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# GENERAL STUDIES 2

## 1.1. POLITY & GOVERNANCE

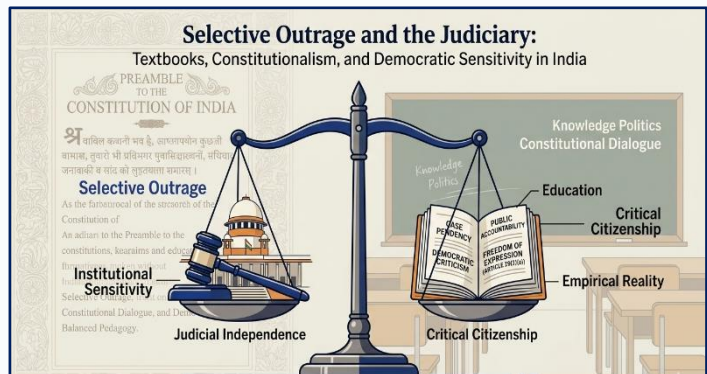
### 1.1.1. TEXTBOOKS, CONSTITUTIONALISM, AND DEMOCRATIC SENSITIVITY IN INDIA

#### Context:

The controversy over references to the judiciary in an NCERT Class VIII textbook has revived constitutional debates. The Supreme Court's strong response—calling the passages a “**deep-seated conspiracy**” threatening judicial integrity—has intensified concerns about institutional sensitivity.

The episode goes beyond textbook content. It touches upon fundamental concerns relating to:

- The limits of institutional criticism in democratic societies,
- The balance between judicial dignity and freedom of expression,
- The role of education in fostering critical citizenship,
- The evolving dynamics between judiciary, executive, and knowledge production.



#### Background: The Textbook Controversy

The controversy emerged after a Supreme Court Bench objected to textbook passages discussing:

- Judicial corruption,
- Case pendency,
- Citizen experiences within legal processes,
- Complaint and accountability mechanisms.

The Union government subsequently expressed regret, signalling administrative action against officials responsible for the content.

The judiciary viewed these references as damaging to institutional credibility, whereas critics argued that such discussions represent essential civic awareness grounded in empirical reality.

#### Constitutional Context: Judiciary and Freedom of Expression

The Indian Constitution simultaneously protects institutional authority and democratic critique.

##### 1. Freedom of Speech and Expression, Article 19(1)(a)

Article 19(1)(a) guarantees citizens the right to freedom of speech and expression, which includes:

- Academic critique,
- Institutional evaluation,
- Civic education and discussion.

The Supreme Court itself has repeatedly held that democracy thrives on informed criticism (**Romesh Thappar v. State of Madras, 1950**).

**However, Article 19(2) permits reasonable restrictions in the interests of:**

- Contempt of court,
- Public order,
- Defamation.

The constitutional challenge lies in distinguishing **legitimate criticism** from **institutional undermining**.

## 2. Judicial Independence, Articles 124–147

Judicial independence forms part of the **Basic Structure Doctrine** (*Kesavananda Bharati v. State of Kerala, 1973*).

**Relevant constitutional safeguards include:**

- Security of tenure (Articles 124 & 217),
- Salaries charged on Consolidated Fund,
- Difficult removal process through impeachment,
- Separation of judiciary from executive (Article 50, Directive Principles).

These provisions ensure courts remain insulated from political pressure. Yet independence does not imply immunity from public scrutiny.

### Key Issues Emerging from the observation

#### 1. Institutional Sensitivity: Protection or Overreach?

- **Textbooks as state-approved knowledge tools** shape democratic consciousness more authoritatively than media commentary.
- The Court's concern is that public trust underpins judicial authority, and references to corruption in official curricula may delegitimise adjudicatory power.

However, **John Stuart Mill's harm principle** permits restrictions only when speech causes direct harm, not mere discomfort.

#### 2. Structural Realities and Constitutional Discourse

Empirical data reveals significant institutional challenges:

- Over 5 crore pending cases across courts.
- More than 70,000 cases pending before the Supreme Court.
- Over 60 lakh cases in High Courts.
- Judge-to-population ratio of ~21 per million.
- High Court vacancies often between 25–35%.

These structural constraints, recognised in cases like **Hussainara Khatoon** (Article 21 – **right to speedy trial**), highlight systemic judicial challenges. The key question is whether discussing these realities amounts to defamation or represents responsible, transparent civic education.

### 3. Curriculum Control and Knowledge Politics

- The controversy also intersects with broader debates on curriculum revision. Recent reforms have altered **medieval history narratives**, **emphasised ancient civilisation**, and **reframed colonial economic critique**.
- **Antonio Gramsci's** concept of **cultural hegemony** suggests that control over educational narratives shapes collective legitimacy. The issue arises when institutional reactions to criticism appear selective, especially in a context where textbook content is already subject to ideological recalibration.

### 4. Selective Outrage and Legitimacy Deficit

- **Max Weber's** theory locates **institutional legitimacy** in **public belief**. Legitimacy weakens when institutions appear **intolerant of scrutiny**.
- Criticism is routinely directed at the executive, political leadership, bureaucracy, and historical actors. If judicial criticism uniquely invites strong institutional reaction, it creates "accountability asymmetry."

### A Larger Constitutional Question

The episode reveals an enduring dilemma in constitutional democracies:

- Should institutions prioritise image protection?
- Or embrace transparency to enhance long-term legitimacy?

Political scientist **Bruce Ackerman's constitutional dialogue theory** suggests democracy evolves through continuous interaction between institutions and citizens.

**Textbooks form part of this dialogue.**

### Comparative Constitutional Perspective

Democratic systems worldwide institutionalise judicial criticism:

- **United States:** Academic critique of Supreme Court decisions is routine.
- **United Kingdom:** Judicial performance and reforms openly debated in Parliament.
- **Canada:** Judicial transparency reports enhance public accountability.

Comparative constitutionalism shows that critique coexists with judicial respect.

**Way Forward:** Harmonising Institutional Respect with Democratic Literacy

- **Preserve Judicial Dignity:** Recognise courts as guardians of Fundamental Rights, interpreters of the Constitution, and checks on majoritarian excess; maintaining public trust is essential for constitutional governance.
- **Institutionalise Responsible Critique:** Encourage rational-critical debate in the public sphere, as emphasised by **Jürgen Habermas**, ensuring that institutions remain open to deliberative scrutiny rather than insulated from discussion.
- **Adopt Balanced Civic Pedagogy:** Educational materials should simultaneously present judicial achievements, explain structural limitations, and outline accountability mechanisms to avoid distortion or over-simplification.

- **Embed Constitutional Morality in Education:** In line with **Dr. B.R. Ambedkar's** vision, civic education must cultivate critical reasoning, awareness of institutional limits, and understanding of accountability structures.
- **Promote Critical Consciousness:** Following **Paulo Freire's** idea of "**conscientization,**" education should develop informed and engaged citizens; suppressing institutional discussion risks producing passive rather than constitutionally aware participants.
- **Ensure Transparency Over Sanitisation:** Replace defensive censorship with principled openness, allowing fact-based institutional discourse to strengthen, rather than weaken, democratic legitimacy.

### Conclusion: Reform as the Basis of Institutional Authority

Ambedkar's concept of **constitutional morality** requires institutions to tolerate responsible criticism, as respect in a democracy is built through transparency, not silence. A judiciary confident in its legitimacy can accommodate informed critique without perceiving it as an attack. Selective outrage erodes public trust, whereas principled openness strengthens constitutional democracy.

*Q. Critically analyse the idea that institutional legitimacy in a democracy is strengthened more by transparency and accountability than by insulation from criticism. Illustrate with contemporary examples. (250 Words)*

## 1.2. SOCIAL JUSTICE

### 1.2.1. WOMEN'S DIGITAL SAFETY IN THE AGE OF ARTIFICIAL INTELLIGENCE

#### Context:

- The **rapid integration of artificial intelligence** into daily life has transformed societies, yet it has simultaneously amplified vulnerabilities, particularly for women in the digital realm.
- On the eve of **International Women's Day 2026**, the imperative to align technological progress with **ethical AI** and **robust safeguards for women's digital safety** has gained urgency.



#### How AI and Digital Technologies Are Empowering Women

- **Expanding Economic Opportunities:** Digital platforms enable women to participate in **e-commerce, freelancing, and home-based entrepreneurship**. For instance, platforms such as **Meesho** have enabled many women from small towns to earn income through online reselling.
- **Improving Access to Education and Skills:** Digital learning initiatives under **Digital India** and **Pradhan Mantri Gramin Digital Saksharta Abhiyan (PMGDISHA)** have improved **digital literacy and access to online education**, especially for rural women.

- **Strengthening Financial Inclusion:** Schemes such as **Pradhan Mantri Jan Dhan Yojana** have enabled millions of women to open bank accounts and access **digital banking and Direct Benefit Transfers (DBT)**.
- **Enhancing Access to Healthcare:** Telemedicine platforms such as **eSanjeevani** allow women, particularly in rural areas, to **consult doctors remotely and access health services**.
- **Promoting Social and Political Participation:** Digital platforms help women **express opinions, participate in public debates, and mobilise social movements**, as seen in campaigns such as the **#MeToo** movement.
- **Encouraging Women's Participation in Technology:** Increasing women's representation in **AI research and STEM (Science, Technology, Engineering, and Mathematics) fields** can lead to more inclusive and ethical technology design, helping address **gender-specific concerns in digital systems**.

## Key Challenges in Ensuring Women's Digital Safety in the AI Era

### 1. Rising Online Harassment and Digital Abuse

- Expansion of internet access has increased women's exposure to **cyberbullying, trolling, stalking, and doxing (revealing personal information online without consent)**.
- A study by **UN Women** and **The Economist Intelligence Unit** (2021) found **38% of women globally have experienced online violence**, while **85% have witnessed digital abuse**.
- In India, the **National Crime Records Bureau** recorded **over 65,000 cybercrime cases in 2022**, indicating the growing shift of gender-based violence into digital spaces.

### 2. Misuse of Deepfake and AI Technologies

- Advances in **Artificial Intelligence** have enabled **deepfakes—manipulated videos, images, or audio that falsely portray individuals**.
- Research by **Deeptrace** shows **around 96% of deepfake videos online are non-consensual pornographic content**, largely targeting women.
- A 2023 analysis by **Sensity AI** also found that **women constitute the primary victims of deepfake-based sexual exploitation**.

### 3. Anonymity and Weak Platform Accountability

- **Online anonymity and pseudonymity** make identifying perpetrators of cyber abuse difficult. Harmful content spreads rapidly across platforms, often outpacing moderation efforts.
- Despite the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, **enforcement and accountability mechanisms remain uneven**, allowing abusive content to persist.

### 4. Gender Gap in AI Development

- Women are **significantly underrepresented in AI research and leadership**. According to United Nations Development Programme and UNESCO, **women constitute about 22% of AI professionals globally and less than 14% hold senior roles**.
- Limited diversity in AI development can lead to **algorithmic bias and inadequate safeguards against gender-based misuse**.

## 5. Absence of Specific Legal Provisions for Deepfakes

- India addresses cyber offences through laws such as the Information Technology Act, 2000 and the **Bharatiya Nyaya Sanhita, 2023**, covering obscenity, impersonation, and privacy violations.
- However, **no dedicated legislation currently regulates AI-generated deepfakes**, creating challenges in addressing AI-enabled harassment.

## 6. Lack of Digital Awareness and Education

- Many users, particularly **youth and new internet users**, lack awareness of **cyber safety, AI misuse, and reporting mechanisms**.
- According to the **Internet and Mobile Association of India**, India had **over 820 million internet users in 2023**, but digital literacy remains uneven.
- This limits the reporting of cyber offences through platforms like the **National Cyber Crime Reporting Portal**, increasing vulnerability to online exploitation.
- India has a **40% gender gap** in mobile internet use — women's lower digital access means lower digital safety awareness and fewer tools to protect themselves. (GSMA Mobile Gender Gap 2024)

## Existing Policy and Institutional Measures in India

- **IT Act, 2000 (Section 66E)**: Section 66E of the Information Technology Act, 2000 penalises the **violation of privacy through capturing, publishing, or transmitting images of a person's private area without consent**, with punishment of **up to three years' imprisonment or a fine up to ₹2 lakh, or both**.
- **IT Act, 2000 (Section 67A)**: This provision under the Information Technology Act, 2000 criminalises the **publication or transmission of sexually explicit material in electronic form**. Although it can be applied in cases involving deepfake content, **it does not specifically address AI-generated media**.
- **BNS, 2023**: The Bharatiya Nyaya Sanhita, 2023 criminalises the **non-consensual distribution of intimate images**, strengthening protections compared to the earlier IPC framework. However, **the law still lacks specific provisions dealing with AI-generated deepfakes**.
- **MeitY Deepfake Guidelines, 2023**: The Ministry of Electronics and Information Technology has issued guidelines requiring online intermediaries to **remove reported deepfake content within three hours of receiving a takedown notice**.

## International Best Practices for AI Governance

- **EU AI Act, 2024**: The **Artificial Intelligence Act** is the **first comprehensive global legislation on Artificial Intelligence**, categorising systems that generate **non-consensual intimate images (NCII) and deepfakes as unacceptable risk**, and imposing strict restrictions on their use.
- **AI Ethics Framework**: The **UNESCO Recommendation on the Ethics of Artificial Intelligence (2021)** emphasises **conducting gender impact assessments before deploying AI systems and promoting diversity in AI development teams**.
- **Responsible AI Principles**: The **Organisation for Economic Co-operation and Development** outlines **principles of inclusive growth, human-centred values, transparency, and accountability in AI governance**, which India has endorsed but still needs to **translate effectively into domestic regulatory frameworks**.

## Way Forward: Strategic Policy Interventions for Ensuring Women's Digital Safety

A multi-stakeholder strategy is required to align **AI innovation** with **women's digital safety** through focused, actionable measures.

### 1. Strengthening the Legal and Institutional Framework

- **Dedicated Deepfake Legislation:** Enact a specific law to regulate **deepfakes and synthetic media**, criminalising the **creation, distribution, or hosting of non-consensual AI-generated intimate content** and ensuring stronger victim protection.
- **Enhanced Platform Accountability:** Amend provisions such as **Section 79** of the Information Technology Act, 2000 to require **proactive AI-based detection and moderation of harmful content**, with stricter liability for platforms in cases of systemic negligence.
- **Fast-Track Cyber Justice Mechanisms:** Establish **specialised cybercrime courts and trained digital-forensics units** in states to ensure **speedy investigation and timely disposal of cyber offences**, including deepfake-related crimes.

### 2. Increasing Women's Participation in AI Development

- **Promoting Women in AI Research:** Encourage **greater participation of women in government-supported AI initiatives**, including programmes under the IndiaAI Mission, through targeted fellowships and research incentives.
- **Strengthening the STEM-to-AI Pipeline:** Expand scholarships, mentorship programmes, and industry internships to promote women's entry into **STEM (Science, Technology, Engineering and Mathematics) and AI-related careers**.
- **Encouraging Diversity in the Tech Sector:** Promote **gender diversity audits and inclusive hiring practices** in technology companies to reduce algorithmic bias and strengthen ethical AI development.

### 3. Enhancing Digital Safety and Awareness

- **Digital Safety Education:** Integrate **AI ethics, deepfake awareness, and cyber safety modules** into school curricula developed by National Council of Educational Research and Training to build early awareness.
- **Strengthening Reporting and Support Systems:** Improve cybercrime response mechanisms, including **dedicated helplines and rapid response teams** for victims of AI-enabled harassment.
- **Community-Level Digital Literacy:** Use grassroots platforms such as **Self-Help Groups under the Deendayal Antyodaya Yojana – National Rural Livelihoods Mission** to promote **digital literacy, reporting awareness, and support networks for women**.

## Conclusion

Balancing AI innovation with women's digital safety requires **urgent and coordinated action** to harness technological benefits without compromising dignity and rights. Prioritising **ethical AI governance, stronger legal enforcement, and greater gender diversity in technology development** can ensure that women become equal stakeholders in the digital ecosystem.

**Q.** While Artificial Intelligence offers new opportunities for women's empowerment, it also creates emerging risks to their digital safety. Examine the challenges and suggest measures to ensure safe and inclusive digital spaces for women. (250 Words)

### 1.2.2. PROTECTING WOMEN'S RIGHTS AMID CONFLICT AND INSTABILITY

#### Context

- The observance of **International Women's Day (8 March)** has once again highlighted the urgency of safeguarding **women's rights in an increasingly unstable global environment**.
- The **2026 global theme — "Rights, Justice, Action: For All Women and Girls"**, announced by the **United Nations**, has drawn attention to the severe vulnerabilities faced by women and girls in conflict zones.



#### About International Women's Day

- **Origin:** Emerged from early **20th-century labour movements**, when women workers demanded **better working conditions, fair wages, voting rights, and political equality**.
- **Expansion:** Gradually evolved into a **global movement for gender justice, labour rights, and women's empowerment**.
- **UN Recognition:** The **United Nations formally recognised International Women's Day in 1977**, giving it global institutional legitimacy.
- **Contemporary Significance:** International Women's Day today serves multiple purposes:
  - **Recognition of achievements:** Acknowledges women's contributions in **politics, economy, science, and society**.
  - **Policy advocacy platform:** Governments and civil society highlight **gender inequality and discrimination**.
  - **Accountability mechanism:** Encourages states to strengthen **legal and institutional frameworks for gender justice**.

#### Evolution of International Women's Rights Framework and Protection in Conflict Situations

##### A. International Legal Framework for Protection of Women in Armed Conflicts

###### 1. Geneva Conventions (1949)

- Provide **special protection for women in armed conflicts**.
- Safeguards against **sexual violence, inhumane treatment, and degrading practices**.
- Ensure **humane treatment of women prisoners of war and civilians**.

###### 2. Women, Peace and Security (WPS) Agenda

- Initiated through **UN Security Council Resolution 1325 (2000)**.

- Recognised the **disproportionate impact of conflict on women**.
- The resolution established **four key pillars**:
  - **Participation** – Inclusion of **women in peace negotiations, governance, and decision-making**
  - **Protection** – Safeguarding women from **violence, exploitation, and human rights violations** during conflicts
  - **Prevention** – Integrating **gender perspectives in conflict prevention strategies**
  - **Relief and Recovery** – Ensuring women’s participation in **post-conflict reconstruction and humanitarian responses**

### 3. Key Subsequent UN Security Council Resolutions

- **UN Security Council Resolution 1820 (2008)** – Recognised **sexual violence as a tactic of war**.
- **UN Security Council Resolution 1889 (2009)** – Promoted women’s participation in **post-conflict peacebuilding**.
- **UN Security Council Resolution 2242 (2015)** – Linked women’s participation with **counter-terrorism and peacebuilding**.
- **UN Security Council Resolution 2493 (2019)** – Reaffirmed commitments to implement the **Women, Peace and Security agenda**.

## B. Gender Equality as a Fundamental Human Right

Gender equality has been widely recognised as a **core human rights principle** and an essential component of **inclusive and sustainable development**.

**Several global frameworks reinforce this commitment:**

- **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979**
  - Often referred to as the **international bill of rights for women**.
  - It obligates states to eliminate discrimination against women in **political, economic, social, and cultural spheres**.
- **Beijing Declaration and Platform for Action (1995)**
  - Provides a **comprehensive agenda** for **advancing women’s empowerment**.
  - It identifies “**Women and Armed Conflict**” as one of the **twelve critical areas of concern**, highlighting the **need to protect women** during **wars and involve them in peace processes**.
- **2030 Agenda for Sustainable Development**
  - **Sustainable Development Goal-5 (SDG-5)** aims at **achieving gender equality and empowering all women and girls**.

## Rights, Justice and Action: The Global Imperative

The **2026 International Women's Day theme** emphasises **three interconnected pillars** essential for achieving **gender equality**, especially in **conflict-affected and fragile regions**.

- 1. Ensuring Women's Rights:** Women's rights must be safeguarded even during **armed conflicts, humanitarian crises, and political instability**. Protection should include:
  - **Freedom from gender-based violence (GBV)** and harassment
  - Protection from **sexual exploitation, trafficking, and forced displacement**
  - **Equal access to humanitarian assistance** such as food, shelter, and healthcare
  - Protection of **reproductive and maternal health rights**
  - **Access to justice and legal remedies**
- 2. Ensuring Justice for Victims:** Achieving justice requires **strong accountability mechanisms** to address violations against women during conflicts. **Key measures include:**
  - **Investigation and prosecution** of **conflict-related sexual violence**
  - Legal safeguards for **refugee and internally displaced women**
  - **Rehabilitation, psychological support, and compensation** for survivors
  - Strengthening **gender-sensitive judicial and legal systems**
- 3. Translating Commitments into Action:** International commitments must be implemented through **concrete institutional and policy measures:**
  - **Gender-responsive humanitarian aid and relief programmes**
  - **Meaningful participation of women** in **governance, peace negotiations, and conflict resolution**
  - Enhanced **security and protection mechanisms** for women in **refugee camps and conflict zones**
  - **Adequate financial allocation** for **women-centric development and protection programmes**

## Promises but No Progress: The Reality Gap

While international policies exist, current global trends reveal a "**promises but no progress**" scenario, where institutional protections are failing under the weight of **extreme volatility**.

### Alarming Global Trends (2024–2026):

- The world is currently witnessing the **highest number of armed conflicts since 1946**, with **nearly 676 million women living within 50 km of conflict zones**.
- **Civilian casualties among women and children increased fourfold** compared to the previous two-year period, while incidents of **conflict-related sexual violence rose by nearly 87% within the same timeframe**.

## Structural Challenges Hindering the Protection of Women in Conflict Situations

The protection of **women's rights during periods of conflict and instability** remains difficult due to several **structural barriers**.

- **Institutional Breakdown and Weak Legal Enforcement:** Armed conflicts often weaken or collapse institutions such as the **judiciary, police, and administration**, making **laws protecting women ineffective and allowing perpetrators of violence to escape accountability**.
  - **For example**, during the **Sudanese civil conflict**, the breakdown of law enforcement has been associated with increased reports of sexual violence and limited legal recourse for survivors.
- **Entrenched Patriarchal Social Norms:** Conflict situations often reinforce **patriarchal structures**, restricting women’s **mobility, education, employment, and participation in decision-making**, thereby deepening **gender inequalities and limiting their access to humanitarian support**.
  - Following the **Taliban’s return to power in Afghanistan**, policies have significantly **restricted women’s access to education, employment, and public participation**.
- **Gender-Insensitive Humanitarian Responses:** Many humanitarian relief programmes adopt a **generalised approach** and fail to address the **specific needs of women and girls**. This results in inadequate provision of **food security, maternal healthcare, reproductive services, menstrual hygiene facilities, and safe spaces** in refugee camps.
  - In **Syrian refugee camps in Lebanon and Jordan**, the **absence of gender-segregated sanitation facilities** increased the risk of **harassment and insecurity for women and girls**.
- **Exclusion of Women from Peace and Security Processes:** Women remain **severely under-represented in peace processes**, with **only about 7% of peace negotiators and around 14% of mediators being women**, and nearly **nine out of ten peace negotiations taking place without female negotiators**.
- **Use of Sexual Violence as a Weapon of War:** In several modern conflicts *such as the **Russia–Ukraine war***, **sexual violence is deliberately used as a strategy of warfare** to terrorise communities, force displacement, and weaken social structures. Such acts lead to **severe physical, psychological, and social consequences for survivors**.
- **Digital Violence:** The growing use of **online harassment, gendered disinformation, and digital threats against women activists and human rights defenders** undermines their participation in public life and, in many cases, escalates into **real-world intimidation and physical harm**.

### **Rights Require Action: Way Forward for Sustainable Peace**

To translate the 2026 theme “**Rights, Justice, Action**” into a tangible reality, the following multi-pronged strategy is required to bridge the gap between global policy and local security:

- **Mandatory Quotas in Peacebuilding:** Transitioning from voluntary to **binding targets** (minimum 30%) for women’s participation in all **UN-led and national peace negotiations** to ensure inclusive and durable agreements.
- **Institutionalizing Gender-Responsive Budgeting (GRB):** Shifting from military-centric spending to human-centric investment, aiming for the **15% allocation of humanitarian and peacebuilding funds toward gender equality by 2026**.
- **Strengthening Legal Accountability:** Prioritizing the prosecution of **Conflict-Related Sexual Violence (CRSV)** at the **International Criminal Court (ICC)** to end the cycle of impunity and treat gender-based crimes as major war crimes.

- **Direct Support for Local Collectives:** Providing unrestricted, flexible funding to **grassroots women's organizations** who serve as frontline responders providing psychosocial and life-saving aid when state structures fail.
- **Digital Security for Women Defenders:** Implementing robust **cyber-protection frameworks** to shield women human rights defenders from gendered disinformation, state-sponsored surveillance, and online harassment.
- **Universal Access to Gender-Sensitive Corridors:** Establishing **protected evacuation routes** that specifically cater to maternal healthcare, safe sanitation, and protection against trafficking during active displacement.

## Conclusion

Protection of **women's rights** in **conflict zones** is **not merely a humanitarian obligation but a core requirement for sustainable peace and justice**. Therefore, translating global commitments into **concrete action, institutional reforms, and inclusive governance mechanisms** is essential. In an increasingly unstable world, **safeguarding the rights, dignity, and participation of women** must remain a **collective international priority** for achieving lasting peace and gender equality.

*Q. Gender equality is not only a human rights issue but also a prerequisite for sustainable peace. Discuss in the context of contemporary global conflicts. (250 Words)*

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# GENERAL STUDIES 3

## 2.1. SCIENCE & TECHNOLOGY

### 2.1.1. ANTHROPIC'S RESISTANCE TO THE U.S. DEPARTMENT OF DEFENCE AND OPENAI'S ENTRY

#### Context:

- A disagreement emerged recently between the **United States Department of Defense** and the AI company **Anthropic**, developer of **Claude AI**. The conflict arose when the U.S. military sought broader access to **Anthropic's AI systems for defence applications**, including potential use in **autonomous strike capabilities**.
- Anthropic declined to permit such unrestricted access because its internal AI governance framework prohibits involvement in **fully autonomous weapons and large-scale surveillance**.
- Subsequently, **OpenAI** negotiated a separate agreement with the Department of Defence that allows military use of its AI systems under specified safeguards.



#### Background: Increasing Role of Artificial Intelligence and Private Technology Firms in Defence

##### A. Growing Importance of Artificial Intelligence in Defence

Artificial Intelligence is increasingly becoming a critical component of **modern military capability**. Governments across the world are integrating AI into defence systems to enhance **strategic advantage, operational efficiency, and technological superiority**.

AI technologies are currently being applied in:

- **Cybersecurity and cyber warfare**
- **Military intelligence analysis**
- **Autonomous and semi-autonomous weapons systems**
- **Drone operations and battlefield logistics**
- **Predictive analytics for strategic decision-making**

Major powers such as the **United States, China, and Russia** have prioritised AI development as part of their **national security strategies**.

##### B. Role of Private Technology Firms

- Unlike earlier periods when defence technologies were largely developed by government laboratories, advanced AI capabilities are now concentrated in **private technology firms**.
- Companies such as **Anthropic, OpenAI, and Google** have become central to the development of **cutting-edge large language models and AI platforms**.
- This has led to increasing **collaboration and tension** between governments and private AI developers.

## Key Technological Pillar

### A. Introduction to Claude AI

**Claude AI** is an advanced **AI chatbot and coding assistant** created by **Anthropic**.

#### Key Characteristics

- Claude is based on **Large Language Model (LLM)** architecture capable of generating sophisticated text and programming code.
- It can assist users in **creating, editing, and optimising software programs**.
- The system can also support **tool creation and software integration** when provided access to relevant software libraries.

### B. What is Claude Code Platform?

A specialised feature called **Claude Code** has gained prominence due to its ability to assist in **complex coding tasks and software development**.

### C. Relevance for Defence and Strategic Applications

Claude AI has attracted considerable interest from defence agencies due to its potential to support **high-technology defence development**.

The system can contribute to defence innovation by:

- **Accelerating the development of complex software systems** used in military technologies.
- Assisting improvements in **advanced defence platforms and strategic technologies**.
- **Reducing delays associated with security clearance requirements** for specialised programmers.

Military software development often occurs within **highly classified environments**, which slows the recruitment of qualified engineers. In such contexts, AI coding assistants like Claude can **significantly shorten development timelines**, particularly when utilised by **experienced software developers working on sensitive defence systems**.

## Disagreement between Anthropic and the U.S. Department of Defense

A disagreement emerged between **Anthropic** and the **United States Department of Defense**, primarily centred on the **ethical restrictions imposed by Anthropic on the use of its AI systems**, particularly concerning **autonomous weapons and surveillance**.

- **Initial Collaboration:** In **2025**, Anthropic entered into a **\$200 million agreement** with the U.S. Department of Defense. Under this arrangement, the government was allowed to use **Claude AI** through secure cloud infrastructure provided by **Amazon Web Services** for defence-related technological development.
- **Shift in U.S. Military AI Policy:** In **January 2026**, U.S. Defence Secretary **Pete Hegseth** issued a memorandum titled **"Accelerating America's Military AI Dominance."** The policy aimed to **accelerate the deployment of AI in military systems** by removing barriers such as:
  - Restrictions on **data sharing**
  - Lengthy **testing and certification processes**

- Delays in **contracting procedures**
  - **Bureaucratic hurdles** affecting rapid technology adoption
  - **Anthropic's AI Governance Framework:** Anthropic follows an ethical framework known as the "**AI constitution**," which discourages the use of its AI systems for:
    - **Mass surveillance**
    - **Fully autonomous weapons**
    - **High-risk decisions without human oversight**
- CEO **Dario Amodei** insisted that the agreement include **legal safeguards** preventing the use of AI for **domestic surveillance** and **fully autonomous lethal weapons**.
- **Threat of "Supply Chain Risk" Designation:** In response, the Department of Defense threatened to classify Anthropic as a "**supply chain risk**." Such a designation could discourage **government contractors and defence partners** from using Anthropic's technology, potentially affecting its **future collaborations with the defence sector**.

### OpenAI Entry: OpenAI's Agreement and Key Differences

Following the dispute, **OpenAI** negotiated its own agreement with the **United States Department of Defense**.

- A. Key Provisions of the Agreement:** The agreement allows the military to use OpenAI's systems under defined safeguards:
  - AI systems may be used for **lawful defence purposes**.
  - AI cannot independently **control autonomous weapons** when regulations require human oversight.
  - Critical decisions must remain under **human authority and supervision**.
- B. Operational Safeguards:** OpenAI indicated that its framework includes:
  - Deployment primarily through **cloud-based infrastructure**
  - **Human-in-the-loop oversight mechanisms**
  - Continued functioning of **internal AI safety systems**
- C. Difference in Approach:** The main difference lies in the **legal interpretation of safeguards**.
  - **Anthropic** reportedly sought **more explicit and binding restrictions**, ensuring that its AI could not be used for autonomous weapons **even if laws or military policies changed in the future**.
  - OpenAI's agreement instead focuses on compliance with **existing laws and regulations** governing military operations.

### Broader Implications of the Anthropic-DoD Dispute

- 1. Militarisation of Artificial Intelligence:**
  - The episode illustrates the **rapid expansion of AI integration into defence systems**.
  - **Advanced AI tools** can significantly enhance military capability, but they also increase the risks associated with **autonomous warfare and algorithmic decision-making**.
- 2. Ethical Governance of AI:**

- The conflict highlights the tension between **corporate ethical commitments** and **state security priorities**.
- Technology companies are increasingly required to balance **commercial opportunities, ethical obligations, and geopolitical pressures**.

### 3. Expanding Role of Technology Companies in National Security

- **Private technology firms now play a critical role in developing advanced AI systems that influence military power.**
- **This development raises important questions regarding:**
  - **Corporate responsibility in defence applications**
  - **Government regulation and oversight**
  - **Transparency and accountability in the use of AI technologies**

### 4. Global Debate on Autonomous Weapons

- The use of AI in warfare has intensified debates on **Lethal Autonomous Weapons Systems (LAWS)**.
- Several countries and international organisations have called for **global norms and regulatory frameworks** to ensure **meaningful human control over lethal technologies**.

### Strategic Implications for India

As India modernizes its armed forces and builds its "IndiaAI" ecosystem, the Anthropic–DoD dispute serves as a crucial case study.

- **Defence Modernisation:** India's AI initiatives by **Defence Research and Development Organisation** and programmes like **Innovations for Defence Excellence (iDEX)** highlight growing AI integration in defence; however, ensuring **human oversight in autonomous systems** is crucial.
- **Strategic and Technological Autonomy:** Under the **IndiaAI Mission**, India must strengthen indigenous AI capabilities and reduce reliance on foreign technologies through domestic AI models and innovation.
- **Regulatory and Economic Preparedness:** Strengthening AI governance frameworks through bodies like **NITI Aayog** and ensuring data protection under the Digital Personal Data Protection Act, 2023 will be essential to support responsible AI growth and protect Indian startups.

### Way Forward

1. **Establish International Norms for Military AI:** Global frameworks under organisations such as the **United Nations** should promote regulations governing **autonomous weapons and AI-enabled warfare**.
2. **Strengthen AI Governance Mechanisms:** Governments and companies should develop **clear regulatory frameworks**, including:
  - Mandatory **human oversight in high-risk systems**
  - Robust **accountability and audit mechanisms**
  - Transparency in **AI deployment practices**

- Promote Responsible Public–Private Partnerships:** Collaboration between governments and technology companies should be guided by **ethical principles, legal clarity, and effective oversight structures**.
- Balance Innovation and Security:** Policies should ensure that innovation in artificial intelligence continues while maintaining **strict safeguards against misuse in surveillance or autonomous lethal systems**.

### Conclusion

The dispute involving **Anthropic** and the **United States Department of Defense**, along with an agreement by **OpenAI**, highlights the growing intersection of artificial intelligence, military use, and ethical governance. It underscores the need for **human oversight, legal accountability, and international cooperation** to ensure AI strengthens national security while being used responsibly.

*Q. Artificial Intelligence is increasingly becoming a critical component of modern military capability. Examine the growing role of AI in defence systems and discuss the strategic and ethical challenges associated with its militarisation. (250 Words)*

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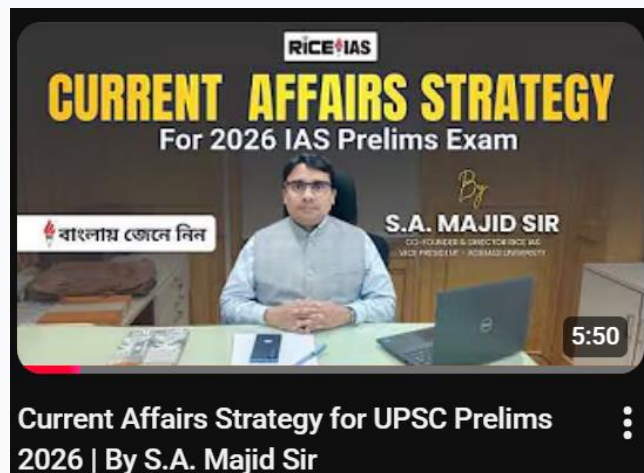
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