

Q 1 a) Plato's theory of justice was based upon virtue of individuals of a society. Such that a courageous soldier or a wise philosopher contribute to a just society. Rawlsian justice also depends on individuals ensuring equal liberties which is an individual virtue and cannot be imposed only by external authority. This sense of justice as a virtue thus becomes a cornerstone for both Plato & Rawls when it comes to social institutions.

### Rawlsian Theory of Justice

Rawlsian justice is a harmony between procedural and substantive forms of justice so as to create a just society.

It is based on three essential principles: —

- (i) Equal liberty
- (ii) Equality of opportunity.
- (iii) Difference principle - i.e. difference or unequal treatment in society is only acceptable if it benefits the weakest link in society.

thus, the major work for social institution is based on the chain principle which focuses on empowering the weakest members of society.

How Plato & Rawls are similar?

By making Justice the primary virtue both philosophers advocate a distributive form of justice. They both agree that with justice as the first principle, other virtues like liberty, equality & fraternity naturally flow from it.

Q 1 b) Justice, liberty and equality are co-dependent concepts of political theory and only a ~~for~~ balance between liberty and equality ensured through a just system can create harmony.

### liberty and equality

liberty can be defined as absence of restraint. In the form of negative liberty it advocates a equality in the sense of political & social equality with stress on equality before law. This is a liberal view of liberty-equality balance.

liberty in the form of positive liberty advocates creation of conditions that allows real choice. Thus, positive liberty creates conditions for socio-economic equality, where there is distribution of goods to create equal lifestyles of man.

However, liberal critics argue that such a form of equality generally suppresses liberty and foregoes meritorious or capabilities of man to ~~of~~ more equal societies.

### Role of Justice

Justice inquires into the moral basis of distribution of goods & services among man. Thus, as per the accepted norms of society justice maintains a balance between liberty and equality.

Justice restricts total liberty to make room for equality and identifies and rectifies when creation of conditions of equality is restricting or limiting liberty.

Without a justice society cannot ensure either freedom nor equality.

Q 1 c)

The above statement advocates a liberal view of liberty which advocates primary to negative liberty and gives primary to social and political liberties.

The statement advocates that it is man's efforts that ensure he creates conditions for the quality of liberty to command.

### Man is Not Born Free

This statement implies that man is bound by the limits and rules of nature. Natural conditions limit man's ability to do as he pleases.

### Freedom is obtained through efforts

Because of natural limitations, man uses his intellect & pursues the path of scientific & social endeavours to overcome the limitations of nature and create

a more habitable lifestyle.

Thus, this statement implies a sort of equality at birth & then individual endeavours that bring different forms of liberty.

### Critical estimate

The above statement fails to take into consideration:-

- (a) Socio-economic inequality which limits capabilities.
- (b) Unequal opportunities based on economic & social environment.

The statement is such a firm advocate of ~~meritocratic~~ meritocracy that it fails to take into consideration socio-economic inequality prevalent in society.

Q 1 d)

sovereignty in the form of a Monistic Theory was advocated by John Austin. This monistic theory though is criticized by Laski who proposes of pluralistic theory of sovereignty.

### Main Tenets of Monistic Theory:-

- (a) All laws must emanate from a determinate source.
- (b) laws must be an expression of command.
- (c) laws must be backed by sanctions.
- (d) rights to citizens are concessions by the state.
- (e) The sovereign is not bound by moral and ethics but may make laws for the same.

## Issues with Monist Theory:-

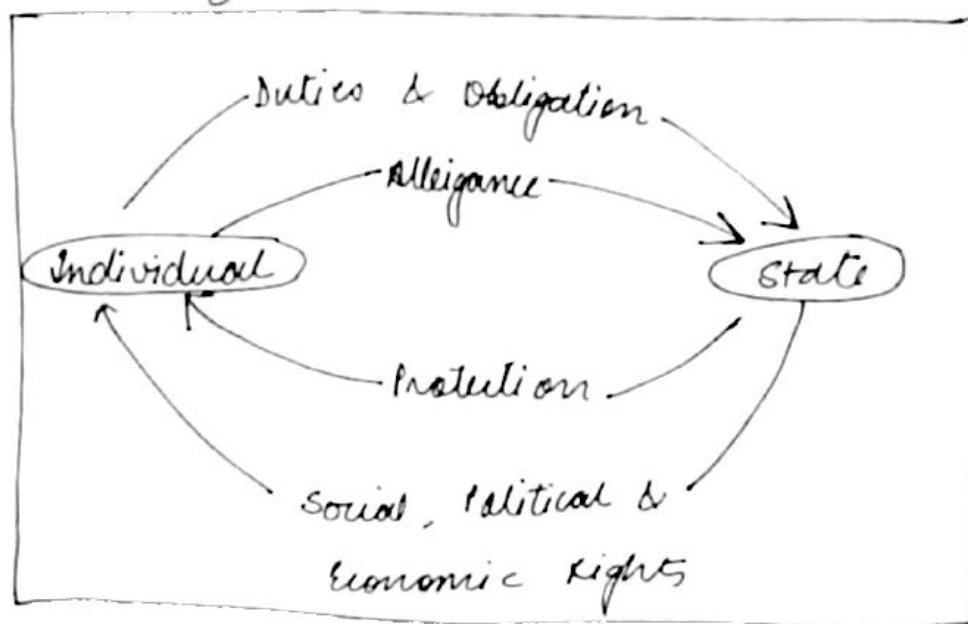
(\*) Absolute sovereignty cannot exist like in the following cases:-

- (i) Sovereign is limited by culture & traditions of society.
- (ii) In a parliamentary system, need for approval of people is essential while making laws.
- (iii) A Federal system dismisses the determinate source idea of monist theory.

Hasli states that sovereignty is essentially pluralistic as competing interests & advocacy determines state policy.

Q2a) Individual and state are co-dependent for their existence. Individual together provide for legitimacy of the state which states provide individual basic rights and protection necessary for peaceful existence.

The relation between the two can be summarized in the diagram.



The type of state system determines the rights provided by the state and the duties & obligations of an individual.

A liberal or capitalistic state gives primary to political and ~~social~~ <sup>civil</sup> rights, which give primary individual liberty over substantive equality. It advocates a procedural form of justice with the state acting as a nightwatchman & playing a regulatory role.

A socialist state give primary to positive liberties & substantive justice. Thus, it focuses on <sup>socio-</sup> economic equality of individuals. With the aim to create an equal society duties of individual to state take primary over <sup>civil & political</sup> rights of individuals.

Conclusion - Individual <sup>without</sup> ~~with~~ state is is anti-social while state without individual is impossible.

Q 2 b) Liberal traditions advocate negative liberties of individuals leaving it to the expectation of man to achieve his/her political. Liberal tradition thus believe in minimal government & laissez faire market systems which stress upon individual liberties.

The liberal tradition therefore advocate maximum civil & political rights. Thus aim to create a system of equality before law, personal liberties, freedom of properties & political advocacy. They hope to create a procedural form of justice to ensure equal liberties to all.

This focus on individual rights could be restructured as focus on rights over duties. However, such a generalization

is error prone. No state can give rights without duties in return.

As the main aim of liberal traditions is individual liberties, it can only be possible if each individual has the same rights. Equal liberties are only possible if citizen themselves restrain their liberties so as to not infringe on the liberties of others.

Advocacy for rights without performing duties would result in destruction of social order & social harmony. Thus, it cannot be said that liberal traditions give primary to rights over duties.

Q 2 c)

Monarchy as the rule of one person is a historic concept when an individual ruler was the final authority for all laws and justice.

According to Bodin theory of sovereignty, nature of ~~it~~ sovereignty is determined by the source of all legal power. If <sup>as</sup> such law are made in the name of an individual then the sovereignty is defined as a monarchy.

Today however, rule of one person is hardly applicable in states even which define themselves as monarchies.

In countries like UK and Denmark, the legal systems are parliamentary monarchies. Though laws are enacted in the name of the Queen/King, the law making body is the parliament which ~~itself~~ is determined through a democratic

process. Thus, while the state is formally a monarchy & in reality it remains a democracy.

~~the~~ Contrary to the above case, the rule of one person is defined as a dictatorship like that existing in North Korea & Cuba. While the dictator is not formally chosen via royal bloodlines (as in the case of monarchs) he is ~~the~~ essentially the ruler of his state. Dictatorships are generally condemned by majority populations while monarchy like in the UK is even welcomed.

### Conclusion:

While monarchy implies one person rule, the concept does not really hold sway in present socio-political setup.

Q 2 d)

The above statement is the major criticism against democracy given by Plato. Democracy implies rule of people who are essentially equal.

Plato criticized democracy as rule of ignorant & uneducated because -

- (a) People are fickle & essentially self serving.
- (b) Democracy favours mediocrity over meritocracy, and people usually choose individuals more like themselves rather than based on issues.
- (c) Democracy leads to election of people with good showmanship & money rather than merit.
- (d) Because of fickle nature of public, democracy ultimately leads to unstable governments which impede progress.

## Critical Appraisal

Q 3 a) Early Marxist thought gave a humanistic aspect of issues concerning the capitalist system through the 'Theory of Alienation'.

Marx stated that capitalist systems have a dehumanizing effect as it leads to alienation. Alienation occurs in four forms:-

(a) Alienation from one's product -

Due to assembly lines in factories, workers perform highly specialized functions & are thus alienated from the final product being created.

(b) Alienation from Nature -

Rapid urbanization, ghettoized living etc have divorced individuals from nature as they live in artificial environments brought about by capitalization.

### (c) Alienation from Others

The drudgery of industrialization, long working hours etc, leave little time for social interaction. Thus, man is alienated from fellow man.

### (d) Alienation from Oneself

Capitalist system provide little time for an individual to recognize self worth leading to ultimate alienation from self.

### ~~Marx~~ Marxist Humanism

It advocates removal of the conditions of capitalist structures to give primacy to individuals. His humanism emphasizes of acquiring full knowledge of nature through scientific endeavours to bring about welfare of man & make him the maker of his destiny (praxis)

- Q 3 b) Democratic socialism implies bringing together the best concepts of both democracy & socialism to bring about the evolution of a welfare state.

### Ideals of Democratic Socialism

- (a) Partial socialization of means of production and distribution to create a strong base for the state to provide public service.
- (b) Freedom of Thought & Expression to allow public opinion ~~in~~ and democratization of society.
- (c) No dictatorship as it takes away freedoms of individuals & suppresses personality.
- (d) Satisfaction of Moral & Material needs to ensure basic standard of living for all citizens.

- (e) Free competition for political power to allow all ideas and thoughts to be expressed in a democratic society.
- (f) Sense of community by focus on duties & obligations of citizens & fostering fraternity.

### Democratic Socialism improving over socialism

- (a) Give ~~more~~ primary to individual liberties while also ~~too~~ ensuring socio-economic equality.
- (b) Socialism tends towards authoritative rule which is overcome here.

### Democratic socialism over liberal democracies

- (a) Aims to prevent evolution of unequal societies.

- (b) Focus on equality of opportunity for all.

How democratic socialism fails to fuse democracy & socialism?

- (i) Partial socialization can lead to governmental overreach undermining democratic ideals.
- (ii) Failure of government machinery due to inadequate authority can lead to rule of majority or suppression of minority interests.
- (iii) Possibility of slow development of private enterprise due to excessive regulation of state.

Conclusion - Though democratic socialism is a form of ideal governance maintaining a balance between the opposing claims of democracy & socialism is difficult.

Q 3 c) M N Roy's New Humanism or Radical Humanism focuses on the rational nature of man as the basis of achieving ultimate purpose of human beings.

M N Roy's humanism is an individualist philosophy which advocates use of scientific knowledge to bring about welfare of humans. It states that ignorance is the major obstacle to human freedom.

### M N Roy's Criticism of Marxism

- (i) Marx's focus on material conditions as a determinant of human conditions takes away free-will of man.
- (ii) M N Roy also opposes the role of revolution <sup>if works</sup> to ~~or~~ bring about change.

M N Roy advocates that man is the maker of his destiny. Thus man should endeavour to create a new social order based on fraternity of free men.

M N Roy also advocates the role of intellectual elite to create a more humanistic society. This is in line with his advocacy for removal of ignorance & scientific endeavour to bring about change.

Thus, M N Roy's Humanism advocates knowledge & individual endeavour to create a fraternity of ~~more~~ moral men.

Q 4 a) Indian secularism is based on the ideals of 'Sawa Dharma Sambhava' or <sup>peaceful</sup> co-existence of all religions.

The state plays an essential role in allowing the growth of all religious identities and provides special provisions for minority religions.

### Indian Secularism as opposed to Western notion

The idea of secularism in the West is based on the divorce of religion and state. The state neither supports nor discriminates ~~and~~ against different religious groups.

Religion is characterized as a purely individual pursuit & a matter of faith and all decisions & laws are made based on citizens being humans rather than them having a religion.

identity.

Indian ~~sec~~ secularism does not account for religion as merely an individual pursuit but also takes into account the role of religion in community and society. Thus, state plays a role to ensure community interests like that of any other pressure group.

### Role of state in Indian secularism

- (i) State aims at upholding individual rights when such are curtailed due to religious traditions or culture. Thus, intervention of state in religious matters is not considered as opposition to secularism  
eg - Protection of gender rights like in the Shabir Bano case.

- (ii) Protection of minority rights from the ~~mean~~ onslaught of majority community. This is based on the principle opposing tyranny of majority.  
eg - Babri Masjid case.

### Conclusion:

Gandhi emphasized on the relation of religion & politics so as to provide a spiritual backing to state. Religion plays an essential role in establishing the moral and ethical principle of the state without drawing these ethics purely from one religion or to benefit a particular community.

Q 4 c) 'Punishment not for Punishment' advocates the teleological theory of punishment as opposed to the deontological theory. It implies that punishment serves a purpose in enforcing justice.

### Teleological Theory of Punishment

This theory has three main manifestations

- (a) Deterrent theory - Crime is considered as a crime against society and that which breaks the threads of social harmony. Punishment is usually harsh and aims at establishing individual deterrence (by showing that crime is not fruitful) and general deterrence (by telling society that crime would lead to harsh punishment)

(b) Preventive Theory - Aims at safeguarding the society from criminal behaviour. Thus, also advocates ~~last~~ harsh punishment.

(c) Reformative Theory - This form of punishment aims at reforming criminals into being model & productive citizens by supplementing counselling with prison sentences.

### Deontological Theory as Punishment for Punishment

This theory advocates that punishment does not ~~at~~ serve a purpose but should be given as a crime has been committed. Thus, retributive punishments advocate punishment for the sake of punishment.

### Conclusion

The teleological theory of punishment provides a purpose for carrying out sentences. Thus, it aims at providing a moral basis for incarceration.

Punishment not just for the sake of punishment thus advocates individual & societal well-being.

Q 5 a) Feminism implies equal rights to men and women & for the rightful emancipation of women from a gender discriminatory society.

Feminism has its roots in lower position of women in society.

Historical developments have led to characterization of women as the weaker sex which requires protection from men. This has resulted in dominance of men over women and creation of an unequal society. Moreover, a patriarchal culture also results in lesser rights and opportunities available to women.

Feminism aims at removal of these gender discriminatory practices. The degree or method by which feminism is carried out depends on the different theories of feminism proposed.

Liberal Traditions of feminism advocate basic civil & political rights to women to create their own position in society.

Radical traditions state that due to progress of science & technology, women should not be restricted to gender defined roles of family & motherhood, but that this burden should be equally shouldered by men & women.

Socialist traditions emphasize that men like capitalists have prospered by subjugation of women & that must be removed for ~~gender~~ empowerment.

## Tackling Gender Discrimination

### (a) Education & Awareness

to fight the patriarchal mindset prevalent in society, there is need of spread of education among women so that they may fight for their rights. It is equally important to raise awareness among men about the issues of gender discrimination & its ill-effects on society.

(b) Economic Empowerment

This is to enable women to be independent & not dependent on men for basic living. Advocates have also suggested calculation of economic worth of house work to establish contribution of women.

(c) Political decentralization & women's participation

This aims at providing political rights to women so that they can themselves advocate for socio-economic reform & gender rights.

Q 5 b) Ambedkar argued that the caste system was the root cause of caste discrimination & only the breakdown of the caste system can lead to end of discriminatory practices.

Ambedkar's arguments against discrimination:-

- a) Caste discrimination hampers progress of society ~~due~~ as it creates social division.
- (b) Caste discrimination opposes meritocracy as it prevents individuals of lower caste from achieving their potential.
- (c) Caste discrimination is exploitative and against the fundamentals of human rights.

## Ambbedkar's argument to stop caste discrimination -

only the total destruction of caste system can lead to ~~the~~ removal of discriminatory practices.

~~But~~ Discriminatory practices would continue as long as there is a hierarchy of caste preventing social progress & growth of society.

Q 5c) Gandhiji advocated the Varna System as a solution to caste system.

### Varna System

- Division of class based only on occupation of an individual (4-fold)
- It allows development of specialities as skills are passed down from one generation to another.
- It creates a independent society as varna is based on occupational practices only.

### Caste System

- It implies breakdown of communities based on sub-occupation
- It is essentially hierarchical with no provision for intermingling.
- Hierarchy of caste leads to discriminatory practices like untouchability

## Varna System as a Solution

As the varna system is based only on occupation & is rid of hierarchy it prevents the issues of caste. However, it ensures skill development & growth as a society cannot really be class-less.

## Arguments against Varna System

Ambedkar as advocate of class-less society called the Varna system patronizing as it does not really get rid of divisions in society. Moreover, the inheritance of occupation based on varna is opposed to free-will & meritocracy.