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**1. The judicial push for environmental CSR (TH)****GS Paper III- Economy & Environment****Topic-** Statutory Provisions for CSR, Judicial Activism, and Environmental Accountability.**Sub-Topic-** Companies Act 2013, Article 51A(g), and Corruption Perceptions Index (CPI).**1. Introduction**

In early 2026, the intersection of governance, economic efficiency, and environmental ethics has taken centre stage. While digital reforms like GST and DBT have improved transparency, the Corruption Perceptions Index (CPI) 2025 highlights a decade-long stagnation in India's governance quality. Simultaneously, the Supreme Court has made a landmark push to reorient Corporate Social Responsibility (CSR) toward ecological restoration, linking corporate rights with the constitutional duty to protect the environment.

**2. The Governance Backdrop- CPI 2025 & Economic Reality**

The quality of a country's governance directly dictates its investment climate and productivity.

**Global Trends-** Corruption is worsening globally; the average score has dropped to 42, with most nations scoring below 50.

**India's Performance-** India holds a stagnant score of 39 (Rank 91). This plateau, despite high economic growth, raises concerns about long-term sustainability.

**The Cost of Corruption-** \* Increases economic uncertainty and operational costs.

1. Reduces overall productivity and discourages foreign direct investment (FDI).

**Regulatory Complexity-** India's massive compliance burden—comprising over 26,000 legal provisions—creates excessive discretion for officials, leading to "rent-seeking" behaviour.

**Digital Silver Linings-** Reforms such as Direct Benefit Transfer (DBT), GST, and digital payments have successfully plugged leakages and increased transparency

**3. The CSR Framework- A History of Environmental Neglect**

Since the Companies Act, 2013, India has been a global leader in mandated CSR, yet the "green" aspect of this mandate has been historically overlooked.

**Climate Commitment Paradox-** India aims for Net-Zero by 2070, yet corporate spending does not reflect this urgency.

**Social vs. Ecological-** CSR funds are traditionally funnelled into immediate social needs (poverty, education), treating the environment as a "secondary" concern.

**Rising Threats-** Issues like acute water scarcity, air pollution, and waste mismanagement are reaching critical levels, necessitating a move beyond social-only CSR.

**4. The Judicial Pivot- From Charity to Accountability**

The Supreme Court has redefined the legal nature of CSR, elevating it to a constitutional level.

**Constitutional Grounding-** The Court linked environmental CSR to Article 51A(g), which states it is a fundamental duty of every citizen (and by extension, corporate entities) to protect and improve the natural environment.

**The Catalyst-** Habitat destruction of the Great Indian Bustard served as a trigger point for the judiciary to demand higher corporate accountability.

**Rights-Duty Linkage-** The judiciary now holds that the right to conduct business is fundamentally linked to the obligation of environmental restoration.

## 5. Skewed CSR Spending Patterns

Current data reveals a massive imbalance in how corporates allocate their social funds-

| Sector            | Spending Percentage | Focus Type               |
|-------------------|---------------------|--------------------------|
| Education         | 38%                 | Long-term social         |
| Healthcare        | 22%                 | Immediate social         |
| Rural Development | 10%                 | Infrastructure           |
| Environment       | 7-9%                | Ecological (Underfunded) |

**Short-termism-** Firms prefer "quick win" projects with high visibility (like building a school wing) over long-term, invisible ecological work like soil rejuvenation.

**Positive Outliers-** Some firms (Mahindra, ITC, Tata) have led massive afforestation and water conservation drives, but they remain exceptions to the general trend.

## 6. Challenges in Environmental Restoration

India aims to restore 26 million hectares of degraded land by 2030, but the private sector currently contributes only ~2% to this goal.

**Gestation Period-** Ecological restoration takes years to show results, making it unattractive for annual CSR reporting.

**Scientific Gaps-** Restoration requires expertise in native biodiversity. Techniques like Miyawaki plantations are often misused, sometimes harming local ecosystems by introducing non-native species.

**Policy Barriers-** There is weak collaboration between corporate houses and state forest authorities, coupled with a lack of policy support for using degraded lands.

## 7. The Way Forward- Ecosystem-Centric CSR

To meet national and global goals, CSR must evolve into a precision tool for ecosystem recovery.

**Measurable Outcomes-** Shift focus to hard metrics like soil carbon storage, biodiversity indices, and groundwater recharge levels.

**Partnership Models-** Foster deep collaborations between corporates, forest departments, and local community committees to ensure projects are scientifically sound.

**Financial Innovation-** Create Restoration Funds or escrow mechanisms to ensure financing lasts the full length of an ecological project's life cycle.

**Governance Shift-** Move from "shareholder-centric" models to "environment-centric" governance, where sustainability is a core business KPI.

## Conclusion

The CPI 2025 serves as a warning that economic growth without institutional integrity and environmental accountability is fragile. While digital reforms have laid the groundwork for transparency, the future of Indian governance depends on simplifying compliance and enforcing a "Judicial Push" for environmental CSR. By transforming CSR from a ledger entry into a constitutional act of restoration, India can support its long-term economic ambitions while securing its ecological future.

Source- <https://www.thehindu.com/opinion/op-ed/the-judicial-push-for-environmental-csr/article70781275.ece>

## Question

**"Evaluate the effectiveness of reframing Environmental Corporate Social Responsibility (CSR) as a 'Constitutional Duty' in addressing India's ecological challenges. To what extent can this judicial push compensate for the governance gaps highlighted by the Corruption Perceptions Index 2025?" (250 Words, 15 Marks)**

## 1. Introduction

The 2026 judicial shift reframing CSR under Article 51A(g) transforms it from a corporate "choice" into a mandatory "constitutional duty." While the Companies Act, 2013 provided the legal skeleton, the Supreme Court has provided the "moral soul" by linking business rights to environmental restoration. However, the effectiveness of this move must be evaluated against a backdrop of stagnant governance and complex regulatory hurdles.

## 2. The Constitutional Strength of the Shift

**Legal Weight-** By anchoring CSR in Fundamental Duties, the judiciary makes environmental neglect a constitutional failure, not just a regulatory lapse.

**Restoration Focus-** It moves the needle from "avoiding harm" to "active restoration," essential for meeting India's goal of restoring 26 million hectares of degraded land by 2030.

**Accountability-** It empowers citizens and NGOs to hold corporates accountable in courts for failing their "Ecological Duty," regardless of their profit margins.

## 3. Evaluating the "Governance Gap" (CPI 2025 Context)

The Corruption Perceptions Index (CPI) 2025 (India Rank- 91, Score- 39) reveals deep structural "governance gaps" that judicial pushes alone may struggle to fix-

**The Compliance Paradox-** With over 26,000 legal provisions, the "discretionary power" of officials often leads to rent-seeking. A judicial mandate might simply add another layer of paperwork that corporates "bypass" through transactional corruption.

**The "Greenwashing" Risk-** In a stagnant governance environment, companies often spend the mandatory 2% on "visible but shallow" projects (like urban Miyawaki forests) to satisfy inspectors, while their core industrial processes continue to degrade remote ecosystems.

**Implementation Lag-** While GST and DBT have improved fund tracking, the "field-level" monitoring of a forest restoration project remains weak, prone to the same leakages highlighted by the CPI.

## 4. Limitations in Corporate Capacity

**Lack of Expertise-** Most corporate boards lack the scientific depth to manage biodiversity restoration. Evaluating success based on "money spent" rather than "carbon sequestered" remains a fundamental flaw.

**Short-termism-** CSR is annual; ecology is decadal. The evaluation of environmental CSR is often mismatched with corporate financial cycles.

## 5. The Way Forward- Enhancing Effectiveness

To ensure this judicial push isn't lost in administrative corruption-

**Outcome-Based Audits-** Move from "Financial Audits" to "Ecological Audits" verified by independent third-party scientists, not just government officials.

**Restoration Escrow Accounts-** Ensure CSR funds for the environment are placed in long-term funds to survive the 5-10-year gestation period of a forest.

**Simplification-** Reducing the 26,000+ compliance points would reduce the "rent-seeking" opportunities that currently drain CSR efficiency.

## 6. Conclusion

Reframing CSR as a constitutional duty is a powerful normative shift, but its practical effectiveness is currently tethered to India's stagnant governance quality. While the judiciary has set the "standard," the executive must provide the "transparency." Only by simplifying regulations and adopting an ecosystem-centric audit model can India ensure that corporate "duty" translates into genuine planetary "restoration."

Source- <https://www.thehindu.com/opinion/op-ed/the-judicial-push-for-environmental-csr/article70781275.ece>

## 2. We need a national mission for negotiated justice (IE)

**GS Paper II– Polity & Governance**

**Topic–** Structure, organization, and functioning of the Executive and the Judiciary.

**Sub-Topic–** Judicial Reforms, Criminal Justice System, and Alternative Dispute Resolution (ADR).

### 1. Introduction

With the number of pending cases in India crossing the 5-crore mark, the judicial infrastructure is under unprecedented strain. Despite the introduction of Plea Bargaining in 2005, its adoption remains a negligible <1%. Experts and policymakers are now advocating for a structural shift through the “Sahmati Samadhan Nyaya Mission” to institutionalize negotiated settlements and restore the efficiency of the criminal justice system.

### 2. The Judicial Pendency Crisis

**The Scale of Backlog–** Out of the 5 crore total cases, approximately 4.7 crore are concentrated in subordinate (district) courts.

**Systemic Overload–** The crisis is not merely a matter of “too many cases” but reflects structural deficiencies–

1. Judge Shortages– Chronic vacancies in the lower judiciary.
2. Procedural Bottlenecks– Complexities in the Criminal Procedure Code (CrPC) that allow for frequent adjournments.
3. Litigation Explosion– A rising awareness of rights without a corresponding increase in disposal capacity.

**Impact of the Pandemic–** While virtual hearings and the e-Courts Mission Mode Project provided a digital bridge, the physical lockdowns of previous years added a massive “COVID-backlog” that the system is still struggling to clear.

### 3. Plea Bargaining– The Legal Framework

Introduced via the Criminal Law (Amendment) Act, 2005, Plea Bargaining (Chapter XXI-A of CrPC) was meant to be a game-changer.

**Core Concept–** It allows an accused to plead guilty in exchange for a concessional sentence or a reduction in the severity of charges.

**Applicability–** Limited to offenses punishable by up to 7 years.

**Exclusions–** It cannot be used for offenses affecting the socio-economic condition of the country, or crimes against women and children.

**Objective–** To prioritize the certainty and speed of justice over the severity of punishment, ensuring a “win-win” for the state (reduced burden) and the accused (early closure).

### 4. Global Comparative Perspective

India’s low adoption rate stands in stark contrast to global leaders in judicial efficiency–

| Country       | Use of Negotiated Justice | Key Feature                                                                        |
|---------------|---------------------------|------------------------------------------------------------------------------------|
| United States | 90% +                     | Heavily relies on plea deals to prevent the collapse of the trial system.          |
| UK & Europe   | High                      | Widespread use of “Settled Procedures” for minor and administrative offenses.      |
| China         | High                      | Uses “Administrative Disposal” at the early stages to maintain low court pendency. |
| India         | < 1%                      | Remains stuck in an adversarial “Trial-or-Nothing” mindset.                        |

### 5. Barriers to Adoption in India

Why has a 20-year-old law failed to gain traction?



**Awareness Gap**– Most litigants view a "plea" as a sign of weakness or an admission of guilt that carries social stigma, rather than a strategic legal exit.

**The Lawyer's Dilemma**– Traditional fee structures often incentivize prolonged trials. There are few financial or professional rewards for a lawyer who settles a case quickly.

**Institutional Hesitation**– Judges and prosecutors often fear "vigilance inquiries" or accusations of corruption if they agree to a plea deal.

**Trust Deficit**– A pervasive fear among the poor that "negotiated justice" will lead to coercion or extortion by the police.

## 6. The Multidimensional Impact of Delays

**On Individual Liberty**– Thousands of undertrials languish in jail for periods exceeding their potential maximum sentence, a direct violation of Article 21 (Right to Life and Personal Liberty).

**On the Economy**– Delayed justice is a "hidden tax." It weakens contract enforcement, deters Foreign Direct Investment (FDI), and significantly lowers India's Ease of Doing Business rankings.

**On Governance**– Persistent delays lead to a "Crisis of Legitimacy." When people lose faith in courts, they may turn to extra-judicial or "mafia-style" settlements, undermining the Rule of Law.

## 7. The "Sahmati Samadhan Nyaya Mission"

To bridge the gap, a dedicated national mission is required–

**Institutional Focus**– Creating a structured environment where plea bargaining is the default option for minor offenses.

**Capacity Building**– Specialized training for prosecutors to act as "negotiators" rather than just "prosecutors."

**Judicial Encouragement**– Judges should be mandated to identify "plea-fit" cases during the first hearing.

**Safeguards**– To prevent coercion, negotiations must be conducted in the presence of a judicial officer with transparent, video-recorded consent.

## 8. Conclusion

The shift from an adversarial to a collaborative model of justice is no longer a choice but a necessity. The proposed Sahmati Samadhan Nyaya Mission represents a bold step toward making justice "certain" rather than just "severe." By institutionalizing plea bargaining, India can move toward a judicial system that aligns with the constitutional ideal of "Justice– Social, Economic, and Political."

Source– <https://indianexpress.com/article/opinion/columns/we-need-a-national-mission-for-negotiated-justice-10599578/>

### Question

**"The persistent crisis of judicial pendency in India necessitates a paradigm shift from 'adversarial litigation' to 'negotiated justice.' In this context, critically analyze the potential of plea bargaining in decongesting the Indian judiciary and the institutional challenges hindering its effective implementation." (250 Words, 15 Marks)**

### 1. Introduction

With over 5 crore cases currently pending in Indian courts—80% of which are in district courts—the "Right to a Speedy Trial" under Article 21 is under severe threat. Plea bargaining, introduced in 2005 through Chapter XXI-A of the CrPC, was envisioned as a primary tool to mitigate this backlog. However, despite its potential, its usage remains at a negligible <1%, highlighting a significant gap between legislative intent and ground reality.

### 2. Potential of Plea Bargaining in Decongesting Judiciary

**Faster Case Disposal**– By allowing the accused to plead guilty for a concessional sentence, the system bypasses the lengthy trial stage, which can otherwise take decades.

**Relief for Undertrials-** It offers an "exit route" for thousands of undertrials languishing in jails for minor offenses (punishable up to 7 years), thereby reducing prison overcrowding.

**Certainty over Severity-** It shifts the focus to the certainty of punishment, which acts as a better deterrent than severe punishments that are rarely delivered on time.

**Resource Optimization-** Decongesting the lower courts allows judges to dedicate more time to complex, serious crimes that require full adversarial trials.

### 3. Institutional Challenges in Implementation

**Trust Deficit and Coercion-** There is a pervasive fear among litigants that plea bargaining might be used by the police for coerced confessions or extortion, especially against vulnerable sections with low legal literacy.

**Adversarial Mindset-** The Indian legal culture is deeply rooted in "contesting" every case. Lawyers often perceive a plea deal as a professional failure rather than a strategic resolution.

**Lack of Incentives-** Unlike the U.S. (where 90% of cases are settled via pleas), the Indian system offers no professional or financial incentives for lawyers to opt for early settlements.

**Judicial Hesitation-** Judges often avoid promoting plea deals due to a lack of clear guidelines and the fear of "vigilance scrutiny" regarding the transparency of the negotiation.

**The "Admission of Guilt" Stigma-** Social stigma attached to a criminal record often discourages the accused from pleading guilty, even for a lighter sentence.

### 4. The Way Forward- Sahmati Samadhan Nyaya Mission

To unlock the potential of negotiated justice, a structured mission-mode approach is required-

**Institutionalization-** Creating a dedicated mission to provide a safe, transparent environment for negotiations, presided over by judicial officers.

**Capacity Building-** Training prosecutors to act as "mediators" and "negotiators" rather than just "accusers."

**Safeguards-** Implementing mandatory video recording of plea proceedings to ensure consent is voluntary and informed.

**Legal Aid Integration-** Empowering NALSA and SLA to educate undertrials about their rights regarding plea bargaining.

### 5. Conclusion

The shift to negotiated justice is not a dilution of the Rule of Law but an evolution toward pragmatic justice. While plea bargaining is not a "silver bullet" for all crimes, its successful implementation through a National Mission is essential to ensure that the Indian judiciary does not collapse under its own weight. Only by making justice "timely" can we make it "meaningful."

Source- <https://indianexpress.com/article/opinion/columns/we-need-a-national-mission-for-negotiated-justice-10599578/>

## 3. An Opportunity in a Crisis (BS)

**General Studies Paper III – Indian Economy & Energy Security**

**Topic-** Energy security and resource management

**Sub-Topic-** Import dependence and balance of payments

### Introduction

India's rising oil import dependence reflects structural weaknesses in its energy and industrial policies. While global oil price volatility exposes economic vulnerabilities, the current situation also presents an opportunity to reform domestic energy systems and enhance self-reliance.

### 1. Extent of Oil Import Dependence

1. India imports over 85% of its crude oil requirements.
2. Imports have risen steadily due to increasing energy demand and stagnant domestic output.

3. LPG and petroleum product consumption have also expanded significantly.

## 2. Causes of Rising Dependence

### Declining Domestic Production

1. Limited exploration success and policy bottlenecks.

### Growing Energy Demand

1. Expansion in transport, industry, and urbanisation.

### Policy Constraints

1. Delays in implementing reforms like Hydrocarbon Exploration and Licensing Policy (HELP).

### Shift in Consumption Patterns

1. Increased reliance on cleaner fuels like LPG.

## 3. Economic Implications

### External Vulnerability

1. Exposure to global price shocks and geopolitical risks.

### Fiscal Pressure

1. Impact on subsidies and current account deficit.

### Inflationary Effects

1. Rising fuel prices affect cost of living and production.

## 4. Structural Issues Highlighted

### Mismatch Between Demand and Supply

1. Consumption rising faster than domestic output capacity.

### Underdeveloped Domestic Ecosystem

1. Limited investment in exploration, refining, and storage.

### Policy Gaps

1. Inadequate incentives for private sector participation.

## 5. Opportunity for Reform

### Boost Domestic Production

1. Encourage exploration through policy stability and incentives.

### Diversify Energy Sources

1. Promote renewables, biofuels, and alternative energy.

### Enhance Strategic Reserves

1. Build buffers to manage price volatility.

### Improve Energy Efficiency

1. Reduce demand through technological and behavioural changes.

## 6. Way Forward

### Policy Reforms

1. Streamline regulatory frameworks to attract investment in oil and gas sector.

### Self-Reliance Strategy

1. Focus on Atmanirbhar Bharat in energy.

### Transition to Clean Energy

1. Accelerate shift towards sustainable energy systems.

## Conclusion

India's oil import dependence is both a vulnerability and an opportunity. By addressing structural policy gaps and investing in domestic capacity and alternative energy, India can strengthen its energy security and economic resilience.



Source- [https://www.business-standard.com/opinion/columns/an-opportunity-in-a-crisis-oil-import-dependence-needs-urgent-policy-fix-126032401405\\_1.html](https://www.business-standard.com/opinion/columns/an-opportunity-in-a-crisis-oil-import-dependence-needs-urgent-policy-fix-126032401405_1.html)

## UPSC Mains Practice Question

**Q. India's growing dependence on oil imports reflects structural challenges in its energy policy.**

**Analyse the causes and suggest measures to enhance energy security. (250 words)**

### Model Answer

#### Introduction

India's heavy reliance on oil imports exposes it to global price volatility and geopolitical risks. This dependence highlights structural issues in domestic energy policy.

#### Causes

##### 1. Declining Domestic Production

1. Limited exploration and policy constraints.

##### 2. Rising Demand

1. Growth in transport and industrial sectors.

#### Measures

##### 1. Boost Domestic Production

1. Encourage investment in exploration.

##### 2. Diversify Energy Mix

1. Promote renewable and alternative fuels.

##### 3. Improve Efficiency

1. Reduce energy consumption through innovation.

#### Conclusion

Reducing oil import dependence requires comprehensive reforms in energy policy. A balanced approach focusing on domestic capacity and diversification will enhance India's energy security.

Source- [https://www.business-standard.com/opinion/columns/an-opportunity-in-a-crisis-oil-import-dependence-needs-urgent-policy-fix-126032401405\\_1.html](https://www.business-standard.com/opinion/columns/an-opportunity-in-a-crisis-oil-import-dependence-needs-urgent-policy-fix-126032401405_1.html)

## 4. Modern Warfare Is Shaping Up to Be More Complex Than Imagined (MT)

**General Studies Paper III – Internal Security & Defence**

**Topic-** Security challenges and their management

**Sub-Topic-** Defence preparedness and modernisation

#### Introduction

Modern warfare is undergoing a transformation from short, decisive battles to prolonged, complex conflicts. Recent wars such as Russia-Ukraine and West Asia conflicts illustrate how technology, hybrid strategies, and attrition-based approaches are redefining military outcomes.

#### 1. Shift in Nature of Warfare

##### From Decisive Victory to Attrition

1. Earlier wars aimed at quick, decisive outcomes.
2. Modern conflicts focus on endurance, resilience, and sustained engagement.

##### Prolonged Conflicts

1. Wars are becoming long-drawn with uncertain outcomes.

#### 2. Role of Technology

##### Advanced Military Technologies

1. Use of drones, cyber warfare, AI, and electronic warfare.

##### Information Warfare

1. Social media and digital platforms shape narratives and perceptions.

## **Precision and Surveillance**

1. Satellites and real-time intelligence enhance battlefield awareness.

## **3. Hybrid Warfare**

### **Combination of Conventional and Non-Conventional Methods**

1. Integration of military, economic, cyber, and informational tools.

### **Non-State and Asymmetric Actors**

1. Increased role of proxy groups and irregular forces.

## **4. Key Features of Modern Conflicts**

### **Resilience Over Speed**

1. Success depends on sustained capacity and adaptability.

### **Economic Dimension**

1. Sanctions and economic warfare play a critical role.

### **Globalisation of Conflict**

1. Wars have international spillovers and global consequences.

## **5. Strategic Implications**

### **Uncertainty in Outcomes**

1. Difficulty in predicting clear winners and losers.

### **Increased Costs**

1. High economic and human costs due to prolonged engagement.

### **Need for Multi-Domain Capabilities**

1. Integration of land, air, sea, cyber, and space domains.

## **6. Implications for India**

### **Defence Modernisation**

1. Invest in advanced technologies and indigenous capabilities.

### **Hybrid Warfare Preparedness**

1. Strengthen capabilities in cyber and information domains.

### **Strategic Autonomy**

1. Maintain flexibility in a multipolar and uncertain world.

## **7. Way Forward**

### **Technological Integration**

1. Adopt emerging technologies in defence strategy.

### **Doctrinal Reforms**

1. Shift from conventional warfare doctrines to multi-domain operations.

### **Capacity Building**

1. Enhance resilience and long-term military preparedness.

## **Conclusion**

Modern warfare is no longer defined by rapid victories but by sustained resilience and adaptability. Countries must recalibrate their strategies to address the evolving nature of conflict, focusing on technology, endurance, and multi-domain capabilities.

Source- <https://www.livemint.com/opinion/online-views/lessons-from-ukraine-and-iran-modern-warfare-is-proving-more-complex-and-unpredictable-than-we-imagined-11774267651606.html>

## UPSC Mains Practice Question

**Q. Modern warfare is increasingly characterised by attrition, hybrid strategies, and technological integration. Analyse the changing nature of warfare and its implications for India's defence preparedness. (250 words)**

### Model Answer

#### Introduction

The nature of warfare has evolved from conventional, decisive battles to prolonged and complex conflicts involving multiple domains and actors.

#### Changing Nature

##### 1. Attrition-Based Warfare

1. Emphasis on endurance rather than quick victory.

##### 2. Technological Integration

1. Use of drones, cyber tools, and AI.

##### 3. Hybrid Warfare

1. Combination of conventional and unconventional methods.

#### Implications for India

##### 1. Defence Modernisation

1. Need for advanced technology adoption.

##### 2. Multi-Domain Preparedness

1. Integration across various domains.

##### 3. Strategic Flexibility

1. Adapt to uncertain and evolving threats.

#### Conclusion

India must adapt to the changing nature of warfare by strengthening technological capabilities and adopting a comprehensive defence strategy.

Source- <https://www.livemint.com/opinion/online-views/lessons-from-ukraine-and-iran-modern-warfare-is-proving-more-complex-and-unpredictable-than-we-imagined-11774267651606.html>