

चौधरी PHOTOSTAT

"I don't love studying. I hate studying. I like learning. Learning is beautiful."



"An investment in knowledge pays the best interest."

Hi, My Name is

POLITICAL SCIENCE

IAS

Political Science & IR

W. Political Theory

(C.P. Gauba)
book

Indian thoughts

(IGNOU)

Indian National movement

(Bipin chandra)

Indian govt. & politics

(Oxford Handbook on Indian govt. & politics -- P.S. Mehta)

Paper - II

IR

Comparative politics

(IGNOU)

(Subratas Mukhojee)
(Sushila Ramaswamy)

(Tapan Bisual)

World Politics

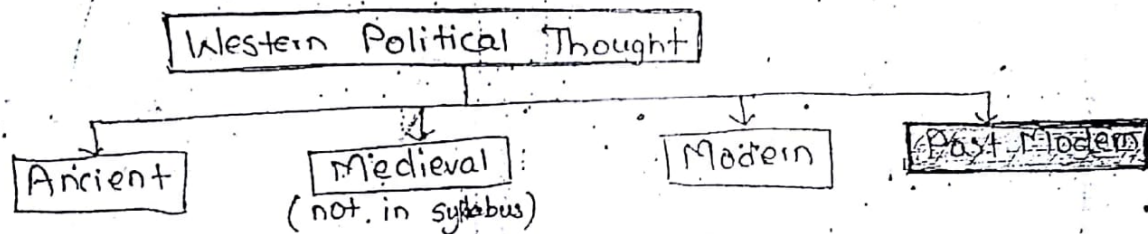
(Global Politics bys Andrew Heywood)

India & the World

500 - optional	GS-I, IV - before Prelims
250 - easy	GS-II, III - be after Prelims
250 - ethics	
1000	50% marks

* Western Political Thoughts :-

- ↓
• Theories of Governance :-
 - deals with system of governance.
- Govt. institution - civil society society.
- Thought - thinking of age
 - time & space
 - ideas of about governance & time & space.



• Western civilisation - started in Ancient Greece
↓
| city states (political unit).

Politics word comes from "Polis" → Police.

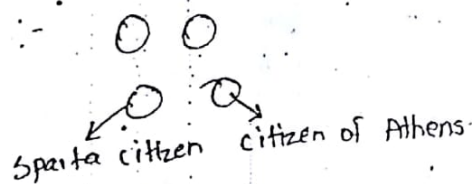
* State :- self sufficient community.

Grandhi - centralised states

village republic - self sufficient

* Nation :- modern times concept

Ancient greece :-



+ Medieval - Roman empire
- 30 years → Treaty of Westphalia (1648)
↓
beginning of IR nation

- concept of territorial states comes
+ modern state system is centralised
- Supranational

• Ancient Greece :-

• Salient features of Greece way of life :-

1) Political system

city states - self sufficient.

2) Social System -

class - basis on economic criteria

• 2 classes in ancient greece :-

1) Masters - those who have property

2) Slaves - have masters property.

• Greece society

- Hierarchical society

• Greece society was patriotical

• Western views are progressive

• Indian views - Regressive

3) Greece Economy -

- It was primarily ~~aggregation~~ ^{agrarian} society & that is why slavery in practice

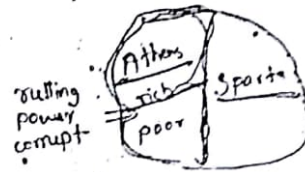
Thinker - Age / Time

- Place of that thinker
- What was his concern
- School of thought
- Methodology
- Influences
- Key ideas, key statements
- Books
- Contribution & Place in the History of western political thought.

Plato :

Q. Introduction of Plato as a thinker :

- 427-347 B.C., European thinker
- Plato belongs to Athens
- Thucydides trap - relations bet. US & China
- Athens was defeated by Sparta
- Plato wanted to know reasons for the fall of Athens
- Plato wanted to join politics but he shifted to philosophy
- Plato aim - He wanted to make 'Athens an ideal state' ^{prefer} _{state}
like our founders wanted ^{India as} _↑ heaven.



Plato's school of thought =

1) Plato is an idealist

idealist = those who are concern to what are to be

- Plato is an actually Utopian (practical thinking)

- Plato is radical. (radical - who are going far for reaching solutions.)

What problems observed in Athens?

- According to Plato Athens was not one city but 2 cities. (city of rich & city of poor).

internally
- "~~Every society is internally divided it becomes vulnerable to external treats~~" becoz

Why that problem in Athens?

- Plato found fault with the ruling class. Ruling class has concentrated where in their hands, where majority was poor.

- corruption

- biggest problem in politics - how to tackle corruption.

[Honey on tongue is very difficult to test ← kāurīga]

According to plato the biggest problem is corruption of ruling class.

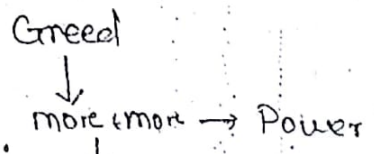
corruption - It can be defined in 2 ways.

1) using public office for private gains.

2) when ruling class does not do ^{what} was suppose to do & do what they should not do.

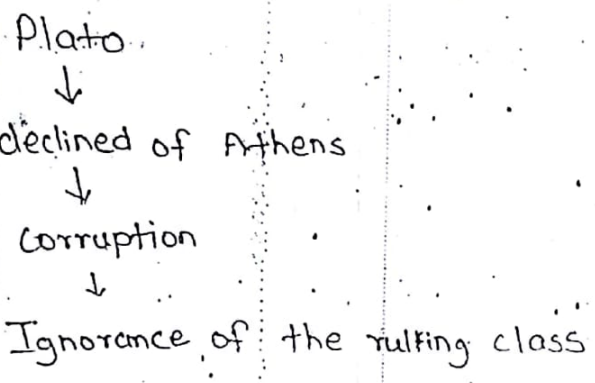
Why people are corrupt / Root cause of corruption -

- corrupt is bcoz of greed (असत)



Happiness (material Pleasure)
(Honesty character vs Bank acc)

- Ignorant rulers ← root cause of corruption.



॥ अक्षर ही सचचाई की कुंजी है ॥
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② Representative Democracy :-

Criticism :- Rousseau

According to Rousseau Englishmen are free only ~~once~~ ^{once} in a 5 year. Leaders like Gandhi, J.P. Narayan, M.N. Roy favoured partyless democracy. Gandhi compared political parties with prostitutes. Hence he wanted Indian should go for direct democracy. M.N. Roy also believed that party politics is nothing but power politics, it will never be possible ethical politics. Even the founding Fathers of US constitution ex. George Washington was against parties because parties being fractionalism & national interest gets compromise for party interest. Hence US constitution was formulated in a such way that party system should not play role.

* Participatory Democracy :-

Also known as direct democracy. Among the scholar of participatory democracy there are 2 schools of thoughts.

- ① Based on liberal discourse. For ex. scholars like Rousseau. Rousseau supported direct democracy as a means to understand general will. Even J. S. Mill considers direct democracy as an ideal & representative democracy as 2nd base.

② Based on leftist ideology, - scholars Heber-Mas, Jacques Ranciere, Nancy Fraser, Chantal Mouffe, Ernesto Laclau. This school also known as radical democracy.

In liberal discourse institutional approach is adopted. Institutions of direct democracy are referendum, initiative, recall, right to information, social auditing, citizens charters, watchdog bodies like Human Rights Commission, local self govt.

Scholars of radical democracy support public action politics of protest, social movements, organising the weaker sections. Among theories of participatory democracy, we can mention Rousseau who believed that only by direct participation in governance we can understand general will. Fannah Arentt consider participatⁿ in civic affair as 'human conditⁿ'. Hebermas has given concept of public sphere.

Q What is public sphere?

Public sphere is "discursive space" where people come together to discourse freely issues of common concerns, identify social problems with objective of influencing govt. actions. From the perspective of Hebermas strength of democracy in western countries comes from free houses ^{coffee}.

Nancy Fraser has modified concept of Hebermas for ^{Suggest} exploited sectⁿ / marginalised sectⁿ should form their own public sphere. She uses term "counter public".

(2)

Jacques Ranciere believes that participatⁿ is only way to end the exploitatⁿ & those who have been excluded. Amartya Sen also support participatⁿ but he suggest capacity building. Participatory democracy is desirable & it is acknowledged that without ^{pp.} participatⁿ neither good governance nor sustainable ~~de~~ g^ovt is possible ^{but} as Amartya Sen suggest there is need for capacity building masses.

In India 73rd AA give reservatⁿ to weaker sectⁿ in Panchayats. However reservatⁿ ^{alone} does not ^{ensure} participatⁿ.

There is need to will non coersive environment as well as capacity to people to participate.

• Deliberative Democracy :-

There is no need add term deliberative with democracy. Democracy has to be deliberator. However in recent times we have forgotten essence of democracy. Democracy has been reduced to game of no. or tyranny of majority. One of the earlier exponent of deliberative democracy is Pericles ~~Christ~~ & Athenian. According to Pericles discussion never stumbling block rather indispensable preliminary of any wise action. Aristotle held that people deliberating can arrive at pa better decisions rather than expert acting alone. According to Aristotle it is a duty of citizen to participate in affairs of city states. State is family of families. Only when people representing diff. families come together & deliberate diverse interest can be taken care of. :-

• Rousseau - only way general will can be filtered by direct participation of people in dialogue.

• J.S. Mill - Mill was a critique of tyranny of majority & greatest champion of freedom of speech & expression.

• John Rawls - in his theory of justice has shown that principles of justice are product of public reasoning. He also believed that people belonging to different comprehensive doctrine can develop 'overlapping consenses' by public reasoning.

• Amartya Sen - also support public reasoning. According to Amartya Sen only when people discuss & debate any particular issue, those in govt. pay attention towards such demands. In his book 'uncertain glory' he suggest that health remains the neglected sphere becoz health has never been issue of public debate in India.

Public reasoning is set of arguments which citizens accept as a condition for well ordered society.

• Habermas - given concept of public sphere, idea speech situation & communicative action; Ideal speech situation suggest that there is no force except force of argument.

All have equal right to speak, all have equal chance to speak. When people are discussing they are honest & transparent.

• Joshua Cohen has given 5 elements of deliberative democracy.

1) It is an independent & ongoing associatⁿ of people with expected continuity.

2) People accept that deliberatⁿ is deciding factor

- 2
- 3) Non-coersive environment - every person respect deliberative capacity of the other.
 - 4) There is respect for pluralism of values.
 - 5) Deliberation is ^{basis} way of legitimacy.

He has also giving following benefits of deliberative democracy -

- 1) It is the best way to deal with moral disagreement.
- 2) Best way to secure legitimacy of collective action.
- 3) Better policies come up.
- 4) Public education.
- 5) Development of trust
- 6) We come to know our general ~~genuine~~ ^{genuine} preference.
- 7) It develops public perspective on public issues.
- 8) It makes democracy representative & consociational.

Thus deliberative democracy makes up conscious of powers ourselves, enlarge our understanding issues fortified democracy; strengthen human dignity. Deliberative democracy gives priority to discuss on over voting & debate over choice.

* Rights -

- 1) Theories of Rights
- 2) Concept of Human Rights

@ What are rights?

Rights of man is a feature of modern times. In ancient times, there was concept of divine rights of king. However in modern times came concept of FRs of man. Idea of rights belongs to liberal discourse. Liberal revolutⁿ like American, french revolutⁿ laid to the recognitⁿ & declaratⁿ of rights of man. Hence idea of rights based on view of man as an individual. Rights are protectⁿ which are available to man. Rights are protectⁿ which are given to man protect

himself interest from society & state. The Strongest theory of rights

is theory of natural rights. According to theory of natural rights, rights are given to man by nature, they are fundamental for human existence. It separate human existence from animal existence. According to Dworkin rights are trumps.

In any situatⁿ of conflict, ^{right of} man will trump over any other consideratⁿ including interest of society or state.

According to Nozick, rights are entitlements. Man should possess rights & there is no relationship betⁿ rights & obligatⁿ.

Right of man is obligatⁿ of others

Rights are source of empowerment, wellbeing of person.

* Contempt of Court :-

Under art. 19(2) ^{contempt of court} ~~defamation~~ is ground to restrict freedom of speech & expression. Both SC & HC are court of records & have power to punish contempt. In 1971, parliament has passed contempt of court act defining scope of contempt.

- 1) Civil contempt means willful disobedience to order.
- 2) Criminal contempt interfering in course of justice, jeopardising dignity of court.

+ Problem :- Contempt of court power has been used to check any criticism of courts judgement & to protect erring judges.

It has been used against media.

In 2006, contempt of court act was amended & it is suggested that truth in speech is a self defence.

In Mulgaonkar case, SC had issued guidelines w.r.t. use of contempt of court. It will be done only when there is malafied intent to jeopardise dignity of court. It will be not used to protect erring judges.

• Analysis :- Healthy criticism is a feature of democracy. It is said that justice can not be toy cloistered virtue. It has been suggested by scholars like Dworkin that people debating in public is never against interest of good laws & governance. former justice Krishna Iyer has suggested that judges should never loose the temperament.

Administrators with justice will cool mind unaffected with criticism.

* Suggest - Power should not be used to check healthy criticism. It should be used only in case there is something scandalous course & abstract administration of justice.

* Privileges of Parliamentarians :-

Parliamentarians are given certain privileges so that they can work without fear & obstructions. Constitution mentions freedom of speech & expression as a privilege of parliamentarian & also suggest that parliamentarian & state legislature should codify privileges.

• Problem :- No attempt has been made to codify privileges so far.

• Consequence :- At times privileges has been invoked to curbe freedom of press. Parliament has power to punish for its contempt as well as breach of privilege.

• What is solution? Codification of privileges so that boundaries are well defined. It would be easier for judiciary. SC is a guardian of FRs. At times it becomes difficult for SC for fulfillment its obligation. Under art. 122 there is restriction of judiciary w.r.t. interference within procedure of parliament. As of now privileges has a primacy over FRs. (search ^{list} ~~list~~ case).

Hate Speech :- Uptill now there is no law defining what would constitute a hate speech. Hate speeches are very common during elections. There is no concrete parameter to determine Hate Speech. SC in Pravasi Bhalai Sanghatan Vs UOI case has directed law commission to come up with definition of hate speech & to prescribe punishment. Law commission has recently submitted its report, it has defined hate speech. It has also suggested amendments in IPC prescribing punishment on hate speech.

* Freedom of Press :-

- Unlike USA freedom of press is not explicitly ment^d.
- In India it is a part of freedom of speech & expression.
- In Bridge Bhushan case, SC explained following features of right-
 - 1) There is no censorship on media except on movies.
 - 2) Freedom of press include freedom to collect informatⁿ, publish & circulate.
 - 3) It involves freedom to decide volume of publication.

Situation in India :- Paradoxical

India is ranked even lower than Afghanistan in terms of freedom of journalist. There is loss of editorial freedom, there are incidents of use of force & violence against reporters & journalist.

On other hand media in India has become "self perpetuating entity." Commercialisatⁿ in media has created nexus among politicians, civil servants, corporate

Main stream of media has become "echo-chamber of elite" that is "why there has been enormous growth of social media. In order to curbe social media, govt. has brought IT Act, Section 66 A which is now declared null & void in Shreya Singhal case was considered as having "chilling effect" of freedom of speech & expression.

Levenson's Report of British house of lords merit many disfunctional features of main stream media, which is even applicable for media. TRAI also got report on media highlighting misuse of powers by media.

It is to be understood that media enjoys powers because media played revolutionary role in struggles of common man. Media has rights not for itself, but to serve people. It is for this reason media is called as "4th state / 4th pillar of democracy". J. Pulitzer has held that corrupt & self-perpetuating media is a dangerous entity. Hence media should understand social responsibility. Former PM has suggested that self regulation is best for media. Former US President Thomas Jefferson has held that, "I will prefer free press & no govt. rather than govt. without free press." Pandit Nehru also held that, freedom of press with all danger involve is preferable over press without freedom. Hence media should understand its responsibility & should become voice of common man & should not been misusing its powers.

→ Note :-

- Defamation :-

SC has held that reputatⁿ of person is an integral component of FR to life. Reputatⁿ of person can not be allowed to be sacrificed for sake of freedom of S & E of someone.

+ Art. 21 :- (Right to Life)

Q) Do you support view that capital punishment & death penalty should be abolished in India or it should be retained to be used only in case of heinous crime like terrorism? Substantiate your views.

2) Discuss approach of SC w.r.t. death penalty.

* Global Trend :- Is in favour of abolishing death penalty. Recently more than 140 countries have voted in favour of resolutⁿ putting moratorium on death penalty. Govt. of India voted against resolutⁿ. UN Declaratⁿ of Human rights direct^s countries to punish terrorism punishment/inhuman punishment.

International Criminal Court which has been estb. for trial of crimes like genocide & crimes against humanity does not describe death penalty. max. punishment is life imprisonment.

Varma Committee setup to give suggestⁿ in amendments in criminal law did not support death penalty for crime of rape.

SC also against death penalty & trying to humanise capital punishment.

1) In Bachan Singh case, SC had given doctrine of rarest of rare. It means award of death penalty is except: rather than rule.

2) In Machhi Singh case, SC has suggested in what situation rarest of rare to be applied. Death penalty to be given only in a situation when it appears that life imprisonment would not be appropriate considering crime from perspective of justice.

However above doctrine creates scope for discretion of judge & will vary from judge to judge.

SC is trying to humanise death penalty. In 2014, there are 3 imp. judgments.

① Shatrughan Chauhan case by which, SC held that in case of unnecessary delay in mercy petition SC can commute death sentence into life imprisonment. There should be gap of 14 days bet. reject of mercy petition & execution. Person should be informed & legal aid has to be provided for his defence. He should not be kept in solitary confinement & family members should be informed.

② Mohammad Arif Khan vs. Registrar SC of India - SC has try to bring transparency in review petition. Now review petition will be considered in open court & defence lawyer can put up defence arguments.

③ P.U.C.L vs Govt. of Maharashtra case - SC issued guidelines w.r.t. encounters like in case of encounter if accused

* WTO :-

- North-south debate
- India's negotiating position
- WTO & developing countries.
- How WTO policies impacted agriculture.

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* Introduction :-

Uruguay WTO was created in 1995. WTO was product of Uruguay rounds of talks. Present WTO ^{agreement} based on Dunkel Draft.

* History of WTO :-

WTO is the 3rd pillar of liberal international order created by USA. ITO (International trading org.) concied but it could not existance. instead ITO GATT came into existance.

* Diff. in WTO & GATT :-

GATT was set of treaties where as WTO is an organisation. Since volume of trade at became so much that it became necessary to create organisat. to frame rule & to ensure parties interact on regular basis.

GATT treaties dealing with trade. WTO covers other areas also like trade in agri, services, IPR, investment. WTO's scope is continuously expanding.

New area -

IT

e-commerce

India has proposed facilitatⁿ agreement in services.

Q What is philosophy behind WTO?

It is based on Ricardoes (theory of comparative advantage). Every country should work of comparative advantage & they should get larger positive market.

→ WTO & developing countries :-

WTO has been ^{idea} sold to developing countries on ground that trade rather than aid will resolve development crisis. WTO offers large market. Big market means more business, economic activities, employment, GDP.

Q Why WTO is good for developing countries?

- At least in theory WTO is good because -
- Multilateralism is always favourable. - Poor countries do not have bargaining power. Hence instead of bilateral deal. They should go for multilateral platform.
 - In WTO all developing countries have equal status. Every country has veto power. All countries should agree. Even a single country stop a process.

(2)

WTO recognises principles of common but differentiated responsibilities.

WTO provides for capacity building of developing countries so that they can participate in free trade.

* WTO principles :-

+ Free & fair trade -

• Non discrimination - MFN status, National treatment,
• ~~Common but differential.~~

• Special & differential treatment - WTO aims at achieving fairness hence WTO aims at eliminating trade distorting actions like subsidies, dumping - WTO allows to impose counteracting duties.

• Free trade - lowering down tariff & non-tariff barriers. However WTO is also sensitive about human health & health of plants. Thus WTO permits countries to use sanitary & phytosanitary measures. WTO inspires countries for economic reforms in the interest of development.

* WTO's organisational structure :-

• Ministerial council - Highest decision making body.

Ministers of commerce & economic affairs participate.

• General council - executive body which works th. out year. WTO's bureaucracy - we can call it.

- TPRB (Trade policy review Board) - WTO ensures that countries take binding commitments for sake of predictability.
- Trade policy review board, keeps watch on countries policies so that they do not violate, their commitments.

• Dispute settlement bodies - If country

• WTO Agreements :-

- Agreement on agriculture.
- Agreement on trade & goods.
- Agreement on trade in services.
- Agreement on trade in IPR.

• Nature of Agreements :-

WTO agreements are ongoing process & level of liberalisation differ in each sector. Even principles of liberalisation vary. ex. liberalisation in service sector is voluntary bottom up rather than top down.

• What have been impact of WTO on developing countries?

With exceptⁿ of few developing countries like China, India. Most of developing countries adversely impacted. Even in countries where there have been some benefits to growth has been imbalance. eg. agri. has been worst affected sector. Since WTO has come into existence no. of farmers suicide throught developing countries has ~~seen~~ increase. Prob. of hunger & malnutrition increase. WTO policies has resulted into growth of inequalities.

As a result there has been protest against WTO by members of civil society. It has lead to counter globalizatⁿ movt. It become increasingly difficult day by day to even ^{hold} WTO meetings. In 1999 ~~in Seattle~~ ^{Seattle}, USA it was not possible to conduct meeting bcoz of protest ultimately Doha (Qatar) was choosen as venue because Qatar does not have democracy. Hence no right to protest & demonstratⁿ.

Doha development round (2001) :-

Developing countries were successful in imposing development agenda. Developed countries agreed because they wanted to show solidarity amongst nat^s against non-state actors (sept. 11, 2001 incident).

It was accepted that development rather than trade will be priority.

Special & differential treatment for developing countries. In 2003, developed countries agreed for compulsory licencing & change in IPR laws.

IPR - It was accepted that w.r.t. new set of agreements principle of single undertaking will be adopted. It means nothing is agreed there is agreement on everything. However developed countries are not interest in single undertaking concept now. They support early harvesting.

① Why WTO agreements are not in favour of developing countries

- Lack of expertise: Developing countries could not understand implicatⁿ of agreements, technicalities. These agreements are royal paradise.
- Grievance redressal th^r WTO dispute settlement body is too costly. None of African countries have ever utilise mechanism. Any African countries ^{mini} hardly resources to maintain their office in Geneva.
- Green rule diplomacy - w. countries use ^{stic in} carrot & stick on smaller countries & force them to agree even on unfavourable agreements. Hence WTO proved to be ~~frozen~~ false.

② Agreements :-

- North-south debate; India's position :-
- Agreement in manufactured goods - NAMA (non-agri. market ^{area})
- NAMA-11 ← main grp. initiating

③ What is to be done? Reductⁿ of tariff & non-tariff barriers. Since tariffs are already low in developed countries more commitments have to be made by developing countries. Despite agreements in goods, there is no substantial increase in export of developing countries.

Developed countries continues to impose non-tariff barriers.

At present countries have agreed for swiss formula. Formula that suggest non-linear approach & a band.