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PSIR Answer Writing Module 2023

Test 5

Time Allowed: 1 Hour 30 Minutes

Max Marks: 120

Name: NIKITA VERMA

Test Submission Date: 04/11/2022

Email Address: _____

Instructions:

1. All questions are compulsory.
2. All questions are for **15 marks** each.
3. Word limit for each question is **200 words**.
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. Filling all the details in **BLOCK LETTERS** is mandatory.

Q. No.	Marks	Q. No.	Marks
Q1		Q5	
Q2		Q6	
Q3		Q7	
Q4		Q8	
Total Marks:		Evaluator Code:	

For any issue related to PSIR Test Series, write only at testseries@shubhrranjan.com



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Overall Remarks:

Dear Student,

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.



Que.1

What are human rights? Is there any hierarchy of human rights? Explain the relationship between the protection of human rights and sustainable development goals. (200 words, 15 Marks)

The Universal Declaration of Human Rights (UDHR), 1948 defines Human Rights as those inalienable conditions in man's life which are important for political and socio-economic well being of the individual.

Human Rights are often understood as universal, capacity increasing, rights of Individual.

The UDHR classifies rights as :-

- 1) Political Rights / 1st Generation Rights →

These developed in 18th and 19th century Europe, includes
RIGHT TO VOTE, RIGHT TO LIBERTY



LIFE, AND PROPERTY. It focused on civil-political rights of the individual

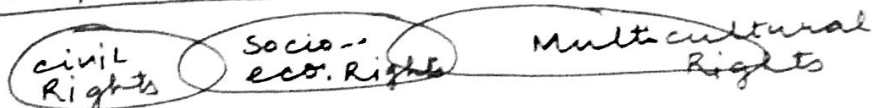
2. SOCIO-ECONOMIC RIGHTS / IInd GENERATION RIGHTS

These involve right to equality, extending benefits of maternity leave, equal wages - for equal work, universal basic income, to ensure the SOCIALISTIC needs of the society.

3. MULTICULTURAL RIGHTS / IIIrd Generation Rights = Extending protection to the minority, weaker and vulnerable sections by recognising their distinct culture :-

eg. Article 29 and Article 30, In India.

The relationship between them is not hierarchical rather they complement each other as shown :-





The global community is the protector of Human Rights around the world. To ensure the above, the UN first came up with MDG (2000-2015) and later SDG (2015-30). The SDG are set of 17 Goals that countries across the world have pledged to achieve by 2030 to further the cause of Human Rights. Some of them involve - zero hunger, Right to safe drinking water, Ensure minimum health and safety standards, right to education etc.

Human rights came up in the modern world, have evolved over time to include various sphere (political, social, cultural, economic) and are organically linked to SDG.



Que.2

How the term equality differs from equity? Discuss the various forms of equality and their relevance. (200 words, 15 Marks)

One of the major purpose of public policy is DISTRIBUTIVE JUSTICE. As David Easton suggests, political system is involved with "authoritative allocation of values"

Two major methods involve :-

- a) Equality principle → MARXIST THEORY
↳ Everyone gets same goods
- b) Equity principle → SOCIAL LIBERAL THEORY.
↳ Equality with fairness

As far as Marrists are concerned, for them EQUALITY means, "From each according to his work, to each according to his need."

Goods/ values in the society are to be distributed in a way that each gets equal amount of all goods.

eg Profits should be equally distributed among the



workers of the society.

However, Marxist model of equality has been criticised by Social Liberals like JOHN RAWLS who believes in equity. Equity means equality with fairness.

Distribution should be "auction sensitive and endowment insensitive". That is each person should have equality of opportunity to pursue one's talent but the distribution should be done as per the ability of the individual. Thus, the talented emerge as the most advantaged in Rawls theory.

Another theorist, Dworkin in his work "Sovereign Virtue" talks about normalising "Brute luck" - one that emerges because of internal and external impediments. Once, compensation has been provided. Now, the



state need not go for affirmative action again.

Amartya Sen in "Development as Freedom" believes that the equal distribution is not a solution to inequality. ultimately, the state should go for "capacity building" of individuals by investing in health, education etc.

Libertarians like Nozick talk about equality of opportunity and man's absolute right to own property. Thus, he proposes a nightwatchman state. He is against welfare state and progressive taxation.

The notion of Equality is complex one. Nonetheless, we can't ignore any of the schools for the valuable information they provide



Que.3

Rawls's theory of justice consists of certain distributive principles for the basic structure of society. In light of this statement, critically evaluate Rawls's theory of justice as fairness. (200 words, 15 Marks)

Rawls in his book "A theory of Justice, 1971" has given his theory of Justice. He equates his theory of Justice as fairness.

Rawls theory of Justice is a critic of utilitarian theory of Justice that equates men as 'mere means to an end' and is rather "egalitarian theory of Justice" that gives utmost importance to human dignity

Rawls theory of Justice is based on equality and intuitive sense of Justice. It is universalistic because it is purely procedural theory i.e. it carries out with certain principles only (without predetermined aims) to arrive at Justice.



Randall explains his lexical order of Justice by novel method of original position and veil of ignorance. To arrive at Justice, one has to be behind the veil, where he doesn't know whether he will be born rich/poor, black/white, man/woman etc.

Now, initially everyone will be provided with equality of opportunity so to fulfil their talents. This will leave some of the least advantaged section behind. Here, the state will interfere to provide them with the maximum advantage (in form of welfare measures - progressive taxation etc).

Thus, his theory is lexical (fixed order) and intuitive (based on taking ^{liberty} equality and together, based on premise everyone has equal dignity).



However, Rawls theory has been criticised by →

a) COMMUNITARIANS

Michael Sandels and Michael Walzer in "Liberalism and limits to Justice", and, "Sphere of Justice" have criticised Rawls

for promoting atomistic self. They believe that man's choices, sense of Justice are shaped by society and he can never at original self."

b) MARXISTS like Buhare have criticised Rawls for sacrificing Equality

c) Liberals like Nozick has criticized Rawls for promoting equality at the cost of liberty

d) Later Social liberals like Amartya Sen has also questioned whether man will ever be at "original self"

Yet, Rawls is considered one of the best political philosophers of 20th century who revived the discipline



Que.4

The policy of affirmative action aims at the politics of inclusion. Explain with reference to India's journey towards building an egalitarian society. (200 words, 15 Marks)

"Affirmative action" refers to positive action taken by the state for greater inclusion of the weak, vulnerable and minorities in the mainstream. The roots of affirmative action can be traced to welfare state. It is the politics of inclusion of the erstwhile excluded sections. It is essentially based on "sabka saath, sabka Vikas".

India as a multicultural state has taken several steps to include the vulnerable. Fundamental Rights like Article 14 promote equality before law thus ending the earlier privileges enjoyed by princes.



Article 15 there are open public places like wells, ghats, restaurants to Dalits. Not long ago, Ambedkar had to carry out Mahad Satyagraha to get equal access to Dalits.

The epitome of affirmative action is seen with reservation of jobs for SC, ST, OBC for undoing the historical discrimination/ wrongs.

Positive discrimination is given to women by providing $\frac{1}{3}$ total seats for women in Panchayats

To protect to minorities, Constitution provides Article 29 and 30 so that they can protect their diverse culture.



Schedule V and Schedule VI
provides protection to scheduled
Tribes ~~Caste~~ in the country.

Supreme Court in the Navjot
Singh Johar Case, decriminalised
same sex marriage, thus extending
protection to LGBTQ+ community.

We also have robust mechanisms
of NCH, NCSC, NEST, NCBC, NLPCR
etc for grievance redressal.

Progressive taxation on the
rich aims at funding welfare
schemes.

Apart from this, several schemes
of central and state government
like PMGKY, PM Mudra, Ayush
man Bharat, UJJWALA Yojana.

These efforts are aimed
at achieving the goals
enshrined in Preamble -
to secure the citizens →
Liberty, Equality and Justice.



Que.5

Dworkin's theory of equality is not limited to the realm of abstract theoritization, but aims at harmonizing the principles with concrete practices. Critically evaluate. (200 words, 15 Marks)

Dworkin in his work, "Sovereign virtue" has given his theory of Equality as a response to Rawls theory of Justice which he criticises as "realm of abstract theoritization".

Dworkin believes that Rawls theory is mere abstraction because it is not possible for man to be ever to be present in the original position (free from the influence of society).

Dworkin instead gives "Luck Egalitarian" model where he neutralises the brute luck of the individual. Thus, he wants to make the original position of men similar.



Brute luck is two fold - external, one being born in poor family may not be able to pursue his goals and internal, a person with disability

These conditions of human life are outside the influence of man. Rand's by prioritising equality of opportunity doesn't promote fairness

By neutralising the brute luck one can achieve egalitarianism. He explains this with a political fiction. Suppose, a ship got wrecked mid water, and all individuals are forced to move to an island. Everyone would now have to start his/her life afresh. Thus, to start each is given 100 clams/shells so that they can get what they wish for. Thus, initially there is resource equality.



Dworkin has criticised Marxists for blind equality - by giving everyone all things which they even wouldn't want.

Once, the state has compensated, now it need not compensate again and again. His theory can be used to justify first, reservation at recruitment, second, universal basic income third, affirmative action.

Yet, he has been challenged by Amartya Sen by giving his "flute-analysis" - where he emphasises that equality is complex. Mere resource egalitarianism is not a solution rather focus should be on capacity building.



Que.6

Right is simply not reducible to a goal or a policy. In light of the statement explain Dworkin's view that rights are trump. (200 words, 15 Marks)

Laski defines Rights as those social conditions without which no one can seek to be at his best. Thus, Rights are a precondition to human excellence. T.H Green on the other hand emphasises that 'human consciousness postulates liberty, liberty involves rights, rights involve state.'

Rights are those which are guaranteed by the state.

Rights are human condition. To ensure rights like right to Education are enjoyed by the individual, the state has to take certain steps like Right to Education Act, 2005 that provides free and compulsory education to all between 6-14 years of age.



A goal/policy is an action/
set of actions taken by the
government and its agencies
to fulfill their duties towards
citizens to achieve their goals.

Dworkin, on the other hand,
believes that rights are trumps.
Their scope and importance is
of such magnitude that they
are beyond the limits of
any state's policy or action.

Just like a 'trump card', rights
are tantamount to human
dignity. They postulate human
condition based on equality,
liberty, justice.

Dworkin has taken inspiration
from the tradition of natural
rights which believes that
man by virtue of being born,
has certain rights, that are
inviolable. eg Right to life and
Liberty



Dworkin's statement is targeted against authoritarian regimes like china and the condition given to Uighur Muslims.

However, such views have often being used by the western world to enter into domestic affairs of a country to meet sheer geopolitical objectives.

It is to be noted that rights are a precondition to human dignity and should be used to promote global brotherhood.



Que.7

Amartya Sen's capability approach is a moral framework. Discuss.
(200 words, 15 Marks)

Amartya Sen is one of the greatest political philosophers of present time. In his work "Development as Freedom - 1999", Sen provides a new dimension to the Theory of Distributive Justice.

carrying forward the debate started by Rawls and ^{Dworkin} ~~Amartya~~, Sen has presented a new step for social liberals.

Though Rawls response to inequality was reactive (welfare measures after equality of opportunity); Dworkin who restricted himself to resource egalitarianism (initial distribution as just).



Amartya Sen is proactive in his approach and gives the capacity building approach.

Capacity building refers to the upfront cost that the state ~~undertakes~~ ^{undertakes} to invest in the health, immunisation, education, sanitation, skill development of the citizens.

Only when the citizens have their 'capacity' developed, would state be able to benefit from their demographic dividend.

He gives the examples of China and India. China, since 1970s has been rapidly investing in its labour and resources, thus it has been successful in eradicating



absolute poverty in the society.

India on the other hand, could not eschew the benefits from the rising population and economic growth.

His approach is important not only for India but all developing countries who should invest in the capacity of the individuals.



Que.8

Explain the relationship between rights, liberty, equality and justice. (200 words, 15 Marks)

The relationship between Rights, liberty, equality and Justice can be best understood by the Indian Preamble which secured all its citizens rights

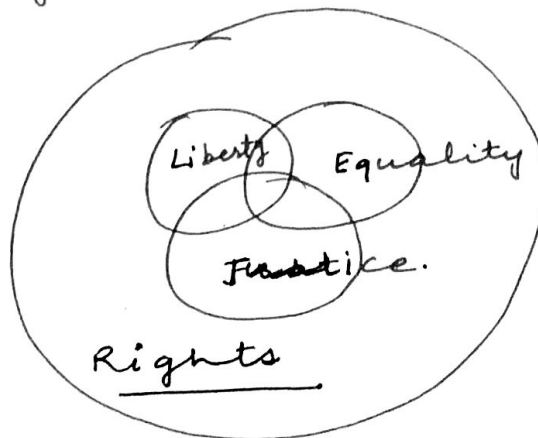
To ensure :-

Liberty of thought, belief, faith, expression

Equality - of status and opportunity

Justice - social, economic and political

Rights are those social condition that aim to ensure liberty, equality and Justice





Rights are the overarching conditions that provide and protects all other values.

Liberty or freedom refers to absence of restrictions on man. Thus, to provide him with equality of opportunity to pursue his ambition.

Libertarians like John Locke, believes man should have the right to life, liberty and property.

Equality is a necessary condition for one to enjoy rights. Ambedkar believed that political democracy without socio economic democracy is nothing but a contradiction.

Thus, all need to have access to health, education, sanitation etc.



Justice is an architectonic principle. (Plato) Justice is the first virtue of political system just like truth is the first virtue of any system.

Justice is two fold - Rectificatory Justice which aims at grievance redressal and distributive Justice that aims at fair distribution of resources.

Thus, rights, liberty, equality and Justice are inorganically linked with the aim of establishing a better world!