



Research Paper

Social Transformation and the Limits of Humanitarian Norms: A Critical Study of R2P in the Global South

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ABSTRACT: The Global South has witnessed significant social transformation amidst persistent conflicts, necessitating effective resolution mechanisms. This paper explores the nexus between social transformation, conflict resolution, and the application of the Responsibility to Protect (R2P) norm. Social transformation in these regions often stems from various factors including political upheavals, economic disparities, and cultural shifts, which can exacerbate existing conflicts or ignite new ones. Consequently, addressing these conflicts requires multifaceted approaches that go beyond traditional state-centric models of intervention. The Responsibility to Protect norm, endorsed by the United Nations in 2005, provides a framework for the international community to prevent and respond to atrocities, including genocide, war crimes, ethnic cleansing, and crimes against humanity. However, its application in the Global South has been met with both support and scepticism due to concerns over sovereignty, interventionism, and geopolitical interests. This paper examines how the Responsibility to Protect (R2P) norm functions in resolving conflicts within the Global South. It explores the core elements of R2P, including the prevention of atrocities, reaction to crises, and rebuilding post-conflict societies. The paper also discusses the crucial role of the international community in supporting and enforcing R2P principles.

KEYWORDS: Geopolitics, population dynamics, social transformation, conflict resolution.

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I. INTRODUCTION

Often, the term 'Global South' is used for developing nations or the 'Third world' countries. Over the years, extensive usage of the term 'Global South' has raised many questions. To understand this better, first, we need to indulge in understanding how social transformation takes place and how some countries were able to develop their societal structures better than others. When a society undergoes some fundamental changes, it insinuates social transformation that gradually brings social change to the society. Over the past few years, sociologists and political science scholars have tried to throw light on the process of social change. Ibn Khaldun, the famous Arab historian's philosophy of social change, thrived on by amalgamating spirituality with mysticism. (Ahmad) According to him, science is closely knitted with religious knowledge. A science, basically geometry, arithmetic logic, astronomy, etc., was believed to be a concoction of religious understandings and non-religious science. Ibn Khaldun was of the opinion that power, religion, and leadership was the reason behind social change and the rise of society. (Linton) On the other hand, wealth, fortunes, assets, perversions, and corruption would only bring an end to society. He argued that degeneration would once occur after society has experienced a rise or a great civilization. (James)

THEORETICAL PERSPECTIVES ON SOCIAL TRANSFORMATION

Ibn Khaldun, in his work 'Asabiyyah,' maintained that social transformation happens in two stages. (Morris) Firstly, when human society is in a stage ruled by the tribes. Secondly, when the society has passed the uncivilized stage and reached a more complex stage of civilization. Ibn Khaldun differed from philosophers like Karl Marx, W.W Rostow, and Herbert Spencer, who claimed that the social transformation of society occurs in more than two stages. For instance, Karl Marx had put his faith in teleological advancement where the development of human society occurs through material forces. (Marx) In such a situation, the proletariat class comes in conflict with the existing bourgeoisie class resulting in an overthrow of the existing bourgeoisie class.

The process continues unless a classless society is achieved where means of production are in the hand of the proletariat, and no class division exists. (Engels)

Likewise, if we take the example of Rostow's theory of modernisation, we will find that Rostow had tried to explain the development theory through the stages of economic growth. (Rostow) According to Rostow, a country must pass through stages of Economic growth in order to become a fully developed country. These stages included traditional society, pre-conditions of take-off, take-off, drive to maturity, and age of high mass consumption. (Rostow) Rostow was of the opinion that all countries were placed in a linear spectrum of the development scale, and their only aim was to move upwards by passing through the stages of development. The ultimate goal remains to reach the 'developed' stage where a full-bloomed capitalist system exists with mass production and consumption. (Rostow)

However, there were scholars like Wilbert E. Moore who completely rejected Rostow's Model of economic growth. For Moore, the link between 'before' and 'after' in relations to orders or methods of change is not same in different orders according to some law of thoughtless progression, for in fact, real substitutes are present and real selections are being made by actual people. (Moore, Social change) Nonetheless, it was unfortunate that the theoretical perspective of the functionalist did not advance further as the explanation provided by the functionalist was seen to be way too obvious with simplistic logic behind it. In the post-World War era, the views of sociologist like Talcott Parson was given importance. For Parson, modernisation was nothing but an adaptation of the existing western model of a social system. Hence there arose a division amongst the social scientists regarding this perspective. One group endorsed the western model of development, whereas others advocated for economic development based on social consequences. (Moore)

Any study on social transformation comprises of the examining of the transformation and cultural change that has taken place in the social institutions. Change is inevitable, and there is no argument that social change does not happen in a society. However, the topic of discussion is how does this 'social change,' which is omnipresent globally, occurs in reality. It is known that the forces of social change help nation-states in upgrading, modernising, and transforming their societies. In the present western world, erstwhile known as the 'developed nations, the concept of social change was introduced in the 19th century with the introduction of the term 'Enlightenment.' The enlightenment era brought transformation by introducing industrialisation in these countries. Most scholars and philosophers believe that social change is evolutionary in nature. However, some scholars do believe that it is not always that social change follows a linear trajectory. It can be erratic and inconsistent with various unforeseeable circumstances in its linear pathway that can lead to unpredictable outcomes. For instance, the fall of the socialist system in the Soviet Union resulted in the collapse of the Marxist perspective of social change. Hence, scholars are not always optimistic regarding social transformation; instead, they are whimsical at times.

In order to achieve modernisation, modern societies neglected the ethics, traditions, and devotion one had towards its society. Modern nations were possessed with modernising society and increasing the efficiency of the social structures. This resulted in a mammoth of social problems. The general opinion regarding modernisation or social progress in post-World War II was only in the context of the United States. The development witnessed by the US was seen as an aim for other nations. The US had set a general standard for the fellow countries who wanted to follow the US model of development. However, today such a theory holds no substance as there is no ideal form of development that was achieved in the past.

To understand the modernisation theory, one needs to focus on how societies have set modernisation as their ultimate goal that can be achieved through social change. The basic idea was to distinguish the 'developed country' and follow the pathway that was taken by them in the process of development. It had become evident that the existence of a political system in the society is beneficial for the society as it bestows the entire society with some added benefits. Also, for some scholars, the entire process of social change was a type of evolutionism that would occur in each and every society.

SOCIAL TRANSFORMATION IN THE GLOBAL SOUTH

Post the 1960s, the discussions on development were closely related to the countries in the southern hemisphere of the globe. Generally known as the 'Global South.' The countries of the 'Global South' have been grouped together on the basis of specific characteristics like colonial legacy, linguistic, cultural background, geographical location, etc. Global South countries have been identified as those nations that are struggling with the problem of industrialisation. However, there are countries in the list of 'Global South' nations whose gross national income is relatively high in respect of others.

According to Teune and Mlinar, the theory of social change cannot be understood without understanding the specific history of the nation, its social structures, and the social process that leads to the development. (Mlinar) To study the societal changes, one needs to carefully analyse the past, the present, and the future of both Global North and Global South. Teune and Mlinar were of the opinion that one needs to study the amount of integration that is happening in society. Here, 'integration' means constancy and balance provided by different structures of a system. Integrated structures provide an uninterrupted development that is otherwise arduous to achieve in a

rigid structure. Teune and Mlinar empirically conceptualised a framework where multifariousness of the structural components leads to social development. Hence when diverse structures integrate with each other in a social setting, it results in the development of a system as a whole. The more integration, the better the social development. (Mlinar)

The social transformation has incorporated complex components into its societal framework. These multifaceted elements enrich the diversity and also show intricate challenges for the overall coherence. For example, the legacies of colonialisation had a profound influence on the evolutionary developmental path that some of the regions followed later. These countries also introduced legacies in contemporary educational systems, complex administrative structures, and labour unions. However, such a transition was not smooth for the indigenous system, where the local population had to adjust by fusing outside influences with their long-established cultural identities. Particularly countries of the global south faced challenges like insurgencies, ethnic discord, widespread human rights violations, and genocide. The fragility and absence of any strong conflict resolution mechanism led to a rise in such crises. Eventually the global south became dependent on the international institutions, such as the United Nations, to uphold the sacrosanct principles of sovereignty and to address the humanitarian crisis.

EMERGENCE OF CONFLICTS AND NEED FOR INTERVENTION

The concept of humanitarian intervention is considered to be an extremely contentious subject in world politics. The UN finds itself in a perplexing position as some leaders and scholars advocate for humanitarian intervention. On the other hand, there is the head of the states and academicians who view the notion as an attempt to intervene in one's internal affairs. For instance, the UN's peacekeeping mission failed in Somalia due to its faulty execution of plans. Later, the UN saw another failure in Rwanda, when the western countries could not reach a consensus regarding non-intervention. Hence, for some states, the notion of humanitarian intervention is debatable. However, there are states who consider such kind of intervention as legitimate. For instance, the international community supported the intervention made in Bosnia, northern Iraq, and Kosovo as legitimate on the ground of humanitarian assistance.

The UN Charter always upholds its principle of 'sovereign equality.' Its Article 2(7) states, '*Nothing should authorize intervention in matters essentially within the domestic jurisdiction of any state.*' (Charter of the United Nations) However, in the same place, there is Article 24 that is contradictory to Article 2 (7). Article 24 of the UN Charter gives the authority to the UN Security Council to employ force to retain peace and security. The UN Charter also permits to use of force for self-defence. (Charter of the United Nations) The post-Cold War era saw the horrific incidence of genocides in Bosnia, Cambodia, Rwanda, and Srebrenica, where millions were killed, displaced, tortured, and enslaved. There was ample sexual violence, and the number of internally displaced persons (IDPs) reached its peak during this period.

The 1990s witnessed considerable development in the field of International Humanitarian Law and International Criminal Law. The International Humanitarian law works to safeguard the civilians from armed conflict that might have an international or non-international element. Centuries ago, there were numerous tools that existed to deal with atrocity crimes. States used diplomatic means and sanctions to end the conflicts. Subsequently, the Universal Declaration of Human Rights was introduced that dealt with the violation of human rights. As time passed, the Convention for the refugees was established to combat the refugee crisis problem. Later the Convention on the Prevention and Punishment of Genocide, the Geneva Convention, Human Rights council, and so on came up. However, these tools could only provide temporary relief to civilians. Critiques found many loopholes in these tools that required immediate attention. (Nijhoff)

Post-Cold War, the concept of humanitarian intervention for protecting civilians, gained prominence, and the notion of 'sovereignty as responsibility' became a vital part of it. The idea that the sovereign should have a responsibility to protect mainly came from two renowned scholars, Francis Deng and Robert Cohen. The concept of 'sovereignty as responsibility' was primarily based on the condition of internally displaced persons (IDPs). The scholars argued that it was the right of the IDPs to get humanitarian assistance either from their country or the international community. Another achievement in this line was the support gained from regional organizations like African Union (AU), European Union (EU), and NATO. The impression of many humanitarian agencies changed as they moved more towards the protection of civilians as their fundamental goal. Nevertheless, it too had a negative impact as the aid was sometimes provided to the perpetrators of the crime as well. However, the UN security mandate does not allow military intervention. NATO, during the Kosovo crisis of 1998-1999, had used force for the protection of civilians.

The ICISS was established in 2000 by the Canadian government. Later the commission had published a report 'responsibility to protect' in 2001. On the occasion of the 60th anniversary of the United Nations and the 2005 World Summit, heads of more than 170 states came up to accept the principle of 'Responsibility to Protect.' UN Secretary-General Kofi Annan played a very crucial role in the development of the concept of R2P. He described the report of 'Responsibility to Protect' as "*the most comprehensive and carefully thought-out response we have seen to date.*" (Annan)

Eventually, in the World Summit Outcome Document of 2005, a new doctrine was introduced that came to be acknowledged as the 'Responsibility to Protect (R2P) principle. The Responsibility to Protect doctrine aims at protecting civilians from atrocity crimes. (Nations, World Summit Outcome Document) The R2P norm focuses on preventing four horrific crimes such as genocide, a war crime, crime against humanity, and ethnic cleansing.

THE THREE PILLARS OF R2P NORM

Pillar 1: it is the duty of the sovereign to protect its people and not allow any violent conflict in their territory.

Pillar 2: it is the responsibility of the international community to support the states and the inter-governmental organisations in discharging their duty of safeguarding the civilians. However, the international community can only assist the states if the states agree to take support.

Pillar 3: if the states fail in doing their duty of protecting the people, in such a case, the R2P norm is invoked, and protection is provided according to the UN Charter.

The state can only use military force when the two main actions have failed to bring peace and stability. For instance, military force is used when persuasion or non-military actions like treaties, sanctions, and threats fail in preventing the conflict.

The two most crucial topics that have emerged in international relations are state sovereignty and human security. The 'R2P' is the norm that tries to analyse both of the elements. While studying the theoretical framework of 'R2P,' one would know how R2P has connected sovereignty to creating a new dimension for the sovereign powers. In this context, R2P is a renewed effort by the international community to address the growing atrocity crimes such as genocide, war crime, crime against humanity, and ethnic cleansing. The coming up of the doctrine of R2P in itself is an excellent example of the failure of the previous tools used to put a halt to the crime.

R2P was not accepted by all states equally. The concept of R2P had to go through modifications so that it could take more states in its ambit. Jennifer M. Welsh and Maria Banda wrote that ICISS had endeavoured to make progress constant, reliable, and enforceable for the states and intergovernmental organisations. Gareth Evans, a member of ICISS, cited that this new norm of R2P should be potent enough so that powerful states are unable to decline it, and it should be proficient in "mobilizing support when a situation demanding action arises."¹ R2P was perceived as a new customary international law that would help in improving the existing humanitarian laws. The commission aimed to bring into existence a norm capable of surviving in a community inclined towards decision-making in a political setup.

The three main elements of R2P are the responsibility to prevent, react, and rebuild. If we do an in-depth analysis of these elements, one will find that it is most difficult to prevent atrocity crimes than react or rebuild. In the 19th and early 20th century, the norm that prevailed was 'state sovereignty,' which soon became unacceptable after the League of Nations, in the post-World War one era, asserted that the primary responsibility should be maintaining peace and security. From the very beginning, the international community ought to make efforts to listen to the suppressed minorities and safeguard their human rights. An oppressed community may be economically deprived and may need political and military support at times. Hence, it becomes the government's duty to assist with various forms like economic assistance of trade reforms and legal reforms such as a powerful judiciary with the capacity to make significant decisions. United Nations has put in efforts by introducing the United Nations Development Program (UNDP) that has continuously worked with the international community to address the poverty and development issues of these countries. It is hoped that the R2P initiative would further help in resolving the upcoming conflicts with the aid of the international community. Nonetheless, it has also been observed that the use of the military to prevent a crime from occurring has helped in successfully installing peace and stability.

The other important element of R2P is to react. All efforts go in vain if the international community fails to react at the correct time. However, the whole process of reacting to certain crimes is rather complicated. One needs to acquire either political or diplomatic sanctions to react to any heinous crime. However, sanctions do not provide any concrete solution to the problem and require mass consensus from the international community to impose any resolution. This is a very arduous task to make the countries agree to specific criteria and prospects. For instance, the USA had agreed that the violence that had taken place in Darfur was a case of genocide, but the case was not the same with the fellow countries. Even if the countries manage to pass a resolution, the outcome has not been satisfactory. If we take the example of the Sudan sanctions passed by the Security Council in its Resolution 1591, we will find that the committee has provided very little support in the Darfur crisis. ICISS provides military action only when it is authorized and approved by the Security Council and when everything else has failed to halt the violence.

Nevertheless, the last element of R2P, i.e., to rebuild, is surprisingly seen as more widely accepted amongst the countries of the Global South. Though countries encourage the rebuilding process taken by ICISS, few constraints can hinder the procedure. Firstly, the Head of the state, along with the local institutions, should

support the cause and lend the maximum amount of help to the international community. Along with this, a lot of funding and time is needed to carry out the process of rebuilding. States should come forward to help to provide aid to these countries. Kofi Annan said “*roughly half of all countries that emerge from wars lapse back into violence within five years.*” (Annan) The element of rebuilding is not used to end a war; instead, it is used for providing peace and security to society. The aim is to make sure that the condition of military intervention does not surface in the near future. Furthermore, the peacekeeping mechanism of the United Nations should improve, and states must put all their efforts to match up to the notions of the United Nations.

II. CONCLUSION

The responsibility to protect, R2P, stresses a state's duty to prevent, to react, and to rebuild societies that have faced mass atrocities like genocide, war crimes, ethnic cleansing, and crimes against humanity. These atrocities are often carried out in a planned and systematic manner. Otto P reacts only when the state fails to protect its citizens. R2P was first implemented in Darfur in 2003, where it faced challenges due to the issue of state sovereignty and limited military access. Later in 2008, R2P achieved success in Kenya by ending post-election violence under Kofi Annan's leadership. However, in the subsequent years, R2P's actions were minimal, focusing on crises in global south countries like Sri Lanka and Congo. Despite its potential, R2P is often misunderstood as a military intervention that aims to help the states in making protective policies for civilians and marking a swing from the traditional humanitarian method.

Apart from this, R2P tries to prevent crime in the initial stages using diplomatic tools. Moreover, R2P is based on the principle of preventing, reacting, and rebuilding war-torn nations to a more worthwhile place for living. Especially the countries of Global South who are facing a tough time in addressing the growing the conflicting situations of their countries. It has brought transformation in the working of the entire social structures of these countries. R2P has reinforced the United Nations in carrying out its traditional peace-building mechanism and identifying the early warning signs of atrocity crimes. If the international community succeeds in preventing these crimes, the need for humanitarian intervention becomes irrelevant. The ICISS founded the R2P doctrine with great hopes to reform the humanitarian intervention. The UN Secretary-General called R2P an 'Emerging Norm.' However, the success of the norm lies in its effectiveness in protecting civilians from mass atrocity crimes. Finnemore and Sikkink had rightly said that the norm is in its second stage. Though R2P had an incredible evolution yet, if we see its graph, there is a slope that is moving downwards. This is solely because the success rate is significantly less. The failure to implement R2P in Burundi, Yemen, Syria, and Myanmar has raised questions about the future of the norm. Nevertheless, the international community can still make reformation within the norm to make it more effective before it becomes completely irrelevant.

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