

Ambedkar University Delhi
School of Law, Governance and Citizenship
Entrance Exam
M.A in Law, Society and Politics

QUESTION PAPER - JULY 9, 2018

Total marks: 80

Please read the Instructions carefully:

1. Part A of the Question Paper comprises of objective multiple choice questions on General Knowledge.

20 marks

2. Part B of the Question Paper comprises of Multiple Choice Questions to gauge Comprehension of a passage

20 marks

3. Part C of the Question Paper comprises of a short analytical essay of about 800 words. The maximum word limit for each question is 800 words.

20 marks

4. Part D of the Question Paper comprises of short notes. Answer 2 short notes in about 300-400 words each.

20 marks

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Part A

General Knowledge Section

1. Which of the following borders is the longest international boundary India shares with a foreign country?

- a. India and Pakistan
- b. India and China

- c. India and Bangladesh
- d. India and Myanmar

2. Which year were the elections to the Constituent Assembly of India held?

- a. 1945
- b. 1946
- c. 1947
- d. 1948

3. Which of the following had the first democratically elected Communist government in the world?

- a. USSR
- b. Kerala
- c. West Bengal
- d. Mexico

4. Which of the following is the name of Dr B.R. Ambedkar's autobiography?

- a. Annihilation of caste
- b. The Untouchables: Who Were They? And Why They Became Untouchables
- c. The Buddha and his Dhamma
- d. Waiting for a visa

5. Which of the following did not work for the East India Company?

- a. Lord Macaulay
- b. John Stuart Mill
- c. Sir Edmund Burke
- d. Sir William Jones

6. Which of the following categories did Bob Dylan receive a Nobel Prize for?

- a. Peace
- b. Literature
- c. Economics
- d. Chemistry

7. Which of the following films is not based on the Nanavati Trial?

- a. Rustom
- b. Yeh Raaste hain Pyaar ke
- c. Kanoon

d. Achanak

8. Which of the following statutory provisions has been declared unconstitutional by the Supreme Court of India?

- a. 66A of Information Technology Act
- b. Section 377 of Indian Penal Code
- c. Section 197 of Criminal Procedure Code
- d. Section 6 of Armed Forces (Special Powers) Act

9. The Mandal Commission Report pertains to which of the following?

- a. Reservation quotas for Scheduled Castes in government jobs and educational institutions
- b. Reservation quotas for Scheduled Castes in Parliament and State Assemblies
- c. Reservation quotas for Other Backward Castes (OBCs) in government jobs and educational institutions
- d. Gender based Reservation quotas in educational institutions

10. Which of the following coined the term 'Sanskritization'?

- a. Ramachandra Guha
- b. MN Srinivas
- c. Dr S. Radhakrishnan
- d. Andre Beteille

11. Which of the following leading sportsman was a member of the Constituent Assembly of India?

- a. Dhyan Chand
- b. Lala Amarnath
- c. Nawab Iftikhar Pataudi
- d. Jaipal Singh Munda

12. Article 356 of the Indian Constitution pertains to which of the following?

- a. Proclamation of President's Rule in a state
- b. Reservations for Scheduled Castes
- c. Financial Emergency
- d. Inter-state water disputes

13. Which of the following leaders is associated with the Swatantra Party?

- a. Acharya Vinoba Bhave
- b. Dr Ram Manohar Lohia
- c. Jayaprakash Narayan
- d. C. Rajagopalachari

14. Which of the following year's Lok Sabha Elections saw the largest number of seats being won by a single political party?

- a. 1977
- b. 1952
- c. 1984
- d. 2014

15. Which amendment inserted the words "secular" and "socialist" in the Indian constitution?

- a. 1st Amendment
- b. 25th Amendment
- c. 42nd amendment
- d. 44th Amendment

16. The word 'Shoah' describes which of the following events?

- a. The Genocide of Jews by Nazis in Europe.
- b. The dropping of nuclear bombs in Japan
- c. The partition of Korea
- d. None of the above

17. Which year was the Reorganisation of Indian states on linguistic basis done?

- a. 1947
- b. 1950
- c. 1956
- d. 1966

18. Which of the following is not included in calculating the Human Development Index?

- a. Life Expectancy index
- b. Education index
- c. Democracy index
- d. Income index

19. Which of the following lawyers argued for Bal Gangadhar Tilak in his sedition trial of 1908-09?

- a. Dr. B.R. Ambedkar
- b. Muhammad Ali Jinnah
- c. M.K. Gandhi
- d. Sardar Patel

20. Where did Gandhi perform his last fast unto death?

- a. Noakhali
- b. Calcutta
- c. Delhi
- d. Poona

Part B. Comprehension Section

Please read the passage below carefully and answer the multiple choice questions based on it.

What, if anything, can citizenship mean in the presence of deep social inequalities? Even as citizenship professes equality as its foundational essence, we know it to be the deceitful purveyor of a misleading promise, a sentiment famously captured in Anatole France's wry quip about the majestic equality of the law forbidding "rich and poor alike to sleep under bridges, to beg in the streets, and to steal bread." Citizenship appears as either Janus-faced or internally conflicted as it plays these two fundamentally opposing roles: committing to undermine inequality, on the one hand, and presenting inequality as legitimate, on the other. This is the central contradiction that lies at the heart of the theory of citizenship—usually apprehended as formal civic and political equality—and its practice. Full inclusion—civic, political, social, economic, and cultural—is the condition of full citizenship. Anything less diminishes it.

Social citizenship is generally seen as a way of mediating this contradiction. The public provision of welfare—whether through social and economic rights or through progressive and sometimes redistributive policies associated with welfare states—can be a plausible way of bridging this gap. Although the author of the idea, T. H. Marshall, had defined social citizenship in terms of rights, in the canonical welfare states of northern and western Europe in the twentieth century it has been through social policy rather than rights that social citizenship has been achieved. Such policies sought to provide education, healthcare, work, unemployment insurance, and social security. Their negotiation of the usually rough road from norm to policy was skillful, and the globally accepted doctrine of the progressive realization of social and economic rights—which, as the previous chapter showed, resulted in a divorce between civil, political, and cultural rights, on the one hand, and social and economic rights on the other—did not prevent these states from designing and successfully implementing an elaborate institutional architecture to provide for the material conditions that form the basis of social citizenship and

the acceptance of people as full members of a society. According constitutional status to social and economic rights, as in Brazil and South Africa, is a relatively new idea.

There has been an enduring presumption—fueled substantially by the commanding role assumed by the state in the 1950s in the governance of the economy and by its professions of socialism—that India is a welfare state, even if a (literally) poor cousin of the European original. The miserable failure of this state in achieving its objective is generally attributed to poor state capacity rather than lack of intent, for the nascent project of social citizenship in independent India was distinguished by a strong rhetorical commitment, even if rather little by way of social policy and—given the constitutional compromise between fundamental rights and directive principles—nothing by way of social rights. Curiously, however, as the Indian economy has over the last two decades moved in a neoliberal direction, albeit with the state actively playing a promotional role in facilitating capitalism, the assertion and legislation of social and economic rights appears to have acquired a new impetus. The paradox is that social citizenship was at its weakest when the socialist rhetoric was at its peak, and has gained momentum in a policy environment that emphasizes state withdrawal from public provisioning. How and why these rights have emerged on the Indian political landscape in a time of ascendant neoliberalism and the increasing commodification of public services, and what their substantive contribution might be to a putative project of social citizenship, is the subject of this chapter.

Even as international pronouncements insist that there is no hierarchy between civil and political rights, on the one hand, and social and economic rights (henceforth SERs) on the other, the latter have remained marginal to the mainstream of human rights discourse and enforcement. This is in no small part due to the vagueness and ambiguity of the idea of “progressive realization” and the difficulty in determining when particular state actions are or are not in conformity with the covenant. The European Social Charter of 1996—essentially a draft agreed upon in 1960, designed to ensure respect for social and economic rights among its members, but drawn up before issues like feminism and racial equality had come to inflect human rights discourse—left considerable choice to member states to choose the obligations they wished to take on. It is only the revised Social Charter that incorporates provisions on the right to housing, freedom from poverty, disability rights, and women’s rights.

Unlike civil and political rights—regarded as being integral to the civic status and therefore conferred and enjoyed equally by all citizens—SERs are deeply contentious on at least four counts. First, there is the question of how expansive or restrictive the scope of SERs should be and which goods must minimally be provided by the state to give content to social citizenship. Second, there is the vexed question of determining who the proper bearers of these rights are, how universal a social right should be, and whether or not it is appropriate or desirable to limit such rights to those who need them rather than to the entire population in a society. Should, for instance, services like health care be universal in coverage or restricted to the poor, or indeed universally available to all but free only for the poor? Third, there is a debate about whether the state must guarantee equality of income, or confine itself to providing equality of opportunity. Finally, there is the all-important question that the electorate of every democratic polity grapples with periodically—how should social rights be financed? This has an impact on relationships between citizens, especially those who bear the burdens of redistributive taxation and those

who benefit from it. A social right that is limited only to those who need it can be stigmatizing, and therefore diminish the solidary aspect of citizenship. There is an abiding tension here: in normative terms, social provision is legitimately seen as a moral imperative of substantive citizenship, which is seriously incomplete in the presence of social inequality

1) Why does Citizenship appear Janus faced ?

- a) Because it promises both political and economic equality
- b) Because it is hypocritical
- c) Because it promises formal equality in the face of deeply embedded inequalities
- d) Because it treats unequals as equals

2) How did European countries deal with the question of social citizenship

- a) Through the creation of a robust political system that recognized welfare as a right
- b) Through an inclusive definition of social citizenship
- c) Through the transformation of rights of citizens into duties of the state
- d) Through the creation of a welfare state that provided citizen basic security

3) What is the closest to Anatole France's statement forbidding "rich and poor alike to sleep under bridges, to beg in the streets, and to steal bread."

- a) Unequals are to be treated differently
- b) Equals are to be treated alike
- c) Unequals are to be treated alike
- d) Unequals are to be given equality

4) What does the author mean by the phrase "globally accepted doctrine of progressive realization of social and economic rights".

- a) That progressive politics demands a recognition of social and economic right
- b) That there is a parity between political rights and socio-economic rights
- c) That political rights will be accorded a greater primacy than socio-economic rights
- d) That socio economic rights will only be attained after the attainment of civil and political rights

5) What were the paradoxes of constitutional design in India that mirrored the split between political rights and socio-economic rights

- a) Socio-economic rights unlike political rights were not justiciable
- b) The state only had a rhetorical commitment to socio-economic rights
- c) The state lacked the political will to achieve socio-economic rights
- d) It was the failure to implement social policy that undid the intentions of the state.

6) Which of the following statutes might be the best illustration of the rise of socio-economic assertion even as the state withdraws from the domain of social welfare

- a) SC/ ST Prevention of Atrocities act
- b) NREGA
- c) Aadhar
- d) Land Acquisition Act

7) Which phrase could be considered an antonym of substantive citizenship.

- a) Political citizenship
- b) Formal citizenship
- c) Constitutional citizenship
- d) Procedural citizenship

8) How would you distinguish between civil and political rights and social economic rights

- a) The former are essential to citizenship while the latter are essential to equality
- b) The former tend to be located with individuals while the latter tend to be located with communities
- c) The former are universally acknowledged as being essential to citizenship while the latter are essential to solidarity
- d) The latter are a precondition to realising the former

9) Which of the following would be an example of a social right that is stigmatizing

- a) Free housing to all below the poverty line
- b) Economic status information on all essential documents
- c) Fee waivers based on family income
- d) Reserved seating on public transport based on income

10) Which Indian thinker would you most closely associated with the idea of “capability as opportunity”

- a) B. R. Ambedkar
- b) Amartya Sen

- c) Mahatma Gandhi
- d) Jawaharlal Nehru

Part C. Essay (Answer in about 800 words)

1. How might we understand the role of *Khap Panchayats*, as a particular form of caste panchayat, in the process of dispute resolution and in the regulation of conduct of individuals or groups in North India? Discuss.

2. In the aftermath of the gang rapes of minor girls in Kathua and Unnao, the Union Minister for Women and Child Development, Maneka Gandhi, has suggested that the Protection of Children Against Sexual Offences (POCSO) Act be amended to bring in the provision of death penalty for the rape of a minor below the age of 12. Scholars disagreeing with the death penalty argue against this. Do you think there are other preventive measures that might have a better impact on preventing sexual violence against children? Discuss

3. Dalit and Adivasi rights organizations observed May 1, 2018 as 'National Resistance Day'. The context of this observance was the Supreme Court order of March 20, 2018 on the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, which has banned immediate arrest of a person accused of insulting or injuring a Scheduled Caste/ Scheduled Tribe member in an attempt to "protect innocents from arbitrary arrest". The court's order now mandates that a preliminary inquiry be first conducted into the veracity of a complaint filed by a Dalit under the Act before registration of a First Information Report (FIR). Dalit and Adivasi organizations have demanded that the government neutralize the Supreme Court order through an ordinance that would reinstate both the SC/ST Act and the SC/ST Amendment Act, 2015, in their original form. How might we understand the court's order in the light of its assertion that poor rates of conviction and high rates of acquittals suggest a high number of false cases? Discuss

4. Rohingyas are the ethnic native community of the Rakhine State of Myanmar. In contemporary times, they have become stateless because of systematic de-nationalization, which, according to UNHCR, has made them among the most persecuted ethnic minorities in the world. The violence unleashed upon them continues to make the Rohingyas victims of gross human rights violations. In this context, what has been India's position on accommodating the Rohingya refugees? Discuss

Part D. Short notes (Answer any two in 300-400 words each)

1. Fiscal federalism.
2. Triple talaq.
3. Caste-based reservations in the Private Sector.
4. Forest Rights Act 2006
5. Simultaneous national and state elections.