolution to authoritarian attitudes in healthcare. *Nursing Ethics*, 30(Issue 7-8), 1003-1010. <https://doi.org/10.1177/09697330231169931>

⁴³ Iduye, S. (2022). Application of fawcett's criteria in theory evaluation. *Nursing Science Quarterly*, 36(1), 58-63. <https://doi.org/10.1177/08943184221131966>

⁴⁴ McCarty, E., Nagarajan, M., Halloran, S., Brady, R., House, S., & Leyenaar, J. (2022). Healthcare quality during pediatric mental health boarding: a qualitative analysis. *Journal of Hospital Medicine*, 17(10), 783-792. <https://doi.org/10.1002/jhm.12906>

⁴⁵ Babar, A. and Montero, A. J. (2021). Building quality from the ground up in a Cancer Center. *The Comprehensive Cancer Center*, 135-143. https://doi.org/10.1007/978-3-030-82052-7_14; Carayon, P., Hundt, A. S., Karsh, B., Gürses, A. P., Alvarado, C. J., Smith, M. J., ... & Brennan, P. F. (2006). Work system design for patient safety: the seips model. *Quality in Health Care*, 15(suppl 1), i50-58. <https://doi.org/10.1136/qshc.2005.015842>; Carayon, P., Wetterneck, T. B., Rivera-Rodriguez, A. J., Hundt, A. S., Hoonakker, P., Holden, R. J., ... & Gürses, A. P. (2014). Human factors systems approach to healthcare quality and patient safety. *Applied Ergonomics*, 45(1), 14-25. <https://doi.org/10.1016/j.apergo.2013.04.023>; Cohen, C. C. and Shang, J. (2015). Evaluation of conceptual frameworks applicable to the study of isolation precautions effectiveness. *Journal of Advanced Nursing*, 71(10), 2279-2292. <https://doi.org/10.1111/jan.12718>; Hoff T, Jameson L, Hannan E, Flink E. (2004) A Review of the Literature Examining Linkages between Organizational Factors, Medical Errors, and Patient Safety. *Medical Care Research and Review*. 2004;61(1):3-37. <https://pubmed.ncbi.nlm.nih.gov/15035855/>; Mitchell, P. H., Ferketich, S., & Jennings, B. M. (2007). Quality health outcomes model. 30(1), p.43-46. <https://doi.org/10.1111/j.1547-5069.1998.tb01234.x>; Park, C. S. (2017). Optimizing staffing, quality, and cost in home healthcare nursing: theory synthesis. *Journal of Advanced Nursing*, 73(8), 1838-1847. <https://doi.org/10.1111/jan.13284>; Petersen, L. A., Woodard, L. E., Urech, T. H., Daw, C., &

However, these complaints about being “linear” may not be immediately applicable in the legal environment, as legal systems are evaluated differently than healthcare services⁴⁶.

The investigation into the objectivity of laws as products of the legal consultative process vs the subjectivity of medical care, such as the treatment of diabetic patients, touches on complex issues that have been discussed in academic circles. Both the legal and medical sectors strive for objectivity, but their approaches and obstacles are diverse. Laws are considered objective if they yield distinct consequences or are based on consistent and universally applicable principles⁴⁷. Medical therapy for illnesses such as diabetes requires individualised decision-making that considers a patient's unique circumstances and preferences, leading to subjectivity (Leiter, 2012).

Objectivity in law refers to applying universal and objective criteria, rather than considering individual features and perceptions, which is similar to the medical method (Leiter, 2012). The law recognises the need of considering individual situations, particularly in criminal law⁴⁸.

In the legal environment, the Model's structure-process-outcome framework can provide an organised way to evaluating legal systems' efficacy, legitimacy, and societal impact. Legal ideas, unlike healthcare procedures, may benefit from the model's rigorous review since it may provide light on the structural frameworks, procedural characteristics, and final outcomes of legal systems. By using the model to legal study, scholars may manage the complexity of legal reasoning, interpretation, and social implications, improving knowledge of legal concepts across several systems.

As a result, while critiques of the Model in healthcare quality evaluation are legitimate within the healthcare sector, they may not be applicable to its use in the legal environment. The model's organised approach can provide a useful framework for comparative study and assessment of legal systems, as well as a systematic way for determining the quality and influence of legal concepts.

III. EXTENTION OF THE DONABEDIAN MODEL FOR LEGAL ANALYSIS

(A) Sociopolitical and Cultural Influences

Sookanan, S. (2006). Does pay-for-performance improve the quality of health care?. *Annals of Internal Medicine*. <https://doi.org/10.7326/0003-4819-145-4-200608150-00006>

⁴⁶ Kajonius, P. and Kazemi, A. (2015). Structure and process quality as predictors of satisfaction with elderly care. *Health & Social Care in the Community*, 24(6), 699-707. <https://doi.org/10.1111/hsc.12230>

⁴⁷ Greenawalt, K. (2016). *Law and Objectivity: How People Are Treated. In From the Bottom Up: Selected Essays*. New York. <https://doi.org/10.1093/acprof:oso/9780199756162.003.0010>

⁴⁸ Leiter, B. (2012). *Law and Objectivity*. In J. L. Coleman, K. E. Himma, & S. J. Shapiro (Eds.), *The Oxford Handbook of Jurisprudence and Philosophy of Law* (Online ed.). Oxford Academic. (Original work published 2004) <https://doi.org/10.1093/oxfordhb/9780199270972.013.0023>

Incorporating sociopolitical and cultural elements into the Model for Legal Analysis is critical for comprehending the intricacies of legal systems. Historical background and legal traditions play an important role in establishing legal conceptions, which represent the growth of laws throughout time⁴⁹.

Legal traditions, such as the common law and civil law systems, impact legal reasoning and interpretation, emphasising the significance of historical foundations in legal analysis. Furthermore, political systems and economic structures influence the creation and implementation of laws, reflecting power dynamics and social values within a legal framework⁵⁰.

Cultural elements have an impact on legal systems, as evidenced by how legal cultures influence society norms, attitudes, and behaviours towards the law (Mantovan, 2022)⁵¹. Legal culture refers to the principles and attitudes that connect the legal system to the larger culture and influence how laws are implemented in society (Vick, 2004)⁵². Understanding legal culture is critical for promoting social stability, combating separatist movements, and ensuring long-term growth (Kachur et al., 2020)⁵³.

Legal culture is dynamic, evolving in response to societal events and interactions. The interaction of different legal cultural backgrounds promotes information sharing and experiences, which shapes the evolution of legal systems (Bennett, 2020)⁵⁴. Several variables influence the development of legal culture, including political, social, and educational dimensions (Volgina et al., 2019)⁵⁵. Furthermore, legal culture extends beyond formal legal institutions and pervades everyday life, influencing how people view and interact with the law. Finally, incorporating sociopolitical and cultural factors into legal analysis is critical for achieving a sophisticated knowledge of legal systems. Legal traditions, political frameworks,

⁴⁹ Valverdie, S., Humphrey, D., & Fernández, F. (2003). Deregulation, bank competition and regional growth. *Regional Studies*, 37(3), 227-237. <https://doi.org/10.1080/0034340032000065398>

⁵⁰ Sarat, A. and Simon, J. (2003). Cultural analysis, cultural studies, and the situation of legal scholarship., 1-34. <https://doi.org/10.1215/9780822384755-001>

⁵¹ Mantovan, C. (2022). Antigypsyism, legal culture and sentencing in italy: a dialogue between sociology of law and critical romani studies. *Oñati Socio-Legal Series*, 12(6), 1518-1546. <https://doi.org/10.35295/osls.iisl/0000-0000-0000-1300>

⁵² Vick, D. (2004). Interdisciplinarity and the discipline of law. *Journal of Law and Society*, 31(2), 163-193. <https://doi.org/10.1111/j.1467-6478.2004.00286.x>

⁵³ Kachur, V., Protosavitska, L., Zasukha, L., & Golovko, L. (2020). The role of legal culture in maintaining social stability and countering separatist movements: case of ukraine. *European Journal of Sustainable Development*, 9 No(1), 294. <https://doi.org/10.14207/ejsd.2020.v9n1p294>

⁵⁴ Bennett, L. (2020). Reconsidering law at the edge: how and why do place-managers balance thrill and compliance at outdoor attraction sites?. *Area*, 53(4), 611-618. <https://doi.org/10.1111/area.12667>

⁵⁵ Volgina, E., Ilyicheva, E., Kalinichenko, E., Lanina, A., & Polyakova, V. (2019). The role of gender in the formation of anglo-american legal terminology. *SHS Web of Conferences*, 69, 00128. <https://doi.org/10.1051/shsconf/20196900128>

and cultural norms all contribute to the legal cultures, emphasising the dynamic interaction between law and society.

Legal traditions, political frameworks, and cultural norms all help to shape the dynamic relationship between law and society. Political systems are subsystems of the societal system that primarily serve to stabilise the system by legitimising binding decisions (Schefbeck, 2011). In this light, legislative authorities such as parliaments pass laws to legitimise the rules that govern societal interaction. Representation by elected legislators, albeit a legal construct, provides some degree of democratic legitimacy, however Schefbeck (2011) says that Kelsen described it as an inauthentic exercise of representation.

Furthermore, with parliamentary representation, civil society's participation in opinion-forming processes prior to and during legislative decision-making strengthens the legitimacy of established laws. This less formal legitimization process, albeit limited, makes a substantial contribution to societal acceptance of legal standards. Schefbeck (2011) says that Niklas Luhmann refers to this as "legitimization by procedure," implying that following procedural rules in decision-making earns acceptability even from those who disagree with the conclusion itself.

Transparency in parliamentary procedures is essential for democratic legitimacy and ensures the interdependence of political communication. Schefbeck (2011) says that according to Oberreuter, transparency in these procedures is critical to democracy because it allows the public to understand the reasoning behind legislative actions. Historically, transparency was based on public access to parliamentary proceedings, written documentation, and media coverage. However, the Internet has transformed access to parliamentary procedures by enabling live broadcasting and online documentation, hence increasing civic engagement and comprehension of legislative proceedings.

These developments highlight the need of public participation and transparency in legitimising legislative decisions. While the concepts of "deliberative politics" and representative democracy may be artificial, their effective implementation and public perception are critical in stabilising and legitimising the political system within society. The growth of media coverage and its impact on public perception of legislative procedures is undeniable, indicating the interplay between legal processes, political communication, and popular legitimacy⁵⁶.

⁵⁶ Schefbeck, G. (2011). Anfänge und Auswirkungen des Computereinsatzes in Österreich. In N. Forgó, M. Holzweber, & N. Reitbauer (Eds.), *Informationstechnologie in Recht und Verwaltung* (pp. 59-75). https://books.google.de/books/about/Informationstechnologie_in_Recht_und_Verwaltung.html?id=aoKqXwAACAAJ&redir_esc=y

(B) The Role of Language and Legal Discourse in the International Contexts

Language and legal discourse are critical components of legal analysis, affecting the understanding and execution of laws in many circumstances. Cultural values and social norms influence legal interpretation because laws frequently reflect cultural values and conventions. Cultural values can influence legal interpretation, resulting in disparities in legal results and judgements, emphasising the importance of taking cultural subtleties into account in legal analysis. Language intricacies, such as terminology and grammar, have a considerable impact on legal meaning and interpretation. Understanding these linguistic nuances is critical for precise legal analysis and successful communication within legal systems.

(C) The application of Structures, Processes, and Outcomes for Legal Concepts

When modifying the Model for legal analysis, it is critical to reconsider the structure, process, and outcome components in order to successfully analyse legal systems in varied situations.

a. Redefining Structure: Legal Frameworks and Institutional Context

Redefining the structural component entails investigating the legal frameworks and institutional circumstances that influence legal systems. Legal frameworks, such as civil and common law systems, serve as the foundation for legal procedures and decisions. Institutions such as the courts, legislative bodies, and regulatory organisations all have an impact on how laws are implemented and enforced.

b. Rethinking the Process of Legal Reasoning, Argumentation, and Interpretation

Rethinking the process component includes examining legal reasoning, debate, and interpretation in their legal settings. Legal reasoning includes applying laws to specific instances, whereas argumentation is concerned with properly expressing legal arguments. The aim and application of legal provisions are considered while interpreting laws, emphasising the relevance of judicial interpretation and legal precedent.

c. Recalibrating Output: Effectiveness, Legitimacy, and Social Impact

Recalibrating the result component entails evaluating the efficacy, validity, and societal impact of legal ideas. Effectiveness assesses legal systems' capacity to achieve their intended aims, whereas legitimacy assesses the acceptability and authority of legal decisions. Social impact assesses how legal principles affect society norms, behaviours, and justice results.

Researchers can gain a comprehensive understanding of the complexities and implications of legal systems by redefining the Model's structure, process, and outcome components.

IV. CASE STUDIES: APPLYING THE ENHANCED MODEL

(A) The Evolution of Specific Legal Concept Across Countries

a. Investigating the Impact of History and Philosophical concepts

Contract law's evolution in common law and civil law systems is heavily influenced by its historical and philosophical basis. Common law systems, based on English legal traditions, focus on case law and judicial precedent to emphasise flexibility and the formation of law through judicial decisions (Cheung et al., 2019)⁵⁷.

The ideas that common law is based on and how it has changed over time show that structure, result, and procedural rules all interact in complicated ways that make common law work and set it apart from civil law systems. Common law relies on past court decisions and decisions made by other judges. It uses both moral thinking and economic analysis, which can make the decision-making process less clear and definite. People have said that the economic analysis of common law isn't consistent with the courts' expressive reasoning because it takes a consequentialist view that is different from traditional deontological morals. Kraus (2007) supports the economic analysis by saying that the two-sided nature of common law and the way it has changed over time to be more efficient could help bring these philosophical differences together.

Kraus (2007) contends that the common law's bilateral structure, which is fundamentally aligned with retrospective moral rights adjudication, may be adapted to economic analysis by a process of "contextualist convergence." This theory contends that the seeming contradiction between economic efficiency and moral deontic language in judicial reasoning is bridged by common law's natural evolution towards a more definite and efficient framework, without jeopardising its moral roots. This history emphasises the role of determinacy in legal explanation and justification, implying that, contrary to objections, economic analysis can coexist with deontic moral reasoning within the common law's structure⁵⁸.

Civil law systems, which descend from Roman law ideas, prioritise codified laws and statutes, resulting in a structured legal framework (Cheung et al., 2019).

b. Comparing Legal Reasoning and Contract Formation Processes

⁵⁷ Cheung, M. L., Chau, K. Y., Lam, M. H. S., Tse, G., Ho, K. Y., Flint, S. W., & Lee, K. Y. (2019). Examining consumers' adoption of wearable healthcare technology: the role of health attributes. *International Journal of Environmental Research and Public Health*, 16(13), 2257. <https://doi.org/10.3390/ijerph16132257>

⁵⁸ Kraus, J. S. (2007). Transparency and Determinacy in Common Law Adjudication: A Philosophical Defense of Explanatory Economic Analysis. *Virginia Law Review*, 93(2), 287-359. <https://www.jstor.org/stable/25050346>

The legal reasoning and contract generation procedures differ between common and civil law regimes. Common law systems rely on court interpretation and precedent to define contractual duties based on specific circumstances (Cheung et al., 2019)⁵⁹.

These circumstances are defined through a procedure that is mainly based on legal reasoning and precedent application. This approach differs from civil law systems, which emphasise codified statutes and principles. At the foundation of common law technique is the principle of "stare decisis," which requires courts to follow the rulings and reasoning of earlier judgements in similar circumstances. This commitment ensures consistency and predictability in legal results, while still allowing for some flexibility in the face of changing society norms and beliefs.

Contractual duties under common law are frequently drawn from case law, which examines the interpretation of contracts and the intents of the parties concerned via judicial decisions. This is evident in the necessity for "consideration" - a crucial component of contract creation that requires a palpable exchange of value between the parties. The emphasis on consideration reflects common law's emphasis on mutual consent and reciprocity as the foundation for enforceable contracts.

Common law courts address the complexities of contractual disputes using legal reasoning and precedent, analysing and applying concepts acquired from previous judgements. This analytical approach not only reinforces judicial autonomy, but it also emphasises the dynamic interplay between established legal concepts and modern contractual practices. As a result, common law's dependence on judicial interpretation and precedent plays an important role in establishing the parameters of contractual responsibilities, indicating a deep-seated dedication to justice, equity, and the rule of law⁶⁰.

Civil law regimes, on the other hand, handle contractual issues by the literal interpretation of legislation and codes (Cheung et al., 2019)⁶¹.

Civil law systems prioritise the codification of laws and concepts, which are methodically organised into comprehensive legal codes. This structured approach is intended to ensure that

⁵⁹ Cheung, M. L., Chau, K. Y., Lam, M. H. S., Tse, G., Ho, K. Y., Flint, S. W., & Lee, K. Y. (2019). Examining consumers' adoption of wearable healthcare technology: the role of health attributes. *International Journal of Environmental Research and Public Health*, 16(13), 2257. <https://doi.org/10.3390/ijerph16132257>

⁶⁰ Calleros, C. R. (2011). Introducing Civil Law Students to Common Law Legal Method Through Contract Law. *Journal of Legal Education*, 60(4), 641-663. Association of American Law Schools. <https://www.jstor.org/stable/42894198>

⁶¹ Cheung, M. L., Chau, K. Y., Lam, M. H. S., Tse, G., Ho, K. Y., Flint, S. W., & Lee, K. Y. (2019). Examining consumers' adoption of wearable healthcare technology: the role of health attributes. *International Journal of Environmental Research and Public Health*, 16(13), 2257. <https://doi.org/10.3390/ijerph16132257>

all legal laws and concepts are properly classified, making the legal framework more accessible and predictable for consumers as well as businesses. The emphasis on codification in civil law nations seeks to establish a clear, simple, and stable set of principles that regulate contractual interactions and duties directly from the written law, therefore reducing ambiguity and interpretation.

The dependence on a literal interpretation of codes and statutes distinguishes civil law regimes, in which judicial discretion is greatly curtailed when compared to common law jurisdictions. Civil law seeks to provide a high level of predictability and uniformity in judicial procedures and contract enforcement by strictly adhering to the language of the law. This methodical approach can help with contract formulation and dispute resolution by establishing clear guidelines and limiting the opportunity for subjective judicial interpretation. The predictability of civil law systems can be especially useful in commercial environments, where parties frequently desire certainty and clarity in their contractual relations.

However, the very virtues of civil law systems—structure, predictability, and dependence on defined norms—may have limits. Civil law's codified nature makes it more difficult to adapt to specific circumstances or rapidly changing cultural norms and technological breakthroughs. Because legal reform in civil law systems often requires official legislative action to update existing codes or enact new laws, the law's response to new issues and societal transformations may be delayed. This legislative procedure, while thorough, may not be as quick or adaptable as judicially driven adaptations observed in common law regimes, where courts can reinterpret and evolve legal ideas through particular cases.

Furthermore, extensive codification in civil law nations may unintentionally limit the legal system's ability to innovate or respond to complicated, unexpected contractual conflicts that lie outside the scope of existing statutes. While the predictability of civil law has obvious advantages, its potential rigidity and slower rate of legal change may limit the system's ability to successfully address innovative legal situations. This contrast emphasises the inherent trade-offs between the organised clarity afforded by civil law codification and the adaptive dynamism of common law's precedent-based method⁶².

c. Evaluate the Effectiveness and Social Impact of Contract Law

The efficacy and societal impact of contract law in common law and civil law regimes are critical factors. Contract law defines economic interactions, ensures business certainty, and

⁶² Cross, F. B. (2007). Identifying the Virtues of the Common Law. *Supreme Court Economic Review*, 15(1), 21–59. <https://doi.org/10.1086/656027>

balances the interests of contracting parties (Cheung et al., 2019)⁶³. Researchers can examine contract law's social ramifications using the Enhanced Donabesian Model considering policies to determine its role in encouraging trust, justice, and economic progress.

Furthermore, it is critical to investigate the role of contracts in international contexts and the governance of social institutions (Eller, 2021)⁶⁴. Public procurement, human rights, and health impact assessment policies all have an impact on contract law's social results (Pandey et al., 2018; MacNaughton & Forman, 2014; Lee & Lim, 2001)⁶⁵.

(B) Theoretical Application: The Effects of Technological Progresses on Privacy Laws

a. Analysing the Changing Sociopolitical Landscape and Technological Pressures

Technical improvements such as Blockchain and Artificial Intelligence have had a substantial influence on privacy legislation, particularly as they emphasise “trust to enforce agreements” (Eenmaa & Schmidt-Kessen, 2017)⁶⁶. They now require an understanding of the changing sociopolitical context and technical demands. Rapid advances in information technology, data collecting techniques, and surveillance capabilities have generated worries about how to secure individuals' privacy rights in the digital age (Cheung et al., 2019)⁶⁷. Using the Enhanced Donabesian Model, researchers may evaluate how legal systems respond to these obstacles and adapt to new types of privacy concerns.

b. Investigating How Language and Legal Discourse Adapt to New Technologies

The adaptation of language and legal discourse to new technology is critical in the context of privacy legislation. Emerging technologies like artificial intelligence and biometrics have transformed data gathering and processing methods, necessitating the evolution of legal frameworks (Cheung et al., 2019). Researchers can assess the success of privacy legislation in

⁶³ Cheung, M. L., Chau, K. Y., Lam, M. H. S., Tse, G., Ho, K. Y., Flint, S. W., & Lee, K. Y. (2019). Examining consumers' adoption of wearable healthcare technology: the role of health attributes. *International Journal of Environmental Research and Public Health*, 16(13), 2257. <https://doi.org/10.3390/ijerph16132257>

⁶⁴ Eller, K. (2021). *Transnational contract law.*, 513-530. <https://doi.org/10.1093/oxfordhb/9780197547410.013.24>

⁶⁵ MacNaughton, G. and Forman, L. (2014). The value of mainstreaming human rights into health impact assessment. *International Journal of Environmental Research and Public Health*, 11(10), 10076-10090. <https://doi.org/10.3390/ijerph111010076>; Pandey, S., Cordes, J., Pandey, S., & Winfrey, W. (2018). Use of social impact bonds to address social problems: understanding contractual risks and transaction costs. *Nonprofit Management and Leadership*, 28(4), 511-528. <https://doi.org/10.1002/nml.21307>; Lee, O. and Lim, J. (2001), Progressive labour policy, ageing Marxism and unrepentant early capitalism in the Chinese industrial revolution. *Business Ethics: A European Review*, 10: 97-107. <https://doi.org/10.1111/1467-8608.00219>

⁶⁶ Eenmaa, Helen and Schmidt-Kessen, Maria José, *Regulation Through Code as a Safeguard for Implementing Smart Contracts in No-Trust Environments* (2017). EUI Department of Law Research Paper No. 2017/13, Available at SSRN: <https://ssrn.com/abstract=3100181>

⁶⁷ Cheung, M. L., Chau, K. Y., Lam, M. H. S., Tse, G., Ho, K. Y., Flint, S. W., & Lee, K. Y. (2019). Examining consumers' adoption of wearable healthcare technology: the role of health attributes. *International Journal of Environmental Research and Public Health*, 16(13), 2257. <https://doi.org/10.3390/ijerph16132257>

protecting people's private rights by looking at how legal concepts are reinterpreted in response to technology advances such as digital assets.

c. Evaluate the Effectiveness and Legitimacy of Evolving Privacy Laws

The Enhanced Donabedian Model evaluates the efficacy and validity of evolving privacy laws by measuring how well these rules safeguard privacy rights, promote openness in data processing, and solve growing privacy concerns (Cheung et al., 2019)⁶⁸. Researchers may analyse the influence of privacy laws on society and guide future policy creation in response to technology breakthroughs by taking into account concepts of justice, efficiency, social welfare and industry-self regulation (Gong et al, 2019)⁶⁹.

V. DISCUSSION AND IMPLICATIONS

(A) Advantages of the Enhanced Donabedian Model with Policy Factors for Legal Studies and Comparative Analysis

The extended Donabedian Model has substantial benefits for Legal Studies and Comparative Analysis since it incorporates policy issues into its framework. This integration enables a thorough assessment of processes, outcomes, structures, and policies within legal systems (Pedersen n.d.)⁷⁰. This approach improves knowledge of how legal judgements are affected and executed by integrating policy variables, in addition to the typical focus on post-decision analysis (Martin et al., 2009). This holistic approach is consistent with the necessity to recognise the intrinsic spatialities present in current legislation, bridging the gap between legal actions and their spatial consequences (Martin et al., 2009).

a. This policy enhancement promotes cross-cultural understanding and dialogue.

The policy enhancement in the Donabedian Model promotes cross-cultural understanding and conversation by offering a framework that crosses geographical boundaries and legal systems. This innovation enables academics to analyse legal systems from various cultural backgrounds, allowing for a more in-depth knowledge of how policies impact legal results (Martin et al., 2009). By taking into account the geographical consequences of legal judgements in the expanded model, scholars may participate in meaningful cross-cultural conversations that

⁶⁸ Cheung, M. L., Chau, K. Y., Lam, M. H. S., Tse, G., Ho, K. Y., Flint, S. W., & Lee, K. Y. (2019). Examining consumers' adoption of wearable healthcare technology: the role of health attributes. *International Journal of Environmental Research and Public Health*, 16(13), 2257. <https://doi.org/10.3390/ijerph16132257>

⁶⁹ Gong, X., Zhang, K., Chen, C., Cheung, C., & Lee, M. (2019). What drives self-disclosure in mobile payment applications? The effect of privacy assurance approaches, network externality, and technology complementarity. *Information Technology and People*, 33(4), pp. 1174-1213. <https://doi.org/10.1108/itp-03-2018-0132>

⁷⁰ Pedersen, O. W. The culture of environmental law and the practices of environmental law scholarship. *Perspectives on Environmental Law Scholarship*, 227-238. <https://doi.org/10.1017/9781108635929.014>

deepen comparative legal study.

b. Similarities and Differences among Legal Systems

The extended Donabedian Model, which incorporates policy elements, makes it easier to identify parallels and variations in legal systems across nations. This comparison study is critical to understanding how policies influence legal systems and results (Martin et al., 2009). By investigating the influence of policies on legal judgements, academics can identify parallels and differences in legal systems, resulting in a more comprehensive knowledge of the variables impacting global legal practices.

c. Improving Legal Scholarship with a Broader Framework

The incorporation of policy factors into the Donabedian Model improves legal scholarship by offering a more comprehensive analytical framework for investigating legal processes and results (Martin et al., 2009). This extension enables academics to explore the intricacies of legal systems from a broader viewpoint, including policy analysis with traditional legal studies (Martin et al., 2009). By adopting this larger paradigm, researchers may improve their research approaches and contribute to a more comprehensive understanding of the interactions between policies, legal frameworks, and results.

(B) Limitations and Implications for Future Research

Despite the benefits of the expanded Donabedian Model, there are several drawbacks that require additional investigation. The diversity of legal systems and regulations makes operationalizing the model for specific legal ideas difficult (Martin et al., 2009). This intricacy necessitates careful study to ensure the model's applicability in many circumstances. Furthermore, the expanded model requires additional refining and empirical validation to ensure its efficiency in reflecting the complexities of legal procedures driven by policy issues (Martin et al. 2009).

a. Challenges in Implementing the Model for Specific Legal Concepts

The operationalization of the augmented Donabedian Model by policy considerations for specific legal ideas creates issues due to the diversity of legal systems and regulations (Martin et al. 2009). Researchers must traverse these complications to guarantee that the model is relevant and applicable in a variety of legal circumstances. To address these problems, a sophisticated strategy is required that considers the particular qualities of each legal notion inside the model's framework.

b. The need for further refinement and empirical validation

Further refining and empirical validation of the improved Donabedian Model are required to increase its value in analysing the influence of policies on legal structures and outcomes (Martin et al., 2009)⁷¹. Empirical investigations are required to confirm the model's ability to capture the dynamic interaction between policy considerations and legal procedures. By improving the model using empirical evidence, academics can improve its robustness and application in legal studies and comparative analysis.

(C) Legal Reform, the applicability to new innovation and Policy Development

The improved Donabedian Model has immense potential for use in legal theory and policy, providing useful insights that can help shape legal reform and policy development. Integrating policy issues into the model provides stakeholders with a systematic way to assessing the influence of policies on legal systems, directing evidence-based decision-making processes (Magnusson & Patterson, 2014). This application is critical for policymakers looking to improve legal structures and results by better understanding the complex link between policies and legal frameworks.

a. Contributions to Legal Reform and Policy Development

The integration of policy issues into the Donabedian Model is critical for influencing legal reform and policy creation (Magnusson and Patterson, 2014)⁷². This approach allows policymakers to examine the efficacy of current regulations, identify areas for improvement, and make educated decisions to push significant legislative reforms. This organised method allows stakeholders to match policy objectives with desired legal results, resulting in more efficient and evidence-based legal reform activities.

b. Contributions to Legal Education and Comparative Law

The extended Donabedian Model makes a substantial contribution to legal education and comparative law by providing a larger framework for academic debate that incorporates policy analysis (Clark, 2002)⁷³. This work improves teaching techniques in legal education by giving students a thorough grasp of how policies affect legal systems and results. Furthermore, in the field of comparative law, the model's use allows for nuanced evaluations of legal systems from other jurisdictions, promoting a greater understanding of the complexity inherent in

⁷¹ Martin, D., Scherr, A., & City, C. (2009). Making law, making place: lawyers and the production of space. *Progress in Human Geography*, 34(2), 175ff. <https://doi.org/10.1177/0309132509337281>

⁷² Magnusson, R. and Patterson, D. (2014). The role of law and governance reform in the global response to non-communicable diseases. *Globalization and Health*, 10(1), 44. <https://doi.org/10.1186/1744-8603-10-44>

⁷³ Clark D. Neoliberalism and Public Service Reform: Canada in Comparative Perspective. *Canadian Journal of Political Science*. 2002;35(4):771-793. <https://doi.org/10.1017/s0008423902778438>

comparative legal studies.

Finally, the extended Donabedian Model's applications in legal theory and policy provide a systematic way to studying the influence of policies on legal systems, which may help guide legal reform attempts and improve legal education and comparative law research.

VI. SUMMARY AND RECOMMENDATIONS

(A) Summarized significance of the findings

The Model's application for legal study gives a systematic way to evaluate legal systems, promoting cross-cultural understanding and exposing major differences and similarities. The approach provides useful insights into the efficacy, legitimacy, and social impact of legal ideas across several jurisdictions by including sociopolitical, cultural, and linguistic aspects (Liao, 2019⁷⁴; Halimi, 2021⁷⁵; Al-Astewani, 2020⁷⁶; Zinkovsky, 2021⁷⁷; Emenalo & Gagliardi, 2020⁷⁸).

(B) Assessing the Versatility of Quality Models

The reevaluation of quality models, such as the Model, outside of their initial healthcare context demonstrates the frameworks' flexibility and applicability in a variety of sectors. The Model's successful use in legal analysis demonstrates the potential for quality models to cross disciplinary boundaries and deliver useful insights in new settings (Trinkner & Reisig, 2021⁷⁹; Vandenbussche, 2018⁸⁰; González, 2021⁸¹; Kontiainen et al., 2022⁸²; Szilágyi, 2023⁸³).

(C) Future Directions in Cross-Cultural and Comparative Legal Research

⁷⁴ Liao, W. (2019). Legitimacy of authoritarian law: legal compliance in china. *International Sociology*, 34(6), 675-695. <https://doi.org/10.1177/0268580919865096>

⁷⁵ Halimi, S. (2021). Arabic legal phraseology in positive law and jurisprudence: the historical influence of translation. *Comparative Legilinguistics*, 46(1), 37-64. <https://doi.org/10.2478/cl-2021-0007>

⁷⁶ Al-Astewani, A. (2020). To open or close? covid-19, mosques and the role of religious authority within the british muslim community: a socio-legal analysis. *Religions*, 12(1), 11. <https://doi.org/10.3390/rel12010011>

⁷⁷ Zinkovsky, S. (2021). Socio-anthropological approach to the study of legal cultures: evolutionism and functionalism. *SHS Web of Conferences*, 118, 02017. <https://doi.org/10.1051/shsconf/202111802017>

⁷⁸ Emenalo, C. and Gagliardi, F. (2020). Is current institutional quality linked to legal origins and disease endowments? Evidence from Africa. *Research in International Business and Finance*, 52, 101065. <https://doi.org/10.1016/j.ribaf.2019.101065>

⁷⁹ Trinkner, R. and Reisig, M. (2021). Celebrating 50 years of legal socialization. *Journal of Social Issues*, 77(2), 281-290. <https://doi.org/10.1111/josi.12458>

⁸⁰ Vandenbussche, W. (2018). Rethinking Non-Pecuniary Remedies for Defamation: The Case For Court-Ordered Apologies. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.3236766>

⁸¹ González, M. (2021). Precarity for the global talent: the impact of visa policies on high-skilled immigrants' work in the United States. *International Migration*, 60(2), 193-207. <https://doi.org/10.1111/imig.12870>

⁸² Kontiainen, L., Koulu, R., & Sankari, S. (2022). Research agenda for algorithmic fairness studies: access to justice lessons for interdisciplinary research. *Frontiers in Artificial Intelligence*, 5-2022. <https://doi.org/10.3389/frai.2022.882134>

⁸³ Szilágyi, I. (2023). Social legal consciousness or legal culture?. *Public Governance Administration and Finances Law Review*, 7(2), 5-39. <https://doi.org/10.53116/pgaf.2022.2.1>

Future study in cross-cultural and comparative legal studies should focus on integrating multidisciplinary views, researching the influence of legal origins on institutional quality, and investigating the impact of legal culture on legal systems. Scholars can advance our understanding of legal cultures and their development in a global context by using a socio-anthropological approach and taking historical influences into account (Koch, 2003, Molinaro & Malloy, 2016; Superfine & Thompson, 2016;; Cloatre et al., 2022; Scoville & Berlin, 2019)⁸⁴. Finally, reevaluating the Donabedian Model for legal study allows for more extensive evaluations of legal systems, emphasising the importance of historical context, cultural influences, and language subtleties. Researchers can enhance their understanding of legal concepts and promote cross-cultural dialogue by applying quality models to diverse contexts (Craigie, 2015; Cao, 2021; Colson & Field, 2016; Lukošius, 2020; Stepanenko et al., 2020)⁸⁵. In the future of cross-cultural and comparative legal study, multidisciplinary collaboration and a socio-anthropological approach will be critical in negotiating legal difficulties and achieving global justice and equality (Forbes, 2013; Huhta, 2020)⁸⁶.

VII. CONCLUSION

This study presents an enhanced Donabedian Model that investigates how sociopolitical and cultural settings influence legal conceptions across jurisdictions. The classic Donabedian framework, which divides study into structure, process, and outcomes, is expanded to include policy considerations, addressing the fluid nature of legal structures and their interactions with

⁸⁴ Koch Jr., C. H. (2003). Envisioning a Global Legal Culture. *Michigan Journal of International Law*, 25(1). William and Mary School of Law.; Molinaro, P. and Malloy, L. (2016). Statements from youth in legal contexts: effects of consistency, legal role, and age. *Behavioral Sciences & the Law*, 34(1), 139-159. <https://doi.org/10.1002/bsl.2236> ; Superfine, B. and Thompson, A. (2016). Interest groups, the courts, and educational equality. *American Educational Research Journal*, 53(3), 573-604. <https://doi.org/10.3102/0002831216645906> ; Cloatre, E., Ndoeye, T., Badji, D., & Diedhiou, A. (2022). Traditional healing and law in contemporary senegal: legitimacies, normativities and practices. *Social & Legal Studies*, 32(3), 356-377. <https://doi.org/10.1177/09646639221122434> ; Scoville, R. and Berlin, M. (2019). Who studies international law? explaining cross-national variation in compulsory international legal education. *European Journal of International Law*, 30(2), 481-508. <https://doi.org/10.1093/ejil/chz030>

⁸⁵ Craigie, J. (2015). Against a singular understanding of legal capacity: criminal responsibility and the convention on the rights of persons with disabilities. *International Journal of Law and Psychiatry*, 40, May-June 2015, 6-14. <https://doi.org/10.1016/j.ijlp.2015.04.002> ; Cao, D. (2021). Translation as a catalyst in the development of modern Chinese legal language. *Comparative Legilinguistics*, 45(1), 39-60. <https://doi.org/10.2478/cl-2021-0003> ; Colson, R. and Field, S. (2016). Socio-legal studies in france: beyond the law faculty. *Journal of Law and Society*, 43(2), 285-311. <https://doi.org/10.1111/j.1467-6478.2016.00752.x> ; Lukošius, T. (2020). The phenomenon of medieval *ius commune*: the past of europe's legal future?. *Vilnius University Open Series*, (6), 108-119. <https://doi.org/10.15388/os.law.2020.10> ; Stepanenko, R., Ainoutdinova, I., & Romashov, R. (2020). Models of marginality in the historical-theoretical and political-legal contexts. *Cuestiones Políticas*, 38(Especial), 1era parte, 198-207. <https://doi.org/10.46398/cuestpol.38e.13>

⁸⁶ Forbes, R. (2013). Creating legal space for animal-indigenous relationships. *Undercurrents Journal of Critical Environmental Studies*, 17, 27-33. <https://doi.org/10.25071/2292-4736/37680> ; Huhta, K. (2020). Anchoring the energy transition with legal certainty in Eu law. *Maastricht Journal of European and Comparative Law*, 27(4), 425-444. <https://doi.org/10.1177/1023263x20932056>

global sociopolitical and cultural processes. The paper shows that for the Donabedian Model to be effective in the legal arena, it must take into account policy considerations, which play an important role in defining the legal landscape. This adaptation is critical for the model to stay relevant and usable across multiple legal systems, reflecting the complexities of legal reasoning, interpretation, and the socio-cultural ramifications of law.

The paper's hypothesis is that combining sociopolitical, cultural, and policy dimensions into the Donabedian framework will result in a more comprehensive instrument for analysing and comparing legal conceptions around the world. This concept is supported by a thorough review of comparative legal studies, which emphasises the importance of knowing legal traditions, political systems, and cultural differences in order to adequately compare legal regimes. The study criticises present legal frameworks for being rigid and unable of adapting to changing sociopolitical circumstances, arguing for a more interdisciplinary and empirical approach to legal scholarship.

The improved Donabedian Model, as presented, goes beyond healthcare quality analysis to include the complexities of legal systems, calling for an approach that acknowledges the importance of policy in affecting legal outcomes. This addition is intended to provide a more nuanced knowledge of how legal concepts evolve and are implemented across jurisdictions, emphasising the relevance of context in legal analysis.

The paper's recommendation to include policy considerations in the Donabedian Model for legal analysis emphasises the importance of taking a comprehensive approach to understanding legal systems. It suggests that such an integrated model would not only allow for a more in-depth comparative analysis of legal concepts across countries but would also improve legal scholarship by offering a framework for capturing the dynamic interplay between law, culture, policy, and sociopolitical issues. This approach is consistent with the study's overall goal of developing a framework that accurately reflects the complexities of global legal practices while also contributing to the scientific discourse on legal analysis.
