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International Law Is Not Dead: Resilience Amid Geopolitical Turbulence

(UPSC GS Paper II – Effect of policies and politics of developed and developing countries on India's interests; Important International institutions, agencies and fora)

Context (Introduction)

Rising geopolitical tensions — from the Russia-Ukraine war to the Israel-Gaza conflict and U.S.–Iran frictions — have triggered claims that international law is collapsing. However, despite repeated breaches, its norms remain resilient and continue structuring global governance.

Main Arguments

- 1. Prohibition on Use of Force Remains Foundational:** Article 2(4) of the UN Charter prohibits threat or use of force. Although repeatedly breached — from the Soviet-Afghan war (1979) to Iraq (2003) and Ukraine (2022) — it has survived similar Cold War violations.
 - In 1970, Thomas Franck had declared Article 2(4) “dead,” yet the norm endured. Even powerful states continue invoking legal justifications (e.g., expanded interpretation of self-defence), indicating that legality still matters for legitimacy.
- 2. Legalisation Creates Accountability Framework:** As Monica Hakimi argues, when international relations are legalised, states must justify actions within legal frameworks. Even flawed or contested interpretations reflect the continuing normative pull of law.
 - International law gives weaker states a platform to question powerful actors — through UN forums, international courts, and treaty bodies. A norm-free order would eliminate even this minimal accountability.
- 3. Present Challenge: Populist-Authoritarian Disregard:** Unlike earlier periods where legal reasoning accompanied use of force, today's authoritarian tendencies show greater brazenness, often sidestepping legal explanation altogether. The threat lies less in violations per se and more in open dismissal of legal norms, which weakens deliberative space.
- 4. International Law Beyond the UN Charter:** Reducing international law to the UN Charter is analytically flawed. Over eight decades, international law has expanded into:
 - Trade (WTO framework)
 - Investment treaties
 - Climate governance (Paris Agreement)
 - Human rights conventions
 - Maritime law (UNCLOS)
 - Civil aviation (ICAO regime)
 - Biological and chemical weapons conventions

This demonstrates dense legalisation of global interactions.

5. Silent Functioning of International Law



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- International law operates routinely and quietly
- Conclusion of India–EU FTA negotiations reflects continued treaty-making.
- High Seas Treaty strengthens marine biodiversity governance.
- Pandemic Agreement enhances global health preparedness.
- Judicialisation through bodies like the International Criminal Court and regional courts sustains dispute resolution mechanisms.

As Philippe Sands notes, much of international law functions seamlessly, enabling global trade, travel, communication and cooperation.

Implications

1. **Normative Stability Amid Power Politics:** Even in crises, states frame conduct within legal narratives, showing that law retains persuasive authority.
2. **Importance for Middle Powers like India:** For India, adherence to rule-based order safeguards sovereignty, maritime interests, trade access and diaspora protection.
3. **Risks of Norm Erosion:** If legality is abandoned, unilateralism may dominate, undermining smaller states' security.

Way Forward

1. **Strengthen Multilateralism:** Reinforce commitment to UN Charter principles and dispute resolution mechanisms.
2. **Support Judicial Institutions:** Engage constructively with global and regional courts to uphold rule-based norms.
3. **Promote Legal Diplomacy:** Use international legal forums to address global governance challenges (climate, health, cyber norms).
4. **Resist Populist Erosion of Norms:** Normative advocacy and coalition-building among middle powers can preserve rule-based order.

Conclusion

International law is not dead; it is contested. Its resilience lies in its pervasive institutionalisation across global governance domains. Proclaiming its demise risks normalising unilateralism and empowering global bullies, whereas defending it preserves accountability and stability in international relations

Mains Question

Q. Despite repeated violations, international law continues to structure global governance. Discuss (250 words, 15 marks)

Source: [The Hindu](#)



Mark Carney's Visit: Resetting India–Canada Relations in a Fragmenting Global Order

(UPSC GS Paper II – Effect of policies and politics of developed and developing countries on India's interests; Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests)

Context (Introduction)

Mark Carney's visit to India signals a calibrated reset in India–Canada relations after the 2023 diplomatic freeze. Driven by economic diversification needs and geopolitical shifts, both middle powers seek to rebuild ties anchored in trade, energy and strategic cooperation.

Key Developm

- Bilateral goods trade reached **\$13.3 billion in 2024**, despite strained ties.
- Likely conclusion of a **\$2.8 billion uranium supply deal** for a decade.
- Reboot of **Comprehensive Economic Partnership Agreement (CEPA)** negotiations aiming to double trade to **\$60 billion by 2030**.
- Nearly **430,000 Indian students** in Canada underline deep people-to-people linkages.

Background

- In September 2023, relations hit a historic low when then Prime Minister Justin Trudeau accused India of involvement in the killing of Hardeep Singh Nijjar. The fallout included suspension of visa services, recall of High Commissioners and collapse of free trade negotiations.
- However, changing geopolitical realities — including renewed U.S. protectionism under Donald Trump and economic pressures on Canada — made prolonged estrangement costly for both sides. Quiet engagements at the G7 (Kananaskis, 2025) and G20 (Johannesburg, 2025) laid the groundwork for reconciliation.

Strategic Drivers of the Reset

1. **Energy and Nuclear Cooperation:** India's ambition to expand civilian nuclear energy capacity makes Canadian uranium critical. The expected \$2.8 billion uranium agreement strengthens energy security and diversifies supply chains.
2. **Trade and Economic Diversification:** CEPA aims to double trade to \$60 billion by 2030. For Canada, facing U.S. tariffs and decertification threats (e.g., aircraft exports), India offers a vast and growing market. For India, Canada provides capital, technology and access to North American markets.
3. **Critical Minerals and Green Transition:** Canada's reserves of lithium, cobalt and copper align with India's EV mobility and renewable energy expansion goals. Canada positions itself as an alternative to China in critical mineral supply chains.



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- 4. Geopolitical Recalibration:** Canada's Indo-Pacific pivot reflects its desire to diversify alliances amid U.S. unpredictability. India's multi-alignment strategy similarly favours strengthening ties with middle powers to reduce overdependence on any single bloc.
- 5. Security Dialogue Parallelism:** National Security Advisor Ajit Doval's visit to Ottawa and agreement on a "shared work plan" reflect an approach where security issues are addressed through institutional channels without derailing economic cooperation.

Persistent Challenges

- 1. Khalistan and Security Concerns:** The Nijjar controversy and concerns over separatist activities remain sensitive fault lines.
- 2. Political Trust Deficit:** Though diplomatic channels are restored, mutual trust requires sustained engagement.
- 3. Trade Negotiation Complexity:** CEPA negotiations must address market access, agricultural sensitivities and regulatory standards.

Broader Significance

- Demonstrates pragmatic diplomacy among middle powers in a fractured global order.
- Reflects separation of political disputes from economic imperatives.
- Reinforces India's diversification of energy and mineral supply chains
- Highlights resilience of diaspora-led ties in sustaining bilateral engagement.

Conclusion

Mark Carney's visit marks more than a diplomatic thaw; it represents a strategic reset shaped by economic realism and geopolitical necessity. In an era of protectionism and polarisation, India and Canada appear to be transitioning towards a mature, interest-driven partnership grounded in energy security, trade expansion and resilient middle-power cooperation.

Mains Question

Q. India–Canada relations have witnessed both diplomatic strain and economic interdependence in recent years. Examine the strategic drivers behind India- Canada ties and discuss the challenges ahead. (250 words, 15 marks)

Source: [Indian Express](#)