



APPROACH – ANSWER: ABHYAAS TEST 4 - 2220 (2022)

SECTION A

Answer the following questions in not more than 150 words each:

1. (a) *The logic of limitless wealth lies in the basic human instinct for furthering self-interest in the form of profit. In this context, do you think there is a possibility of pursuing ethical capitalism? (Answer in 150 words)* 10

Approach:

- Briefly discuss the tenets on which capitalism is based.
- Highlight the drawbacks of capitalism.
- Explore whether there is a possibility to pursue capitalism with ethics.
- Conclude accordingly.

Answer:

Capitalism is based on the idea that wealth can be increased without any limit based on three simple tenets i.e. **pursuit of self-interest, division of labour and free trade**. To create limitless wealth, surplus profits from any economic activity need to be recycled back into it to increase its scale, generate more profits, etc., in an increasing spiral. **The basic human instinct needed to spur this cycle is rational self-interest**. It is the primary driver of all economic activities, as it begets higher profits and greater wealth for everyone.

However, **this wealth is often not distributed equitably amongst all the stakeholders in the economic cycle**. The prospect of higher profit could, at times, lead to unethical practices, as witnessed in the past in India as well as globally. However, despite its drawbacks, capitalism has survived and has been a standard global economic model for development.

A pertinent question raised in this context is whether there is scope for pursuing capitalism with ethics. **The arguments in this regard include:**

- **Profit with responsibility:** Capitalism, historically, has thrived on profit without responsibility. Therefore, there is a need for a **balance between profit and responsibility**, and the **replacement of 'economic man' by 'social man'** for restoring the core values of a just society. Capitalism needs to be managed and not defeated by integrating it with ethics. In this context, the increasing stress over **Corporate Sector Responsibility, and Common But Differentiated Responsibility, etc.** shows a shift that capitalism is becoming more ethical with time.
- **Role of state:** There is a need for an active state apparatus, which will support those who fall victim to capitalism's intrinsic process of creative destruction. Most states these days have laws that **regulate monopolies, or protect minority shareholders**. This shows that states are aware of the challenges associated with capitalism and are working to address it.
- **Reciprocity:** A just society must be established based on "**reciprocal obligations**" between members of the family, the larger society, between firms and their employees and also between nations, by forging reciprocal obligations via supra-national bodies. **The elements of subsidies, compulsory licensing, etc. in the WTO for developing nations** are steps towards creating those obligations in a capitalistic society.

In India, there have been **several entrepreneurs** who have created wealth while fulfilling their social obligations. **Arunachalam Muruganatham** from Coimbatore, popularly known as **Padman**, who invented low-cost sanitary pad-making machines is one of such example. To deal with the perils of capitalism, there is a need to develop **conscientious capitalism** that places ethics at the center of wealth creation.

This can be done by adopting the **concept of 'trusteeship' propounded by Mahatma Gandhi**, which treats capitalists as **the trustees of trusts** that look after the welfare of the people in general. Further, effective leverage of **Corporate Social Responsibility** activities by spending on health, education and curbing carbon emissions can be helpful in achieving inclusive growth and sustainable environment.

1. (b) *If a law is unjust, a man is not only right to disobey it, he is obligated to do so. Discuss. (Answer in 150 words)* 10

Approach:

- Briefly discuss the moral foundations of a law.
- Explain the basis of an unjust law.
- Mention the need to disobey and oppose an unjust law, with examples.
- Conclude accordingly.

Answer:

In a democracy, a law not only has the statutory sanction but also reflects the will of the constituents/people. Thus, it is the moral duty to obey the laws and support the legal and political institutions of the society. For instance, **Socrates**, when condemned to death, did not flee the city. According to him, it would have been a violation of law and to disobey the law would be to mistreat or disrespect his fellow citizens.

However, not all laws may have moral sanction. Even in a democracy, **vested interests** can influence the legislative process to frame a law that is unjust. And an unjust law is no law at all.

There have been several instances in human history where a law has put one section of the society at a disadvantageous position, for example:

- **Apartheid laws of South Africa:** The Marriage between a white and black South African was punishable by law. There were laws for separate amenities for different races.
- **Criminalizing Homosexuality:** Many countries criminalise the LGBT community for their sexual orientation.
- **Racial discrimination in US:** Before the Civil Rights Movement in 1960s, there were several laws in United States that segregated blacks from the whites.

These laws were morally corrupt and not rooted in **eternal law and natural law**. Any law that degrades human personality is unjust. All statutes that promote segregation and differentiation distorts the **soul of the individuals and the society**. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority. Thus, it is the moral duty of the people to not only disobey such law but also oppose it.

Martin Luther King also provided a template for opposing an unjust law. He said that one who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty. There should be acceptance of the penalty of imprisonment in order to arouse the conscience of the community over its injustice. This in reality expresses the highest respect for law. Gandhi ji also advocated non-violent resistance to unjust laws.

2. (a) *The capacity of Citizens' Charter to initiate any transformative process is conditioned upon it being appropriately designed and effectively executed. Discuss. (Answer in 150 words) 10*

Approach:

- Give a brief introduction about the Citizens' Charter along with its objective.
- Mention the issues pertaining to its design and implementation.
- Write ways in which designing and execution can be made more effective.
- Conclude accordingly.

Answer:

Citizens' Charter (CC) is a **written public statement, voluntarily made** by the organization that defines the entitlements of citizens to a specific service and their standards and the remedies available in case of non-compliance of standards. It is **not legally enforceable**.

In India, Citizen Charter is based primarily on the UK model. However, it failed to yield desired results. In this regard, following challenges can be identified:

Issues with respect to design of Citizen Charter:

- **Difficult language:** Often, the citizen charter is **published in a difficult language** which is not easily understandable to the general public.
- **Rarely updated:** Citizens Charters are rarely updated which makes it a **one-time exercise**, frozen in time.
- **Devoid of participative mechanisms:** In most of the cases, it is not formulated through a consultative process with staff who will finally implement it. Also end-users, Civil society organizations and NGOs are not consulted.
- **One size fits all approach:** There is a tendency to have a uniform citizen's charter for all agencies under the same parent organization.

Issues related to implementation of Citizen Charter:

- **Standards of delivery:** Measurable **standards of delivery are rarely defined** that makes it difficult to assess whether the desired level of service has been achieved or not.
- **Lack of adoption:** Citizen Charter has still not been adopted by all Ministries/Departments, which overlooks local issues.
- **Information asymmetry:** There is **lack of awareness regarding the charter**, and departments are reluctant in handing out punishments for non-compliance with it.
- **Lack of interest:** Organizations are generally not interested in following through with the standards committed in the Citizen Charter since there is no incentive or motivation to enforce it on their employees.

Thus, Citizen Charter needs to be appropriately designed and effectively executed. To make Citizen Charter more effective **following steps can be undertaken:**

- **One size does not fit all:** Formulation of Citizen Charter should be a decentralized activity with the head office providing only broad guidelines. Wide local consultation should also be done.
- **Clarity and Precision in Standards:** Citizen Charter must be precise and make firm commitments of service delivery standards to the citizens/consumers in quantifiable terms, wherever possible.
- **Effective monitoring:** Internal processes and structure should be reformed to provide an effective monitoring and evaluation system. An external agency should be roped in for the periodic review.
- **Easy language:** Citizen Charter should be formulated in local language and must be regularly updated based on feedback of its implementation. **Redressal Mechanism:** Redressal mechanism should be strengthened to clearly define officers responsible for redressal of grievances and fixing of responsibilities in cases of default.

In this regard, the **Sevottam (Service Delivery Excellence Model)** can help in improving the quality of public service delivery, effective grievance redressal mechanism, and successful implementation of the Citizen's Charter. Additionally, for enhancing the capacity of trainers and staff, capacity building workshops should be organized. It would in turn help in effective implementation of the charter.

2. (b) *The moral fiber and ethical conduct of public officials not only influence the standard of governance but also their own interests and performance. Elaborate. (Answer in 150 words)*

10

Approach:

- Briefly discuss what is meant by ethical conduct.
- Elaborate how ethical conduct influences the standard of governance.
- Discuss how it is also beneficial for a public official's own performance.
- Give a brief conclusion.

Answer:

The moral fiber and ethical conduct of a person relates primarily to the nature of ultimate values and standards by which human actions can be judged. It entails certain socially acceptable conduct that may not have been codified formally into a law or a rule.

Demonstrating ethics and morals by a public official in its working environment influences the standards of governance in the following ways:

- If a public official does not follow objectivity and impartiality and is afflicted with intellectual dishonesty, he/she can do **enormous damage to governance**, for example, in situations relating to social tensions, mob violence etc.
- It is important that officers be **compassionate** about public issues and deal with them using emotional intelligence and lend people a considerate ear. This provides **much needed comfort to the concerned people**.
- It is very important for public officials to be **politically neutral**. It ensures that **laws** or rules which are not clearly defined, are **interpreted in a non-partisan** manner without favouring anyone. Also, the interests of vulnerable sections of the society must be upheld while implementing any rule/law.
- Although there is no penalty for not protecting colleagues and subordinates, yet ethical behaviour makes it incumbent to **protect them from unwarranted harassment or victimization**. This is beneficial for **work culture** and in turn affects the performance of the administration as a whole.
- Appreciating good work of peers and subordinates is not mandatory but ethically desirable as it boosts the **morale of the team members**.

Ethical and moral behaviour by public officials is good for their own interest and performance as well, as highlighted below:

- Such attributes give an enormous **amount of self-satisfaction** to the officer. It also helps them earn respect from colleagues and subordinates alike. For the general public, they become role-models.
- Ethical and moral behaviour imparts an enormous **amount of moral authority** to the concerned officer. Such behaviour **sets an example for the whole organization**. All this eventually gets reflected in performance and outcomes.
- Appreciating the work of others not only works well for the team but also **creates positive energy at the workplace**, which is beneficial for the officer himself.
- Ethical behaviour also improves one's **own career prospects**. The reputation of an officer gets built on the basis of his ethical conduct, which can stand him in good stead in future.

Thus, it is not an understatement if it is said that for a civil servant, it pays to be ethical.

3. (a) *The ongoing debate on euthanasia poses several ethical questions. Discuss. (Answer in 150 words)*

10

Approach:

- Introduce by explaining what Euthanasia is and the debate around it.
- Bring out various ethical dimensions involved in Euthanasia.
- Conclude appropriately.

Answer:

Euthanasia, also known as assisted suicide/mercy killing, means to **take a deliberate action with the expressed intention of ending a life** to relieve intractable (persistent, unstoppable) suffering.

In many cases, it is **carried out at the person's request** but there are times when they may be too ill and the decision is made by relatives, medics or, in some instances, the courts. This often raised the ethical issues/dimensions regarding the practice of euthanasia.

Ethical dimensions involved in Euthanasia

- **Doctrine of double effect:**
 - This doctrine says that if doing something morally good has a morally bad side-effect, it's ethically justified to do it provided the bad side-effect wasn't intended. This principle is commonly referred to in cases of euthanasia.
 - It is used to justify the case where a doctor gives drugs to a patient to relieve distressing symptoms even though he knows doing this may shorten the patient's life.
- **Right to life:** There is no 'right' to be killed. Opening the doors to voluntary euthanasia leads to non-voluntary and involuntary euthanasia, by giving doctors the power to decide when a patient's life is not worth living.
- **Slippery Slope Argument:** It means that a relatively small first step leads to a chain of related events culminating in some significant effect. Euthanasia if legally permitted, would lead to a general case of taking human life.
- **Autonomy:** This involves the right of the patient to make a decision. There is an ethical question on who should be the deciding if euthanasia should be done or not i.e. whether it is the patient himself or the doctor or the family members.
- **Affordability of the medical expenses:** It is not euthanasia if a patient dies as a result of refusing extraordinary or burdensome medical treatment.
- **Moral issues with Active Euthanasia:** There is a clear moral distinction between actively terminating a patient's life (active euthanasia) and withdrawing or withholding treatment which ends a patient's life (passive euthanasia). Letting a patient die from an incurable disease may be seen as allowing the disease to be the natural cause of death without moral culpability. However, it is also argued that if a patient dies of natural death it would lead to cruelty as he will suffer unbearable pain and will lead an undignified life.

Euthanasia is indeed a contentious issue, with the heart of the **debate lying at active voluntary euthanasia and physician assisted suicide**. The debate around euthanasia has a very fine line between morality and legality, which needs to be balanced out so that right to die with dignity and right to live can be protected in a just manner.

3. (b) *Foreign aid is a form of neo-colonialism, as the economically wealthier countries can exploit the developing countries under the cloak of aid. Examine. (Answer in 150 words) 10*

Approach:

- Briefly discuss foreign aid and neo-colonialism.
- State the arguments in favour of and against foreign aid, with examples.
- Conclude accordingly.

Answer:

Neo-colonialism is the practice of using economics, globalisation, cultural imperialism and **conditional aid** to influence a country. It results in a **relationship of dependence and subservience**. Foreign aid is criticized as a principal agent of neo-colonialism exercised by the developed nations.

Foreign aid as a form of neo-colonialism:

- **Unequal Status:** These are depicted in the conditions given by Western states to the recipient of the aid. For instance, unequal relationships perpetuate physical and institutional control by the West on the recipient state's development like that of the African nations.

- **Repayment:** It contradicts with the development function of aid, as it contends that aid is troublesome and insufficient as it remains unsteady. The strategy of payment is disproportionately prolonged and bulky as seen in the case of Sri Lanka.
- **Military aid:** While providing military aid, the supplier country has been observed to direct the course of a local conflict by simply replenishing or withholding supply. For instance, the escalation of the Syrian war.
- **Self-interest:** Profit motive guides developed nations' behaviour. For instance, obsolete technologies are transferred instead of advanced technologies to the developing nations.

Arguments against foreign aid as a form of neo-colonialism:

- **Global justice:** Foreign aid is justified on the basis of upholding values such as global justice. It helps address poverty, destitution and reduces consequent conflicts.
- **Principle of sacrifice:** It is the duty of the well off to sacrifice some of their wealth to protect those who cannot protect themselves. Providing assistance, therefore, becomes a responsibility.
- **Relief measures:** To **compensate** nations affected by the repercussions of conflicts in the neighbouring nations, for example, nations in the Middle-East due to prolonged war in Syria, Iraq etc. It reduces the pressure on the limited resources that a nation has.
- **Quality of life:** Foreign aid can increase the access to social amenities and services, such as a relative rise in school enrolment for basic education and health.

The **greatest challenges** for humanitarian aid and development in the form of financial assistance are **efficiency, effectiveness and the extremely complex political, economic, and social side effects associated with them**. Sustainable long-term development **depends essentially on the political and economic framework and on the institutional and physical infrastructure that a state is able to provide**.

4. (a) *Throwing light on the idea of Universal Humanism propounded by Rabindranath Tagore, discuss its contemporary relevance. (Answer in 150 words)* 10

Approach:

- Introduce by explaining the idea of Universal Humanism propounded by Tagore.
- Highlight the contemporary relevance by substantiating with relevant examples.
- Conclude appropriately.

Answer:

Tagore's idea of universal man is the highest form of realization of human nature or existence that is not extra human or super-human. According to him, humans have two needs: **Ordinary/Material and Higher/Human needs, which he can control through inner power**. He identifies the highest state of life as human freedom or salvation through unity. **It is revealed as the eternal or universal union of individual man with all human beings**, called Universal Humanism.

According to him, with our love and hatred, pleasure and pain, fear and wonder working continually upon us, **this world becomes a part of our personality; if this world were taken away, our personality would lose all its content**. The highest state of human freedom, in the observation of Tagore, is the manifestation of his universal nature that is potential in his material existence in this world. But, in the opinion of Tagore, man is not a mere material being as it expresses a false 'ego' in him that is responsible for producing contradictions in life and society. But the **universal or eternal 'I' in man can overcome these contradictions through the development of universality in him**.

The philosophy of humanism as developed by Tagore is universal, because it deals with the analysis of the universal nature and creative existence of man. **He favoured the higher ideology of universalism as opposed to nationalism and patriotism, which he thought were constricting the higher ideals of oneness of humankind and a world without borders**. His concept on universalism is not on political understanding but on spiritual understanding as he felt that there is a basic current of unity, a basic force of life and harmony behind the world.

Contemporary relevance

- Universal Humanism aims to provide **a life of dignity to every human being**, thus, promoting policies and principles that can balance the use of labour, natural resources and capital at the same time.
- The philosophy of universal humanism is also in **sync with the modern notions of democracy**, since respect and equality of all faiths, castes, race, etc. are basic tenets of universal humanism.
- Further, with **respect to international ethics**, it can guide engagement among countries based on collective responsibility and universal brotherhood and in turn address issues of refugee crisis, border disputes and terrorism.
- Universal Humanism advocates for **universal brotherhood, multiculturalism and world peace**.
- Universal humanism **prohibits indiscriminate degradation of nature** and considers nature to be the basis of the creation of the world.

In the contemporary multipolar globalised world order, when the issues of global commons are at all-time high, the idea of universal humanism gives hope and is highly relevant.

4. (b) *Do you agree with the view that it is nature and not nurture which determines the emotional intelligence of a person? (Answer in 150 words)* 10

Approach:

- Briefly define Emotional Intelligence (EI).
- Discuss the role of nature in determining EI.
- Similarly, discuss the role of nurture in determining EI.
- Provide a balanced conclusion.

Answer:

Emotional intelligence (EI) broadly means having awareness and understanding of one's own emotions and also of those around us. It helps in effectively managing our own emotions and for nurturing relationships in a positive manner. It has the potential to influence our behaviour and its outcomes in myriad fields, be it our social relationships or professional performance.

Some individuals find it difficult to understand the motivations and behaviours of others, while some have the ability to communicate effectively and solve complex issues very quickly. This has led to the nature - nurture debate on emotional intelligence.

Role of nature in determining emotional intelligence of a person includes:

- Scientific evidence suggests that there is a genetic component to emotional intelligence. For instance, researchers have found that around one-tenth of the EI of a person is determined by **genetic factors**.
- Some people feel emotions more strongly than others, because they possess a highly sensitive nervous system that makes them feel empathetic towards others. For instance, women are found to be more empathetic than men.
- The difference between EI of two individuals is also attributed to biological differences such as prenatal hormone influence.

However, nurture also influences the emotional intelligence of a person:

- **Twin studies:** Twins nurtured in different houses and environments have dissimilar EI, which is suggestive of a strong nurture element.
- **Upbringing:** The immediate setting in which the child is raised e.g., nuclear family or joint ones, the occupation of the child's parents, the wider society, and even the type of government under which the child is raised has deep influences over the EI of a person.
- **Difficult childhood:** Many adults who had difficult childhoods struggle with expressing their emotions.
- **Development of social skills:** Kids often learn empathy and how to cooperate and respect others' personal space through parents and teachers, who teach them to share their things and make friends.

- **Exposure:** EI can also develop if a person is sensitised for it e.g., through field work, movies, dramas, role-plays, etc.

Emotional intelligence is a product of both heredity (nature) and environment (nurture). Heredity sets a range within which an individual's intellectual development is shaped by the environment. Thus, an individual's EI can be nurtured by developing people-oriented characteristics with a high sensitivity to diversity.

5. (a) *Values that guide public administrators can often compete with each other, owing to their relative importance to the larger public interest. Discuss with examples. (Answer in 150 words)* 10

Approach:

- Give a brief definition of value pluralism.
- Highlight the cases where values compete with each other.
- State examples to substantiate the answer.
- Discuss the ways to deal with such situations in the conclusion.

Answer:

The pluralism of values is especially relevant to administration where public servants often have to make judgments about value conflicts when making policy decisions, and where their actions may be, explicitly or implicitly, coercive in character and affect a large number of people. In order to pursue goals, public servants sometimes have to violate one or more obligations. In this context:

- Value pluralism creates **default situations wherein certain values compete** with others and the pursuit of one value in governance inevitably limits pursuing others. For example, the principles of equality and efficiency often conflict with each other in public policies.
- There is an **inevitable conflict between classical governmental or bureaucratic values** such as integrity, neutrality, legality and impartiality on the one hand **and 'business-like' values** such as efficiency, innovation, responsiveness and effectiveness on the other.
 - It is argued that there is a trade-off between values such as efficiency, effectiveness and responsiveness vis-à-vis lawfulness, ethicality and impartiality, when it comes to public management and governance.
- There are moral rules in governance such as following appropriate **'means' specific to public governance that can conflict with the 'ends', which public actors pursue**. Although a public actor may choose a course of action that is perfectly justified on utilitarian grounds, it may still leave the actor guilty of a moral wrong. For example, transparency is an obligation in modern democracies, which creates a permanent danger to those areas of policy that require secrecy as a necessary condition for successful execution like foreign affairs.
- Often, there is **tension between the goals of public actors for individual citizens-clients and the demands and limitations of the rules of governance**. This gets reflected in everyday choices of civil servants. For instance, in the recent times the attention paid to budget outcomes could affect integrity (concealing information, manipulating data etc.).
 - Similarly, when it comes to maintaining law and order, police officers often experience dilemmas. They are placed in many situations by their management in which good ends (evidence gathering) can be achieved by immoral (and/or illegal) means like bribing someone.

There are several values that are central to governance and must be acquired by the public actors, such as benevolence, acting in the public interest, impartiality etc. However, the importance and meaning of these values is both contextual and negotiable. A public servant must build a framework that facilitates **'workable trade-offs'** between these crucial values depending upon the context. Laws and regulations may also serve as a general framework within which sufficient room remains for manoeuvre, negotiation, and context-dependent decision-making.

5. (b) *Is it justifiable to say that corruption is a social phenomenon? What are the various ways through which administrative corruption can be tackled? (Answer in 150 words)* 10

Approach:

- Briefly define corruption in the introduction.
- Give justifications to show that corruption is a social phenomenon.
- Provide ways through which corruption in the administration can be tackled.
- Conclude accordingly.

Answer:

Corruption can be defined as the abuse of public role or resources for private benefits. It can take many forms, and can include behaviours like public servants demanding or taking money or favours in exchange for services, politicians misusing public money or granting public jobs or contracts to their sponsors, corporations bribing officials to get lucrative deals, etc.

Corruption as a social phenomenon can be explained through the following:

- **Erosion of basic values:** Corrupt transactions occur between actors as a result of social interaction and each individual actor has to make a personal decision of whether he/she wants to accede to this corrupt transaction or not. Opting for corrupt practices over what is good and necessary for the society/nation shows that there has been erosion of ethical values in the society.
- **Link between power and goal achievement:** Cognition, goal achievement, use of power, and human relations in social networks are some of the fundamental human characteristics. So, whenever a power/resource is vested in an authority, chances of corruption increase when proper accountability mechanisms are not in place.
- **Conflict between modern and traditional norms:** In modern societies, a conflict between modern and traditional norms opens opportunities for individuals to act in ways infringing basic moral norms and perpetuating corrupt practices. For instance, lack of distinction between one's earned money and public money, tendencies of upstart at any costs, etc.
- **Public cynicism:** Many times, people accept corruption as a part of life, and believe that nothing will happen to those indicted in political or bureaucratic corruption. Hence, through their cynicism, the people themselves become a source of corruption.
- **Social environment:** Administrative culture is a part of the total culture of the society. Since the ties of family, caste, community, religion and region are very strong, it becomes difficult to sacrifice group loyalty for the sake of the nation, resulting in corrupt practices like nepotism, favouritism, casteism, etc.

The measures through which administrative corruption can be tackled include:

- Corporations and government organizations must implement structures and cultures that **strengthen effective institutional practices and procedures** to eliminate corrupt practices. Also, there is a need to promote ethical values and practices in order to foster discipline and self-restraint of employees who may be tempted to engage in corrupt activities.
- Legislators must bring more legislative instruments such as the RTI, Lokpal etc. that promote good ethical practices through accountability measures. **The mass media** must also strive to promote good governance continually through their programmes.
- **Whistle-blowing needs to be encouraged in public organisations.** Further, there should be institutional mechanisms to ensure that there are no judicial delays in matters relating to corruption and increase in conviction rate.
- **Principle of subsidiarity** should be followed in work allocation so that one level performs only one task.

In order to prevent administrative corruption, it is essential to set clear rules, transparent laws and clear deadlines, without the possibility of excessive influence in state structures both vertically and horizontally.

6. **What do each of the following quotations mean to you?**

- (a) **“Overcoming poverty is not a task of charity; it is an act of justice.” Nelson Mandela (Answer in 150 words)** 10

Approach:

- Introduce by providing a brief context about the quote.
- Explain how overcoming poverty is not a task of charity but an act of justice.
- Conclude accordingly.

Answer:

Nelson Mandela during his speech at the **"Make Poverty History"** camp stated that, just like apartheid and slavery, poverty is a social evil. The governments all over the world have acted to end poverty in all its forms. However, it is pertinent to differentiate poverty as an act of justice from that of an act of charity. While **charity** is a private and individual action, **justice** is a public and collective action.

Steps towards overcoming poverty are not acts of charity and this can be understood from the following aspects of charity:

- **Limitations:** Charity is often regarded as the action of an individual. It is not possible for individuals to help a group of people for extended periods while serving their dependents' own needs.
- **Based on whims and fancies:** As there is no obligation to help others, it depends upon the whims of the haves towards the have-nots. Even **corporate social responsibility (CSR)** rules do not mandate companies who are earning profit to take up the task of alleviating a certain number of people from poverty.
- **Unsustainable:** It is not necessary for a charitable person to alleviate someone's poverty completely. Charitable acts may be restricted to a one-off exercise like distributing shawls during the winter season etc.

Overcoming poverty is an act of justice due to the following:

- **Correcting historic wrongs:** Like slavery and apartheid, poverty is not natural but man-made. It is everyone's responsibility to right historical wrongs and establish justice. For example, colonialism and imperialism made Africa and South Asia poor. Such historical wrongs need to be rectified through correcting trade inequalities, delivering more aid to these countries etc.
- **Social justice:** Overcoming poverty helps to protect one's right to dignity and a decent life. For instance, **poverty erodes economic and social rights** such as the right to health, adequate housing, food and safe water, and the right to education. **Poverty also erodes civil and political rights**, such as the right to a fair trial, political participation and security of a person, etc.
- **Human right/natural right:** Not only is it a basic human right to get access to basic necessities, but it is also at the heart of the **2030 Agenda for Sustainable Development**.
- **Establishes equality:** Poverty in the form of inequality, especially fewer opportunities for women, creates an imbalance in society. Thus, ending poverty in all forms will ensure fair and just rights irrespective of a person's gender.

In the present times, **inequality continues to be an issue** (according to World Inequality Report, 2022, the top 10% of India's population holds 57% of the total national income), **wars have** destroyed countries' economies (Arab wars, current Russia-Ukraine war), climate change has exacerbated poverty, etc. In this context, the quote becomes relevant to remind the countries that it is their duty to work to alleviate poverty to uphold the justice in the real sense.

6. (b) *"I do believe that, where there is only a choice between cowardice and violence, I would advise violence."*- Mahatma Gandhi (Answer in 150 words) 10

Approach:

- Briefly highlight why Gandhiji advocated violence over cowardice.
- Mention why cowardice should not be an option for any individual.
- Conclude accordingly.

Answer:

The quote by Mahatma Gandhi emphasizes on the fact that if a choice has to be made between 'total submission' and 'resistance using force', one should choose the latter. In 1908, Gandhiji faced a fatal assault. His son asked what should have been his response when his father was under attack. He said that it was his son's duty to defend him by using violence or physical force. He even advocated **training in arms** for those who had a duty to defend.

As per Gandhiji, violence is advised when the choice is only between cowardice and violence because:

- **Cowardice is never an option for an individual.** He advocated that though violence is not lawful, when it is offered in self-defence or for the defence of the defenceless, it is an **act of bravery far better than cowardly submission**. He said that he would rather have India resort to arms in order to defend her honour than remaining a helpless witness to her own dishonor. Gandhiji made this evidently clear during the Quit India Movement, 1942, when he **refused to condemn violence by masses** against unjust actions of the colonial government.
- **Courage is very important even for adopting non-violence:** Nonviolence is an **extremely active force**, which has no room for cowardice or even weakness. There is hope for a violent man to someday be non-violent, but there is none for a coward. Nonviolence cannot be taught to a person who fears to die and has no power of resistance. Before one can understand nonviolence, he has to be **taught to stand his ground and even suffer death**, in the attempt to defend himself against the aggressor who bids fair to overwhelm him. To do otherwise would be to confirm his cowardice and take him further away from nonviolence.
- **Cowardice is equivalent to committing mental himsa:** He said that the Indians need to cultivate the courage to die without killing. But if one does not have that courage, he should cultivate the art of killing and being killed rather than, in a cowardly manner, flee from danger. For the latter, in spite of his flight, does commit **mental himsa**. He flees because he does not have the courage to be killed in the act of killing.

To Gandhiji, the method of nonviolence can never **lead to loss of strength**, but to offer disciplined and concerted violence in times of danger. Therefore, though Gandhiji always put non-violence above any form of aggression, only the brave could take the path of non-violence. Thus, his emphasis on non-violence **was not based on any kind of weakness** nor out of fear of personal physical injury in the face of an armed conflict. Rather, it was based on **genuine belief in the superiority of "non-violence"** as a means of armed conflict.

6. (c) *"Change does not roll in on the wheels of inevitability, but comes through continuous struggle."* Martin Luther King Jr (Answer in 150 words) 10

Approach:

- Briefly write about interpretation of the quote.
- Discuss how change is pursued through continuous struggle and it is not inevitable.
- Conclude accordingly.

Answer:

The quote by Martin Luther King Jr captures the essence that change requires **persistence, perseverance and courage** to move forward against all adversaries. Martin Luther's fight against racism was the prime example, where he stood for the rights of black people and called for equality among all by instilling mass consciousness through protests and campaigns. He stated that freedom is never given voluntarily by the oppressor; it must be demanded by the oppressed.

Human progress is neither automatic nor inevitable. Every step towards the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals. Without persistent effort, time itself becomes an ally of the insurgent and primitive forces of irrational emotionalism and social destruction.

The quote highlights that change lies in challenging the norms, as well as summoning our determination and courage to stand up in the face of adversity and persist in making a difference, big or small. *For example, social evils like sati, child marriage, untouchability*, etc. entrenched in Indian society during early modern period were ameliorated only after persistent efforts of socio-religious reform leaders like Raja Ram Mohan Roy, Ishwar Chandra Vidyasagar by building mass consciousness and compelling British to frame laws against these practices.

Further, **India's independence** from the colonial power did not come instantly. It was only through continuous struggle and movements like Swadeshi movement, Non-Cooperation movement, Quit India movement that national consciousness was ascertained leading to India's freedom.

Similarly, **cultural acceptance to LGBTQ community rights** in the 21st century has come through courage to open up about one's sexual orientation, conducting pride marches in several city/countries to make people aware about their rights and even filing petition in court (NALSA Case) to fight for one's democratic rights.

In contemporary times, society has been plagued by issues such as rising inequality, caste discrimination, religious fundamentalism, which requires mass movement through continuous struggle to resist these indifferences and move society towards inclusivity and welfare for all.

SECTION B

In the following questions, carefully study the cases presented and then answer the questions that follow (in around 250 words):

7. *You are posted as the Commissioner of Police in a metropolitan city where a visiting foreign dignitary, with President-level security cover, is scheduled to visit for an official function. As a part of the security preparedness, it has been decided that no vehicular traffic will be allowed on the route which will be taken by the foreign dignitary to reach the venue of the function in the city. However, just 15 minutes before the scheduled arrival of the dignitary, you are informed that a critically-ill patient is stuck on the way to the hospital in a private car along with his family. In this situation, answer the following:*
- (a) Discuss the issues involved in halting traffic for VIP movement.*
- (b) List the options available to you in this situation with their merits and demerits.*
- (c) What will be your course of action? Justify with proper reasoning. (Answer in 250 words)*

20

Approach:

- Briefly state the facts of the case.
- Write the issues involved in halting traffic for VIP movement.
- Mention the options available to you along with their pros and cons.
- Write a course of action that you will take and why.

Answer:

The given case pertains to righteousness of halting of traffic for VIP movement and associated issues. Traffic has been halted for a foreign dignitary with President level security cover who is on an official visit. In the traffic, a critically ill person is stuck in his private car on the way to hospital.

(a) Issues involved in halting traffic for VIP movement include:

- **Hardships:** The school buses, the ambulances, the sick, the old, the office goers and the common man all get stuck in traffic jams & blockades caused by these VIP movements. They may miss their trains or flights, students miss their examinations and patients suffer due to this traffic menace. Their stories - full of agony, pain & apathy remain unpublished, unheard and unnoticed.

- **Judicial interventions:** The Madras High Court in 2021 observed that citizens should not be made to suffer by waiting for hours together for VIP movement. At times, it is not even sure that such persons accorded with this treatment are entitled to the same or whether there are security concerns pertaining to the minister.
- **Public security:** Often fewer policemen are posted for maintaining law and order and many are diverted for VIP security, thus compromising public security.
- **Duty of the state:** It is the duty of the State to see there is no inconvenience caused to the ordinary public in their daily activities.

(b) Options available to me in this situation are as following:-

- **Do not allow the patient to be moved through blocked roads.**

Merits: The decision regarding not allowing any vehicular traffic at the time of movement of the VIP was already made. It will ensure that security of the VIP is well ensured besides adhering to an already decided plan of action.

Demerits: The patient being critically ill may die while waiting for the opening of the traffic movement. This will lead to violation of fundamental rights of the patient as well as cause agony to his family members. A public sentiment will also build against this action of the Police.

- **Inform higher officials of the state and seek their directions.**

Merits: As the matter is concerning a very high foreign dignitary, it will ensure that the government is taking a conscious decision of either allowing or not allowing the patient to pass. It will also help in maintaining a smooth diplomatic relations between the two countries.

Demerits: Any delay in taking the required action may prove fatal to the critical patient. It will also give an impression that I, as the Police Commissioner, am hesitating in taking any decision.

- **Allow patients to move through, despite there being a blockade of traffic.**

Merits: This action will ensure timely healthcare intervention for the patient, which will save his life. It will also project a positive image of the police and administration besides strengthening the belief of the public in the governance system.

Demerits: There is a chance that it may lead to security threats for the foreign dignitaries. India is facing many internal and external challenges and various actors may conspire to derail India's diplomatic relations with other countries.

Even if it was a genuine case of a critically ill patient, still the foreign country may feel uncomfortable over this security breach. Also, I may be called to explain my conduct of deviating from pre-decided modalities in ensuring a safe and uneventful trip of the foreign dignitary.

(c) As the Commissioner of the Police, I will take the following **course of action:**

- As there are still 15 minutes left, either I will myself reach the spot on which the patient is stranded or ask the senior most officer nearby to reach the spot and verify the genuineness of the case.
- In the meantime, I will make arrangements for an **ambulance** and will also alert the nearby hospitals to remain prepared to provide urgent treatment.
- Only after verifying the genuineness of the case, I will allow the patient to be moved **only in the ambulance** and under no circumstance I will allow the patient to be moved in his private car.

In my opinion, while there should not be any compromise with the security arrangement, the state is also under obligation to ensure that the Right to Life of citizens are protected. Therefore, appropriate arrangement for ensuring that critically ill patients reach the hospital in time should be allowed.

8. *The transgender community has been a part of India's social set up since the very beginning but never recognized as a reputable part of the society. 'Hijra' is a term traditionally used in India for transgender women who were born male. The role and value of this community in accordance with the sacred Hindu texts condenses to the performance of blessings at marriage and birth ceremonies for good fortune. With the advent of the British Raj in the 19th century, the acts of "cross-dressing" were registered as a criminal offence and if such offences were committed repeatedly, imprisonment followed. Thus, began the criminalization of hijras. Today, although legally supported and socially empowered as compared to earlier times, hijras are still subject to transphobic discrimination-associated violence, poverty, and segregation.*

In light of the above, answer the following:

(a) Identify the challenges faced by transgenders during the different stages of their life.

(b) Discuss the reasons for the continuing discrimination against transgenders in India despite several initiatives for their upliftment in recent times. (Answer in 250 words) 20

Approach:

- Start with the landmark SC judgement regarding transgenders.
- Discuss various issues they face during young, adult and elderly stages of their life.
- Discuss the reasons for the continuing discrimination against transgenders in India
- Conclude accordingly.

Answer:

The **Supreme Court ruling of 2014** set the path to acceptance of the transgender community in motion. For the first time, they were legally recognized as a third gender in the official documentation. **Government-set quotas were provided to increase access to job and educational opportunities** for newly-defined third sex citizens — an estimated half a million - two million population.

However, recent reports estimate that about 80% still rely on dancing, sex work, or begging to make ends meet. Exclusion from any viable means of employment meant they remained on the very fringes of society — still vulnerable to poverty, extortion and violence.

(a) Issues faced by Transgenders during different stages of life:

Childhood

- **Abuse: Psychological abuse** (being insulted, put down, or humiliated or being threatened and made afraid of physical harm), **physical abuse** (being pushed, grabbed, slapped), and **sexual abuse** by a parent or other adult are the abuses they face during childhood. This **hampers the growth of the child rendering** them isolated compared to their peers.

Teenage

- **Exclusion from family and society:** Despite Indian society's general climate of acceptance and tolerance, there appears to be **limited public knowledge and understanding of same-sex sexual orientation** and people whose gender identity and expression are incongruent with their biological sex.
 - **Most families do not accept if their male child starts behaving** in ways that are considered feminine or dressing-up like a girl or woman, which is considered inappropriate to the expected gender role.

Adulthood and Elderly

- **Exclusion due to social stigma:** This has important consequences in terms of issues in getting government ration (food-price subsidy) shop card, passport, and bank account owing to the lack of conducive environment.
 - Moreover, legal issues can be complex for people **who change sex, as well as for those who are gender-variant. Legal issues include legal recognition of their gender identity**, same-sex marriage, child adoption, inheritance, wills and trusts, immigration status, employment discrimination, and access to public and private health benefits.

- **Exclusion from economic participation and lack of social security:** They face a variety of social security issues. Further, it has been generally observed that private sector companies are reluctant to hire them despite being qualified for the concerned posts. Even when they are hired, they face harassment issues at the workplace.

(b) Despite the constitutional right to equality, Supreme Court judgement as well as Transgender Persons (Protection of Rights) Act, 2019, the reasons for continuing discrimination against transgender people in India are as follows:

- **Gender stereotypes:** They are discriminated against because of stereotypical beliefs about the nature of men and women (about their appearance and behaviour). Assumptions about a person's sexual orientation often arise either because of the clothing a person wears or because of their gender presentation, which may be subtler than a person's attire.
- **Lack of legal knowledge:** The term 'disability' in anti-discrimination laws, is not limited to individuals who are significantly debilitated or who appear outwardly ill. However, because of misperceptions and misunderstandings about disability laws, some people have expressed discomfort in pursuing legal protections for transgender people based on disability.
- **No support of family:** Due to social stigma attached with being a transgender, families disown their child rather than being there for them.
- **Absence of leadership:** Although several private firms have come up with queer-friendly policies at workplaces, making 'inclusion' their prime focus, there have been fewer words from corporate leaders to ease the employment situation of the third gender.
- **Lack of sensitization of society:** The issues faced by them are still not debated freely and openly in the general public owing to lack of gender-sensitisation and understanding in the society.

The **Yogyakarta Principles specifically call on states to ensure all human rights without discrimination on the basis of sexual orientation** or gender identity, including the right to housing, the right to work, the right to education, and the right to the highest attainable standard of health. These should be followed in letter and in spirit to ensure a life of dignity to all individuals.

9. *You are an IPS officer posted as the Inspector General of Police in a state. The recent death of a father-son duo in one of the districts in the state, due to custodial violence allegedly in the presence of the Deputy Superintendent of Police (DSP), has sparked anger across the state. This is not an isolated incident, as there have been allegations raised by human rights groups in the past regarding custodial deaths due to physical assault by the police. The High Court of the State, taking suo moto cognizance of the recent incident, has served a notice to the state government, seeking a detailed report on the rising instances of custodial deaths. The state government has constituted a Committee to probe the incident and submit a detailed report about the veracity of facts related to it. You have been asked to head the Committee. You know the Deputy Superintendent of Police of the district to be an honest, hardworking and upright officer. He has privately requested you to absolve him of any wrongdoing as he claims not to be present when the incident occurred. You know that any action against him will be detrimental to his reputation and career. On the other hand, the seniors in the department are pressurising you to put all the blame on the DSP and make him a sacrificial lamb in order to protect the overall image of the police in the state.*

In the given scenario, answer the following questions:

(a) Identify the stakeholders and the ethical issues involved in the case.

(b) What steps will you take to ensure that the enquiry is seen to be fair and impartial?

(c) Given the challenges that the police forces in India operate under in their day-to-day functioning, suggest some initiatives to address them. (Answer in 250 words) **20**

Approach:

- Give a brief introduction about the case.
- Identify the stakeholders and ethical issues involved in the case.

- Mention steps that you will take to ensure an impartial enquiry is carried out.
- Briefly mentioning the challenges that the police forces face, suggest some initiatives to address these challenges.
- Give a brief conclusion.

Answer:

The given case portrays an instance of custodial violence leading to death of the detainees. In recent times, there have been growing instances of custodial deaths in India. For instance, according to National Crime Records Bureau (NCRB) data, over the last 20 years, 1,888 custodial deaths were reported across the country, in which 893 cases were registered against police personnel and 358 personnel were charge-sheeted.

(a) Stakeholders in the case

- **The concerned police officers:** The reputation and career progression of the concerned Deputy Superintendent of Police (DSP) and other police officers is at stake.
- **Family of the deceased father-son duo:** They are facing emotional trauma due to sudden death of their family members and seek truth about the death of their loved ones.
- **Police Department:** The prestige and reputation of the police administration is at stake.
- **High court of State:** Protector of fundamental and constitutional rights of individuals against extrajudicial killings like custodial death.
- **Inspector General of Police:** As the head of the Committee, I have the responsibility to probe the incident while upholding impartiality and professional integrity.

Ethical issues involved in the case

- **Culture of torture and brutality:** It has been alleged that the torture, along with violent behaviour has become an integral part of the police culture, as highlighted by the human rights group.
- **Violates the principles of natural justice:** From the perspective of justice, a criminal or a detainee has rights including the right to be heard and extrajudicial killings such as custodial death abridges the constitutional rights of an individual such as the **Right to life provided under the Article 21 of the Indian Constitution.**
- **Misuse of authority and power:** The custodial violence by the police administration clearly highlights the abuse of power by them, which is provided to them to maintain law and order.
- **Right to fair enquiry:** If the police officers are being falsely blamed, then it will raise questions about them being tried in an unfair manner, which might have a demoralising effect on the police force.

(b) Maintaining professional integrity, I will not succumb to my seniors' pressure to falsely frame the concerned DSP & other police officers and will ensure that an impartial enquiry is carried out and is also seen to be so:

- Firstly, I would **temporarily suspend the concerned DSP and other police officers** who have been alleged in the custodial death, till the time investigation is completed to ensure impartiality in enquiry.
- **I will ensure that a thorough enquiry** is conducted in the matter by identifying and interviewing key witnesses, including eyewitnesses and suspects. Testimonies must be carefully recorded and thoroughly analysed.
- Then, I will check the records of arrests and detentions of the father-son to look into the reasonable grounds and documented procedures.
- I will send corpses for a **proper autopsy** by a medical officer to know the cause of death.
- Based on the autopsy report and testimonies of eyewitnesses, the detailed report will be formulated and if the concerned police officers are found guilty, then along with the departmental proceedings, a criminal charge-sheet will be filed to uphold the due process of law.

(c) The police force faces many challenges in their day to day functioning such as increased psychological pressure, overburdened with work, no fixed working hours, understaffed and

excessive political pressure. The following initiatives would be suggested to address these challenges:

- **Regular training and sensitization of ground-level officers:** These officers serve as the first point of contact and thus it becomes important that they exhibit requisite emotional intelligence to balance pursuance of justice and respect of the human rights of the accused.
- **Creating awareness regarding human rights:** Awareness of 'rights of the accused' among citizens can drastically reduce the incidence of custodial crimes as it creates a channel of accountability towards the police administration.
- **Implementation of Supreme Court directions on police reforms:** SC directives given in the Prakash Singh case, 2006 need to be followed in letter and spirit.
- **Adequate police recruitment:** More people should be recruited in the existing understaffed police administration.
- **Modernization of police force:** Equipment, service condition, training should be modernized so that criminal investigation can be done in a professional and timely manner.
- **Surprise inspections by Non-Official Visitors (NOVs)** should be made mandatory which would act as a preventive measure against custodial torture.

Further, steps such as separation of investigative and law & order maintenance functions of police can be taken. Overall, there is a need to formulate a multi-pronged strategy to keep police excesses in check and uphold the rule of law.

10. *Mr. X is a billionaire businessman who heads a conglomerate engaged in insurance, energy generation and distribution, and manufacturing. Despite being globally known as a great philanthropist, he turned down a shareholder request seeking the disclosure of the conglomerate's actions on issues related to climate change as well as diversity and inclusion.*

Because of increased attention to climate and diversity issues, many leading firms have committed themselves to incorporate relevant considerations in their business strategies. Therefore, some industry-observers wonder if Mr. X is out of touch with the industry at large and have warned him that failing to address climate change issues puts his businesses under systemic risk. But, Mr. X maintained his vote against the disclosure proposal, while at the same time acknowledged the importance of both climate change and a diverse and inclusive work force. However, Mr. X believes that such ethical issues take secondary importance to maximising shareholder profit.

(a) Discuss the importance of including climate change strategies and diversity and inclusion in a business organisation?

(b) In your opinion, what matters more for a business organisation - socio-environmental concerns or shareholder profit?

(c) How can the two above-mentioned issues be reconciled? (Answer in 250 words) 20

Approach:

- Provide a brief introduction to the case-study and discuss the importance of including climate change strategies, diversity and inclusion in the firm.
- Provide a balanced discussion of the relevance of share-holder wealth maximisation for firm and socio-environmental concerns.
- Mention some key measures through which both the issues can be reconciled.
- Conclude accordingly.

Answer:

The case-study refers to the differences in **personal values and professional values** of a person who, despite being a philanthropist and acknowledging the issues of climate change and exclusion, is not opting for openness and transparency in his own firm, citing shareholder interests.

(a) Importance of including climate change strategies and diversity and inclusion in a firm:

- At present, climate change is the **most pressing crisis looming over planet earth**. The future of earth is at risk of being non-conducive for survival unless humanity takes prompt action.

- As more people become aware of the situation, the **demand for climate-friendly products has risen**. ESG funds (which incorporate Environmental, Social and Governance strategies) **deliver higher returns than equivalent conventional funds** in recent years.
- Incorporation of climate change strategies by a business organisation or conglomerate would further **promote such companies**, which would be environmentally conscious in the longer run.
- Climate change has a direct **impact on the escalation of natural disasters**, which adversely **affects insurance claims**. Since, the conglomerate of Mr. X is itself involved in the insurance sector, he must open up regarding his strategies for the same.

Hence, from both ends of profit maximisation and loss aversion it is essential to not brush off the importance of climate change factors in the business organisation.

Importance of including diversity and inclusion:

- It is ethical to **provide fair hiring and promotion opportunities** for people of different races, genders, and backgrounds.
- Having a team that comprises very similar people tends to give rise to the **groupthink problem**, whereas diverse individuals can merge different perspectives, improving creativity.
- Practicing inclusion helps management **overcome cognitive biases**, including the familiarity bias and confirmation bias.
- Companies with equal gender proportions in its workforce and diversity in management, produce **higher revenue and profits**.

(b) Importance of shareholders wealth maximisation in a business:

- Shareholders are owners of the firm and **deserve any surplus the firm creates**. Shareholder value maximization plays a key role in creating profit for a company.
- Shareholders **spend money to employ the executives with the desire that they will bring much higher profits in the long run**, in line with the interest of shareholders to maximize their wealth. **Any actions besides shareholder's benefit are violations of this duty**.
- Some economists believe that there is one and **only one social responsibility of a business**- to use its resources and engage in activities designed to increase its profits so long as it stays within the ambit of the law, and engages in open and free competition.
- It leads to **the best allocation of investment capital for society** because the scarce resource is utilized best for producing the optimum mix of goods and services.

Role of socio-environmental concerns in a business:

- Social responsibility empowers employees to **leverage the corporate resources at their disposal to do social good**.
- It can **boost employees' morale** in the workplace and lead to greater productivity.
- Businesses that implement social responsibility initiatives can **increase customer retention and loyalty**.
- Socially responsible companies have the opportunity **to stand out from the competition** because they cultivate superior and **positive brand recognition**.

Though profit maximisation for shareholders and socio-environmental concerns look like competing priorities, in reality they are complementary goals. Both are important for a business to survive in this age of awareness and influence.

(c) To reconcile profit-maximisation and socio-environmental concerns:

- **The firm should ensure that the company's core values align with its CSR strategy**. For example, if a company believes in sustainable practices, it should ensure that its products and services reflect those values.
- **Integrate the socio-environmental concerns into the business model**. It means that the firm can opt for a social/environmental mission as one of the company's core values and set goals to donate a certain percentage of profits to it.

It is important for companies to remember that socio-environmental concerns are not only good for society, but it can also be good for businesses. By implementing responsible practices, companies can improve their reputation, attract new customers, and reduce costs.

11. *You are posted as a Superintendent of Police (SP) in a district where people of different religious communities are living together peacefully. The district is also famous for its architectural heritage and is regularly visited by tourists from all around the world. However, there has been an incident in the nearby state where people of two different communities have started fighting over religious issues. This incident has a spillover effect over the whole country. In your own area of jurisdiction, you have come to know from various sources about circulation of some hate speech videos, which have the potential to destabilise the law and order situation. You are also aware that some outsiders with dubious intentions have started pouring in your district. In one locality, a shopkeeper who had earlier filed a complaint regarding threats he received for posting something on the internet, is found murdered in cold blood. This incident has stunned the nation. You are being informed that hundreds of people of the community to which the shopkeeper belonged are planning to stage a massive protest in your district.*

(a) In the given situation, what are the options available to you to ensure that the law and order situation in the district remains stable. Provide a detailed account of your course of action.

(b) Do you think the present legal and institutional mechanisms are sufficient to tackle the menace of hate speech in the society? (Answer in 250 words) 20

Approach:

- Provide the facts of the case study in brief.
- State the available options to the SP and give an account of a detailed course of action.
- Discuss the impact of hate speech on the society.
- Mention institutional changes required to protect the freedom of speech.
- Conclude accordingly.

Answer:

The given case study reflects the vulnerable law and order situation existing in a district over religious issues, which has resulted in the death of a person. As the Superintendent of Police (SP), I have to ensure that the rule of law is followed, the culprit gets punished, people are able to assert their fundamental rights and the law-and-order situation of the district remains intact.

(a) Options available to me as the SP of the district in the given situation to ensure that the law and order situation remains under control are the following:

- **Option 1:** Recommending to the concerned authorities and/or the state government to suspend internet services for a certain period of time under the relevant provisions of law, not allowing any protests, initiating an investigation in the brutal murder case of the shopkeeper to bring the culprits to book and making the arrests as soon as possible.
- **Option 2:** Allowing the continuation of the internet services but taking measures to prevent the spreading of fake news/hate speech, making quick arrests in the brutal murder case of the shopkeeper after conducting a thorough enquiry and booking the accused murderer(s) under relevant sections of the IPC as well as other laws, allowing the protestors to exercise their right to protest in a peaceful manner.

I would choose **Option 2** because it can ensure peace and maintain law-and-order while not curbing the fundamental rights of the general public to freely speak and express themselves and assemble peacefully without arms.

Detailed course of action:

- I would prohibit proliferation of fake news and hate content through any means. Those found involved will be booked under the **Information Technology Act, 2000**.
- I would take help from the **cyber cell** to identify people who were involved in threatening the shopkeeper, and would make arrests under **relevant sections of IPC** and other provisions of law related to cyber crime.
- I would conduct an **in-depth but quick enquiry** into the murder of the shopkeeper, and would use all the available resources to find out and arrest the culprits as soon as possible

and book them under **relevant sections of the IPC for murder as well as other applicable laws.**

- I would make public announcements that all the tourists in the district are to **report about their presence, itinerary and well-being to the nearby police stations** and get whatever help they require in evacuating the district if the situation worsens.
- I would also dispatch a team to **identify outsiders who are being reported of dubious intentions** and would alert all the police stations to **increase surveillance and create check posts** in their areas of jurisdiction and keep an eye over movements of arms.
- I would ensure that any protests being held in the district are peaceful in nature.
- I would ask the **civil society organisations and respected members of different communities** to come out and spread the message of peace and restraint in their areas.

(b) Impact of hate speech on the society:

- Hate speech, in itself, is a **denial of the values** of tolerance, inclusion, diversity and the very essence of **human rights norms and principles.**
- It may **expose** those targeted to discrimination, abuse (including violence), social and economic exclusion, etc.
- When left unchecked, expressions of hatred can **adversely affect social cohesion, peace and development**, as they lay the ground for conflicts and tensions and wide-scale human rights violations.
- Although hate speech has always existed, its ever-growing impact **fuelled by digital communication** can be devastating with spread of fake news, deepfakes etc., thereby spurring communal and ethnic clashes.

Various provisions in the Indian Penal Code as well as in other laws like the Representation of The People Act, 1951; the Protection of Civil Rights Act, 1955; the Cable Television Network Regulation Act, 1995, etc. aim to prohibit and/or penalise any form of hate speech. The right to freedom of speech and expression under Article 19 of the Indian Constitution is itself subject to reasonable restrictions under the same Article. However, despite these provisions to tackle the menace of hate speech, some have argued that the present legal and institutional mechanisms may be inadequate in the present context of social media, digital communication etc. In this regard, other measures that can be taken, include the following:

- Freedom of speech includes the right to offend. However, it must not traverse the boundary of hate speech. To ensure this, some have argued that there is a need to **define 'hate speech' clearly.**
- After the Supreme Court judgment in the **Pravasi Bhalai Case, 2014** the Law Commission of India in its 267th Report on Hate Speech released in 2017 suggested **amendments in the IPC and the Code of Criminal Procedure (CrPC)** to add new provisions on 'prohibiting incitement to hatred' and 'causing fear, alarm or provocation of violence in certain cases' in IPC and the First Schedule of CrPC to tackle hate speech.
- Some colonial era laws may need to be reviewed, so that the boundaries of hate speech can be clearly delineated.
- School going children should be **sensitised about freedom of speech and its reasonable restrictions** from the very beginning through inclusion of relevant material in the **school curriculum.**

While steps to curb hate speech and prevent the spread of fake news are needed, upholding the freedom of speech and expression, taking into account the reasonable restrictions in this regard, is also of paramount importance.

12. *The Indian education system suffers from many ills. One of the major issues is the focus on 'rote learning', which has been the staple of the Indian education system for many years. While many Indians have attained success despite this system, simply being able to recall information is not enough in today's world when that information is instantly available to anyone on a mobile phone. A survey of 200 Indian and foreign companies found that only 14% of Indian graduates were prepared for the workforce, largely because most graduates were unable to apply their knowledge to solve real-world problems.*

In this context, answer the following questions:

(a) What are the consequences of 'rote learning' on the educational development of young students in the country?

(b) Suggest measures that can be taken to address this issue. (Answer in 250 words) 20

Approach:

- Give a brief overview of the case.
- Highlight the consequences of 'rote learning' on the educational development of young students.
- Mention the measures that can be taken to address the issue.
- Conclude accordingly.

Answer:

The given case highlights certain issues regarding the education system in India, especially rote learning. It argues that this mode of learning is problematic in the contemporary world where memorizing and replicating information is not enough, since technology has made information readily available.

(a) Consequences of 'rote learning' on the educational development of young students:

- **Shallow learning:** The teaching-learning style is predominantly based on memorizing facts and reproducing these in examinations. There is minimal emphasis on analysis and imbibing the logical structure of a problem and its solution. Further, it **precludes growth of value-based education and character building** of an individual.
- **Pattern recognition:** It reduces problems to an identification problem and attempts to find the solution from 'having seen it before'. There is hardly time to reflect upon the core concepts because of the emphasis on 'solving problems from question banks'. Comprehension of concepts is sometimes seen as a waste of time because it stands in the way of the speed that is required to 'crack' (especially competitive) examinations.
- **Emphasis on quantity:** The usual objective is to cover as much material as possible. There is a plethora of topics stuffed in every subject and this is considered to be a sign of being 'advanced'. Over decades, the evolution of syllabi seems to have happened simply by the addition of more and more 'higher' topics. It has only burdened the students without generating creativity and curiosity among them.
- **Hyper-competitive ethos:** Ranks and marks play a significant role in facilitating access to college education. This makes the entire system examination-focused, with increased dependence upon **coaching institutes, question banks, guidebook-based studying** and a **single-minded obsession with scoring high marks** at all costs.
- **Unemployability:** Focus on rote learning with meagre emphasis on skill development and low Industry-university linkage have made the youth unemployable.

The single biggest drawback of rote learning is, perhaps, the implication that there is only one 'right' answer. In the long-run, the approach hinders one's creative and logical abilities and keeps students away from exploring the boundaries of possibilities. It also stunts the development of divergent thinking skills thereby leading to lack of creativity and problem-solving skills.

(b) The following measures can be taken to address the issue of rote learning:

- **Need for a strong leadership:** The leaders of our schools – block officers, inspectors, management, and principals – must shift their focus from **administration to 'leading learning'**. Leaders should ensure that all schools facilitate deeper understanding of content,

so that each child in every classroom is equipped with the ability to take information and apply it when necessary.

- **Regular skill upgradation of teachers:** Most teachers tend to convey information in the easiest way possible – writing on the board or reading out of a book- while students copy it in their books. The teachers should be trained to plan not only **what information** they will present to students but **also how the students will engage with this content**.
- **Changing the mode of examination:** There must also be a focus on the types of questions being asked to our students – whether in board exams, class tests, or even when a teacher is simply posing a question to his or her students in class. Students must not only be asked questions for which they must recall the correct information. Assessments must be designed to provide students the opportunity to show that they can analyze and synthesize content, and apply their learning to solve real world problems.
- **Incentivizing creativity:** Students should not lose out on marks if they are not sticking to the 'expected' answers — based on keywords and limited to what the textbook says. Instead they should be rewarded for their creativity.

As the current world is going through the 4th Industrial Revolution which would enhance 'creative destruction', there is a need to shift from rote learning towards skill-based education. If India aims to become a knowledge-based economy, it needs to move away from the 'rote learning' method it has been following for decades.

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