

PSIR & GS-2 Daily Brief

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PSIR
Optional by
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Article - 1 : International law, optional for powerful states

International law, 'optional' for powerful states

Voltaire's famous quip about the Holy Roman Empire – that it was neither holy, nor Roman, nor an empire – has often come to mind when I think about the contemporary state of public international law. For all its lofty aspirations, it is frequently neither truly public, nor reliably international, nor consistently law. It is public only in the sense that it concerns states rather than private actors; international only insofar as sovereigns consent to be bound; and law only to the extent that it can be enforced – an increasingly fragile proposition in a world where power, not principle, is again determining outcomes.

The erosion of an edifice of norms
Over the last century and a half, humanity painstakingly constructed an edifice of norms, treaties and institutions meant to restrain the worst impulses of states. From the Hague Conventions to the Geneva Conventions, from the UN Convention on the Law of the Sea (UNCLOS), from human rights covenants to arms-control regimes, the international community sought to replace the anarchy of the past with a rules-based order. Yet, in recent years, that order has been fraying at an alarming pace. Across continents and conflicts, states have violated foundational principles with impunity, eroding the credibility of the very system meant to protect global peace and stability.

The most fundamental of these principles is the UN Charter's prohibition on the use of force and its guarantee of the sovereignty and territorial integrity of states. Russia's invasion of Ukraine in 2022 and the U.S.-Israeli war on Iran in 2026 stand as the starkest breaches of this norm in decades: an unprovoked assault on a sovereign state, justified through dubious claims and enforced through overwhelming military might. Both invasions confirmed that the Charter's core promise could be shredded when a powerful state chose to do so.

The U.S. and Russian records are equally deplorable in disregarding the prohibition on force. The 2003 Iraq invasion, undertaken without Security Council authorisation and justified on grounds later proven baseless, remains one of the most consequential breaches of the Charter that set a precedent for Russia's conduct. More recently, the targeted killing of Iranian Supreme Leader Ali Khamenei and the U.S.-Israeli strikes on Iran have raised serious questions about the erosion of the norm against unilateral force. Israel's repeated military operations in Gaza and Lebanon, including large-scale bombardments causing extensive civilian casualties, have also drawn widespread allegations of disproportionate force and violations of international humanitarian law.

The pattern is not confined to major powers. Türkiye's incursions into northern Syria,



Shashi Tharoor
Fourth-term Member of Parliament (Lok Sabha) for Thiruvananthapuram (Congress party), the Chairman of the Parliamentary Standing Committee on External Affairs and the Sahitya Akademi Award-winning author of 29 books, including 'Paav Indica' (2012) and 'The New World Disorder' (2020)

Imperfect though it may be, the rules-based order remains humanity's strongest defence against chaos

Azerbaijan's use of force in Nagorno-Karabakh, and Ethiopia's conduct in the Tigray conflict, including cross-border strikes into Sudan, have all arguably breached international norms.

Beyond the use of force, states have violated UNCLOS, one of the most widely ratified treaties in the world. The South China Sea has become a theatre of systematic disregard for maritime law. China's expansive "nine-dash line" claim, rejected by the Permanent Court of Arbitration in 2016, continues to be enforced through militarised artificial islands, harassment of foreign vessels, and coercive coast-guard tactics. The Philippines, Vietnam, Malaysia, and Indonesia have all faced incursions into their exclusive economic zones.

The Strait of Hormuz has witnessed repeated blockades and interdictions. Iran and the U.S. have seized foreign tankers, closed the Strait, and imposed maritime blockades in the region, without clear legal justification under UNCLOS. These actions undermine the principle of freedom of navigation, a cornerstone of global trade and maritime stability.

Brazen actions across the world
International humanitarian law has also suffered grievous violations. In Syria, the Assad regime's use of chemical weapons, indiscriminate bombing of civilian areas, and siege tactics have been extensively documented. Non-state actors such as the Islamic State (ISIS) and various militias have committed atrocities on a massive scale. In Yemen, the Saudi-led coalition and Houthi rebels alike have been accused of targeting civilians, hospitals, and critical infrastructure. In Ethiopia's Tigray region, reports of mass killings, sexual violence, and starvation as a weapon of war have shocked the conscience of the world.

Human rights treaties, too, have been flouted with increasing brazenness. Israel's indiscriminate killing of civilians in Gaza and China's treatment of Uyghurs in Xinjiang – including mass detention, forced labour, and cultural erasure – have been described by several governments and scholars as crimes against humanity. Myanmar's military junta has carried out systematic abuses against the Rohingya and other ethnic minorities, prompting genocide allegations. In Iran, the violent suppression of protests following the death of Mahsa Amini revealed a pattern of extrajudicial killings and torture. Even democratic states have not been immune: the U.S.'s use of torture during the "war on terror", Australia's offshore detention of asylum seekers, and Europe's pushbacks of migrants in the Mediterranean have all raised serious legal and moral concerns.

Arms-control regimes have also weakened. The collapse of the Intermediate-Range Nuclear Forces (INF) Treaty, the erosion of the Open Skies

Treaty, and the uncertain future of the New START agreement have revived fears of a new arms race. North Korea continues to defy UN resolutions with missile tests and nuclear development.

Iran's nuclear programme, once constrained by the Joint Comprehensive Plan of Action (JCPOA), has allegedly accelerated following the agreement's unravelling. These developments threaten to undo decades of painstaking progress in nuclear restraint.

Environmental law, too, has suffered. States have failed to meet their commitments under the Paris Agreement, with emissions rising and climate targets slipping out of reach. Illegal deforestation in the Amazon, often abetted by state actors, violates international norms on biodiversity and environmental protection. Deep-sea mining, pursued without adequate regulation, threatens fragile marine ecosystems.

There is a vacuum
What ties these disparate violations together is not merely their frequency but their impunity. International law depends on consent, reciprocity, and enforcement through collective mechanisms. Yet, the Security Council is paralysed by geopolitical rivalries; the International Criminal Court faces accusations of bias and lacks jurisdiction over major powers; and treaty bodies often rely on voluntary compliance. In this vacuum, states increasingly act as though power, not principle, determines legality. Thucydides' bleak observation – "the strong do what they can, and the weak suffer what they must" – resonates today with unsettling clarity. When powerful states violate international law without consequence, they signal to others that norms are optional and that might is right. The result is a world sliding back toward the law of the jungle.

This is not merely a philosophical concern. The erosion of international law has tangible consequences: conflicts become harder to resolve, civilians bear the brunt of violence, global commons are degraded, and trust between nations evaporates. The rules-based order, imperfect as it is, remains humanity's best defence against chaos.

The challenge in reaffirming the value of international law is that it requires strengthening multilateral institutions, enhancing accountability mechanisms, and cultivating a global political culture that prizes restraint over adventurism. It also requires recognising that international law is not a panacea but a framework – a set of shared expectations that guide behaviour even when perfect compliance is elusive. Without it, the world risks returning to a state where power alone determines outcomes. And in such a world, it is not only the weak who suffer; ultimately, everyone does.

Context

International law losing force because powerful states violate rules on war, sovereignty, human rights, maritime order and environment without facing real punishment.

Facts

International law depends on consent, reciprocity and collective enforcement.

The security council's paralysis and ICC's weak jurisdiction - create a vacuum of accountability.

Weakening arms control regimes, collapse of the INF Treaty, erosion of the Open Skies Treaty and uncertain future of New START.

Analytical Crux

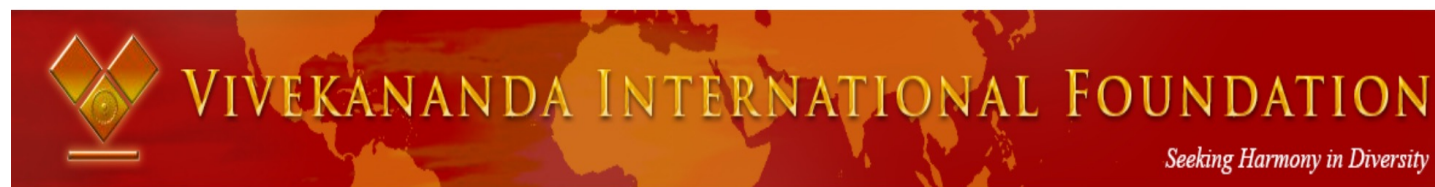
The international law becomes weak when enforcement depends on power politics. The crisis of international law is not only repeated violation, but selective punishment and impunity. When powerful states violate international law without consequence, they signal to others that norms are optional and that might is right. The rules based order though imperfect, yet remains humanity's best defence against chaos. The international law must be strengthened through stronger multilateral institutions, accountability and a global culture of restraint.

Verbatim Quotes

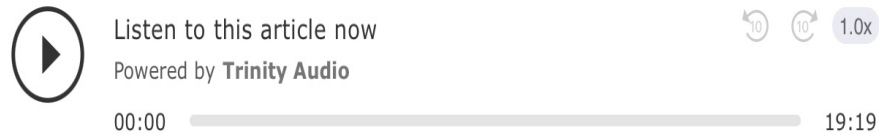
"Across continents and conflicts, states have violated foundational principles with impunity, eroding credibility of the very system meant to protect global peace and stability. The result is a world sliding back toward the law of the jungle."

- Shashi Tharoor

Article - 2 : India's tilt towards Europe-diversification, strategy & global balancing



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India's Tilt Towards Europe: Diversification, Strategy and Global Balancing

Gaurav Dutta, Associate Fellow, VIF

May 29, 2026 Views: 196 Comments: 0

Prime Minister Narendra Modi's four-leg tour of the European nations covered the nations The Netherlands, Sweden, Norway and Italy from 15 to 20 May 2026. The Third Nordic Summit also took place in Oslo on 19 May, highlighting the growing centrality of Europe in India's evolving global strategy. Europe is now

Author



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India's Tilt
Towards Europe:
Diversification,
Strategy and G
Prime Minister
Narendra Modi's
four-leg tour of the
European nati

Context India is deepening ties with Europe for technology, green transition, defence, supply chains, arctic interests and strategic balancing in a fragmented world.

Facts

■ Nordic countries support India's UNSC permanent membership.

■ India's third-largest merchandise export is to Netherlands.

■ India and Italy - trade of EUR 20 billion by 2029.

Analytical Crux

India is not replacing the U.S. or Russia with Europe; it is widening its strategic options. Technological capability, defence industrial capability & economic security are gradually growing as important pillars of national power in which Europe is likely to occupy an important place in India's long-term strategic calculus. This cooperation highlights the growing intersection between economic security and geopolitical competition in a fragmented world order.

Verbatim Quotes

"Consequently, India's outreach and engagement with Europe should be viewed as part of a broader diversification strategy to expand India's strategic options, rather than as a replacement for ties with Washington and Moscow."

- Gaurav Dutta

Article - 3: India, US- From estranged to engaged to restrained democracies

India, US: From estranged to engaged to restrained democracies

IT WAS an American diplomat, Dennis Kux, who famously termed the United States and India "estranged democracies" during the Cold War era. The historic India-US civil nuclear energy agreement, authored by President George Bush and Prime Minister Manmohan Singh, was seen as converting them into "engaged democracies". That honeymoon is not viewed any longer as having lasted more than a decade. President Donald Trump, it is widely believed, has downgraded a "strategic partnership", what President Barack Obama called the "defining partnership of the 21st century", to a purely transactional relationship.

The recent visit of US Secretary of State Marco Rubio is being interpreted as an attempt to reduce the transactionalism and return to a more "strategic" relationship based on "geopolitical" convergence. However, it bears mentioning that even this "convergence" of interests is defined by transactionalism.

The fact is that the so-called India-US strategic partnership was always based on a transactional foundation. Several quid pro quos defined the terms of negotiations of the nuclear deal. India's willingness to sign on to "A New Framework for the US-India Defence Relationship" in June 2005 was the key that opened the door to negotiations on a nuclear deal.

The framework established a Defence Policy Group that would, as the agreement stated, "expand two-way defence trade between our countries. The United States and India will work to conclude defence transactions, not solely as ends in and of themselves, but as a means to strengthen our countries' security, reinforce our strategic partnership, achieve greater interaction between our armed forces, and build greater understand-

ing between our defence establishments."

The intention was to secure an opening-up of the Indian defence market to US business, reducing India's dependence on Russia. Going beyond this commitment, India was required to reduce dependence on oil imports from Iran and Venezuela. The US establishment drove a hard bargain that finally required a presidential veto to get the agreement signed. Credit must go to Bush for taking a long-term view of India's economic rise and restricting the element of transactionalism in the partnership.

Bush viewed India's rise as a global public good and in itself serving US strategic interests. Trump upended that perspective when he made the relationship mainly transactional. Whatever the rhetoric that now fills up new documents signed by the two governments, the fact is that the US establishment is no longer willing to give India a free pass.

This in itself is understandable. What has come to hurt the relationship is the fact that the US has taken steps un mindful of the consequences for India. The unilateral actions on the trade front, the support to Israel in destabilising the Gulf, pushing oil and gas prices up and reducing access to these, and the new relationship with Pakistan all have adverse geopolitical and geo-economic consequences for India.

The weaponisation of trade, finance and energy flows by the US, with its allies playing second fiddle, has deeply hurt Indian economic interests, impacting India's economic rise, and as a consequence, its national security and global standing. Barely two years ago, the New Delhi establishment was celebrating India's emergence as the world's third-largest econ-



SANJAYA BARU

omy. As a consequence of both domestic and global developments, India has slipped back to the sixth rank.

A naïve hope is being expressed by some that the extensive people-to-people relationship between the two democracies will somehow help secure the relationship. It is time for a reality check with respect to the role of the so-called diaspora in the bilateral relationship. It is true that in the 1990s and early 2000s the Indian American community did play a facilitating role in strengthening the bilateral partnership. However, evidence today suggests that two aspects of the diaspora have come to limit its positive role.

As I have elaborated in my recent book, *Secession of the Successful: The Flight Out of New India*, the Indian American community, especially second- and third-generation immigrants, have become an integral part of MAGA — making America great again. Their role in "making India great" is increasingly limited as elite emigration has come to define exit from India to the West.

While Indian political leadership and media celebrate the achievements of high-profile Indian Americans, it should be remembered that they are now increasingly American and less Indian. They have become an important part of the engine of American economic resurgence. As US Congressman Jim Himes put it candidly, Indian Americans are "a secret weapon for (American) economic growth".

Second, people-to-people connect means little when larger geopolitical and national interests are in play and define Trump's "America First" policy. Despite all the visible nationalism of overseas Indians, on display every time Prime Minister Narendra Modi

travels abroad, non-resident Indians (NRIs) have become "non-returning Indians". Moreover, the communalisation of the Indian diaspora and growing Western concerns about the direction of Indian domestic politics, with implications for minority rights, have also come to limit the so-called "soft power" of the diaspora.

It is time for Indian policymakers and analysts to come to terms with the reality of a fundamental shift away from the "strategic partnership", which defined the move from "estrangement" to "engagement" at the turn of the century and in the first decade-and-a-half, to the more "what's in it for me" transactionalism that has come to define a restrained relationship.

It is just as well that External Affairs Minister S Jaishankar defined India's approach to the new realities of the world as "multi-alignment". The full meaning and implications of multi-alignment appear not to have sunk into the minds of analysts and media. If actions taken by both the US and China are hurting Indian economic interests, then Indian policy must be based on a recognition of this fact. Neither power is going to help build India as a third pole of the global economy.

Addressing the Constituent Assembly in December 1949, Jawaharlal Nehru famously said that India's foreign policy would have to be defined by her economic policy and interests. The Modi government's policy of *atmanirbharta* is defined by the same approach. India's external relationships must once again give precedence to our national economic interests and not be defined only by concerns about defence and security.

The writer is former editor, The Financial Express and was media advisor to Prime Minister Manmohan Singh

Whatever the rhetoric that now fills up new documents signed by the two governments, the fact is that the US establishment is no longer willing to give India a free pass

Context

India-US ties have moved from Cold war estrangement to nuclear-era engagement, but now becoming restrained because American transactionalism is hurting India's economic and strategic interests.

Facts

Dennis Kux during cold war: India and U.S. as "estranged democracies".

S. Jaishankar's idea of "multi-alignment" - India's approach to the new world.

Bush-Manmohan nuclear deal - converted into "engaged democracies."

Analytical Crux

India- U.S. relationship has always had a transactional base, but it becomes dangerous for India when US actions hurt India's trade, energy & economic interests. The diaspora cannot protect the relationship when national interests clash. India's external relationships should give precedence to national economic interests and not defined by defence and security. India's approach to the new world should be 'multi-alignment' because it will help India in becoming a major actor in global economy.

Verbatim Quotes

"The weaponisation of trade, finance & energy flows by the US, with its allies playing second fiddle, has deeply hurt Indian economic interests, impacting India's economic rise and as a consequence, its national security and global standing."

-Sanjaya Baru

- **PSIR Paper II 2025:** “The tariff threats have pushed India and the European Union closer. Evaluate the India-EU partnership.
- **PSIR Paper II 2025:** India continues to invoke its time-tested policy of strategic autonomy vis-à-vis both the United States of America and Russia by rejecting US' offer of mediation on Kashmir issue and by refusing to criticize Russia in its ongoing war against Ukraine. Comment.
- **GS-II, 2025:** “The reform process in the United Nations remains unaccomplished because of the delicate imbalance of East and West and entanglement of the USA vs. Russo-Chinese alliance.”
- **GS-II, 2024:** “The West is fostering India as an alternative to reduce dependence on China’s supply chain and as a strategic ally to counter China’s political and economic dominance.”
- **PSIR Paper II, 2024:** “India and USA have become such strong strategic partners that they need not become formal allies.”
- **GS-II, 2023:** “The expansion and strengthening of NATO and a stronger US-Europe strategic partnership works well for India.”

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