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Political Science

TEST - 3

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SECTION-A

Ans-1) a)

Nozick's theory of justice as entitlement is a procedural theory, based on a historical, rather than end state conception of justice. According to him, justice would have that a person is entitled to whatever is acquired or transferred to him/her through fair means, without force or fraud. The state has no right to redistribute what is acquired through historical responsibility, effort or merit.

Explain

3 principles —

This conception ignores the good of society that could accrue from redistribution. at the altar of an individualistic and libertarian perspective of rights, Rawls in his 'Theory of Justice' has tried to reconcile the notion of individual liberty and the need to equalise.

1 Just
2 acquire
3 transfer
4 Rectification

Whereas Nozick holds that one cannot claim sole ownership to what is essential eg. a well in a desert, Marx's conception of justice places ownership of all material wealth of society by society as a whole i.e. equalising outcomes.

In contemporary times scholars such as Thomas Pogge and Charles Beitz have advocated moving beyond individual rights and national policies to a narrative of global justice that ensures justice for all. feminist critic

5

Ans-1) b)

divis
ision
of state
state
funct
protect
preserve

Ancient Indian political thought as embodied in writings such as Manusmriti, Arthashastra etc. have been said to be pluralistic, inegalitarian and advocating stratification through varna system as per Bhikhu Parekh. Buddhist political thought on the other hand is egalitarian.

Ancient Indian political thought places highest value on dharma which even the king has to adhere to; there is direction to the king to ensure welfare and happiness of people. VR Mehta in Indian political thought has pointed out the prevalence of decentralization, value to public opinion and welfarism of ancient state.

along
with
Danda

based
on
rationality
provides
attention
functions
to
state

According to Rhys Davids, Buddhist tradition is democratic with the king deriving authority from social contract between people and king. Unlike ancient Indian, it is focussed on dandaniti for reform and there is balance between rights and duties. Both traditions, however place ethics and religion within the realm of kingship.

Ans 1/c

Power when combined with legitimacy is said to become authority. Without legitimacy, power is just brute force. Authority, as per Weber, could be traditional, charismatic or legal rational, each legitimized due to traditions, attraction for personality cult or laws of the state respectively.

5/2
Joseph Raz gives the pre-emption thesis of authority deriving from replacement of own reason by those reasons given by authority.

Legitimacy, according to David Beetham, of power is only when power is exercised as per established rules based on shared beliefs of the subjects and the exerciser of power.

anarchists like Peter Kropotkin hold that 'the main supporters of crime are idleness, law and authority' and no authority is legitimate.

Habermas points out the legitimation crisis of advanced industrial societies wherein the state cannot possibly satisfy both the democratic pressures and demands of private property in capitalistic mode of production. In such scenario, according to him, state 'decouples' and starts rhetoric on rights and freedoms to withdraw from actual demands of people and maintain the legitimacy of its exercise of power.

Ans-1) d) Foucault, highly influenced by Nietzsche and Bataille as he was, held that the will to truth and knowledge is indissociable from will to power. Knowledge leads to power and this power can be used create more knowledge. This is a productive conception of power.

He holds that every society has its regimes of truth, the discourses it accepts and makes function and true. It is in this itself that the society is subject to power.

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How power is developed through discourses & leads to knowledge system
power is everywhere, and comes from everywhere in that everyone is simultaneously subject to and exercises power. He also talks about biopower, the control over population and discourse on what is normal sexual identity and behaviour etc., exercised on individuals.

Similarly, panopticon is the constant awareness generated in people of being watched by the eye of the state, self subjecting themselves to discipline. He extends power to the realm of definitions of things, disciplines and institutions such as hospitals, sanatoriums and schools.

Ans-2) Antonio Gramsci, the forerunner of post marxist school of thought has elaborated on the concept of hegemony in his 'Prison notebooks'. He enquires into the reasons of the failure of coming of proletarian revolution despite the

inherent contradictions of capitalism.

According to him it is the hegemony of capitalist beliefs and ideals, exercised through the institutions of civil society in the superstructure that have become the common sense of the age. that it would not be possible to overthrow capitalism without counter hegemony.

The counter hegemony will be built upon ideas given by organic intellectuals, rising from within the proletariat class. This will help to rally the workers and subalterns into a historical bloc to challenge the capitalist hegemony.

the point of difference from Marx is the relevance of ideas and not only material base in maintaining capitalism.

Base is therefore not independent of influence of superstructure. The paralysis of society's critical faculties, overwhelmed by false needs created by capitalism is well later highlighted in Herbert Marcuse's One dimensional man also.

Structure
of
Validation
←
Edu, family
social &
religious instt

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Ans-2) a) Multiculturalism accepts and accommodates the multiplicity of cultural adherences of people and advocates the protection of culture as an element of individual's identity.

The conception of culture as a closed group with own sets of beliefs as held by Will Kymlicka supports the giving of special rights

to ethnic groups & national minorities. Shikha

Parekh says that no single culture can encompass the essence of humanity, so all cultural contexts need to be preserved and protected.

Joseph Raz holds that cultural rights should be protected to the extent that they are in consonance with liberty and democracy. Liberal cultural values need no state protection.

As such, multiculturalism has come under criticism from various schools of thought. Liberals condemn the any salience to culture that undermines the neutrality of civic space.

Feminists such as Susan Moller Okin has pointed to the illiberal, patriarchal and exploitative nature of cultures eg. (restrictions on women in Saudi Arabia)

Anandya Sen says that it leads to miniaturization of humanity. Kukabhas' criticism stems from the notion of rights as they are meant for individuals and not groups and

how multiculturalism cannot address inequalities within cultural groups,

conservatives have deplored the anti nation building and nature of multiculturalism. Seyla Benhabib says that it prevents emergence of a cosmopolitan culture. According to Brian Barry, the loyalty to group interests can divert attention from the universally relevant problems of humanity such as poverty or suppression of liberties.

Post modernists hold that an individual is located at the intersection of multiple identities and not a single cultural group.

The inherent contradictions are visible herein that while multiculturalism itself advocates rights and protections, it may itself result in undermining or negation of others.

Ans-2b)

Human rights were incorporated in the global vocabulary through the UN declaration on human rights of 1948. They were further elaborated through the International covenants on civil and political rights and on Economic, social and cultural rights.

Karel Vasak has divided human rights into three types:

- i) 1st generation rights eg. right to free speech
- ii) 2nd generation rights eg. right to livelihood
- iii) 3rd generation rights eg. right to clean environment

According to ~~Mozick~~ Hayek, 2nd generation rights of social justice are meaningless since market is like a giant central nervous system, ~~functioning~~ functioning according to principles for best outcomes.

Jeremy Waldron responds to critics of 2nd generation of rights that opportunity has to be accompanied by enabling circumstances.

Karl Polanyi argues that unhindered freedom may lead to economic concentration, suppressing the political freedoms of others.

The debate has also taken the shape of contestation between western and Asian world views.

As Lee Kuan Yew held that democracy and rights are not as important as stability and order for developing countries. To this

Amartya Sen's reply is that democracy is a universal value.

Human rights have also been criticised for serving to advance the geopolitical interests of western countries in other parts of the world (eg. US in Libya) under the guise of humanitarian intervention which Noam Chomsky calls new military humanitarianism.

Vs ← Cultural relativist
The universalist pitch of human rights as popularised by the west has hegemonic connotations, pushing for a liberalized world in a framework of individual freedoms which may be incompatible with national development goals. The pursuit of third world leaders over war crimes through international criminal court has invited criticism due to the non application of same standards on the west over deaths in the global war on terror. It is in this context that Rwanda and Burundi withdrew from Rome convention.

- traditional social struct. Vs modern post-colonial
- narrow social base of democratic state, consciousness
- Apartheid Ben?

The debate on human rights, therefore, continues

Ans-2)c)

Alienation has been discussed by Marx in 'The economic and philosophic manuscripts'. He calls it the estrangement of one from 'species essence' (Gattungswesen) because of being a mechanistic component of a stratified capitalist society.

Man experiences alienation from:

- i) labour product of his labour
- ii) process of labour
- iii) from fellow workers
- iv) himself

because he produces the same thing over and over again with none of his own planning or creativity involved through pre-planned processes in a factory where his fellow workers also have assigned jobs. The self actualization potential is lost and he becomes a part of a mass of humanity similarly situated as himself, losing own identity.

The concept of alienation has been used by scholars and writers in other schools of thought also. Robert Putnam holds that there is loss of social capital because of which people fail to cooperate in the post civil society.

According to Reisman, in his book 'The lonely crowd', people ~~feel~~ feel alienated because they think their presence or absence in an activity won't make a difference.

McMill and Kidley give three reasons for people feeling alienated: social status, dissatisfaction with certain issues and low social competence.

Thomas Merton holds the mass man drifts in the mass society with no identity of his own. Robert Nisbet in 'Community and Power' deplares modernity for stripping man of any sense of authentic self.

Eric Fromm in 'The Lonely Society' looks at alienation from the pathologies of the society which have led to disease for individual.

good ✓ Seeman's account of alienation is that of powerlessness, normlessness resulting into self estrangement and cultural estrangement.

William Kornhauser in 'The politics of mass society' has said that mass politics of mass society threatens democracy due to alienated people who have no faith in legitimacy of establishment and proceed to destroy it.

supporters of liberalism and its economic consequences in capitalism hold that alienation is nothing but a brake on discovery of individual talent and the pursuit ~~and~~ of innovation and growth.

H. Arendt - her concept of mass societies

Ans-3)b). Hannah Arendt's theory of action classifies human activity into three categories and human indulging in those activities at different states of existence.

↗ nature of
the states and human existence when in them are:

- | | |
|---|---|
| i) when working out of biological necessities for survival ✓ | - <u>animal laborans</u>
doing <u>labour</u> |
| ii) when doing things in public institutions and social life ✓ | - <u>homo faber</u>
doing <u>work</u> |
| iii) when politically participating in public realm with others ✓ | - <u>zoon politikon</u>
vita contemplativa
doing <u>action</u>
or <u>vita contemplativa</u> |

It is in the realm of public activity that the new, unexpected, unanticipated and unconditioned can come out as human beings indulge in collective discussion. This notion is close to Aristotle's idea of the true realization of humanity in the public realm, in politics.

(742) This civic republicanism is what causes Hannah to criticise Marx for giving primacy to animal like labour and Hegel for advocacy of history as unfolding of the idea. For Hannah, the newness of thoughts that have possibility of emerging in political collective reflection is what the highest state of existence is.

Although this notion has been criticised for impracticality in a complex polity requiring expertise, knowledge, specialisation and division of labour besides undermining representative institutions, Hannah remains one of the most original thinkers.

How it is giving rise to totalitarianism in mass societies?

└ People engrossed in economic activities don't have time for public debate & engage in pol activities

Ans-3) a)

Gender as a key category of difference among humans has not been accounted for by theories of justice. This is the principle contention of feminists because the tradition, socialization, role fixation, division of labour, distribution of resources, access to opportunities etc. that genders results in causes inequality for women and is thus unjust.

(7) Susan Moller Okin in her book 'Gender, Justice and Family' has pointed out the generic male terms of reference and ignoring of justice in the family by Rawls. She is also critical of the cultural relativism of communitarians such as Michael Walzer that obviates the need for a 'human moral theory' of justice, applicable equally to the man-woman difference that exists everywhere.

The legalistic approach to justice is of no material outcome for women so long as the divide between personal and political remains. This is embodied in

Nussbaum

Carole Pateman

Chrenshup

Fris M. Young

critics theory of Justice

as it overlooks dominant

& oppression of women

within social str.

- takes abt

differential

Carol Hanisch's 'personal is political', women's disadvantages disempower them from ~~part~~ political participation while the gendered nature of family is mirrored directly in that of society and polity. Such polity then cannot possibly address the private as well as public subordination of women in spheres of education, power, leisure, resources.

Familial responsibilities tie down women in raising children, care of the sick and elderly and so long as this work is undervalued and under/un-paid, women cannot achieve justice, according to Okin. So, she holds that family should be the unit of concern for theories of justice.

Radical feminists such as Kate Millet held that for emancipation of women the institution of family itself needs to be overthrown. For her, it is the patriarchy embedded in the structure of a heterosexual ~~couple~~ couple family that is the root cause of women's subjugation.

It has to be pointed that within the feminist school of thought diverging perspectives on justice and its achievement exist.

Ans-3) c)

Karl Popper calls Plato as the enemy of open society. The ~~primary~~ primacy of the philosopher king in Plato's ideal state and his ~~dictate~~ distaste for democracy stem from his fascist-like belief in the natural inequality of human beings.

According to Popper, the myth of metals and removal of majority from governance based on notions of the overall good, peace, harmony and excellence in society is a form of political violence. Herein, the individual is subordinated to the state, sacrificing freedom for education, creativity, ownership of property etc. for a higher ideal.

Popper says the ideal state is equally discriminatory to the ruling class which is deprived of worldly pleasures and family and leisure. However, the intention of Plato has to be kept in context. His purpose was the good of everyone and welfare rather than exploitation or dictatorship.

justified
and
equal
treatment
of
citizens
Impartiality
of courts

Popper is justified to the extent that Plato's ideas would not be palatable today, but looking at the time and circumstances of Athenian decay and stateled murder of Socrates at the altar of a corrupted democracy, Plato's ideal state was meant for universal good and remained a utopia.

Plato's scheme of education consisted of 4 stages as shown below

- 1) 0-18 yrs — { → i) primary education - music, gymnastics, moral stories
→ ii) secondary education in major disciplines
- 2) 18-20 yrs → military education followed by 1st filtration, removed become producer class
- 3) 20-35 → higher education followed by 2nd filtration, removed become soldier class
- 4) 35-50 yrs → practical training
eligible to be philosopher king

This has theoretical as well as practical components along with moral training. But such a lengthy timeline could make the last of the candidates at 50 yrs too exhausted to rule. The assumption that people eligible to be philosopher kings would willingly give up ~~work~~ opportunity for the best one seems flawed. Also, slaves have no opportunity for education although they might have reason

mainly
meant
for
administrators
&
rulers
aim to
produce
ideal
philosophy
not
man of
action

SECTION-B

Ans-5)a)

Indian Constituent Assembly was subjected to a number of criticisms such as;

- i) not representative as not directly elected and only 14% of population could vote
- ii) not sovereign as had to meet as per imperial directions
- iii) overrepresentation of Hindus and lawyers and Congress
- iv) Patel, Nehru and Azad formed an oligarchy

people only
politician,
lawyer

Lord Viscount Simon called it an assembly of Hindus and Winston Churchill called it representative of one community. JP Narayan called it a biased assembly.

However, most of the members were re-elected in the 1952 election corroborating the will of people in the assembly.

Non Congress experts and members such as KM Munshi, BR Ambedkar, Hindu Mahasabha representatives were also there.

partially
indirectly
elected
partially
nominated

5 1/2

Granville Austin has highlighted the universal acceptability of Congress to account for Congress' once-representation. ✓

good ✓ As Shribani Kinker Choudhary pointed out, the task of carving out political principles not expressed through a revolution (as in other countries) was itself a revolutionary act of the Assembly and deserves appreciation.

Arvind Elangovan in 'The making of the Indian Constitution' has aptly pointed out the resolved and unresolved tensions in the making of constitution which later erupted with Ambedkar dissociating with the Constitution. ✓

Ans 5) b) Environmentalism in India has been termed as 'empty stomach environmentalism' by ✓

Ans-5) b) According to Guha, India has varieties of environ-
mentalism. There is no single strain of method
or strategy in the environmental movement
which is of a relatively recent origin in India.

The Chipko movement of 1970's in Uttaranchal
and the Appiko movement of 1980's in Karnataka
region had Gandhian method of non violent
protest. Sunderlal Bahuguna undertook
a long march to raise awareness of the
resource exploitation and exclusion of the
locals from ~~access~~ forest resources.

In the case of Silent valley movement against
dam on Kantipuzha, the KSSP mobilized
not only local but also IUCN and WWF
to raise protest against the dam. Interestingly
it was purely out of concern for environment
as dam was to be located in forest. They also
deployed the strategy of proving that the
power needs could be satisfied through
thermal power plants.

The Narmada Bachao Andolan pressurized
the World Bank to withdraw support. Other
people such as MCMehra have been called
'one man enviro legal brigade' for the long
legal methods used.

Judicial intervention was also elicited by
environmentalists leading to judgements
such as in the Ratlam Municipal Corporation
Case and Shree Ram case giving environment
a stake in social justice.

Ans 5(c) The idea of National court of Appeal ^(NCA) had been supported by a Supreme court judgement in 1986. The 229th report of law commission also envisioned such courts. ~~For~~ K.K. Venugopal has been an ardent supporter.

54 The issue of distance from Delhi of southern and north-eastern states, the pendency of around 60,000 cases in the apex court, the costs associated with travel to Delhi and the overwhelming of the court by matters of mundane issues such as adoption, rent, divorce etc. rather than dealing with constitutional matters makes the idea of NCA attractive.

However, the dilution of the constitutional authority of Supreme court (SC) is a risk. Also, if SC uses strict conditions for admitting special leave petitions under Article 136, number of cases will automatically decrease.

Subroto Patheasarthi has advocated the strengthening of the lower courts to improve quality of judgements. ~~this is because~~ Also even if NCA is established there is no guarantee that people will find excuses to appeal to SC under Article 136 given that SC has already ~~been~~ been admitting voluminous family.

Rather than adding another layer of institutions, it ~~too~~ might be better to first set the house in order by filling current vacancies.

make SC more for inter protection of constt

make it less burden with cases decided from HC

Ans-5)e)

The project of democratic decentralization and grassroots governance envisaged by the 73rd and 74th amendments remains a work in progress.

A number of challenges ail the successful functioning. The states have not delegated sufficient taxation powers or governance functions to the local self governments (LSGs) which remain understaffed and underfunded. Mani Shankar Aiyar committee had pointed to the nexus between bureaucrats, politicians and panchayat members. He held that this was decentralization of corruption.

There is no clarity about the functions of LSGs; activity mapping has not been done. The role of women is limited through what Sudha Pai says are Pati panchayats. Also, there are turf wars wherein bureaucrats refuse to accept elected representatives' leadership.

In the cities, the elected mayor has been a mere figurehead, the state governments unwilling to let go funding and operational control. States such as Kerala with robust LSGs remain an outlier. With GST, confusion is further exacerbated on the funds for LSGs.

Ans-8(a)

natural
stake
in centre
demand
of
redistribution

Regional parties in India have according to Prof. M V Singh led to electoral federalism, giving the diverse regions in India a stake in electoral politics of the union as well as the states. This is distinct from the well institutionalized national level parties in the western democracies which are neither as many as the total number of parties in India nor have similar features.

Regional parties are normally centred around a figurehead and led by his/her family as is visible in DMK or Shiv Sena. They are in coalition with national parties at the centre as junior partners and may also form government in the state as senior partners.

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improved
fraternal
solidarity
but acts
on self
interest
stake
of each
sectⁿ

The link of regional parties with regional capitalists is also too hard to ignore. They have little internal democracy even as they democratize the political sphere through their varied perspectives. They try to mobilize people based on regionally salient concerns such as ethnic cause (Assom Gana Parishad), language cause (DMK), caste cause (BSP), religion (Akali Dal) and so on.

Herein lies the rationale. As James Mann had pointed out that India is too diverse to be represented by a single party. The diversity becomes at once manageable and politically segmenting. The regional parties act as a channel to voice these varied concerns.

11/11/21) The Election Commission^(EC) has emerged as a beacon for Indian democracy, ensuring conduct of free and fair elections. A number of laudable steps taken by EC are :

- i) introduction of photo voter ID cards in 1990's
- ii) computerization of electoral rolls
- iii) use of EVMs
- iv) systematic voter education and electoral participation to make voters aware
- v) disclosure of criminal antecedents, education and assets mandated in 2002
- vi) Model code of conduct (MCoC)
- vii) Reduction of campaigning period from 21 days to 14 days
- viii) Countermandering through use of Article 324

According to BI Fadia, Sukumar Sen was an example for election officers of newly independent countries.

A few concerns regarding limiting campaign period as reducing vibrancy of democracy have been raised. Similarly the long period of moratorium on government initiatives due to MCoC is said to slow down governance and work.

But, as Alistair McMillan writes in the Oxford handbook on Indian politics, Election Commission has become an active player in safeguarding India's democratic electoral process.

Ans. Dc)

Tribal movements in post independence India emerged as identity movements around concerns for land alienation, exploitation of resources, representation in governing bodies and inequality in status.

The Santhal pargana of Bihar saw the emergence of the peaceful rise of the movement for Jharkhand, the party Jharkhand Samukti Morcha making considerable electoral mark in the 1980 elections. The eventual conceding of demand for a separate state in 2000 marked a success of tribal movement.

In the north east, the tribal movements involved taking up of arms, especially in the case of Nagas. The Nagas' internal dissensions led to breakdown of Shillong Accord of 1975. At present organisations of the Nagas of Nagaland such as Nagaland against corruption and unabated taxation have emerged as a counter forum to the violent philosophy of insurgency.

Other tribal movements such as that of Kondhs of Niyamgiri (Odisha) got interlaced with concerns for environment and cultural protection, using legal means to thwart onslaught of destructive developmental projects.

In the Indian context, the social movements are going side by side with new social movements without a sharp temporal boundary. Those for against caste oppression such as the one led by Bhim Army is a social movement but utilization of social media is a new feature.

- not a class based mt

- elite leadership

- not localised

demands of livelihood as well as quality of life