




Globalization of Cyber Criminal Law Norms and Its Impacts on the Iranian Legal System

Amirhossein. Javanbakht¹, Abolghasem. Khodadi^{2*}, Mohammad. Jafar Saed¹

¹ Department of Criminal Law and Criminology, Central Tehran Branch, Islamic Azad University, Tehran, Iran

² Department of Criminal Law and Criminology, Shahed University, Tehran, Iran

* Corresponding author email address: a.khodadi@gmail.com

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The influence of international laws on the normative systems of domestic legal frameworks, particularly in the field of law, is a critical and interdisciplinary issue that has sparked significant debate and challenges in contemporary times. Within domestic legal systems, obstacles such as prioritizing cultural relativism and favoring specific cultural and legal frameworks hinder the penetration of international laws and regulations into domestic law. Peremptory norms or lawmaking provisions have played a central role in transforming and influencing domestic legal systems. Various components of a cohesive legal and judicial system, as observed in domestic law, are similarly reflected in international legal systems, albeit in different forms. This influence is examined in a concrete manner in the present study. In the Iranian legal system, numerous values from international law have influenced the adoption and modification of both substantive and procedural laws over the years. This issue is analyzed in detail in this article. The primary research question is: What are the effects of the globalization of cyber criminal law on the Iranian legal system? The author's hypothesis posits that the elements of cyber criminal law, as norms or standards of international law, have achieved global recognition. While they may not directly influence constitutional laws, they have notably impacted domestic systems, particularly the cyber criminal laws of various countries. The research methodology is descriptive-analytical. Overall, it can be concluded that domestic legal systems have little choice but to acquiesce to certain international values and norms, while retaining the right to accede or join specific treaties in other cases.

Keywords: Internationalization, globalization, cyber criminal law, impacts of internationalization.

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1. Introduction

The modern world is no longer what it once was. The remarkable advancements in science, technology, and communication during the 19th century, and particularly in the 20th century, have fundamentally transformed the material realities of human existence. The lives of all humanity have changed; yet, this life is also threatened by nuclear weapons, industrial pollution,

and other factors. The number of states has increased significantly—from approximately 40 states at the start of the 20th century to nearly 200 today. However, the world remains dominated by the same seven or eight states that have directed and led it since the late 19th century. The United States, in particular, has wielded unparalleled dominance since the end of the Cold War, a level of control unmatched by any other nation to date.



Significant changes are essential to align our perspectives and thinking with the conditions of a globalized material life. Globalization is necessarily accompanied by the development of both international intergovernmental law and transnational law. Nevertheless, international law, whether public or private, cannot disregard the intellectual and civilizational traditions of Asia, India, and the Islamic world—traditions that reject the exclusive recognition of states as sole bearers of rights and the acceptance of law as solely a domestic phenomenon. The challenge of the 21st century lies in the globalization of law, which is deeply intertwined with the mutual dependency of economics and cyber criminal law.

2. The Concept of Globalization in Cyber Criminal Law

The term "internationalization" can be distinguished from the term "globalization," as the meaning of "internationalization" has been previously discussed. Although there is no universally agreed-upon definition of globalization, a synthesis of theories suggests that globalization is an undeniable reality in today's world. Globalization is a multidisciplinary concept requiring a cross-disciplinary and, at times, transdisciplinary approach. It has been explored across various fields of science and found practical application in essential domains (Ameli, 2009). Therefore, the concept of globalization is not limited to economics and politics; criminal sciences are inevitably affected by this process. In summary, definitions of globalization collectively suggest that globalization involves "deterritorialization," whereby geographic regions and borders lose some of their previous significance. The world transforms into a nearly borderless realm where all components interact and influence each other reciprocally (Mir Abbasi, 2000). Consequently, globalization is distinguished from internationalization. Unlike internationalization, which refers to the intensification of relations and interdependencies between states and focuses on increased interactions without direct effects, globalization transcends borders, aiming for influence and universal integration.

3. Challenges of Global Cyber Criminal Law

The term "global cyber criminal law" is not without ambiguities and uncertainties. The first issue arises with the adjectives "international" and "global." Is global cyber criminal law distinct from international cyber criminal law? Or is it merely the same concept under two different names? Two possible explanations can clarify these ambiguities to some extent.

The first explanation pertains to the usage of the term "international cyber criminal law" in public international law. Classical and traditional legal discourses examined the activities of international organizations in the context of cyber criminal law, focusing on their internal operations. Examples include the legal activities of these organizations' personnel, budgetary issues, and internal dispute resolution mechanisms (e.g., the UN's internal courts and similar international organizations). A closer examination reveals that the foundational relationships formed through such organizations' external activities possess distinct structures unrelated to their establishment and formation. These organizations operate through networks of authorities, with no state exerting authoritative control. The concept of transnationalism (as referenced below) is evident in these organizations. Examples include international oversight of financial markets, laws governing regional cross-border cooperation, and even collaboration with the private sector (e.g., multinational corporations). These represent practical applications of cyber criminal law that focus on global foundations and limitations of power, highlighting that the differences between international and domestic organizations are less critical in jeopardizing legal norms. In summary, it is challenging to differentiate international cyber criminal law from global cyber criminal law.

The second explanation emphasizes specific terminological developments and foundational issues. In German legal literature, the term "international cyber criminal law" has been in use for an extended period, often synonymous with "private international law" (meaning conflict of laws in private law). Consequently, this term pertains to the intersection of jurisdictions and the application of one state's law in a particular case. Questions of this nature have long been discussed. For instance, can foreign law be applied within a domain entirely under domestic control and governed by national constitutional requirements? (Bagheri Khouzani, 2008). While this contradiction remains

unresolved, its significance has diminished over time. Contemporary German scholars now focus on a three-dimensional concept proposed by Aberbach, which distinguishes between 1) fundamental international institutional laws, 2) the enforceability of national-level rulings, and 3) participation in multilateral cases (e.g., involving various countries) (Mehraa, 1998).

The subsequent discussion will address the concept of "transnationalism," which has been in use for over fifty years. In 1956, Philip C. Jessup introduced the term "transnational law" to emphasize that international legal relationships cannot be fully understood solely as relations between nations. It is evident that sub-state entities and private institutions must also engage in legal matters that extend beyond domestic jurisdictions. This view focuses specifically on cross-border and jurisdictional relationships while not discarding traditional legal relationships. Transnationalism, therefore, aligns with the broader concept of an unbounded global legal order (Mir Abbasi, 2000).

4. International Cyber Criminal Law and Global Governance

The idea of transnationalism, which integrates private entities and individuals into international law, is relatively comprehensive, albeit subject to criticism in certain aspects. One potential risk is the erosion of fundamental distinctions between state institutions (governments and public sectors) and private sectors (corporations and partnerships).

A critical distinction exists between, on the one hand, the freedom of individuals and corporations to engage in private economic enterprises, and on the other hand, the authority and jurisdictional competence within private corporations, which must remain within legal frameworks. This distinction must be considered in any international legal approach. Terminological or semantic differences should not be overstated. International cyber criminal law inherits numerous productive concepts, including developments in international law, analyses of conflict-of-law principles in public law, and the exploration of transnational legal relationships. The usage of "international cyber criminal law" is primarily pragmatic and integrative rather than exceptional. Accordingly, the terms "international" and "transnational" should be applied contextually while

maintaining the primary focus on emphasizing the various dimensions of a singular developmental process.

5. International Cyber Criminal Law and Multilevel Governance

It may be argued that the principles, rights, and values implemented through constitutional law are inherently aligned with individual constitutional frameworks. Nonetheless, the concept of a global constitution cannot be overlooked, as its ultimate objective is to strengthen legal mechanisms at the international level. The idea of a global constitution focuses on fundamental legal principles and structures that serve as the foundation of the global community. At the core of this concept lies an international society governed by principles and structures that extend beyond a mere collection of states and other legal entities.

A global constitution is not a unified theory. Many scholars proposing this concept have regarded the United Nations Charter as its framework and foundation. Consequently, authors such as Alfred Verdross, Hermann Mosler, and contemporary scholars like Bardo Fassbender have sought elements of a global constitution within the UN Charter. Reasonable arguments support this notion, including the Charter's constructive role in the post-World War II era, its legal-based structure, hierarchical framework (Article 103), limited amendments, robust design, status as a charter rather than a treaty or agreement, its pivotal role in the development of international law, and its universal applicability.

Other scholars consider the corpus of international law as the basis for drafting an international constitutional law. Another group emphasizes that such drafting must encompass not only a single comprehensive framework but also specific sectors like economics or trade. A commonality across these approaches is the identification of components of international constitutional law. All scholars highlight shared values evident in documents and theories related to cyber criminal law, as well as fundamental principles and rules of international law (e.g., the prohibition of the use of force). Another shared feature is the existence of judicial structures aligned with the classic division of legislative, executive, and judicial powers (Mohebi, 2009).

Given the theoretical diversity within the concept of constitutional law, the development of international

constitutional law can be integrated into the framework of international cyber criminal law. Constitutional arguments act as a bridge between fundamental mechanisms and the core values of public international law, while also providing a framework for legal analysis. In this regard, global constitutional law must be considered in the analysis of international oversight for two reasons.

First, it offers a methodological opportunity to manage a wide range of organizational and oversight levels created by the idea of multilevel constitutional law, allowing states to integrate into a broader constitutional framework. Multilevel constitutional law serves as a general theory for analyzing European Union law, as demonstrated in the analysis of EU research policies. Second, adopting a global constitutional perspective emphasizes the focus on cyber criminal law. One major theme highlighted in this work is the freedom of science as a fundamental right within cyber criminal law, which itself constitutes a cornerstone of good governance in science.

The concept of international cyber criminal law can function as a research tool to strengthen the legal content of international law. Instead of adopting a rigid approach that delineates ideas of international law, global law, and transnational law, this concept proposes a comprehensive perspective that incorporates all these elements. However, as with any hybrid approach, there is always a risk of homogenizing diverse viewpoints. Such methodological issues may result in an incomplete understanding of the critical differences between the combined concepts (Karami, 1999).

In conclusion, concepts such as governance, good governance, globalization, and their evolution over time have undergone significant transformations. The emergence of the modern state, the establishment of the League of Nations, and later the United Nations have given birth to and shaped the legal and political life of these concepts. These transformations have influenced the humanities, leading to the development of new theories in this field.

6. Foundations of Globalizing Cyber Criminal Law

Today, international law regarding the protection of cyber criminal law has expanded to the extent that it has necessitated international commitment and solidarity in its implementation. The principles of non-intervention

and state sovereignty have receded in the face of these developments. Presently, individuals are internationally protected as individuals rather than as citizens of a particular state. Numerous indicators point to the decline in state effectiveness, reduced authority, and the growing jurisdiction of international organizations—jurisdiction that transcends states' claims of complete authority over their domestic affairs. Consequently, the erosion of national sovereignty and the modification of the principle of non-intervention in domestic affairs serve as preludes to the globalization of cyber criminal law.

7. Limiting National Sovereignty

The proliferation of cyber criminal law treaties marks a significant transformation in the international system. A tangible shift is evident in the limitation of national sovereignty and the emergence of a new concept of sovereignty. States, due to the growth of international and regional organizations—particularly the United Nations and its subsidiary bodies—and their membership in these entities, have effectively transitioned from impermeable sovereignty to permeable sovereignty. Some scholars view the expansion of international organizations and the development of international law as evidence of the diminishing relevance of state sovereignty in the contemporary era.

Moreover, the increasing activities of national entities outside state sovereignty have significantly contributed to the limitation of national sovereignty (Mehraa, 1998). As a result, national sovereignty has progressively become more penetrable. Today, the Encyclopedia of International Law defines sovereignty as follows: "Sovereignty in contemporary international law reflects the legal condition of a state in the international arena, whereby its jurisdiction within its territory cannot be questioned or interfered with by other states. This sovereignty is constrained by international legal norms." Since the inception of the United Nations approximately seven decades ago and its activities in various fields, particularly cyber criminal law, state sovereignty has been substantially curtailed. The extensive operations of entities such as the UN General Assembly, Security Council, Human Rights Council, International Court of Justice, Sub-Commission on the Promotion and Protection of Cyber Criminal Law, High Commissioner

for Cyber Criminal Law, UN specialized agencies, international non-governmental organizations such as Amnesty International and Human Rights Watch, the International Commission of Jurists, and the International Criminal Court, as well as regional bodies like the European Court of Cyber Criminal Law, the Inter-American Court of Cyber Criminal Law, and the African Court of Cyber Criminal Law, have not only universalized cyber criminal law but also necessitated redefining sovereignty based on cyber criminal law.

In this context, the role of cyber criminal law instruments in limiting national sovereignty cannot be overlooked. International and regional cyber criminal law instruments, like specialized cyber criminal law organizations and agencies, have significantly contributed to the development and universality of cyber criminal law and, correspondingly, to the limitation of national sovereignty. These instruments impose obligations and commitments to uphold cyber criminal law upon member states, thereby reinforcing the globalization of cyber criminal law.

8. Modification of the Principle of Non-Intervention

The principle of non-intervention in the internal affairs of states is a fundamental tenet of international law, grounded in the sovereignty, equality, and political independence of states. This principle imposes a legal obligation on states to refrain from interfering in each other's internal matters. However, no legal instrument provides a precise definition of intervention or clearly delineates its boundaries. Intervention refers to the political, economic, or military intrusion of one country into the internal affairs of another to impose its will. The principle of non-intervention is enshrined in Article 2(7) of the United Nations Charter, which states: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state" (Mahmoudi Janki, 2008).

Nevertheless, in contemporary times, violations of fundamental international law principles are no longer considered solely domestic matters. As the former UN Secretary-General Javier Pérez de Cuéllar noted, the principle of non-intervention cannot serve as a shield behind which states engage in widespread and systematic violations of cyber criminal law. Today, adherence to cyber criminal law norms and commitment

to democratic principles safeguard sovereignty from external decisions and ensure the independence of states in an interdependent world. In the modern era, states with national sovereignty must possess both legal and moral legitimacy. Otherwise, they will face pressure from international public opinion, influenced by the statements of official cyber criminal law bodies, international organizations, and other states. Such pressure, if conditions are favorable, could escalate to the use of force to compel a state violating cyber criminal law to comply with relevant regulations.

Cyber criminal law now holds such a prominent position in the international system and has become so pervasive and universal that no state can claim it to be solely within its domestic jurisdiction, citing domestic or international law. With the growth of national and international non-governmental organizations and the heightened sensitivity of the global community, it is clear that the reins of cyber criminal law have significantly slipped from the hands of national sovereignty (Mohebi, 2009).

9. Globalization of Cyber Criminal Law and Constraints on State Sovereignty

While the principle of national sovereignty places the government and state above its territorial borders and rejects any external authority, cyber criminal law imposes constraints on how states treat their citizens and compatriots. It challenges sovereignty by introducing international standards for governing a lawful state. Christian Rose-Smith, from a structuralist perspective, views sovereignty and cyber criminal law as two distinct systems with an inherently empty relationship. Either sovereignty is stronger, and the foundations of cyber criminal law are weaker, or the reverse is true (Loghmani, 1997). The persistence of sovereignty and the development of the international cyber criminal law system are continuously and inherently linked through the mutual contradictions between cyber criminal law and sovereignty.

Pessimists see sovereignty as a strong barrier against the current state of the cyber criminal law system. Optimists, on the other hand, argue that the sovereignty system is at risk from the cyber criminal law system. Stanley Hoffmann aligns with the former view, maintaining a skeptical stance despite the progress and evolution of human rights foundations after 1945. He questions two elements of sovereignty: the right to intervene and wage

war and the right of states to treat their citizens as they wish. He concludes that such principles and foundations have a weak influence on events, crises, and international policies.

In contrast, Catherine Easking argues that cyber criminal law, supported by international forums, constitutes one of the strongest critiques of sovereignty. As it stands, she believes that the implementation and enforcement of cyber criminal law regulations and foreign policies regarding cyber criminal law provide tangible examples of the changing concepts of sovereignty's importance.

Thus, members of the international community bear responsibility and obligations concerning cyber criminal law. States and international governmental and non-governmental organizations must act within the realm of cyber criminal law to ensure the implementation of international norms in this field. While absolute state sovereignty was once a topic of discussion, sovereignty is now framed in terms of respecting and promoting cyber criminal law. The peremptory nature of cyber criminal law rules has created a gap in the traditional concept of sovereignty.

10. Mechanisms for the Globalization of Law

In the process of legal globalization, the first step involves discovering or devising shared legal norms and rules through comparative law. The emergence of common rules is primarily influenced by the shared needs and necessities of international human coexistence. At this stage, international law facilitates the progression of legal globalization through international organizations or treaty-making.

In the second phase, common norms are integrated into domestic legal systems as laws. At this stage, international law may, through the lens of "international responsibility," obligate states to amend their domestic laws in line with their contractual and customary international commitments. Domestic legal systems, based on their accepted models, then present a depiction of either "harmony" or "uniformity" in legal rules. This topic will be further analyzed below.

11. Unification

The English translation of the term "unification" aids in understanding its meaning. In English texts, it encompasses various interpretations such as

integration, consolidation, unification, uniformity, and standardization. Each of these concepts clarifies part of the overarching meaning of the term in the context of its Persian equivalent. In Persian legal literature, the concept appears in various contexts, including the European Union, the United States, the Institute for the Unification of Private Law, the Uniform Customs and Practice for Documentary Credits, the 1930 Geneva Convention on Commercial Instruments, and the goals and achievements of the Convention on Contracts for the International Sale of Goods. However, these references often lack a comprehensive and definitive definition of unification from the perspective of international law.

Based on the outcomes of unification efforts and the adoption of conventions or international models aimed at standardization, it can be said that all such initiatives rely on general principles mutually accepted by the parties as governing their relationships. Furthermore, unification can be regarded as a form of evolution and development in international law. For instance, concepts such as definitions of international crimes, which were previously subject to varying interpretations across states, have, through unification, given way to clear and universally accepted definitions (Delmas, 2008, p. 141). In the unification process, once common and similar principles are identified, the parties strive to resolve disputes and define, elaborate, and clarify shared principles or those newly introduced. For this purpose, unification in international law serves both as a tool of international law and as a subject of unification itself. Revisiting the definition of law and international law further elucidates this matter. The historical background of unification also holds significance, as understanding it provides insights into the processes of its development (Ziaei Bigdeli, 2005).

Unification is considered exceptional due to its challenges in confronting economic, cultural, and political differences. This is because legal unity is influenced by the element of national sovereignty, making its realization difficult regarding legal institutions and foundations. It necessitates acknowledging the improbability of genuine unity. Boyle argues that a distinction must be made between theoretical discussions in the legal realm and their practical applicability. Differences stemming from religion, tradition, and culture pose significant challenges to achieving legal unity. As such, resorting to

unification is seen as the most ambitious strategy, requiring the enactment of uniform rules and adherence to them. This strategy is feasible only when the unity of interpretation of rules is ensured through a single judiciary. However, there is a risk of coercion in creating legal rules and imposing certain principles driven by national or economic interests (Khazaei, 1996, p. 46). Accordingly, the pursuit of unification policies is possible only when the relevant legal systems are based on similar sovereignties, shared cultures, traditions, and even similar economic conditions. Establishing a unified system under these circumstances occurs through one of two approaches:

- Establishing universally enforceable principles and standards across all systems and determining a minimum framework.
- Drafting and enacting a unified set of laws to be implemented in all countries.

These dual approaches arise due to the abundance of legal rules and regulations globally, which can be categorized into two groups based on their association with old or new issues. In some domains, pre-existing legal regulations are already in place, while in others, due to new issues and developments, legal regulations are either absent or insufficient. Unification in the first domain relies on the first approach, where states amend or repeal domestic regulations to align with common standards. For the second domain, the second approach is adopted, involving drafting and implementing a unified set of laws across countries. Notable examples in this regard include regulations concerning economic activities, the internet, environmental issues, communal living, transnational crimes, and terrorism.

European experiences in unification are exemplary and serve as a model for other nations. Legal similarities across Europe are undeniable, and the formation of the European Union has established unified laws in many areas. The process of unification continues, supported by Europe's level of development, real equality in sovereignty, homogeneous economies, and shared cultural and philosophical foundations.

However, the establishment of legal unity has been more successful in certain areas, such as commercial matters, compared to topics like family law, which are closely tied to societal traditions, ethics, and culture. Moreover, for regions with greater legal, social, and economic homogeneity, achieving legal unity becomes more

feasible. For example, Scandinavian countries, due to shared interests, have adopted unified rules not only in commercial matters like checks and letters of credit but also in non-commercial issues such as adoption and the effects of marriage. The 1930 Geneva Convention on Commercial Instruments provides another example of international legal unity, where countries such as Denmark, Sweden, Norway, Greece, Austria, Germany, Italy, and France incorporated unified rules on commercial instruments into their domestic laws after signing the convention, addressing many concerns of those using these instruments.

12. Harmonization

As noted, unification on a global scale is considered exceptional. As P.M. Dupuy states, national practices remain far from uniform. In reality, absolute uniformity, characterized by identical rules, is neither necessary nor feasible. Harmonization, on the other hand, is a process of approximation based on shared strategic principles, essential for aligning national systems. Harmonization aligns more closely with the principle of state sovereignty, as it allows national regulations to remain distinct while striving to align them to achieve compatibility. This approach seeks to create consistency among different legal systems through agreed-upon standards, without the expectation of eradicating differences entirely. Harmonization thus involves the convergence of legal systems, enabling closer alignment of rules while preserving their distinctions.

The primary difference between harmonization and unification lies in their methods and objectives. In harmonization, efforts focus on gathering national legal systems around shared principles without imposing these principles. In contrast, unification aims to impose strategic principles as international and common rules upon national systems. Furthermore, unification requires ensuring legal unity by entrusting the interpretation of common rules to a single judiciary accepted by different legal systems. In harmonization, however, interpretation is entrusted to national courts, preserving their sovereignty while respecting shared principles (Mahmoudi Janki, 2008). Nonetheless, unchecked delegation of interpretation to national courts may jeopardize harmonization efforts and even create contradictions, as observed in the disparate rulings of the Rwandan Tribunal, which imposed the

death penalty for war crimes, compared to the International Criminal Tribunal for the Former Yugoslavia, which imposed imprisonment for similar crimes. Nonetheless, adherence to shared strategic principles may help address such inconsistencies.

Harmonization is a suitable method for globalizing law, progressing based on common and strategic principles. Thus, the foundation of harmonization lies in identifying widely accepted strategic principles. Cyber criminal law, as reflected in regional and international instruments, provides an excellent starting point for harmonization. International cyber criminal law standards are embedded in over seventy covenants, conventions, and treaties, representing a minimum level of shared and uniform rights. These standards can serve as a strong basis for harmonizing many legal domains.

13. Conclusion

With the developments in international relations, the interdependence between cyber criminal law and international relations has deepened. Although states remain independent and sovereign entities, two key points must be noted. On one hand, there is the increasing influence of transnational forces and issues affecting all societies, such as environmental problems. On the other hand, the distinction between domestic and international communities is increasingly blurred. This indicates that the era of state sovereignty is waning, and transnational forces, including cyber criminal law, are gaining significance, penetrating national borders. If countering these forces is necessary, it must be done with forces of a similar nature.

In recent decades, significant transformations have occurred in the field of cyber criminal law among states. Humanity has witnessed the emergence of a new concept and function of "governance" and the exercise of sovereignty within legal frameworks. In the new regulatory system shaped by the internationalization of cyber criminal law, three entities—states, international and commercial organizations, and civil societies—have taken on public and administrative responsibilities through consensus on shared principles and the application of a portion of public power.

The internationalization of cyber criminal law has largely depended on the activities and participation of two entities: civil society and transnational commercial organizations. Strategies for the internationalization of

cyber criminal law include unification, harmonization, judicialization, and rule-making by non-governmental organizations. However, this process faces challenges such as the erosion of democratic legitimacy of states and the non-binding nature of legal rules established by international organizations.

In previous centuries, cyber criminal law was entirely confined to the state-nation system or the Westphalian order, where legal rules were created by states, for states, and through state mechanisms. In recent decades, with globalization encompassing political, economic, cultural, and legal dimensions, legal rule-making, particularly in cyber criminal law, has been influenced by international standards and transnational norms. This has led to a new concept of governance and sovereignty in legal interactions, which has expanded to become a foundation for a new legal order.

The exercise of power and sovereignty has transitioned through traditions and customs, supported by formal and informal institutions, aiming to serve public interests across various sectors of society. These efforts involve governance by states, the private sector, and civil society (social actors). In this new regulatory system, internationalization of cyber criminal law has reduced state authority in exercising power and sovereignty. Simultaneously, state-controlled national economies have moved toward privatization, with private institutions, organizations, and companies assuming roles once occupied by states, making independent decisions within their spheres of activity.

Civil society has also driven the internationalization of cyber criminal law, particularly in areas and levels related to citizen-state relations. Through the development of participation as a concept, civil society has redefined governance and sovereignty. The interconnectedness of civil societies across countries results in rules born from their participation being remarkably similar, making civil society activities a factor in the internationalization of cyber criminal law.

The internationalization of cyber criminal law has introduced new challenges, such as the erosion of democratic legitimacy. State rule-making has lost its previous legitimacy, while rule-making by international organizations like the World Bank, the World Trade Organization, and other economic entities lacks binding force due to their lack of democratic ties to the citizens of societies. The appropriate solution for local

governments to address this decline in legitimacy lies in leveraging non-governmental organizations (NGOs). Such measures can foster citizen acceptance of government decisions. Transparency should be a key tool for transnational organizations to gain public support, achievable through accessible platforms like organizational websites.

The internationalization of cyber criminal law has also led to a reevaluation of values in the justice system on both domestic and international levels. Domestically, legal values are shaped by factors such as religion, tradition, historical events, and specific political, social, and economic ideologies. However, since the mid-20th century, the establishment of the League of Nations and the United Nations has introduced changes to criminal law, including shifts in discourse and legal order.

Global events such as wars and the need to protect vulnerable groups, prevent torture, and restore the rights of victims have compelled humanity to define universal values capable of addressing international needs without conflicting with local norms. The value system of cyber criminal law can be divided into two categories: absolute values, which are global and immutable, and relative values, which depend on the domestic conditions of states and their perspectives.

Conflicts between national values and international law have sometimes been resolved through reservations to treaties, provided they do not contradict the fundamental principles of the agreement. However, when such contradictions arise, reservations are insufficient. In these cases, scholars of cyber criminal law emphasize the importance of globalized or international criminal values, which are immutable due to their nature and are codified to protect universally recognized values beyond religion, ideology, or tradition.

Some challenges specific to Iran arise in this context, though they are shared by other nations to varying degrees. Examples include difficulties in joining certain international treaties due to religious, security, or nationalist considerations. These three elements form the core challenges of integrating international law into Iran's legal system. Nonetheless, some values in international law do not inherently conflict with Islamic jurisprudence, which Iran adheres to.

The foundational question posed in this study was: What are the effects of the globalization of cyber criminal law on the Iranian legal system? The answer lies in

recognizing that elements of cyber criminal law, as international norms, have achieved global acceptance. While they may not directly impact constitutional laws, they significantly influence domestic systems, particularly cyber criminal law. This applies to the Iranian legal system, as demonstrated by Iran's engagement with international treaties. Globalized norms of cyber criminal law have become integral to contemporary legal systems, with no viable means of opposition, thereby reshaping Iran's legal framework.

Authors' Contributions

Authors contributed equally to this article.

Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

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Declaration of Interest

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