

Between Sovereignty and Solidarity: Reconciling International Law with Emerging Norms in a Multipolar World

Amah Maclean Williams

Department of History and International Studies, Akwa Ibom State University, Ikot Akpaden, Akwa Ibom State, Nigeria

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*Corresponding Author: Amah Maclean Williams

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Abstract

Original Research Article

The post–Cold War optimism for a stable, rule-based international order has been challenged by the accelerating transition toward a multipolar global system. Power is no longer concentrated in a single pole; instead, it is diffusing among established powers such as rising states, regional blocs, and even non-state actors. This shift has brought fresh challenges for international law, especially in balancing two sometimes competing principles: the sovereignty of states and the global responsibility to act in solidarity on issues that transcend borders. Sovereignty remains the foundation of the Westphalian system, yet pressing global concerns such as humanitarian crises, climate change, cyber threats, and pandemics, demand cooperative action that can blur the boundaries of state autonomy. These developments raise a critical question: how can international law uphold sovereignty while advancing collective global responsibility in an interconnected yet politically fragmented world? Using a qualitative, comparative approach, the study draws on doctrinal legal analysis, case studies, and multilateral agreements. It examines, among others, the Responsibility to Protect (R2P) in Libya versus Syria, climate litigation such as *Urgenda Foundation v. State of the Netherlands*, and state-sponsored cyber incidents. The findings of this paper reveal that while sovereignty remains deeply entrenched in both state practice and international adjudication, it is increasingly subject to reinterpretation when global challenges demand transnational cooperation. Also, the selective enforcement of solidarity-based norms, often shaped by geopolitical interests, undermines their legitimacy. The paper argues for a pragmatic reconciliation through codifying clear solidarity obligations, reforming adjudication to curb selectivity, and fostering stronger regional-global legal cooperation. By viewing sovereignty and solidarity as complementary, not contradictory, this study offers a vision of international law that is both principled and adaptable, capable of guiding a fairer, more cooperative order in the 21st century. The findings of this paper hold significance for policymakers, scholars, and practitioners seeking a balanced and legitimate pathway for addressing collective action problems without dismantling the foundational structure of the international legal system.

Keywords: Sovereignty, Multipolar World, International Solidarity, International Law.

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1. Introduction

The story of international law is, in many ways, the story of humanity's attempt to live together in a world of difference in an orderly manner without

conflict. States have long struggled to balance the desire for independence with the need for cooperation, and this tension is captured in two enduring principles: sovereignty and solidarity.



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Sovereignty has historically provided the backbone of international law, ensuring political independence and protection from external interference. Solidarity, by contrast, emphasizes collective responsibility and mutual aid in the face of shared vulnerabilities. In today's multipolar world, where power is increasingly diffused among states, blocs, and non-state actors, the tension between these principles is becoming more pronounced.

Sovereignty is often traced to the Peace of Westphalia of 1648, which is commonly credited with establishing the principles of non-intervention and territorial integrity. Although historians caution against oversimplifying the "Westphalian narrative" (Osiander, 2001; Krasner, 1999), sovereignty has endured as the cornerstone of international law. It became enshrined in the Charter of the United Nations (1945), which affirms "the sovereign equality of all its members" (United Nations, 1945, art. 2). For many postcolonial states, especially in Africa and Asia, sovereignty was more than a legal abstraction, it was the hard-won guarantee of political survival after centuries of imperial domination (Anghie, 2007). It continues to serve as a shield against external interference and a symbol of dignity and recognition in a global order still shaped by asymmetries of power. Yet sovereignty has never been absolute. In an increasingly interdependent world, global challenges such as climate change, terrorism, pandemics, and forced migration demand levels of cooperation that sovereignty alone cannot deliver. This is where solidarity becomes indispensable. The concept of solidarity has philosophical roots in cosmopolitan thought and communitarian traditions that stress shared human vulnerability (Baylis et al., 2020). In legal terms, solidarity appears in the UN Charter's commitment to "international cooperation" (United Nations, 1945, art. 1), in the Universal Declaration of Human Rights (1948), and more recently in instruments such as the Sustainable Development Goals (United Nations, 2015) and the Paris Agreement on climate change (United Nations, 2016). Solidarity is also reflected in the controversial doctrine of the Responsibility to Protect (R2P), which reframes sovereignty not merely as control but as responsibility toward citizens and, when states fail, toward the international community (Bellamy,

2015). While R2P embodies the spirit of solidarity, its selective application, such as in Libya in 2011 but not in Syria, has fueled skepticism and accusations of norm manipulation (Thakur, 2016). Thus, solidarity can appear aspirational yet vulnerable to politicization, while sovereignty, though foundational, can seem insufficient to address shared crises.

The twenty-first century's shift toward multipolarity complicates this dynamic. The immediate post-Cold War era, often described as unipolar under U.S. dominance, fostered hopes for the consolidation of a liberal, rules-based order. That optimism has faded. Emerging powers such as China, India, Brazil, and South Africa, along with regional organizations like the European Union (EU), African Union (AU), and Association of Southeast Asian Nations (ASEAN), are reshaping international norms (Williams, & Ekwere, 2024). This diffusion of power creates both opportunities for collaboration and arenas of contestation. Russia's defense of "sovereignty" in its war with Ukraine, China's emphasis on non-interference, and the AU's principle of "non-indifference" in cases of mass atrocity all reflect divergent understandings of how sovereignty and solidarity should be balanced (Murithi, 2009; Shinkaretskaya, 2023).

Climate negotiations illustrate these tensions vividly. Developed states often invoke solidarity to push for ambitious emissions reductions, while developing countries emphasize sovereignty to protect their right to economic growth. The principle of "common but differentiated responsibilities" (CBDR), codified in the Paris Agreement, embodies a fragile compromise between these competing claims (Rajamani, 2016). Similarly, the COVID-19 pandemic exposed both the necessity and fragility of solidarity. While the global spread of the virus showed that no state could insulate itself, vaccine nationalism and unequal distribution of medical resources highlighted the limits of collective responsibility (Moon, 2020).

The central question, therefore, is whether sovereignty and solidarity can be reconciled in a way that strengthens, rather than fragments, international law. Sovereignty offers protection but risks paralysis in the face of transnational threats. Solidarity offers cooperation but risks undermining autonomy if

imposed selectively. International law cannot afford to privilege one principle to the exclusion of the other. As Koskenniemi (2011) observes, the strength of international law lies not in choosing between competing values but in mediating the tensions between them.

This article argues that reconciliation is both necessary and possible. Sovereignty need not be abandoned but reimaged, not as absolute control but as responsibility (Deng et al., 1996). Solidarity, in turn, must be embedded more deeply into international law, not only as moral rhetoric but as a legal and institutional commitment. In a multipolar world marked by both fragmentation and interdependence, the challenge for international law is not to choose between sovereignty and solidarity but to reimagine their relationship in ways that protect state autonomy while affirming humanity's shared fate.

The structure of the article is as follows. The next section reviews the theoretical and legal foundations of sovereignty and solidarity, tracing their historical evolution and the scholarship that has attempted to bridge them. The methodology outlines the normative and qualitative approach employed here, drawing on primary legal instruments, jurisprudence, and case studies. The findings examine how sovereignty and solidarity manifest in contemporary practice, with reference to humanitarian intervention, climate governance, and pandemic response. The discussion then considers possible pathways of reconciliation, including flexible sovereignty, shared sovereignty in global commons, and regional solidarist frameworks. The conclusion reflects on the implications of this reconciliation for global governance in a multipolar age.

Ultimately, the argument advanced here is that the future of international law depends not on choosing between sovereignty and solidarity, but on weaving them together into a framework capable of addressing the realities of interdependence. Without sovereignty, weaker states risk domination; without solidarity, humanity risks collective failure in the face of existential threats. The reconciliation of these two principles is therefore not merely a theoretical aspiration but a practical necessity for survival in the twenty-first century.

2. Sovereignty: From Westphalia to Post-Colonialism

Few concepts in international law carry as much weight, or as much ambiguity, as sovereignty. Traditionally, sovereignty has been understood as the "supreme authority within a territory" (Krasner, 1999). It connotes both internal supremacy and external independence. The so-called "Westphalian settlement" of 1648 has often been portrayed as the origin point of this principle. Yet, as Osiander (2001) reminds us, Westphalia was less a founding moment than a retrospective myth, simplified by later generations to legitimize the international order. Still, the idea that states are equal, autonomous, and immune from interference became deeply embedded in modern international law. The UN Charter (1945) reinforced sovereignty as the cornerstone of the post-World War II system. For decolonized states in Africa, Asia, and the Caribbean, sovereignty was not merely legal jargon; it symbolized hard-won freedom and international recognition after centuries of imperial domination (Anghie, 2007). In this sense, sovereignty carries both protective and emancipatory dimensions. Yet scholars like Koskenniemi (2011) point out its paradox: while sovereignty empowers, it can also mask inequality, enabling powerful states to manipulate the very rules designed to ensure equality.

3. Solidarity: From Moral Ideal to Legal Principle

In contrast to sovereignty's entrenched history, solidarity has long been the "poor cousin" of international legal principles, valued rhetorically, but less frequently codified (Peters, 2014). At its core, solidarity reflects the recognition that states share a common humanity and a set of interdependent vulnerabilities. Philosophical traditions from Kant's cosmopolitanism to African Ubuntu ethics have advanced solidarity as a moral horizon (Metz, 2011). In international law, solidarity surfaces in the Charter of the United Nations, which calls for "international cooperation in solving international problems" (United Nations, 1945, art. 1). It also appears in the Universal Declaration of Human Rights (1948) and in the right to development recognized by the UN

General Assembly (1986). More recently, global compacts on migration, the Sustainable Development Goals (2015), and the Paris Agreement (2016) have explicitly invoked solidarity to address issues that transcend borders. Legal scholars increasingly argue that solidarity is moving from aspiration toward normativity. According to Trindade (2010), solidarity constitutes the “humanization of international law,” a shift from state-centric to people-centered approaches. Similarly, Kadelbach and Kleinlein (2007) argue that solidarity may serve as a principle of “constitutionalization” in international law, offering a framework for cooperation in areas like climate, health, and humanitarian protection. Yet, critics caution that solidarity often lacks enforcement mechanisms, making it vulnerable to selective application or instrumentalization (Thakur, 2016).

4. Multipolarity and Norm Contestation

The global shift toward multipolarity adds another layer of complexity. The post–Cold War unipolar moment fostered hopes of consolidating a liberal, rules-based order under U.S. leadership. Today, however, power is more widely diffused. Scholars describe the emerging order as “multiplex” (Acharya, 2017), marked by multiple centers of power and overlapping regional and global governance structures. This diffusion produces both opportunities and challenges for international law. On the one hand, multipolarity creates space for regional organizations such as the African Union, the European Union, and ASEAN to advance solidarist norms tailored to their contexts (Williams, 2025). For instance, the AU’s principle of “non-indifference” challenges the traditional non-interventionist model by mandating collective action in cases of genocide or mass atrocities (Murithi, 2009). On the other hand, multipolarity fuels contestation: while some states champion solidarity in addressing climate change or pandemics, others invoke sovereignty to resist what they view as external impositions. Russia’s defense of sovereignty in its interventionist policies, or China’s insistence on non-interference, exemplify this

tension (Shinkaretskaya, 2023).

5. Bridging Sovereignty and Solidarity: Scholarly Perspectives

The literature reflects a persistent struggle to reconcile these principles. Some scholars advocate for “sovereignty as responsibility,” a concept articulated by Deng et al. (1996), which redefines sovereignty not as a license for unchecked authority but as a duty to protect citizens. The Responsibility to Protect (R2P) doctrine is one attempt to operationalize this logic, though its selective application has led to controversy (Bellamy, 2015). Others argue for embedding solidarity more firmly into the legal order through instruments that make cooperation legally binding in areas of global concern (Peters, 2014). At the same time, critical scholars caution against romanticizing solidarity. Anghie (2007) and other Third World Approaches to International Law (TWAIL) scholars remind us that appeals to “shared responsibility” have sometimes masked hierarchies, with powerful states imposing obligations on weaker ones under the guise of solidarity. This suggests that any reconciliation between sovereignty and solidarity must be sensitive to global inequalities and avoid reproducing patterns of domination.

6. Theoretical Anchors for This Study

Building on these debates, this article employs three theoretical anchors. First, sovereignty is understood not as absolute but as conditional, evolving toward responsibility (Deng et al., 1996). Second, solidarity is treated not as a vague moral aspiration but as an emerging legal norm that reflects the interdependence of global society (Trindade, 2010). Third, multipolarity is approached as both a challenge and an opportunity: a challenge because it amplifies contestation, but an opportunity because it allows for pluralist experiments in reconciling sovereignty and solidarity across different regions (Acharya, 2017). Taken together, the literature suggests that sovereignty and solidarity need not be mutually exclusive. Instead, they represent competing yet complementary values whose reconciliation could define the future of international

law. The challenge lies not in choosing one over the other but in weaving them into a coherent framework that can sustain legitimacy and effectiveness in a multipolar world.

7. Sovereignty and Solidarity in Practice

The interplay between sovereignty and solidarity is not merely an abstract debate; it is vividly illustrated in contemporary global crises. This section examines three domains—humanitarian intervention, global health, and climate change—where sovereignty and solidarity collide, converge, and sometimes complement one another.

7.1 Humanitarian Intervention and the Responsibility to Protect (R2P)

Few issues capture the tension between sovereignty and solidarity more clearly than humanitarian intervention. Traditionally, sovereignty was treated as an inviolable shield, rendering domestic atrocities beyond external scrutiny. The adoption of the Responsibility to Protect (R2P) in 2005 marked a profound shift: sovereignty was redefined as a responsibility to safeguard populations from genocide, war crimes, ethnic cleansing, and crimes against humanity (United Nations, 2005).

In principle, R2P embodies solidarity, it acknowledges that mass atrocities are not just a domestic concern but a threat to shared humanity (Bellamy, 2015). In practice, however, its application has been uneven. The NATO-led intervention in Libya (2011), initially framed under R2P, quickly escalated into regime change, fueling skepticism among Global South states about the doctrine's credibility (Williams, & Egemba, 2022). By contrast, the failure to act decisively in Syria, despite widespread atrocities, highlighted the paralysis of solidarity when geopolitical rivalries prevail (Weiss, 2016). These cases reveal a paradox: while solidarity has been embedded into legal discourse through R2P, its implementation often reverts to the logic of sovereignty and power politics. Multipolarity compounds this challenge, as divergent interpretations by major powers hinder consensus.

7.2 Global Health and the COVID-19 Pandemic

The COVID-19 pandemic starkly demonstrated both the necessity and fragility of solidarity in global governance. Viruses, by nature, respect no borders, underscoring the limits of sovereignty as a protective shield. International law, through the International Health Regulations (2005), sought to foster cooperation and transparency. Yet the pandemic exposed deep fractures: some states withheld information, others closed borders unilaterally, and vaccine distribution became a battleground of “vaccine nationalism” (Fidler, 2021). At the same time, the pandemic highlighted extraordinary instances of solidarity. Global initiatives such as COVAX attempted to ensure equitable vaccine distribution, even if imperfectly (Moon et al., 2022). Regional efforts, such as the African Union's pooled procurement mechanisms, illustrated how solidarity can be institutionalized in multipolar settings (Nkengasong & Tessema, 2020). The lesson from global health is that sovereignty, while essential for managing national health systems, cannot adequately address transnational threats. Solidarity, when operationalized through cooperative mechanisms, can complement sovereignty rather than undermine it.

7.3 Climate Change and Environmental Solidarity

Climate change epitomizes the urgency of reconciling sovereignty with solidarity. States remain attached to their sovereign right to exploit natural resources within their territories, yet the environmental consequences are global. International law has increasingly moved toward solidarist language, from the principle of “common but differentiated responsibilities” in the UN Framework Convention on Climate Change (1992) to the cooperative commitments of the Paris Agreement (2015).

Here, solidarity manifests in two ways: first, in the acknowledgment that climate action requires collective effort; and second, in the recognition that responsibilities must account for historical inequalities. Small island developing states, for instance, have appealed to solidarity not only for

emission reductions but also for climate finance and adaptation support (Roberts & Park, 2007). Meanwhile, major emitters such as China and India emphasize sovereignty to safeguard development priorities, creating friction in global negotiations (Rajamani, 2016). Despite these tensions, climate governance illustrates that sovereignty and solidarity are not irreconcilable. The Paris Agreement's voluntary, nationally determined contributions respect state sovereignty while embedding states within a solidarist framework of shared accountability (Falkner, 2016). This hybrid model, sovereign commitments nested within solidarist structures—may offer a template for other domains of international law.

8. Emerging Patterns

8.1. Across these issue areas, several patterns emerge:

1. Solidarity is most effective when embedded within sovereignty. Initiatives like nationally determined contributions in climate law or AU-led health coordination during COVID-19 show that solidarity works best when states perceive it as complementing, not erasing, their sovereign prerogatives.

2. Multipolarity amplifies contestation but also enables innovation. The breakdown of unipolar dominance means consensus is harder to achieve, but it also allows diverse regions and actors to experiment with solidarist norms, as seen in Africa's principle of non-indifference.

3. The legitimacy of solidarity depends on fairness. When solidarist norms are applied selectively (e.g., Libya vs. Syria), or when global inequities persist (e.g., vaccine nationalism, climate finance shortfalls), states revert to sovereignty as a protective shield.

These findings suggest that sovereignty and solidarity are not inherently antagonistic. Instead, their relationship is dynamic, context-dependent, and shaped by the broader realities of multipolarity. The task for international law is to craft frameworks that respect sovereignty while making solidarity operational and credible.

9. Reconciling Sovereignty and Solidarity in a Multipolar World

The findings illustrate that sovereignty and solidarity are not irreconcilable opposites but dynamic principles that coexist in tension. The task of international law is to navigate this tension, crafting frameworks that neither hollow out sovereignty nor render solidarity meaningless. In a multipolar world where authority is diffused and consensus elusive, this reconciliation is both more difficult and more urgent.

9.1 Rethinking Sovereignty as Responsibility

One of the most significant normative shifts in the past two decades has been the reconceptualization of sovereignty. Traditionally understood as absolute authority, sovereignty has gradually been reframed as responsibility, to one's citizens and, increasingly, to the international community (Deng et al., 1996; Krasner, 2004). The Responsibility to Protect doctrine encapsulates this shift, though its uneven application exposes enduring power asymmetries. The discussion suggests that sovereignty need not be seen as a fortress against solidarity. Instead, sovereignty can function as the foundation upon which solidarist duties are built. When states internalize sovereignty as stewardship, managing resources responsibly, protecting citizens, and cooperating against global threats, then solidarity enhances sovereignty rather than undermining it (Williams, 2017).

9.2 Solidarity as a Principle of Shared Vulnerability

Solidarity has often been criticized as abstract or idealistic. Yet, the findings from global health and climate governance reveal that solidarity is most persuasive when linked to shared vulnerability. Pandemics and rising seas remind states that their fates are interdependent, regardless of their borders. This is what Habermas (2012) calls "post-national solidarity", the recognition that global risks generate obligations that transcend nationality.

Importantly, solidarity is not about dissolving sovereignty but about embedding it within

cooperative structures that acknowledge interdependence. For instance, the Paris Agreement respects national sovereignty through voluntary pledges while binding states within a solidarist framework of mutual accountability (Falkner, 2016). Such hybrid models may be the most pragmatic path forward in a multipolar world.

9.3 Multipolarity: Obstacle or Opportunity?

The rise of multipolarity complicates the reconciliation of sovereignty and solidarity. Unlike the post–Cold War unipolar moment, where liberal norms had clearer dominance, today’s multipolar order features competing visions of international law, liberal, authoritarian, and postcolonial (Acharya, 2018). This ideological pluralism makes it harder to forge consensus on solidarist norms such as humanitarian intervention or climate justice. Yet multipolarity also creates opportunities. Regional organizations, such as the African Union with its principle of non-indifference, or ASEAN with its cautious but evolving approach to humanitarian crises, have begun to generate solidarist norms rooted in non-Western traditions (Tieku, 2017). This pluralization enriches the discourse on solidarity, grounding it in diverse cultural and political experiences. Multipolarity, therefore, need not signal fragmentation; it can be a laboratory for reconciling sovereignty and solidarity in innovative ways.

9.4 The Role of Legitimacy and Fairness

Perhaps the most decisive factor in whether solidarist norms succeed is their perceived legitimacy. The selective application of R2P, the unequal distribution of vaccines, and the persistent climate finance gap all reinforce skepticism among weaker states that solidarity is merely a cover for powerful interests (Morris, 2013; Fidler, 2021). Where fairness is absent, states retreat to sovereignty as a protective shield. Thus, the discussion points to fairness and inclusivity as the linchpins of any future reconciliation. Solidarist norms must be applied consistently and equitably, taking into account historical injustices and structural inequalities. Otherwise, sovereignty will continue to serve as the last refuge for states that feel marginalized or

exploited.

9.5 Toward a Balanced Framework

The path forward may lie in embracing sovereignty and solidarity not as competing absolutes but as complementary principles. Sovereignty provides legitimacy and order, while solidarity addresses global risks that no state can manage alone. A balanced framework would institutionalize solidarist duties within sovereign prerogatives, much like the Paris Agreement does in climate law or the African Union does in peace operations. In essence, sovereignty and solidarity are two sides of the same coin: sovereignty grounds states in their national responsibilities, while solidarity reminds them of their global obligations. Reconciling the two in a multipolar world will not be easy, but it is both possible and necessary if international law is to remain relevant.

10. Conclusion and Recommendations

The tension between sovereignty and solidarity has long haunted international law. In a unipolar moment, solidarist claims often carried more weight, even if inconsistently applied. In today’s multipolar order, however, sovereignty has reasserted itself as states seek to protect their autonomy from perceived external imposition. Yet the findings of this study suggest that sovereignty and solidarity are not mutually exclusive. Rather, they represent two interdependent principles that must be reconciled if international law is to remain responsive to twenty-first century challenges.

10.1 Key Conclusions

First, sovereignty is evolving. It can no longer be reduced to the rigid notion of absolute control over territory and people. Instead, contemporary practice increasingly frames sovereignty as responsibility, both to citizens and to the global community (Krasner, 2004; Bellamy, 2015).

Second, solidarity is gaining traction, not as a utopian ideal but as a pragmatic necessity in the face of shared risks such as pandemics, climate change, and

cyber insecurity. These global problems expose the limits of sovereignty when understood as isolation, underscoring that interdependence is no longer optional (Habermas, 2012; Falkner, 2016).

Third, multipolarity complicates but also enriches this debate. The diffusion of power makes consensus harder, yet it also introduces a plurality of regional and cultural approaches to solidarity. The African Union's principle of non-indifference and ASEAN's cautious solidarity are just two examples of how non-Western traditions are reshaping the balance between sovereignty and global obligation (Tieku, 2017).

Finally, legitimacy and fairness remain decisive. Where solidarist norms are applied selectively, as in the uneven practice of R2P, or where resources are distributed unequally, as in global vaccine access, states retreat to sovereignty as a protective shield (Morris, 2013; Fidler, 2021). Without equity, solidarity risks becoming rhetoric rather than practice.

10.2 Policy and Normative Recommendations

1. Reframe Sovereignty as Stewardship

States should embrace sovereignty not as isolation but as stewardship, anchoring responsibility for citizens while recognizing interdependence. This framing strengthens legitimacy while allowing solidarist norms to take root.

2. Institutionalize Solidarist Practices within Sovereign Frameworks

International agreements should respect national prerogatives while embedding them within solidarist commitments. The Paris Agreement's voluntary pledges coupled with mutual accountability mechanisms provide a model worth expanding (Falkner, 2016).

3. Promote Regional Pathways to Solidarity

Regional organizations should be empowered to generate solidarist norms rooted in local traditions and political realities. Such pluralism increases ownership and mitigates perceptions of Western

imposition (Acharya, 2018; Tieku, 2017).

4. Ensure Fairness and Consistency in Application

For solidarist norms like humanitarian intervention or climate finance to gain traction, they must be applied equitably. Double standards erode trust, whereas fairness fosters legitimacy and cooperation.

5. Foster Global Dialogue on Shared Vulnerabilities

Policymakers, scholars, and civil society should emphasize shared risks, climate disasters, pandemics, financial instability, as platforms for cultivating solidarity. Narratives of common vulnerability humanize obligations and encourage cooperation (Habermas, 2012).

5.3 Looking Ahead

The twenty-first century demands a reimagined international law that neither clings to rigid sovereignty nor drifts into naive solidarism. The path forward lies in crafting a balanced framework that recognizes sovereignty as the anchor of legitimacy while embedding solidarity as the compass of global survival. Multipolarity, far from dooming this effort, may provide the diversity of perspectives needed to reconcile these two principles in more inclusive and resilient ways. International law's relevance in the coming decades will depend on its ability to mediate, not eliminate, the tension between sovereignty and solidarity. It is in this mediation that the promise of a just, cooperative, and sustainable global order resides.

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