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Legality of Israel's Strikes on Iran

Context:

- In light of **Israel's unprecedented military strikes against Iran**, the international community faces a critical legal question—whether such acts are **permissible under international law**.
- This needs to be evaluated particularly in the context of Article 2(4) and Article 51 of the **UN Charter**, and evolving doctrines of self-defence.

Legal Framework Governing Use of Force:

- **Prohibition under the UN Charter:**
 - **Article 2(4):** Prohibits the use of force in international relations.
 - **Article 51:** Provides a narrow exception—self-defence in the event of an armed attack, governed by **necessity and proportionality**.
- **Defining self-defence:**
 - As per international law scholar Marko Milanovic, the right to self-defence **activates only when an actual armed attack occurs**.
 - Since there was no direct armed attack from Iran or its proxies attributable to Iran, **Israel's current use of force lacks legal justification**.

Pre-emptive and Anticipatory Self-Defence:

- **Israel's claim of pre-emptive self-defence:**
 - Israel argues that Iran's advancement toward acquiring nuclear weapons warrants pre-emptive action **to prevent existential threats**.
 - This form of self-defence remains **controversial and unsupported by Article 51**, which requires an ongoing or imminent attack.
- **The Caroline Doctrine and conditions for pre-emptive action:** Originates from the Caroline incident (1837), **it sets stringent criteria:**
 - Necessity must be instant, overwhelming, **leaving no choice** of means, and no moment for deliberation.
 - The response must be **proportionate**.

Interpreting 'Imminent' in International Law:

- **Two competing interpretations:**
 - **Restrictive/ narrow:** Imminence implies an attack is **about to occur**—temporally proximate.
 - **Expansive/ broad:** Imminence can include **hypothetical or distant future threats**.
- **Legal preference for the narrow view:**
 - **Broad interpretation risks abuse** by powerful states acting on conjecture (guess), contradicting the spirit and letter of the UN Charter.
 - The **Caroline doctrine** supports a narrow interpretation, emphasizing urgency and lack of alternatives.

Application to Israel's Strikes:

- **Israel's justification**, based on Iran's nuclear progress, **falls under a broad and unsupported interpretation of imminence**.
- **No evidence** shows an immediate Iranian attack, hence the conditions for lawful anticipatory self-defence are unmet.

Importance of International Legal Norms:

- **Upholding accountability:**
 - Despite its limitations, international law remains the **only global framework for assessing the legitimacy of state actions**.
 - Disregarding legal norms **undermines global order** and **emboldens unilateral aggression**.
- **Need for legal advocacy:** Even amid violations, invoking international law is vital **to hold states accountable, preserve legitimacy, and prevent impunity**.

Conclusion:

- Israel's military strikes on Iran, lacking evidence of an imminent armed attack, do not meet the stringent criteria of lawful self-defence under international law and thus risk being classified as **acts of aggression**.
- **Upholding the UN Charter and established legal doctrines** remains essential to preventing the erosion of global norms and deterring unilateral uses of force.

Legality of Israel's Strikes on Iran FAQs

Q1. What does Article 2(4) of the UN Charter state regarding the use of force in international relations?

Ans. Article 2(4) of the UN Charter prohibits the use of force by states in international relations, with limited exceptions like self-defence under Article 51.

Q2. Explain the principle of anticipatory or pre-emptive self-defence in international law.

Ans. Anticipatory self-defence allows a state to use force only if an armed attack is imminent, satisfying the conditions of necessity and proportionality as per the Caroline doctrine.

Q3. Why is Israel's justification of pre-emptive self-defence against Iran considered problematic under international law?

Ans. Israel's justification is based on a broad interpretation of imminence, which lacks support in international law and fails to demonstrate an immediate threat from Iran.

Q4. What is the significance of the Caroline doctrine in the context of the use of force?

Ans. The Caroline doctrine sets stringent criteria for lawful pre-emptive self-defence, requiring the threat to be instant, overwhelming, and leaving no room for deliberation.

Q5. Why is adherence to international law important despite its frequent violations in global conflicts?

Ans. International law remains the primary framework to ensure state accountability, legitimacy of actions, and restraint against unilateral aggression in global affairs.

Source: TH

The Real Challenges of Foreign Campuses

Context

- The **introduction of foreign university branch campuses in India**, catalysed by the University Grants Commission (UGC) regulations of 2023, **marks a transformative moment in the country's higher education policy**.
- With **institutions such as Australia's Deakin University and the University of Wollongong opening in Gujarat's GIFT City**, and the University of Southampton setting up in Gurugram, **India is actively inviting global academia into its fold**.
- More recently, **Letters of Intent (LOIs) were issued to five more foreign institutions**, reflecting growing momentum.
- Yet, **amid this enthusiasm, early signs suggest that this transition demands greater caution**, strategic clarity, and deeper institutional commitment.

The Promise of Transnational Education

- At the heart of India's move to allow **foreign branch campuses lies a grand ambition**: to internationalise its higher education system, attract global expertise, and offer students a cosmopolitan learning experience without having to study abroad.
- **In theory, this policy holds immense potential**. By bringing in world-class curricula, pedagogical practices, and academic cultures, foreign campuses could complement domestic institutions and elevate academic standards across the board.
- Furthermore, **such campuses can create competitive pressures on Indian private universities**, pushing them toward innovation, accountability, and higher quality.
- However, **the early implementation of this vision appears uneven**.

- **Some of the new foreign campuses announced admissions even before disclosing fundamental academic information**, including faculty details and curriculum structure.
- This haste, **while perhaps driven by optimism or market pressure**, raises concerns about planning, transparency, and institutional readiness.
- For **India to truly benefit from this model, both the government and partnering institutions must focus not just on access and branding**, but on the deeper layers of academic substance and sustainable impact.

Challenges in a Crowded Educational Landscape

- **Political Uncertainty**
 - Globally, **transnational education is undergoing a period of flux**.
 - **Political uncertainty in the United States**, for instance, has severely affected outward-looking higher education strategies.
 - The **Illinois Institute of Technology's decision to open a campus in India, therefore, stands as an exception**, not the rule.
 - Moreover, **the institutions expressing interest in India are often not the top-ranked universities** in their home countries.
 - In India, **where elite institutions like the IITs and IIMs already command global respect and are expanding their international partnerships**, these **foreign entrants risk being seen as second-tier options** unless they can offer something distinctly valuable.
- **Academic Identity**
 - A key challenge lies in academic identity.
 - **Many of these campuses focus on market-driven disciplines**, business, data analytics, and computer science, which are already well-covered by high-performing Indian institutions. Without a broader academic mission or research agenda, these campuses may struggle to differentiate themselves.
 - **Their narrow offerings, small scale, and often provisional infrastructures make them vulnerable** to being perceived as diploma mills, institutions that confer degrees without rigorous scholarship or institutional depth.
 - In this competitive environment, **branding alone cannot sustain credibility**.

Overreliance on Marketing: A Troubling Trend

- A particularly troubling development has been **the heavy reliance of some foreign campuses on marketing rather than academic investment**.
- Flashy promotional campaigns, slick brochures, and strategic advertising may attract initial attention, but **Indian students and parents are increasingly discerning**.
- They **demand verifiable information on faculty qualifications**, curriculum relevance, global linkages, and placement outcomes.
- **Marketing without substance may not only fail to convince but also damage long-term credibility**.

- A **university's reputation is built not on billboards**, but on consistent academic performance, student success, and meaningful engagement with the local context.
- Additionally, **the physical and social experience of campus life plays a crucial role** in shaping student satisfaction.
- The fact that **many new branch campuses are operating out of rented vertical spaces** strips them of the spatial identity and vibrancy typically associated with traditional university campuses.
- A **true educational institution must go beyond classrooms**; it must offer libraries, collaborative spaces, extracurricular avenues, and a sense of belonging.
- This is **part of the soft infrastructure that develops a genuine academic community**, something few of the new campuses have prioritized so far.

Ways Ahead to Overcome These Challenges

- **Aligning with Local Needs**
 - From India's perspective, **the challenge is not simply to attract foreign institutions but to attract the right ones**, institutions aligned with local aspirations and capable of long-term engagement.
 - **Universities from the Global North may be motivated by revenue generation**, brand extension, or international recruitment goals.
 - **But unless their Indian ventures also align with domestic academic** and developmental needs, these campuses will remain peripheral.
- **Focus on Regulatory and Academic Ecosystem**
 - **India must carefully evaluate each proposal based on several criteria**: academic excellence, faculty strength, research orientation, willingness to engage with local challenges, and the ability to offer programs that genuinely complement existing Indian offerings.
 - **Merely being a foreign institution should not be a qualification.**
 - Moreover, **India must resist the temptation to provide excessive incentives** that may not yield proportionate returns.
 - Instead, **it should focus on creating a regulatory and academic ecosystem** that rewards quality, innovation, and public service.

Conclusion

- **The entry of foreign university campuses** into India's higher education space is **both a moment of opportunity and a test of policy wisdom.**
- **Done right, it can enrich India's academic landscape**, provide new learning pathways for students, and foster global partnerships.
- **Done hastily or superficially, it may undermine public trust, devalue academic integrity**, and stall the broader internationalisation effort.
- What is needed now is **a measured, criteria-driven approach, one that welcomes collaboration but insists on quality, relevance**, and long-term commitment.

The Real Challenges of Foreign Campuses FAQs

Q1. Which foreign universities have opened campuses in India recently?

Ans. Deakin University, the University of Wollongong, and the University of Southampton have recently opened campuses in India.

Q2. What is a major concern with new foreign campuses in India?

Ans. A major concern is that these campuses often prioritize marketing over genuine academic investment.

Q3. Why is local relevance important for foreign universities in India?

Ans. Local relevance is important because it ensures that foreign universities meet the specific educational and developmental needs of Indian students and society.

Q4. What challenge do foreign branch campuses face in India?

Ans. Foreign branch campuses face the challenge of competing with well-established Indian institutions like the IITs and IIMs.

Q5. What risks do poorly managed foreign campuses pose?

Ans. Poorly managed foreign campuses risk eroding public trust and damaging the reputation of the parent universities they represent.

Source: **The Hindu**

Resetting the India-U.S. Partnership in Uncertain Times

Context

- In recent years, the India-U.S. relationship has been hailed as one of the most consequential **global partnerships** of the 21st century.
- Rooted in shared democratic values and **strengthened by converging geopolitical interests**, the ties between the two nations have steadily deepened over the past two decades.
- However, **the current phase in bilateral relations reflects a perceptible, though not irreversible, drift.**
- Therefore, **it is crucial to critically examine the causes of this drift, its manifestations, and the path forward to restore strategic trust** and purpose in the relationship.

The Trajectory of India-US Ties

- **From Optimism to Unease**
 - Not long ago, **the trajectory of India-U.S. ties appeared to be on an upward curve.**

- Prime Minister Narendra Modi's **early engagement with President Donald Trump signalled mutual enthusiasm.**
- **Bipartisan goodwill in Washington and a sense of strategic convergence in New Delhi suggested a relationship based not merely on transactional convenience** but on a broader alignment of vision.
- **Both nations envisioned a future in which they could co-shape a democratic, rules-based global order.**
- **Yet today, this optimism has given way to unease.** While not a rupture, there is a subtle erosion of trust, marked by policy inconsistency, symbolic missteps, and a troubling return to outdated diplomatic frames.
- **The Trump administration's decision to host Pakistan's military chief for a state lunch, as well as the President's hyphenated rhetoric that lumped India and Pakistan together post-Operation Sindoor, have disturbed New Delhi.**
- These **signals blur the hard-earned distinction between India's global ambitions and the India-Pakistan binary**, thereby undercutting India's strategic narrative.

• Points of Friction

- **Several issues** have emerged as **irritants in the relationship.**
- On the economic front, **despite celebrating the conclusion of a deal with China, President Trump reportedly discouraged Apple's investment in India**, warning of trade repercussions.
- This **undercuts India's efforts to position itself as a manufacturing alternative** in a China-plus-one strategy.
- **Immigration policy has also become contentious.** The H-1B visa regime, long a linchpin of India-U.S. tech collaboration, now appears vulnerable to protectionist impulses.
- The **program's erosion risks weakening the vibrant linkages** between Silicon Valley and Indian innovation networks.
- The **most significant concern, however, lies in the U.S.'s renewed engagement with Pakistan.**
- The **Pentagon's characterisation of Pakistan as a phenomenal partner in counterterrorism, despite Pakistan's known role in cross-border militancy**, is deeply unsettling to Indian strategic thinkers.
- It **represents a relapse into Cold War-era thinking and nostalgia** for a flawed yet familiar partner.

Possible Causes Behind the Strategic Drift

• Trump's Transactional Approach

- The **Trump administration's deeply transactional approach prioritises short-term gains** over long-term alignment.
- India, **with its civilisational strategic culture and emphasis on gradual, layered diplomacy**, finds this disorienting.

- **Trump's diplomatic style**, charismatic yet unpredictable, **adds further complexity to bilateral dealings**.
- **Overestimation of Pakistan's Strategic Importance**
 - Segments of the U.S. national security establishment continue to overestimate Pakistan's strategic utility, especially in the **Afghan context**.
 - Despite evidence of duplicity, **institutional inertia** sustains this outdated paradigm.
- **India's Assertion of Strategic Autonomy**
 - **India's rise on the global stage has not been matched by an equivalent presence within U.S.** policymaking institutions.
 - This **communication gap leads to misinterpretations of India's principled assertion of strategic autonomy** as indecisiveness or fence-sitting.
 - Critics like **Ashley Tellis argue that India suffers from great-power delusions**, but this view underestimates the calculated patience that defines India's foreign policy and its refusal to mimic American methods.

Steps Toward Renewal of India-US Ties

- **Need for India to Avoid Reactive Diplomacy**
 - To prevent the drift from becoming a deeper chasm, **both nations must recalibrate. India must remain steady and avoid reactive diplomacy**.
 - Despite recent irritants, **the fundamentals of the relationship remain strong: defence collaboration**, the Quad framework, intelligence sharing, and shared Indo-Pacific interests.
 - **India should intensify behind-the-scenes engagement in Washington**, using Congress, policy think tanks, and the Indian diaspora to build strategic advocacy.
- **India's Continued Economic and Regulatory Reforms**
 - Domestically, **India must accelerate economic reforms, not to appease external actors** but to strengthen investor confidence and manufacturing competitiveness.
 - **Regulatory clarity and infrastructure modernisation are essential** to attracting high-value industries.
 - On trade, **modest bilateral arrangements are being explored**, and must be pursued with pragmatic optimism.
 - **Immigration, particularly the H-1B issue, should be reframed not as a concession to India, but as a mutual driver of innovation** and technological growth.
- **US Investment in India's Capacity Building**
 - For the U.S., **abandoning outdated Cold War frameworks is imperative**.
 - **Treating Indian manufacturing capacity or skilled labour as threats is self-defeating** in a world that increasingly depends on democratic supply chains and technological partnerships.
 - **If the U.S. wishes to counterbalance China effectively in the Indo-Pacific, it must invest more substantively in India's regional capacity-building**.

The Way Forward: Rediscovering Strategic Purpose

- Above all, **the India-U.S. relationship must rediscover its moral and strategic purpose.**
- This is **not merely a tactical alliance against a rising China, nor simply a matter of market access.** It is about co-creating a pluralistic, democratic, and rules-based global order.
- History has shown what is possible **when the two democracies act boldly. The 2005 civil nuclear deal was not just a diplomatic success; it was a profound gesture of strategic trust** that defied conventional wisdom.
- The **current turbulence should not be seen as a failure**, but as a necessary moment of reflection. It is an opportunity to reaffirm foundational commitments, adjust strategic postures, and renew mutual respect.
- As noted in the introduction to Engaged Democracies, **‘The real test of the partnership is not how it behaves in moments of celebration, but how it endures in times of stress.’**

Conclusion

- **The India-U.S. relationship stands at an inflection point but it has weathered past storms**, post-Pokhran sanctions, disagreements over climate change, and differing visions of regional security.
- Yet each time, **it has rebounded with greater maturity and trust. The question today is not whether Trump will lose India, but whether both nations will lose sight of a generational opportunity** to craft a democratic concert in Asia.
- The **answer must be a resolute no. If clarity, candour, and commitment are restored, the India-U.S. partnership can not only survive the present turbulence but emerge stronger**, more purposeful, and once again, capable of making history.

Resetting the India-U.S. Partnership in Uncertain Times FAQs

Q1. What recent development signaled a drift in India-U.S. relations?

Ans. A drift became evident when the U.S. hosted Pakistan’s military chief and began speaking of India and Pakistan in the same breath, reviving outdated diplomatic framings.

Q2. Why is the H-1B visa important to India-U.S. ties?

Ans. The H-1B visa is important because it facilitates the movement of skilled Indian professionals to the U.S., strengthening technological collaboration and innovation between the two countries.

Q3. What approach does India prefer in diplomacy?

Ans. India prefers a patient, layered, and civilisational approach to diplomacy that emphasizes long-term strategic alignment over short-term gains.

Q4. What should both countries avoid in their relationship?

Ans. Both countries should avoid misinterpreting each other’s strategic intentions and falling back into Cold War-era thinking, especially in relation to Pakistan.

Q5. What is essential to revive the partnership?

Ans. To revive the partnership, both India and the U.S. must restore clarity, mutual respect, and a shared commitment to democratic values and long-term cooperation.

Source: **The Hindu**

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