

Unilateral Use of Force and International Law - Explained

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- Recent unilateral military actions by the United States have reignited global debate on violations of international law and the weakening of the UN-led multilateral order.

International Law and the Use of Force

- International law is founded on the principle of sovereign equality of states and the prohibition of force in inter-state relations.
- These principles were codified after the Second World War through the **United Nations Charter**, with the objective of preventing unilateral military aggression and preserving global peace.
- Article 2(4) of the Charter explicitly prohibits the threat or use of force against the territorial integrity or political independence of any state.
- The only two exceptions recognised under international law are:

- Use of force authorised by the UN Security Council, and
- The inherent right of self-defence under Article 51 is applicable only in response to an armed attack.
- Despite this legal framework, powerful states have increasingly justified military interventions outside these exceptions, raising concerns about the erosion of the international legal order.

Violation of the UN Charter Framework

- The recent U.S. military action against Venezuela represents a significant departure from established international legal norms.
- The operation was undertaken without authorisation from the **UN Security Council** and did not meet the legal threshold of self-defence.
- As such, it constitutes a direct violation of Article 2(4) of the UN Charter.
- The action also undermines the principle of non-intervention in domestic affairs, a cornerstone of international law.
- By forcibly intervening in the political leadership of a sovereign state, the operation challenges the legitimacy of multilateral institutions designed to regulate global security.

Breakdown of the Balance of Power

- The current international system reflects a weakening of the traditional balance-of-power mechanism.
- During the Cold War, the bipolar structure ensured that no single power could act without restraint.
- The presence of two competing superpowers acted as a deterrent against unilateral military action.
- Historical examples illustrate this dynamic clearly. During the **1971 Bangladesh Liberation War**, external intervention threats were neutralised through counter-deployments by rival powers.
- Similarly, during the **1973 Yom Kippur War**, superpower intervention prevented escalation and forced diplomatic restraint.
- Following the **collapse of the Soviet Union in 1991**, the global system transitioned into a largely unipolar order.
- This shift has enabled the United States to exercise military power with minimal external constraints, contributing to repeated interventions in West Asia and Latin America.

Expansion of Pre-emptive Military Doctrine

- A notable feature of contemporary U.S. foreign policy has been the increasing reliance on pre-emptive and preventive military action.
- The justification for such actions often rests on broad claims related to terrorism, weapons proliferation, or transnational crime.
- In the Venezuelan case, the stated objective of countering narco-terrorism appears legally tenuous.
- Available data suggest that Venezuela is not a major source of narcotics affecting the U.S., raising questions about the proportionality and necessity of military action.
- Instead, strategic and economic considerations, particularly access to natural resources, appear to play a significant role.

Implications for the Global Order

- The repeated bypassing of international legal norms has serious implications for global governance.
- It weakens the authority of the United Nations, normalises unilateralism, and sets dangerous precedents for other powerful states to follow.
- In the emerging geopolitical context, China is increasingly viewed as the only potential counterweight capable of restoring a degree of balance.
- While Russia and China may form tactical alignments, structural differences limit the prospects of a stable multipolar order in the near term.

Implications for India's Foreign Policy

- For India, these developments highlight the risks inherent in a weakened rules-based international order.
- India has traditionally relied on international law and multilateralism to safeguard its sovereignty and security interests.
- The current global environment underscores the need for India to strengthen its strategic autonomy, invest in its defence-industrial base, and pursue diversified partnerships.
- A credible military and economic capacity remains essential for safeguarding national interests in an increasingly unilateral world order.

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