

# Examining the Capacity and Challenges of Human-Centric International Law

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The 21st century began with the expansion of communication channels that facilitated globalization, the emergence of non-state international actors, and the proliferation of international organizations that have played a constructive role in the gradual development and codification of international law. These developments signal the decline and limitation of state sovereignty in the structure of international law. For instance, today, the global community perceives itself as entitled, interested, and responsible for addressing human rights violations worldwide and environmental damages, such as global warming. This study examines the capacities and challenges associated with the human-centric approach to international law. This research is applied in its aim and relies on a documentary method for data collection, analyzing laws and credible sources. The gathered information and data are processed through descriptive-analytical methods. The capacities for a human-centric approach in international law are expanding. To address the challenges posed by the diminishing role of states, international law must be reformed to more effectively manage the increasing needs of grassroots and non-formal groups.

**Keywords:** Human-centric approach, democratization, international law, capacity and challenges, non-state actors.

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## 1. Introduction

A common concept in contemporary cosmopolitanism is moral cosmopolitanism, which, like cosmopolitanism in ancient times, is essentially an ethical commitment to assisting humanity. Contemporary moral philosophy primarily focuses on the duty to aid foreigners suffering from hardships such as hunger or, at the very least, on the obligation to respect and promote fundamental rights and justice (Öcalan, 2021). Cosmopolitanism often draws from utilitarian assumptions, sometimes from Kantian assumptions, and occasionally from older frameworks (Öcalan, 2020). Other philosophers, categorized as

moderate cosmopolitans, affirm the global obligation to provide assistance but also emphasize the specific duties of citizenship.

Sands argues that the emergence of non-state actors has facilitated the establishment of normative systems, standardization, and oversight of governmental conduct. This phenomenon has arisen due to the inability of states to address certain domains effectively. However, it has also led to the proliferation of institutions and international regulations, necessitating the establishment of a global legal system. The rise of non-state actors and transnational organizations serves as a critical foundation for transforming legislative processes



in international law, as nation-states are no longer the sole actors in international politics (Oveysy, 2019).

Shahbazi asserts that the multitude of international legislative institutions, characterized by symmetric powers and ambiguous functional boundaries (territorially or jurisdictionally), has led to what is described as inflation in international law. The expansion of jurisdiction by international courts and the adoption of conflicting judicial decisions raise the question of whether pluralism jeopardizes the unity of the international legal system. In contrast to this trend, some international legal scholars view it as a positive development, arguing that it facilitates broader communication and enhances efficiency within the global network. Others, however, consider it detrimental to the coherence and effectiveness of a unified legal system (Shakerin, 2010).

In an article published in 2009, Mortezaei concluded that globalization and global governance have diminished the domestic jurisdiction of states and significantly affected national sovereignty in contexts such as human rights issues or the imposition of laws by international financial and development institutions. An example of this is the way a state can no longer govern in the traditional sense if its citizens can bring complaints against their government to higher courts, such as the European Court of Human Rights or the Court of Justice of the European Union. Laws external to the state often take precedence over laws created within the state. However, it should also be noted that the international powers of states have simultaneously increased at another level. For instance, under existing agreements (e.g., the International Criminal Court), any state can request and monitor the conditions of another country (Shamloo, 2014).

According to Krasner's well-known definition, an international regime is "a set of explicit or implicit principles, norms, rules, and decision-making procedures around which the expectations of actors converge in a given area of international relations." In this definition, principles relate to the objectives of actors, while norms pertain to the behavior of actors. Rules govern the relationship between objectives and behaviors (i.e., principles and norms). Decision-making procedures refer to the processes through which actors make their decisions. Although states are often the primary actors, corporations, organizations, and

individuals can also play significant roles (Castells & Aligholian, 2021).

Given that the three conceptual features of cosmopolitanism—namely, the concept of global communication and exchange, the concept of critical ethical recognition (Weberian ethics), and the concept of individual moral values and equality in the global community—are broad in scope, and considering the diverse and occasionally contradictory theories on the subject, this study aims to examine and evaluate all dimensions of cosmopolitanism or stateless international law within the framework of these three concepts.

## 2. Literature Review

### 2.1. *Soft Law as a New Source of International Law*

Contrary to the traditional perspective emphasizing the necessity of state intervention in shaping legal norms, legal sociology approaches in recent decades have introduced concepts and theories suggesting that legal enforcement and formal state involvement are not essential components of law.

Given the constant evolution of legal rules—a phenomenon that is inherently social—soft law has emerged as a new process for norm creation and has become one of the recognized sources of international law (Habibzadeh & Mansouri, 2013). In the absence of a unified global legislator, legislative approaches and mechanisms at the international level are effectively left to the discretion and consent of states. States can independently decide which "international forums" will govern their relationships. States may condition the creation of international law on mutual consent or base it on other principles such as justice, good faith, or non-binding mechanisms like soft law to regulate their international relations.

Soft law and inconsistent law are terms often used informally to describe international documents that are not legally binding. These include general, non-binding requirements (e.g., voluntary agreements, codes of conduct), and para-legal rules, such as declarations from international or regional organizations and prominent groups of international lawyers aiming to establish global principles. The number of documents falling under this category has increased over the last four

decades, addressing a widening range of topics, including economic and environmental issues.

The "Paris Charter for a New Europe", adopted by the Conference on Security and Cooperation in Europe, and the "Rio Declaration on Environment and Development" are two prominent examples of soft law. A key advantage of soft law lies in its ability to bridge ideological divides and achieve economic objectives, preventing disruptions in intergovernmental relations. However, one alleged drawback is that it may discourage states from committing to binding, well-structured legal obligations. The ultimate goal of soft law is to encourage practices in the international arena that may later evolve into binding hard law. For instance, the 1948 Universal Declaration of Human Rights served as a precursor to the adoption of the 1966 International Covenants on Civil and Political Rights and on Economic, Social, and Cultural Rights, transitioning from soft to hard law (Wallace et al., 2017).

### 2.1.1. *Challenges in Achieving International Agreements Through Treaties*

The significant increase in the number of developing countries after World War II, combined with a shift toward treaty-based approaches, has made achieving consensus and securing the consent of states—given their equal votes and diverging interests—a challenging task.

In earlier centuries, powerful states could shape international legal norms through customary international law based on their practices and behaviors. However, in recent decades, they have been required to engage in extensive negotiations with other states (often former colonies) within international conferences. These negotiations often fail to fully reflect the interests of the major powers (e.g., the United States' rejection of the 1982 United Nations Convention on the Law of the Sea or its signing and subsequent withdrawal from the Rome Statute of the International Criminal Court in 2002).

As a result, the traditional approach of major powers in guiding international law has evolved, giving rise to a new form of international lawmaking that does not necessarily rely on the explicit and formal consent of all states. This approach, reminiscent of earlier practices, manifests in two forms: instant custom and soft law. In other words, powerful states now favor informal frameworks such as norms, customs, and standards over

formal international agreements to shape international legal regulations.

### 2.1.2. *Preference for Normative Values over Legal Rules*

States often act under the influence of collective future goals—visions far removed from current conditions—adopting a normative framework that promotes consistent values and principles.

In light of international developments, certain states, particularly the United States, argue that existing international legal rules are inadequate to address emerging global challenges in areas such as peace and security, environmental protection, and human rights. Consequently, international action cannot always rely on formal legality but may instead be justified by the legitimacy of such actions.

According to this reasoning, actions not explicitly provided for in international treaties and not formally endorsed by states may still be accepted due to their normative value. For example, humanitarian interventions like the 1999 NATO intervention in Kosovo are considered "illegal" but "legitimate."

### 2.1.3. *Functionalism in International Law*

The international legal system must be structured in a way that enhances the efficiency of international relations without being constrained by "state will" (essentially, the majority of states). Norm creation within a flexible framework can bypass the obstacle of state consent and effectively improve the functioning of international relations within a framework of global coexistence.

### 2.1.4. *Result-Oriented Approaches in International Law*

Guiding the behavior of international law subjects toward desired outcomes through soft law involves utilizing public authority to address any international issue, whether by states, public institutions, or non-public entities.

For non-public entities to exert public authority, their actions must influence the "public sphere" in a manner that shifts the behavior of international law subjects toward desired conduct. From this perspective, the focus is not necessarily on formalizing international cooperation through traditional sources of international law, such as treaties. Instead, the emphasis is on

exercising authority in the public domain to effect meaningful behavioral change among subjects of international law (Shakerin, 2010).

## 2.2. *Global Governance and Globalization*

In the subsequent chapters, this section will be discussed in detail, but a brief explanation is necessary for the sake of context. The concept of global governance, alongside the phenomenon of globalization, creates a platform for international lawmaking with the involvement of various actors, such as states, international organizations, and other public and private stakeholders. In the new processes of international lawmaking, particular attention is given to the informalization of actors, processes, and international documents. Moreover, in this system, it is no longer possible to draw clear boundaries between the different levels of international lawmaking. An international action might directly affect subjects of international law, while a domestic action might impact the behavior of international law subjects. An example of international action influencing domestic subjects of law can be seen in the sanctions imposed by the UN Security Council on entities such as the Taliban and Iran. In these actions, the Security Council lists individuals accused of engaging in terrorism or nuclear-related activities in its sanctions registry. Conversely, an example of domestic actions affecting international law subjects is the U.S. sanctions on Iran. These domestic actions influence the behavior of other states regarding their cooperation with Iran (Mousavi et al., 2022).

### 2.2.1. *The Principle of Common but Differentiated Responsibilities*

This principle, derived from the concept of the common heritage of humanity, is one of the core principles of international environmental law. It emphasizes the shared responsibility of states in protecting the environment while taking into account their varying obligations. It highlights the importance of considering different circumstances and conditions, particularly the technical and economic capabilities of countries, in addressing and solving environmental issues.

This principle has been employed in numerous international documents and agreements, including those under the World Trade Organization. Although it has not yet evolved into an established international

custom, its significant role in the development and implementation of international environmental law, particularly in balancing treaty obligations and promoting the sustainable development of developing countries, is noteworthy.

The concept of common responsibility arises from the interconnected and interdependent nature of the Earth and the governing rules over its resources. This notion gained prominence in 1982 with the concept of "the common heritage of humanity." (Abdollahi & Moarrefi, 2009).

## 2.3. *Governance Transformations in the Age of Globalization*

### 2.3.1. *Globalization and the State*

In a rapidly changing world, the legislative landscape has undergone profound transformations. With the decline of state-centric approaches, a new era of international law has emerged, reshaping how countries interact and cooperate. This shift has ignited global discourse as researchers, policymakers, and citizens grapple with the implications of this new paradigm.

Globalization refers to nations moving beyond traditional frameworks imposed by historical determinism, which once fragmented humanity as a singular concept. The globalization of humanity dismantles these beliefs through the mechanisms of mass communication.

The decline of feudalism, the rise of capitalism supported by advancements in production tools, and the diminishing reliance on older means of production, such as stone tools (Neolithic Age), manual labor (slavery), and asceticism (feudal era), led to the growth of humanism. This transformation shifted the focus toward humans as the central entity of existence and established nations as entities built upon organic relationships tied to shared land, history, and culture.

The establishment of the modern nation-state after the Treaty of Westphalia provided a tangible demonstration of this importance. Instead of being solely a protective institution, the state emerged as a system of governance. In ancient times, temple affairs evolved into structured legal systems with extensive bureaucracy, eventually giving rise to unique forms of capitalism.

The principle of utility, driven by profitability, created relationships rooted in economic interests and gave

national markets heightened significance. Early humans, like other animals, marked territorial boundaries with bodily secretions such as urine. In the capitalist era, this primitive behavior transformed into territorial disputes that often led to bloody wars throughout history, driven by the pursuit of more land.

Anthony Giddens defines globalization as follows: "Globalization involves the compression of the world as a whole, alongside the rapid intensification of consensus and the formation of global culture." (Alizadeh, 2018).

The concept of globalization implies that we live in societies where primary roles are distinctly shaped on the global stage. Communication technologies, global media, the dissemination of information via the internet and computer networks, and the expansion of satellite communication are fundamental to the backbone of global interdependence.

It is essential to analyze the roots and characteristics of globalization processes to better understand their realities.

From the perspective of the global economy:

- a. The mutual dependence of global financial markets.
- b. The internationalization of production, management, and distribution of goods and services by multinational corporations and their subsidiaries.
- c. The prominent role of international trade as a reflection of global production and a key element of economic growth.
- d. The internationalization of science, knowledge, technology, and skills as sources of productivity and competitiveness for companies, regions, and nations.
- e. The international division of labor, creating a global labor market (demand-driven) aimed at achieving desirable solutions for international migration (supply-driven) by providing skilled labor at all levels of expertise and techniques.

#### 2.4. *New Governance Projects*

The post-state-centric era refers to a shift in the global order, where the traditional dominance of state-centrism in international affairs is being challenged. Historically, central states, defined as powerful nation-states with significant economic and military influence, were the primary actors in shaping international law. However, with the rise of globalization, technological advancements, and the emergence of non-state actors on

the global stage, the dynamics of power are undergoing a fundamental transformation.

This new era is characterized by a more diverse and complex legislative framework, where the traditional authority of state-centrism is diminishing. Non-state actors, such as multinational corporations, non-governmental organizations (NGOs), and even individuals, now play a substantial role in shaping global governance. This transformation has profound implications for how international laws are formulated, implemented, and enforced.

The post-state-centric era challenges the traditional concepts of sovereignty and the monopoly of power held by states. This shift necessitates a reevaluation of the existing international legal framework and recognition of the changing dynamics in global politics (Crawford & Gol, 2016; Hardt et al., 2023).

Nevertheless, national governments do not entirely disappear despite multifaceted crises. Instead, they adapt to new frameworks and pragmatically align themselves with the realities of the evolving political and decision-making landscape. These transformations are influenced by alternative models and frameworks previously discussed. They are cultural and imaginative constructs that lead to regulatory measures aimed at transforming the concept of the state. By "nation-state," I refer to a structural set of national sovereignty institutions, including the parliament, political party systems, the judiciary, and administrative government bodies.

##### 2.4.1. *Experimental Pathways Toward Rebuilding Democratic Governance on the Global Stage*

Rebuilding a democratic political order on the international stage cannot be achieved solely through multilateral agreements, which are characteristic of the new global order. While the issue is resolvable, it currently remains in its preliminary stages. Agreements have been reached on managing existing inconsistencies. The most immediate question regarding governance is how to establish shared sovereignty amidst existing differences. Consequently, foundational and affirmative processes should function without requiring excessive bargaining, oversight, or control. Their feedback must be analyzed within a natural timeframe, considering various dimensions such as political organization, procedural frameworks, and technical aspects.



If we examine recent efforts, the methods for addressing global governance challenges can be categorized under the following topics:

#### 2.4.2. *Public and Private Partnerships*

Non-state actors have emerged as key players in shaping international law. Multinational corporations, wielding global reach and economic power, now exert significant influence over global governance. These corporations can leverage their economic strength to shape regulations and policies aligned with their interests. For instance, technology giants like Google and Facebook have played crucial roles in shaping data protection and privacy laws due to their platforms' handling of vast amounts of personal data.

NGOs also play a pivotal role in shaping international law in the post-state-centric era. These organizations often address gaps left by state-centrism in tackling global challenges such as human rights, climate change, and humanitarian crises. NGOs can advocate for changes in international law, mobilize public support, and hold governments accountable for their actions. Their expertise and grassroots networks make them valuable partners in creating and implementing international legal frameworks.

Moreover, individuals now have unprecedented access to information and tools to mobilize support for causes they believe in. Through social media and digital platforms, individuals can raise awareness, advocate for change, and pressure governments and international organizations to act. The power of collective action has the potential to shape international laws by influencing public opinion and political discourse.

The development of a global civil society has increased the role of non-state actors in managing international issues, thereby legitimizing global governance in the eyes of the public.

The emergence of a global movement for justice has emphasized debates around topics and mechanisms of representation.

Redefining the role and structure of international institutions, especially the United Nations, includes efforts to enhance public and private partnerships, such as global UN treaties, particularly those focusing on collaboration with multinational corporations. It also aims to achieve a global civil society through international networks.

#### 2.5. *A Multidimensional Global Civil Society*

The legitimacy crisis and increasing difficulty in managing global issues have led to the emergence of a global civil society. This concept arises from various forms of behavior and structures, which produce entirely different, and sometimes contradictory, objectives and effects. In this regard, a distinction must be made between grassroots organizations, social groups, labor unions, and interest groups, as each, within any country, defines its defense of local or private interests and specific values either against or outside of official political processes.

Some analysts, particularly Robert Putnam, argue that this form of civic engagement is declining, with individualism on the rise, thereby impacting the culture of our societies. However, this phenomenon varies across the world. For instance, in Latin American countries, social organizations have become a significant part of the social landscape. The key difference lies in the increasingly diverse sources of social organization: religion, particularly non-Catholic religious groups, plays a prominent role in some cases. In others, criminal organizations have created support networks in impoverished communities in exchange for protection. Other sources include women's groups, environmentalists, or ethnic and racial groups, which emphasize their identities while amplifying their voices to others.

Thus, traditional forms of political and ideological resources, as well as voluntary associations, appear to be in decline globally, although major political parties continue to pursue their traditional roles in shaping existing structures. Overall, this process has significantly transformed the political system, creating formal and informal assemblies that shape interests and values as sources of collective action and political and social influence. This represents a form of strengthening local civil society, revealing the challenges posed by unchecked globalization.

In clearer terms, this is not a global civil society per se but rather an organized and designed environment that naturally expands global civil society.

The key strategies of non-governmental organizations (NGOs) for achieving results and garnering support for their goals are heavily based on media policies. These strategies mobilize public support and access public

opinion through strong media presence and advocacy for global issues. This dynamic is driven by voter pressure on their governments and the fear of large corporations facing consumer boycotts.

Consequently, the media has become a battleground for NGOs. As this battlefield is global, global media is the primary target. Hence, the globalization of communication has led to the globalization of media policies. In this context, the public sphere of global civil society is shaped by the global communication space.

Today, the media system is simultaneously local and global. This system is organized by certain global media trade groups while remaining dependent on government regulations and the needs of specific audiences. By showcasing events through powerful imagery and messaging, transnational actors are compelled to discuss and debate the causes and consequences of various issues. These media strategies created by non-state actors leave a lasting impact on public opinion and promote social change. Ultimately, raising public awareness influences political behavior, voting patterns, and election outcomes, thereby shaping governance.

For state actors and intergovernmental organizations such as the United Nations, it is essential to engage with civil society not only by addressing institutional mechanisms and political representation methods but also by participating in public debates about the global public sphere and building a media communication system.

To some extent, major United Nations conferences in recent decades, focusing on human issues (ranging from women's rights to environmental protection), have been organized around such approaches and, in many cases, were essential for political decision-making in global discussions. This approach has also increased public awareness and provided a suitable platform for policymaking aimed at establishing a global civil society and turning it into the forefront of political debate.

For governments and international institutions, it is imperative that the demands and agendas of global civil society contribute to strengthening a media-focused public sphere. Managing global public opinion is as critical as expanding organizational and political participation in collaboration with international state-centered institutions and global civil society.

Section 6: Global Governance Without a Global State: Global Civil Society and the Network State

The concept of "global civil society" refers to a diverse and expansive arena of social actions and organizations. My aim is to identify the main components of this diversity. To this end, I will discuss the relationships between civil society and global governance, followed by an analysis of this topic. A precise understanding is necessary to clarify the issue at hand. Without delving into the intellectual history of the concept, civil society can be associated with three theoretical traditions, each rooted in the practices of societies at different historical periods.

#### 2.5.1. *First Tradition*

The first tradition, best represented by John Locke, views civil society as the organizational and institutional defense of individual rights against state interference. In this perspective, civil society stands in opposition to the state. Interestingly, this traditional view aligns with the approach of many social movements that advocate for civil society. The liberal tradition also extends the concept of individual rights to collective human rights.

#### 2.5.2. *Second Tradition*

This perspective can be attributed to Alexis de Tocqueville and emphasizes the self-management of issues that emerge in social life by the people themselves, organized within the framework of a democratic government system. This tradition is rooted in the political culture of North America, which focuses on social organizations and civic activities.

In this approach, civil society complements the state in managing public affairs. Supported by a democratic government, this tradition has fostered successes and a return to democratic policies led by responsible citizens managing their lives without relying on the state.

#### 2.5.3. *Third Tradition*

Similar to the second tradition, this approach is often discussed in intellectual circles but may be misrepresented. It is more accurately associated with Antonio Gramsci's understanding of civil society. This perspective also emphasizes the importance of independent grassroots organization, as seen in trade unions, agricultural cooperatives, social organizations, churches, and similar entities.

For Gramsci, however, these organizations form civil society based on their relationships with the state. Thus, proponents of this tradition view civil society as an intermediary space between the state and citizens, where state institutions and grassroots organizations engage in dialogue, negotiation, and cooperation to advance mutual interests.

According to Gramsci, this approach benefits civil society by creating a channel for influencing the state without directly confronting its structure to seize power. In this tradition, civil society serves as a mechanism for reforming the state and its policies through organized pressure from society without undermining democratic processes such as elections and formal policies. The existing democracies in Scandinavian countries are the closest examples of this model, which appears to be among the most effective organizational systems globally.

However, in Gramscian thought, civil society is not defined as being against or outside the state; rather, it is understood as organizing relationships with the state. This distinction highlights the differences between society and civil society, between social movements and civil society, and between civic associations and social movements.

In this framework, discussions of civil society revolve around the historical concepts of nation-states, whereas the primary issues I address concern managing global governance. States have established networks of global governance, but civic organizations remain confined to their territories. Social movements have embraced global processes and overcome the limitations imposed by nation-states, yet challenges arise when these movements operate as part of civil society within global governance networks.

Thus, the formation of civil society within the Gramscian tradition depends on recognizing the mechanisms and processes of communication between independent grassroots organizations and the network state across various levels and domains.

In our societies, organizational forms and communities have diverse and transient interests. Cultural frameworks are constantly evolving and being redefined. While the Gramscian approach to civil society includes a fundamental principle that persists in our societies, no civil society exists entirely without interaction with the state, unlike social movements or public protests. Civil

society acts as a bridge between society and the state and as a channel for transforming the state through representatives of citizens who attain higher positions of authority (Castells & Aligholian, 2021).

Understanding the issue is often easier than providing a solution, although it is a necessary first step. Furthermore, discussing the interaction between the state and society within the context of the global civil society falls outside the scope of this paper. However, I will attempt to demonstrate the best methods for advancing the political resolution of these issues.

The essential question is: "What forms of interaction exist between the dynamics of society and state institutions within the framework of global networked governance?"

In summary, I aim to examine some trends that may mark the beginning of institutional and cultural transformation within the international political system. These observations are not a program, mandate, or proposal but rather an interpretation of the growing behaviors of people and institutions across the globe.

### 3. Conclusion

Under the existing framework of general international law, states are held responsible, and comprehensive regulations governing the actions of transnational entities are lacking. Nonetheless, such entities have managed to influence international meetings and conventions, playing a significant role in areas such as human rights and environmental protection. Freed from state obligations, these actors can operate across borders, assume critical supervisory roles in establishing behavioral standards, and thereby contribute to the emerging global governance system.

With the advancement of globalization, numerous crises have emerged, including large-scale wars, arms proliferation, terrorism, human rights violations, sexual slavery, human trafficking, child exploitation, refugee crises, money laundering, cyber rights, and internet challenges. Environmental degradation, trade disputes, and financial crises have also intensified. Under these circumstances, most national governments are either unwilling or unable to resolve these issues or prevent their escalation. For example, a repressive regime lacking adequate legal instruments may violate human rights or support terrorism despite diplomatic efforts or sanctions. However, the globalization process has



facilitated the expansion of international legal mechanisms and tools, enabling better regulation and control (Hardt et al., 2023).

Today, a global society has emerged, and the previous legal framework cannot adequately meet the needs of this society, resulting in a crisis.

It is worth noting that the transformations in modern international law have brought forth new actors in the international community, each playing a distinct role on the global stage. While states continue to occupy a primary and fundamental position in international law—particularly in norm-setting and adherence to international legal rules and principles—the rise of non-state actors in the international arena has introduced significant changes across various legal levels. These developments sometimes create confusion and uncertainty regarding the roles and responsibilities of actors in the international sphere and the delineation of their rights and duties.

In other words, global governance is the outcome of the globalization process. It signifies the administration of global affairs without a central, independent global state. Historically, the system managing relations among states operated based on the principles of the Westphalian order. However, today's global management system has significantly altered this framework.

Global governance is characterized by three features:

1. Increased institutionalization of international decision-making processes across various technical and administrative fields.
2. Mechanisms for implementing international regulations.
3. The growing role of non-state actors.

Non-state actors encompass a wide range of active or passive subjects in international law, often wielding greater influence than states in today's international community. Historically, various conventions have addressed non-state actors. For example, Article 12 of the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances defines members and institutions of civil society groups working in the field of narcotics. Similarly, Article 15 of the Convention on the Carriage of Goods by Sea explicitly highlights the active role of non-state actors.

Studies indicate that non-state actors have played diverse roles in international processes over an extended period. In this context, the piracy phenomenon

is regarded as the first instance of non-state actors' engagement.

On the other hand, the emergence of the doctrine of international responsibility to protect has evolved alongside the development of human rights and the weakening of state sovereignty. The "Responsibility to Protect" (R2P) is an evolving concept concerning states' duty to prevent and end violent acts against their people. It aims to provide a legal and ethical basis for humanitarian intervention.

The increase in civil wars during the 1990s, severe human rights violations, and challenges posed by humanitarian interventions underscored the necessity of establishing international responsibility to protect. This doctrine introduces a new perspective on sovereignty, emphasizing that "sovereignty" signifies responsibility, not privilege. Consequently, sovereignty has shifted from "control" to "responsibility." According to this new idea, rulers are accountable to the global community for their treatment of their people.

The "Responsibility to Protect" has had two significant effects on international relations:

1. Sovereignty is not absolute but modifiable and subject to change.
2. Individual rights are taken seriously by the global community (Rafie & Nikrosh, 2013).

The findings also suggest: by considering Hegel's philosophy, Murray Bookchin's communitarianism, libertarian socialism, Abdullah Öcalan's democratic confederalism, and ultimately Emir Deljou's philosophical-cognitive framework in "Pragma" or "The Theory of Everything", a charter is proposed for a global socio-liberal law. This charter aims to uphold human-centric freedom and justice within the current system (with the presence of states) while envisioning a future transition from statehood. The proposed dynamic mechanism would adapt, evolve, and update itself to align with the demands of the times.

### 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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## Ethical Considerations

In this research, ethical standards including obtaining informed consent, ensuring privacy and confidentiality were observed.

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