

Political Science & International Relations 4,7,8

Crash Course & Test Series - 2022 |

Test 5

Time Allowed: 3 Hours

Max Marks: 250

Name Kanika Goyal
Test Date 28-08-2022
Email Address _____
UPSC Roll No 3517201

Instructions:

1. There are EIGHT questions divided in TWO SECTIONS and candidate has to attempt five questions in all.
2. Question Nos. 1 and 5 are compulsory and out of the remaining, any three are to be attempted choosing at least ONE question from each section.
3. Content of the answer is more important than its length.
4. Answers must be written in the medium authorized in the admission Certificate, which must be stated clearly on the cover of the booklet in the space provided.
5. Content of the answer is more important than its length.
6. Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off.
7. All parts of the question should be written at one place itself.
8. Write the test in exam atmosphere.
9. **Filling all the details in BLOCK LETTERS is mandatory.**

S. No.	a	b	c	d	e	Total
1						
2				X	X	
3				X	X	
4				X	X	
5						
6				X	X	
7				X	X	
8				X	X	
Grand Total						

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	Poor	Average	Good	Very Good	Excellent
Understanding of Questions					
Structure & Flow					
(a) Introduction					
(b) Conclusion					
(c) Overall					
Subject Knowledge					
Presentation					
(a) Underline					
(b) Paragraph					
(c) Overall					

Overall Remarks:

Dear Student,

All the best for next test...!!!

a) Discuss the role of Organic Intellectuals. (10 Marks)

Philosophers till now have only interpreted the world what matters is to change it^a

Karl Marx.

Organic Intellectuals refers to the theorists, who build their theory to justify the relevance of a particular Idea for example Hegel emerged as a Organic Intellectual of the Prussian state calling^c state as the march of god on this earth^a

However, Marx criticised them as spreading^c ‘false consciousness’ and through ideas of historical materialism said that as class consciousness automatically transform from^c ‘class in itself’ to ‘class for ~~itself~~’ revolution will come.

However, as revolution failed to come in the advanced capitalist states, Gramsci 'the theorician of Superstructure' diagnosed the reason of 'opaque societies' having its own set of intellectuals in civil society.

In contrast to Marx, Gramsci to ensure 'the common sense of capitalism is attacked', 'counter hegemony' is built asked for working class to have its organic intellectuals.

Even, Lenin prepared 'Intellectuals' in the Bolshevik party for Revolution, reflect their centrality in sustaining Regimes e.g. Alexander Dugin in Russia for Neo-Eurasianism.



(b)

Examine the relation between Liberty and Equality. (10 Marks)

liberty and equality are both the values of modern societies, where liberty asks for maximum freedom, equality based on inherent intuition of just and equal societies.

liberty emerged as a value under classical liberalism, was seen as a -ve injunction of the state, also John Locke the father of political liberalism held 'those who are enterprising, industrious will automatically accumulate wealth, thus in the social sphere it was 'survival of fittest' and in economic 'market as the invisible ruler'

Equality, emerged with socialism with 'equality of outcomes' for the proletariat and a call was given for maximum freedom and maximum equality in communism by Marx.

liberty and equality, strengthened relationship as the thesis of T.H Green, J.S Mill led to evolution of 'welfare capitalism' in the west and positive liberty.

However, soon in wake of market fundamentalism, under Friedrich Hayek theory 'equality' took step back, Isaiah Berlin called -ve liberty as true liberty.

But as C.B Macpherson and H.J. Laski puts it both liberty and equality are complementary, Laski even say those who consider ^{equality} as obstacle, do not understand liberty itself



1(c)

"Socialism is itself a fulfilment of Democracy". Explain. (10 Marks)

Socialism is a political ideology based on principles of 'equality of outcome'.
J. Schumpeter in his book 'Capitalism, socialism and democracy' defines as a system where what is produced, how it is produced and in what quantity' is decided by Public Institutions rather than private firms.

Socialism ensures that there is equality in the social, political, and economic sphere thus making democracy possible with the participation of people.
eg. Article 46 of Indian constitution allowing dignified lives to SC and ST.

Further, Socialism provide social-economic avenues of participation,



under the state regulated public ~~Ind~~
Industries and Institutions e.g. Ameskhar
vision of socialism for upliftment of all
and Thomas Piketty praising Indian Reservation
policy

Right to Vote to people and
Representation as Edward Bernstein in his
'evolutionary' socialism argue provide
visibility and power to all, as seen in
Nicolas Plouventz 'Theory of political power
in social system'

Though criticised as 'equal sharing
of miseries by ~~winston~~ winston Churchill,
socialism is a precondition to exist as long
as inequality exists.

(d)

Discuss the Marxist Critique of Liberal theories of democracy. (10 Marks)

'Democracy is not just the dictate of the west, communist societies can also be democratic if inter-party democracy prevails'

C.B. Macpherson.

Liberal theories of democracies as analysed by C.B. Macpherson in his 'Theory of Democracy' reflect to divisions.

Classical Models propagated as 'protective models' by John Locke as Representative democracy giving limited power to state and inalienable right to people and 'developmental model' of J.S. Mill promoting Freedom of speech and expression.



Though based on 'Norms' Marxist criticise these models as imposition of liberal values through regime change attempts, also Bernard Cohen argues these effectively promote value of liberty over equality perpetuating misery.

Further, the elitist model representing the Schumpeter-Dahl axis of election machinery and market model with 'people participation limited to elections' and just symbolic.

Ralph Miliband argue that Democracy of the west continues to be a 'myth' as Bourgeoisie control power, therefore as Neo-Marxists like Habermas and Althusser puts its 'the structure of democracy cannot be democratic until people participate at each level'



1(e)

"Sovereignty as ideally conceived in legal theory nowhere actually exists." Analyse. (10 Marks)

It is an impossible misadventure to discover sovereignty in society and as society is federal, state should also be federal⁹

Harold J. Laski

Sovereignty, is the essential concept of the modern nation states modelled on the lines of Hobbesian principles and practices and thus Monistic theory of sovereignty where law is the command of sovereign as a act light for analysis.

However, the pluralist thinkers like Harold J. Laski agree that it would be lasting benefit to political science if sovereignty is expunged out of the discipline.

It has led to war, human right violations and the regimes of Hitler and Mossolini, also they hold that man is 'multidimensional' and state as a single institution cannot fulfill all need.

Dezriet and Krabbe's sociological analysis considers customs and traditions also a source of law.

Madver argue evolutionary perspective where 'state is a source and child of law' and general will is will of people.

Yet, Pluralists argue that state will continue to be a 'key exponent' in politics.

But due to its central functions it automatic attain centrality. 'sovereignty thus do exist with state as with the People'



A well-ordered society, according to Rawls, is effectively regulated by the public conception of Justice. Do you agree? Give reasons. (20 Marks)

John Rawls is the father of contemporary political philosophy which began with Theory of Justice in 1971.

The background of his theory was rising social movements in the United States (Vietnam peace, feminist, environmental etc.). The civil rights movement reflected the inherent injustice framing the basis of society.

Rawlsian diagnosis held that 'justice which is a first & virtue of any social system' was missing from public conception as socio-economic policies were based on 'Greater Happiness for Greater Numbers'.

The Inherent vice of Utilitarianism, Rawls argued is the philosophy of sacrificing 'Individual dignity' and 'equality' which however are central to any basic conception of justice.

Even for socialism he felt would not deliver 'justice' that he interpreted as 'Fairness' in people perception due to its inherent vice of 'miserable for all'.

Rawls to ensure all participate creates a 'Purely procedural theory of justice' premised on nothing but following a 'Rational procedure' to attain principles through debate and deliberation.

He assumes people as 'Kantian Moral Individuals' who are unaware of their



particularities and thus through process of Reflexive equilibrium reaches to three principles of justice in a lexical order:-

1. Right to Maximum possible liberty
2. I Equality of opportunity
- 2II Maximum advantage to least advantaged

Thus, through this Rawls hoped to counter growing dissatisfaction and establish public belief in state.

However, his universal theory was criticised by Marxists like Bernard Cohen, who said equality is necessary for people to feel justice.

Nozick said that Rawls theory undermines people talent and gave his own historical and entitlement theory of justice, to ensure effective expression of



personality of all.

Feminists like 'Catherine MacKinnon' and Carole Pateman call Rawls theory as Masochist arguing for moving towards a feminist theory of state.

Michael Walzer and Michael Sandel argued it submerges man by taking them as unencumbered, atomistic individuals breaking social good without which justice is not possible. (Robert Putnam)

Thus, as justice matters for us in the time of flux with COVID-19, increased cost of living crisis, downtails in Sri Lanka, Myanmar, Afghanistan it is our conception of justice and Deliberation that matters and so is argued by John Rawls

Que.4(b)

Although Hobbes is an absolutist, he begins and ends as an individualist. Comment. (15 Marks)

Thomas Hobbes, is the thinker of 17th century, whose Leviathan (magnum Opus) continues to define the principles and practices of the modern Nation states with forming basis of theories like Utilitarianism, Realism, sovereignty etc.

GH Sabine ^{to contrary} has argued that Hobbes begins as an individualist through Resolutive composite method and analysis of elemental structure of human mind as affected solely by emotion of love and aversion holding 'all human desire power, the thirst for which ceases only at the end of life'.



But, Hobbes as a solution to state of war and survival crisis creates an all powerful Leviathan, where people transfer all their rights to 'preserve their right to ~~right~~ life'. This absolute apparatus with concentration of power solely in the state and with power to punish make him argue that 'Hobbes ends as an absolutist'

However, recent contextual analysis by the Cambridge scholars have shown that Hobbes though seem to be Absolutist, his preservation of Right to life and provisioning absolute right to self defense with a right to Revolt' make him end as an ~~abs~~ Individualist.

But, as Oakeshott holds Hobbesian Leviathan as ~~one of~~ the best ~~pl~~

political philosophies in history of English literature, it would be reductionist to limit him to either of the positions.

On the other hand, it is Hobbes beginning as an Individualist which motivates him to create absolute state apparatus for preservation of order and life. Laski too notes as 'Hobbes was the child of civil war, and so was Leitham'. The provision of Right to self defense is in response to the destruction which otherwise can come.

Thus, Hobbes is the Greatest of all Absolutist as well as Greatest of all Individualist.

4(c)

Critically examine the concept of 'Political' given by Hannah Arendt? (15 Marks)

Hannah Arendt is the only female philosopher in the grand canon of male philosophers. Her thinking is heterodox and original and as she notes in ' beyond barriers' ^{without}.

In her ' On Human ^{Action} ~~Nature~~' has given the concept of the ' political' where she says man is not labourer (physical producer) but a zoon politikon or a political man.

As, it is the inherent nature of human to come and debate the ' political' for her is shaped in the public sphere where people can be present in their

Original self arguing and debating about the nature of structures they need.

In 'On totalitarianism' she argues that it is the attack on the public sphere through conversion of people to masses that the unprecedented violence prevails.

she further argues, that 'The real exercise of power' which is neither legitimacy, force ~~or~~ strength or violence takes place in the 'political-public sphere'

Taking ground in phenomenology and on her experiences in Germany and USA, she says that 'Public sphere' promotes 'Natality' i.e. freedom of innovation

within people.

Thus, for Hannah Arendt, the 'political' is the public sphere with people coming and debating. She regards 'American Revolution' as a ~~state~~ tale of freedom' as it strengthened the public sphere of the people.

Today when the civic protest rise in Venezuela, Myanmar, Sri Lanka, Europe, Catalonia it is her thinking that guide people to deliberate and debate and abate 'Totalitarianism'.

Que.5(a)

Discuss the impact of coalition politics on the collective responsibility in India. (10 Marks)

A. 74 of the Indian constitution hold the ~~the~~ Council of Ministers collectively responsible for any action of the government, it is exercised through various motions like ~~sent~~ censure motion, adjournment motion, calling attention motion and most significantly through 'No-Confidence motion'.

In The coalition era in the words of M.P Singh 'federal axis' is brought to the parliament and regional party men gain strength eg. The State of K. Gopal undermined by respective party leaders'.



Thus, all are responsible to their respective party heads, and not to the internal mechanism of the government.

Further, the problem of shifting alliances add 'Bargaining' Federalism add instability to the government eg. recent shift in Maharashtra, the reason George Washington argue for a federal polity to adopt 'Presidential system'

However in the words of Edward Luce as India has sailed through the time of coalition era, even with UPA-I UPA-II and NDA under Sh. Atal Bihari Vajpayee completing full tenure, which increasing the growth figures consistently have should the sailing effect.

Que.5(b)

Mention the constitutional provisions relevant to the environmental issues. (10 Marks)

5(b)

Environmental Issues finding an effective space was made possible with consistent state level as by the social movements

The provisions are :-

A-21: Right to healthy environment

A-21: Right to pollution free air, water

A-48A: Responsibility of state to preserve protect and safeguard environment

A-51 : duty of citizens to preserve and safeguard the environment.

5th and 6th schedule : Indigenous community over social resources.

Thus, through amendments, Judicial Interpretations (MC Mehta Case, Olega Tellis case) environment has become



an essential bedrock of our fundamental living.

However, as according to WHO figures India is a home to 6/10 most polluted cities with Indian citizens affected by it, forest cover stagnating to ~23%. Environment in the words of R. Guha still is a 'basket case of tragedy'

To ensure effective safeguarding and achievement of SDG goals Sunita Narain argues that grassroot movement and support is essential.

Madhav Gadgil too call for reforming the current laws to give people more power.

Que.5(c)

The fundamental duties of citizens seek to emphasize fine moral qualities and a strong sense of social responsibilities. Elaborate. (10 Marks)

'Rights are not empty of duties'

Harod J. laski. fundamental duties were included in Indian constitution through 42nd AA after recommendation of Shri Swaran Singh committee.

These emphasise the fine moral qualities by laying stress on respecting the National symbol, National Anthem, National flag as seen recently through Har Ghar Tranga campaign.

It also, ask citizens to ensure love and brotherhood is promoted in society, they give up any practice derogatory to the dignity of women and develop a scientific temper for their continuous progress.



It puts on ^{strong} social responsibilities through putting responsibility to serve the nation when required and serve it regularly through preservation of environment, ensuring proper education to children, and continued social progress.

Thus, they reflect the values and beliefs of Indian civilisation as echoed by the Messenger of India Sri Aurobindo Ghosh though sounding vague, they are providing life to 'Indian being' and True Swaraj.

Que.5(d)

Explain how the ordinance making power of the Executive needs to be suitably restrained? (10 Marks)

'Ordinance is a medium of urgent action, not a regular mechanism of law making'

DC Wadhwa Case.

Indian Constitution under Article 123 and Article 201 provide the ordinance making power to the President and the Governor respectively.

The route was made available to ensure that governance is not stalled, when Parliament is not in session, which would effectively pass or reject it within 6 weeks of its re-assembly.

However, as in case of abrogation of A-370, farm bills, IBC Ordinance, 2018, Fugitive offender Ordinance

The route has been extensively used especially during COVID-19 the route was a only law-making mechanism followed in practice at both centre and state as per Louis Tiller.

The power has be restrained to ensure 'the parliament is not in decline', in the words of Dr. R. Kothari effective law making within Parliament will ensure non-party political processes are abated (eg. Recent farm bill agitation)

Thus, NC RWC Recommendations and SC pronouncements in RC cooper, DC Wadhwa Case need to be followed.

Que. 5(e)

Discuss the Role of regional parties since 2014. (10 Marks)

5(e)

In the words of Suhas Pablikar post 2014 victory of BJP, and simultaneous victory across states and again in 2019, proves that India is witnessing a fourth wave of Party politics i.e. the emergence of the BJP system.

The role of regional parties appear to diminish at the centre as the coalition era has ended, BSP, SP instead of exercising impact on National Politics are no longer in the states.

Also, the ^{Saffron} wave according to Thomas Blom Hanson has led to changing nature from 'Caste politics' to End of Ideology thesis of developmental politics with all hints of communalism at state levels

eg. as seen in recent Hijab Row controversy during UP elections.

However, another reality is also the decline of the Congress, which is unable to present a front at National politics with the absence of strong opposition. Zoya Hassan argues 'the coalition of regional parties' form the future at National level.

But, as seen during the recent Presidential elections that too is a far reality according to CSDS Lokesh Sanjay Kumar.

Que. 7(a)

Municipal Governance in India is not sufficiently prepared to meet the challenges of good urban governance. Elucidate the statement and give your suggestions. (20 Marks)

‘The structures created under 73rd and 74th Amendment Act continue to be Half baked case’

Mani Shankar Iyer Committee.

Municipal Governance apparatus was created under 74th Amendment Act, to enable the structures of grassroot governance and pave a way for strong participative culture of democracy.

The provision reserved 33% seats for women, proportionate for SC/ST, and also left it on state to reserve for OBC, State Election Commission and State Finance Commission were created for regular elections and finance.



But as these were given powers under schedule 12 of the constitution, it was only voluntary upon states to devolve them, the states which themselves continue as 'glorified municipalities' did not allow either funds, functionaries and funds to be diluted to the corporations.

Also, the 21st century brought new challenges with growing urban areas both census and statutory towns, increasing consumerism leading to huge pollution only few municipalities like Indore could perform.

The Heart of the Urban governance to be good and ethical is to be based on citizenary participation which as 2nd ARC note is absent in municipalities due to absence of Area Subhas, ward committees on

line of rural architecture.

Further most are fund scarce with minor access to resources leaving most of functions unfulfilled, however Mani Shaker Eye committee noted that 'Corruption was devolved' to them and there exist huge misappropriation

As Amartya Sen notes development is the upliftment of the downtrodden and not further enrichment of opulent the Corporation need certain reforms ^{along with above.} to meet challenges:-

- ① Adoption of mechanisms of e-governance so that the people can effectively register grievance e.g. Mumbai Pothole app.
- ② Provision of District Planning committee



to be coordinated by the elected officials for plan laid out and not administrators (2nd ARC)

- ③ Greater access to finances to the corporations through removal of condition on Profession Tax (upto 2500) and Municipal bonds (used by Lucknow Municipal Corporation)
- ④ Adoption of Smart waste collection models

The corporations are a tool where people in urban areas (~40% population) deliberate and participate to make democracy lively.

Que. 7(b)

In recent times, many directive principles have been judicially enforced and made enforceable by imaginative and creative interpretations of the Supreme Court. Explain. (15 Marks)

7(b)

Supreme Court of India is given twin responsibilities as the Guardian of Fundamental Rights and as the flagbearers of the social revolution in India.

In the words of Bhikhu Parekh
e Supreme which once seemed as a roadblock to the socio-economic goal, it through various pronouncement implemented them?

The creative Interpretation at first was made in Champakan Dorairajan Case, where 1st Amendment Act allowed Article 46 to become a part of fundamental Rights under Article 15(3) & 15(4) & A-16(3)

It evolved the Doctrine of harmonious construction, further the creative doctrine of Basic structure which ensured Article 13 recognise Judicial Review as Basic structure paved way for further enforcement.

Thus, in Maneka Gandhi case A.39(d) calling for health and strength was institutionalised as right to live with dignity under A.21.

A.21, through MC Mehta case got Right to Healthy environment, further PUC L appeals paved way for Right to Education (A.45 earlier). Thus today many of the social economic goals which BN Rau called as a part of Part 3 itself have become a part of it.

It is lauded by Upendra Bakshi, who calls judiciary as the true guardian, however Pratap Bhanu Mehta criticise the Judiciary for usurping the power of the Parliaments. In his book 'Reforming Institutions' asks for the laws in Part 3 to come from Parliament.

Further, Markandey Katju agrees that Judges to tell where the law is absent and not to create it.

Therefore, Judiciary though envisaged as activist and not passive, has to ensure that 'its functioning defines the functioning of our democracy' and not overreach through imaginative doctrines. (Lord Byron)



7(c)

Analyse the organization of Election Commission of India and the theoretical and practical aspects of its functioning in India. (15 Marks)

Election Commission of India

is created under ~~A 315 to A 322~~ Article 329 to Article 329 of the Indian constitution.

It is 'the lesser's wife that should be always above suspicion'

The structure of ECI, is constituted of Chief Election Commissioner and post 1990's President has allowed 2 Election Commissioners, also there are State Electoral Officers, Returning officers for assistance.

During elections it get access to whole government functionaries to conduct elections, and routinely has its own administrative staff.

The theoretical aspects of functioning envisage election commission to have

1. Administrative functions (superintendence of elections of National and state assemblies, office of President and Vice President)
2. Advisory functions to the President, whether to disqualify a candidate accused of election malpractices or a legislator of office of profit
3. Quasi-judicial functions in settling the disputes related to allocation of symbols (eg AIA DMK & DMK), the amount of broadcasting time etc.

The election commission has the plenary power of enforcing Model Code of Conduct.



The practical aspect of functioning has seen phases with India to the astonishment of world coconducting largest election exercise under Sh. Sukumar Sen in 1952, with revision of rolls for identity of women it set some standards.

However, with inability to control criminalisation in 1968 "watershed moment" it fell into passive phase.

It was revived by Sh. TN Seshan in 1990's and Model Code of conduct was enforced strictly, strong actions made it the Gold standard across world.

Though some may argue re-entry to passive phase, Vinod Dua in his e Rethinking ^{good governance,} ~~political institutions~~ holds EC as ^{biggest} a success of Indian democracy.

Que. 8(a)

What do you understand by multiculturalism? How has it become a panacea for minority rights in accordance with the Constitution? (20 Marks)

Multiculturalism is a modern philosophy, which argue for special rights based on cultural diversity esp for ethnic, national and religious minorities.

The Basis of emergence is in Robert Putman Social Capital and Communitarian view of a situated self. Will Kimlice has has argued for special rights of governance, representation, cultural practices for Minorities leaving 'One size fit all approach' or universal blindness.

Further, theories in Multiculturalism like Bhikhu Parekh 'Rethinking Multiculturalism' argue for rights for all based on Harm principle.



Though to euro-theories Multiculturalism is a fairly new reality, and they continue to suffer in implementing, there in wake of growing Xenophobia, Islamophobia and conservatism (recent abortion judgement)

Indian fathers, as Paul Brass put were foreseers as India was born in tumultuous environment of Communalism, and demanded Unity in diversity, protection-safeguard for minorities and Secularism.

The provisions laid by Dr. BR Ambedkar under Article 29 granting cultural and educational rights A-30 granting right to administer institutions became a panacea for Minority rights.

Also, A.29 & A.30 assuring they have special rights to practice cultural without feeling it submerged as a 'Melting pot' it strengthened the Salad Bowl of India.

Ensuring special representation rights proper participation in Institutions were promoted, with provisioning right under A.30 to reserve seats for their cultural and religious groups.

Also, a freedom was ensured to practice, propagate, profess their religion along with A.14 implementing Rule of law and A.15 & A.16 prohibiting any discrimination based on caste.



But as Multiculturalism itself wears a veil of Communitarianism, often it leads to denial of rights to women and lower class, caste within this section.

Here Judiciary has come to rescue with pronouncements like Sharys Bano Case and Hadiya Case.

Thus, the Multicultural Institutions forged under the Constitution continue to strengthen our democracy.

Que.8(b)

An analysis of the salient features of Indian Constitution amply makes it clear that it draws on all those features of various constitutions which suit the requirements of India? Explain. (15 Marks)

Indian constitution has been called as a 'bag full of borrowing', the legacy was criticised as a foreign, un-Indian constitution by HV Kamath in Constituent Assembly.

However as the Constitution, was coming in the times when the precedents were already set, in the words of Dr Ambedkar 'India could not leave them for any misadventure'.

However, the features are Intricately drawn as seen from the success of Indian democracy in 75 years of Independence, even came out of belt of Emergency.

It drew Rule of law and the basic philosophy from the British Constitution as it suited the prevalent architecture within India.

To ensure, greater representation and autonomy yet a centralising control assuring Unity and Integrity that new sovereign demand Federalism came from Canadian Constitution.

The Judicial structure was drawn from ^{United States of} America, with a belief for an Active judiciary for the age of contradictions India was about to enter.

The fundamental Rights came from nowhere else than the United Declaration of Human Rights carefully modelling them to Indian circumstances like A-17, A-23, A-29, A-30 etc.

The social-economic goals for tackling deprivations and inequality were borrowed from the Russian Constitution.

All these salient features reflect it is a bag of borrowing and yet Indigenous (CA Bailey) and sui generis (G. Austin).

It ensures that India continues its strategic tradition of continuity and change to flourish as a civilisation.

^e Indian constitution is a unique and transformative experiment.

Pratap Bhanu Mehta.

Though Supreme Court itself recognizes that it is not infallible, yet it continues to do activism. Comment considering the changing opinions of Supreme Court in matters of interpretation of Laws. (15 Marks)

‘The success of a political system is judged from the functioning of its Judiciary’
AV Dicey.

Article 13 of the Indian Constitution provides the power of Judicial Review to the Supreme Court of India, also under A-32 the Supreme Court is the ‘Guardian of the fundamental Rights of the citizens’

It is the suprememost Interpreter of the constitutionality and applicability of the law of the land, with expansion under the Kesavananda Bharti Case leading to formulation of Basic Structure doctrine.

It is often said ^{ee} "law is what the judiciary says", however as it itself is an opaque institution with least representation from all sections (only 3-4% judges at High Courts are from SC-ST categories, with mere 10% women judges)

The opinion is changing from desirability of judicial activism when J.P.N Bhagwati opened mechanism of PIL to ensuring consistency openness and Inclusion in the Judiciary.

Pratap Bhanu Mehta who calls Judiciary as an 'Image Building Exercise' and a 'Promise of Uncertainty' says supreme Court consistently differs.

However, still the court continues to be open to people and their voices eg.

Recent adoption of Doctrine of Constitutional Morality overturning its earlier pronouncement leading to historic Judgements of Shaya Bano, Navtej Johar Case, Subramaniam Case, Joseph Shine also.

Also, the Judiciary has overturned to ensure right to privacy is protected owing to current realities as in KS Puttaswamy Case 2017, Shreya Singhal Case, 2015, and recent pronouncement on Pegasus case, and still on Sedition

Thus, India envisages a dynamic active Judiciary, but Judges should try to tell where law is absent, not to make the law (J. Markandey Katju)

Political Science & International Relations

Crash Course & Test Series - 2022

Test 05

Time Allowed: 3 Hours

Max Marks: 250

There are **EIGHT** questions divided in **TWO SECTIONS** and candidate has to attempt five questions in all.

Question Nos.1 and 5 are compulsory and out of the remaining, any three are to be attempted choosing at least **ONE** question from each section.

Section A

Q1. Answer the following in about 150 words each:

- a) Discuss the role of Organic Intellectuals.
- b) Examine the relation between Liberty and Equality.
- c) "Socialism is itself a fulfilment of Democracy". Explain.
- d) Discuss the Marxist Critique of Liberal theories of democracy.
- e) "Sovereignty as ideally conceived in legal theory nowhere actually exists." Analyse.

28

Q2.

(a) What is the significance of studying political theory? What are some of its characteristic features?

10

(b) Critically examine the distributive theory of Justice as propounded by Nozick.

9

(c) Discuss the views of Ambedkar regarding caste discrimination in Indian society. What are the measures suggested by him for its elimination?

9

Q3.

(a) Do you think the social contract tradition of John Locke adequately addresses the various issues related to the concept of Natural rights?

(b) Describing the nature of political science, examine the extent to which it can be considered as science?

Do you think

SHUBHRA RANJAN

25, Pusa Road, Karol Bagh, Delhi 110005. ☎ 011 45612719

Always Ahead

c) Discuss Kautilya's contribution to the concept of sovereignty. Explain its relevance in modern times. 15

Q4.

16 (a) A well-ordered society, according to Rawls, is effectively regulated by the public conception of Justice. Do you agree? Give reasons. 20

(b) Although Hobbes is an absolutist, he begins and ends as an individualist. Comment. 15

(c) Critically examine the concept of 'Political' given by Hannah Arendt. 15

(Hobbes)

Section B

Q5. Discuss the following in about 150 words each:

(a) Discuss the impact of coalition politics on the collective responsibility in India.

b) Mention the constitutional provisions relevant to the environmental issues.

c) The fundamental duties of citizens seek to emphasize fine moral qualities and a strong sense of social responsibilities. Elaborate.

d) Explain how the ordinance making power of the Executive needs to be suitably restrained?

e) Discuss the Role of regional parties since 2014

34 Q6.

Haral & Sone, PN Bhagwati, Upendra Baxi

10 a) Article 21 is the Arc of Covenant so far as the Fundamental Rights chapter of the constitution is concerned. Elaborate. 20

12 b) "Parliament's power to amend the constitution cannot be equated with the power of constituent assembly." Considering the above statement explain the justification of Basic Structure in India. 15

12 c) Explain how far the politics of regionalism has affected the process of national integration in India? 15

Q7.

Municipal 74AA, opulent parli

14 a) Municipal Governance in India is not sufficiently prepared to meet the challenges of good urban governance. Elucidate the statement and give your suggestions. 20

12 b) In recent times, many directive principles have been judicially enforced and made enforceable by imaginative and creative interpretations of the Supreme Court. Explain. 15

12 c) Analyse the organization of Election Commission of India and the theoretical and practical aspects of its functioning in India.

Q8.

a) What do you understand by multiculturalism? How has it become a panacea for minority rights in accordance with the Constitution?

b) An analysis of the salient features of Indian Constitution amply makes it clear that it draws on all those features of various constitutions which suit the requirements of India? Explain.

c) Though Supreme Court itself recognizes that it is not infallible, yet it continues to do activism. Comment considering the changing opinions of Supreme Court in matters of interpretation of Laws.

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Tips for Writing Good Answers: -

1. Read the question carefully and at least 3-4 times.
2. Note down concepts, facts, examples, keywords related to the question.
3. Draw a rough outline of the flow.
4. Pay adequate attention to the introduction and conclusion.
5. Introduction must offer your brief interpretation of the question and how you propose to develop it.
6. Conclusion must summarize your response to the question.
7. Make sure answer is
 - a. Logical and coherent
 - b. Clear connection between sentences and paragraphs.
 - c. Written correctly giving adequate compatibility to your expression, style and presentation
 - d. Do not exceed the word limit
 - e. Write neatly
 - f. Underline points you wish to emphasize.

Infallible

