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GS Paper II: International Relations

1. Resilience of International Law in a Changing World Order

a. Introduction

International law is the set of rules, principles, and norms that regulate relations among sovereign states and international organisations. It shapes how the world manages war and peace, trade, oceans, aviation, climate action, human rights, and even global public health.

In recent years, events like the Russia–Ukraine war, instability in West Asia, and instances of unilateral military action have created the impression that international law is collapsing. A closer view suggests something more nuanced: international law is under pressure, but it remains the main framework through which global politics is argued, justified, and organised.

b. Foundations of the Modern International Legal Order

The modern international legal system took its institutional form after the Second World War with the creation of the United Nations in 1945. The core idea was to prevent major wars and replace “might is right” with collective security and agreed rules.

i. Core Principles of the UN Charter

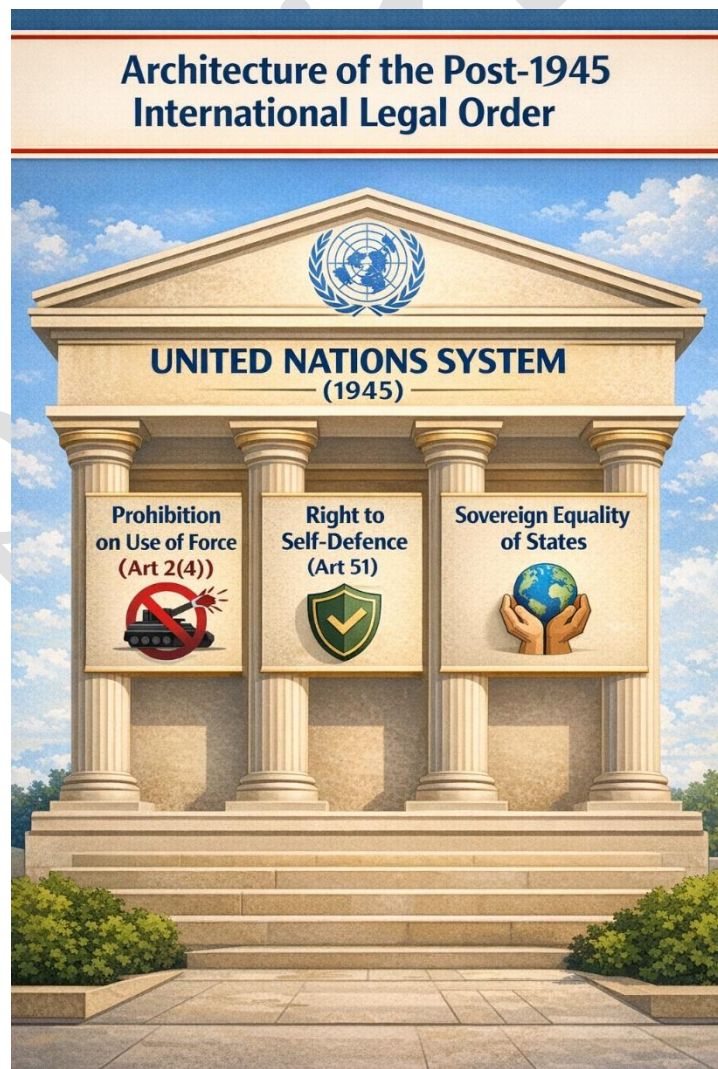
Prohibition on the Use of Force

Article 2(4) of the UN Charter prohibits states from using or threatening force against the territorial integrity or political independence of another state. In simple words, states are not supposed to invade or militarily coerce other states. This is the backbone of modern international peace and security.

Exception: Right to Self-Defence

Article 51 recognises the right of individual or collective self-defence when an armed attack occurs. This is meant to ensure that international law does not leave a state helpless if attacked. However, this exception is limited in scope and is often debated in terms of interpretation and misuse.

These two principles — restraint on force and limited self-defence — form the foundation of the post-1945 order. Yet repeated conflicts raise an obvious question: has the prohibition on force failed?



c. Has the Prohibition on the Use of Force Failed?

At first glance, recurring conflicts seem to show that the rule is ineffective. Examples include the

Soviet intervention in Afghanistan (1979), the Gulf War (1990–91), the Iraq War (2003), Balkan conflicts, the Libyan and Syrian crises, and the ongoing Russia–Ukraine war.

But an important distinction must be made: *violations do not automatically mean the rule has disappeared*. A key indicator of the rule’s continued force is that even powerful states try to justify their military actions in legal terms. Common justifications include:

- Self-defence
- Humanitarian intervention
- Protection of nationals abroad

If international law truly did not matter, states would not spend effort framing actions within legal arguments. The need to seek legitimacy shows that international law still acts as the “language of justification” in world politics.

At the same time, judging international law only through wars creates a distorted picture. Much of international law operates successfully beyond conflict.

d. International Law Beyond Armed Conflict

A large part of international law functions quietly and effectively in everyday global life. For instance:

- **Trade:** The World Trade Organization (WTO) provides rules on tariffs, market access, and dispute settlement.
- **Oceans:** The United Nations Convention on the Law of the Sea (UNCLOS) defines territorial waters, Exclusive Economic Zones (EEZs), and navigation rights.
- **Climate:** The Paris Agreement structures climate cooperation and reporting commitments.
- **Aviation:** The International Civil Aviation Organization (ICAO) sets safety and operational standards for global civil aviation.
- **Human rights:** Treaties like the ICCPR and ICESCR provide international standards and monitoring mechanisms.

Because of these frameworks, ships cross oceans with recognised navigation rules, planes fly across airspace under common standards, global commerce relies on predictable trade rules, and climate negotiations proceed through structured commitments.

This routine functioning is one of the strongest proofs that international law remains deeply relevant.

e. Why International Law Remains Relevant

i. Normative Benchmark

International law sets standards of “right” and “wrong” in global conduct. Even when violated, it provides a reference point for criticism, sanctions, diplomatic pressure, and global public opinion.

ii. Platform for Accountability

Institutions like the International Court of Justice allow smaller and weaker states to raise disputes against stronger states. Even if outcomes are limited, the process reduces complete dependence on raw power.

iii. Stability and Predictability

Trade, investment, shipping, and diplomacy need stable rules. Without predictable legal norms, international cooperation becomes risky and costly. International law creates a baseline of certainty for cross-border interactions.

iv. Judicialisation of International Relations

There is a growing tendency to bring disputes into legal forums such as the ICJ, ICC, and regional human rights courts. This reflects that states increasingly accept law-based dispute framing, even when political bargaining continues behind the scenes.

However, resilience does not mean international law is problem-free. It faces deep structural challenges today.

f. Contemporary Challenges

International law is under pressure due to:

- **Nationalism and populism:** Greater scepticism toward multilateral commitments in some states.
- **Weak enforcement:** Rules are hard to enforce when major powers resist.
- **UNSC veto paralysis:** Collective security often fails when veto-wielding states block action.
- **Selective compliance:** States may follow rules when convenient and ignore them when costly.
- **Inequality in global negotiations:** Power asymmetries influence outcomes, sometimes making developing countries feel rules are unfair.

The deeper danger is not just isolated violations, but occasional open disregard for multilateral norms, which can gradually weaken legitimacy.

g. Theoretical Perspectives

i. Liberal Perspective

Liberals argue that international law reduces anarchy by creating institutions, cooperation, and interdependence. When states trade, collaborate, and share rules, conflict becomes more costly and cooperation becomes more rational.

ii. Realist Perspective

Realists argue that power drives outcomes and that law often reflects the interests of dominant states. For them, rules matter only when they align with national interest and power calculations.

In reality, global politics reflects both: power shapes outcomes, but law shapes expectations, legitimacy, and diplomatic negotiation.

This dual reality is visible in India's approach as well.

h. India's Perspective

Article 51(c) of the Indian Constitution encourages respect for international law and treaty obligations. India has generally supported multilateralism, climate negotiations, WTO reform, and UN Security Council reform.

As an emerging power, India benefits from a stable rules-based order because it protects sovereignty and reduces uncertainty. At the same time, India pushes for greater equity and representation for the Global South so that international institutions reflect contemporary realities rather than outdated power structures.

This makes India both a stakeholder in stability and a reformer of the global order.

i. Way Forward

Strengthening international law requires both institutional reform and improved compliance. Key steps include:

- **UN Security Council reform** to improve legitimacy and effectiveness.
- **Revitalising multilateral forums** such as the G20, BRICS, Quad, and SCO to manage new global challenges.
- **Better compliance mechanisms** in trade and environmental regimes through transparency and stronger monitoring.

- **More equitable rule-making** so developing countries have a fairer voice in negotiations.
- **Advancing SDG 16** — peace, justice, strong institutions — to reinforce global governance norms.

These measures can help international law adapt to multipolarity while maintaining predictability and legitimacy.

Conclusion

International law is strained but not obsolete. Violations expose weaknesses, yet they also reveal that law remains central because states still seek legitimacy through legal arguments. Like domestic constitutional systems that survive political crises, the international legal order also persists through adaptation and reform.

A world governed only by power would be unpredictable and unstable. Therefore, preserving and strengthening a rules-based international order remains essential for peace, justice, and cooperative progress in a changing world order.

Reader's Note — About This Current Affairs Compilation

Dear Aspirant,

This document is part of the PrepAlpine Current Affairs Series — designed to bring clarity, structure, and precision to your daily UPSC learning.

While every effort has been made to balance depth with brevity, please keep the following in mind:

1. Orientation & Purpose

This compilation is curated primarily from the UPSC Mains perspective — with emphasis on conceptual clarity, analytical depth, and interlinkages across GS papers.

However, the PrepAlpine team is simultaneously developing a dedicated Prelims-focused Current Affairs Series, designed for:

- factual coverage
- data recall
- Prelims-style MCQs
- objective pattern analysis

This Prelims Edition will be released separately as a standalone publication.

2. Content Length

Some sections may feel shorter or longer depending on topic relevance and news density. To fit your personal preference, you may freely resize or summarize sections using any LLM tool (ChatGPT, Gemini, Claude, etc.) at your convenience.

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The formatting combines:

- paragraphs
- lists
- tables
- visual cues

—all optimised for retention.

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4. Monthly Current Affairs Release

The complete Monthly Current Affairs Module will be released soon, optimized to a compact 100–150 pages — comprehensive yet concise, exam-ready, and revision-efficient.

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