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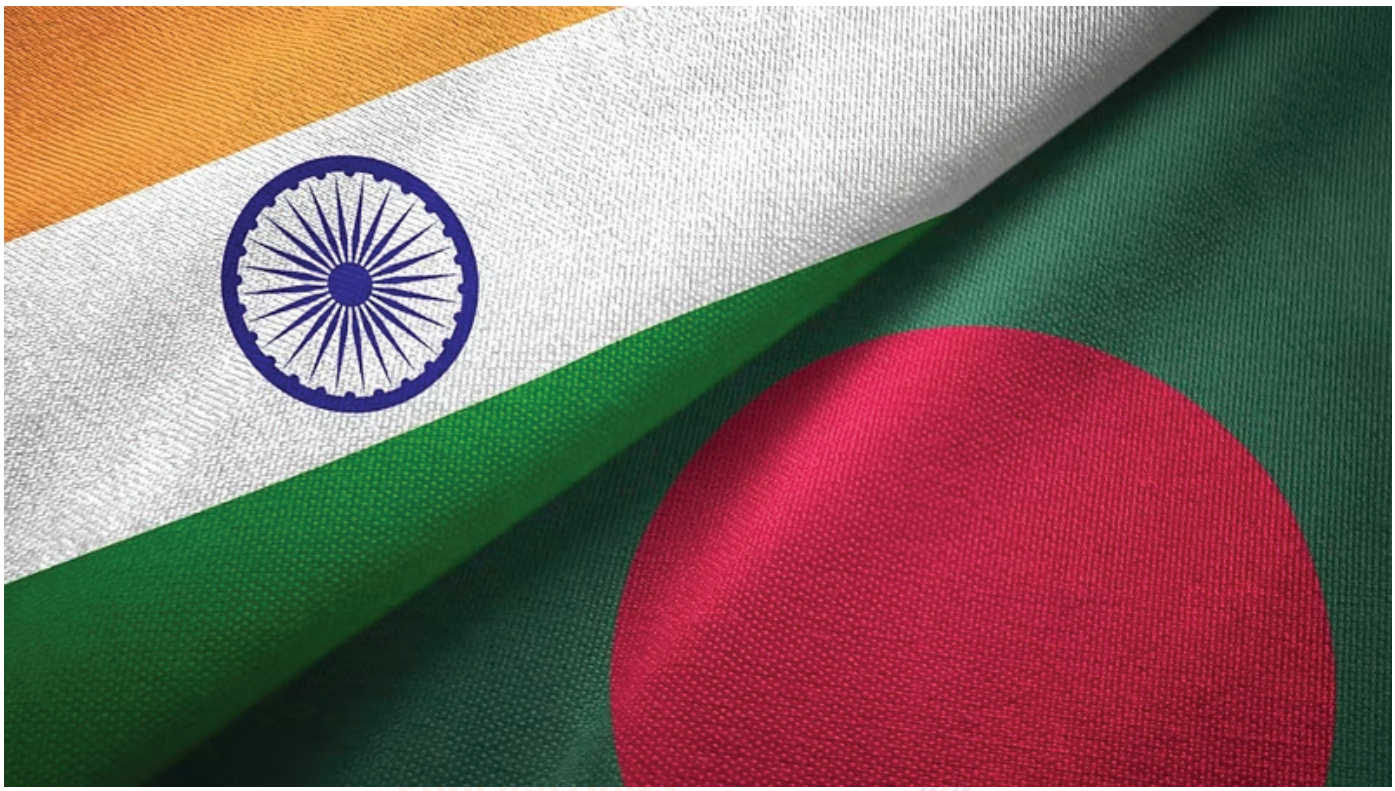
INDIA-BANGLADESH RELATIONS

RELEVANCE

❒ **Syllabus:**

- **PSIR:** Recent developments in Indian Foreign Policy
- **GS2:** India and its Neighborhood



INTRODUCTION

The exit of Sheikh Hasina as Bangladesh's leader presents significant challenges to India-Bangladesh relations, and its aftermath necessitates a nuanced approach. Here's an analysis based on the issues you shared:

REASONS BEHIND SHEIKH HASINA'S EXIT

1. **Student Demonstrations**: The peaceful protests over the freedom fighter reservation in civil services escalated due to the government's repressive measures. This reflects deeper frustrations with governance and freedom of expression.
2. **Economic Slowdown**: Despite initial success in poverty alleviation and growth, Bangladesh's pandemic-hit economy led to rising unemployment and inflation, eroding public confidence.
3. **Erosion of Democratic Values**: Controversial elections (2014, 2018, 2024) marred by violence and low participation showcased a crisis of legitimacy.
4. **Repression of Dissent**: Policies like the Digital Security Act created a climate of fear, increasing public dissatisfaction.

5. **Corruption and Inequality**: Economic disparities and scandals involving prominent defaulters added to the discontent.

CHALLENGES IN INDIA-BANGLADESH RELATIONS POST-HASINA

1. **Minority Attacks and Cross-Border Tensions**: Renewed ethnic and communal attacks could worsen people-to-people ties and inflame hostilities across borders.
2. **Security Concerns**: Anti-India sentiments, often linked to groups active during BNP-Jamaat regimes, may resurface, complicating regional stability.
3. **Geopolitical Risks**: China's growing influence and Pakistan's possible maneuvers in Bangladesh are key concerns for India.
4. **Trade and Connectivity**: Setbacks in trade agreements and infrastructure projects, vital for India's Northeast connectivity, risk stalling progress.
5. **Public Perception of India**: Anti-India rhetoric may find new traction in Dhaka, straining bilateral cooperation.

INDIA'S APPROACH TO THE BANGLADESH CRISIS

1. **Multilateral Engagement**: India should highlight attacks on minorities at international platforms, aligning with its advocacy for human rights.
2. **Support Democratic Aspirations**: Like its role in Nepal (2006), India can advocate for democratic restoration while maintaining a neutral stance toward Bangladesh's internal politics.
3. **Economic Diplomacy**: Offer economic incentives and expedite pending agreements like the FTA to foster goodwill with any new administration.
4. **Border Management**: Strengthen border security and cooperation to counter terrorism, trafficking, and smuggling effectively.
5. **Avoiding Polarization**: India must refrain from framing the political changes as inherently anti-India and seek to build trust with the new leadership.
6. **Enhancing Connectivity and Technology Ties**: Proposing digital and physical connectivity corridors could deepen interdependence and reduce external influences.

INDIA-BANGLADESH RELATIONS UNDER SHEIKH HASINA

1. **Security Cooperation**: Eradication of anti-India terror groups marked a key achievement.
2. **Economic Growth**: Bilateral trade grew to $13 billion (FY 2023-24), and infrastructure projects like port access agreements strengthened ties.
3. **Land Boundary Agreement**: The historic 2015 agreement resolved long-standing territorial disputes.
4. **Cultural and Medical Ties**: Cultural exchanges and medical tourism from Bangladesh significantly enhanced people-to-people relations.

SIGNIFICANCE OF BANGLADESH FOR INDIA

1. **Strategic Connectivity**: Bangladesh provides critical access to Southeast Asia and the Bay of Bengal.
2. **Economic Gateway**: A thriving bilateral trade relationship supports India's economic goals.
3. **Regional Stability**: Cooperation with Bangladesh is vital for peace in South Asia and countering China's influence.

MOVING FORWARD

India needs a multi-pronged strategy that emphasizes cautious diplomacy, economic incentives, and a robust security framework. Strengthening regional forums like BIMSTEC and engaging new Bangladeshi leadership will also be critical to safeguarding bilateral relations.

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INDIA-NIGERIA RELATIONS

RELEVANCE

❒ **Syllabus:**

- **PSIR:** India and the Global Centres of Power
- **GS2:** International Relations

INTRODUCTION

India and Nigeria share a historical bond rooted in their colonial past, democratic systems, and shared goals in international platforms. Prime Minister Narendra Modi's visit to Nigeria reflects the ongoing efforts to deepen this partnership. Below is an in-depth examination of India-Nigeria relations:

HISTORICAL ENGAGEMENT

1. **Early Diplomatic Ties**: India established its first diplomatic mission in Nigeria in 1958, two years before Nigeria gained independence from British rule. This early engagement demonstrated India's commitment to Africa's decolonization process.
2. **Strategic Partnership (2007)**: During PM Dr. Manmohan Singh's visit to Nigeria in 2007, bilateral relations were elevated to a strategic partnership, emphasizing closer cooperation in trade, defense, and development.
3. **South-South Cooperation**: Both nations have consistently worked together in multilateral organizations like the United Nations, G77, and Non-Aligned Movement (NAM), advocating for the interests of developing countries.

AREAS OF COOPERATION

1. **Economic Engagement**:
   - **Trade Relations**: Nigeria is India's largest trading partner in West Africa, with trade volumes of $11.8 billion in 2022-23. Indian investments in Nigeria exceed $20 billion.
   - **Energy Security**: Nigeria is a key supplier of crude oil to India, meeting 12% of India's

total oil imports. Collaboration in renewable energy is also gaining traction.

2. **Defense and Security**:
   - India has provided training, capacity building, and defense equipment to Nigeria. Examples include the training of Nigerian officers at Indian military academies and assistance in maritime security.
   - Cooperation extends to combating Boko Haram and addressing piracy in the Gulf of Guinea.
3. **Development Assistance**:
   - India has supported Nigeria through Lines of Credit (LOC) worth $30 million for infrastructure projects, such as a gas-fired turbine electricity generation station in Cross River State.
   - Programs like the Indian Technical and Economic Cooperation (ITEC) have facilitated skill development in various sectors since 1964.
4. **Education and Health**:
   - Scholarships under the Indian Council for Cultural Relations (ICCR) and other initiatives have strengthened educational ties.
   - Collaboration in healthcare has included telemedicine projects and medical equipment supply.
5. **Humanitarian Aid**:
   - India recently extended 20 tons of humanitarian aid to Nigeria for flood relief, reflecting its commitment to humanitarian causes.

CHALLENGES

1. **Economic Volatility**:
   - Bilateral trade has declined from $14.95 billion in 2021-22 to $11.8 billion in 2022-23, primarily due to reduced crude oil imports.
   - India's lack of upstream energy investments in Nigeria limits its role as a strategic player in the energy sector.
2. **Geopolitical Competition**:
   - China's growing influence in Nigeria through the Belt and Road Initiative (BRI) poses a challenge to India's position as a key partner.
3. **Infrequent Engagements**:
   - The absence of regular high-level visits and Joint Commission meetings has constrained the potential for strategic dialogue.
4. **Nigeria's Political Instability**:
   - Security challenges, such as Boko Haram's activities, and economic reforms like subsidy cuts and currency devaluation create an uncertain business environment for Indian investors.

FUTURE AREAS OF COOPERATION

1. **Defense and Security**:
   - Enhanced defense supplies and training programs, as well as collaboration in counter-terrorism and maritime security, are crucial for addressing Nigeria's internal and regional security challenges.
2. **Economic Cooperation**:
   - Establish a Comprehensive Economic Partnership Agreement (CEPA) to facilitate trade and investment diversification.
   - Explore currency swap arrangements to mitigate forex shortages and ease bilateral trade.
3. **Infrastructure Development**:
   - Invest in transport networks, energy projects, and healthcare infrastructure to support Nigeria's development goals.
4. **Diaspora Engagement**:
   - The 50,000-strong Indian diaspora in Nigeria can act as cultural and economic ambassadors, strengthening ties.

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5. **Technology and Education**:
   - Collaboration in IT, e-governance, and vocational training programs can address Nigeria's capacity-building needs.

WAY FORWARD

1. **Institutional Mechanisms**:
   - Strengthen bilateral mechanisms like Joint Commission meetings to ensure sustained dialogue and cooperation.
2. **Leverage Multilateral Forums**:
   - Collaborate in platforms like the UN and BRICS to amplify the voice of developing nations.
3. **Regular High-Level Visits**:
   - Encourage frequent diplomatic engagements to reinforce trust and partnership.
4. **Increased Investments**:
   - Focus on sectors like hydrocarbons, renewable energy, and education to diversify bilateral cooperation.

India and Nigeria, as leaders of the Global South, have immense potential to drive mutual growth and contribute to global stability. Strengthening this partnership requires addressing challenges while exploring innovative areas of collaboration.

TRUMP ERA IS BACK

RELEVANCE

❒ **Syllabus:**
- **PSIR:** India and the Global Centres of Power
- **GS2:** International Relations

INTRODUCTION

In an unexpected outcome of the U.S. presidential election, Donald Trump has secured a second term as President. His first term included numerous drastic measures that were unconventional for U.S. leadership. His re-election signals possible economic changes in the U.S., which could influence global economies, including India.

RECENT DEVELOPMENTS IN INDIA-U.S. RELATIONS

- **Strategic Policies**: President Biden has upheld several key strategies from Trump's tenure, emphasizing India's central role in the U.S.'s Asia strategy. This includes reducing Pakistan's importance while addressing China as a primary challenger.
- **Quad's Evolution**: The Biden administration elevated the Quad framework to summit-level discussions, boosting collaboration among India, Japan, Australia, and the U.S. on regional security matters.
- **Technology Initiatives**: January 2023 saw the launch of the iCET initiative to enhance India-U.S. cooperation on advanced technologies such as semiconductors and jet engine development.
- **Economic Policies**: Biden continued the Trump-era tariffs on China, aiming to minimize risks in U.S.-China economic ties while strengthening supply chains that involve India.
- **Defense Relations**: The U.S. has become India's top defense partner, accounting for nearly half of India's total defense exports.
- **Regional Stability Efforts**: Through the Quad, Biden expanded collaboration with India in areas like maritime security, disaster response, telecommunications, and cybersecurity, aligning with India's non-military vision for the alliance.

CHALLENGES IN INDIA-U.S. RELATIONS

- **Russia-Ukraine War**: India and the U.S. have differing stances on Russia's invasion of Ukraine. While the U.S. expects India to criticize Russia outright, India has maintained a balanced position, exemplified by Prime Minister Modi attending a BRICS summit hosted by Russia.
- **Diplomatic Criticism**: Comments from U.S. officials about India's democratic and religious freedoms, as well as statements from Ambassador Eric Garcetti on Manipur and human rights, caused friction. India responded by summoning a senior U.S. diplomat.
- **Assassination Allegations**: Reports of a plot involving Indian security officials targeting a U.S. citizen have added to distrust and strained the bilateral relationship.

TRUMP'S CONTROVERSIAL GLOBAL POLICIES

- **Trade Policy**: His "America First" strategy has involved imposing tariffs on imports to protect domestic industries, with a proposed 10% tariff on all imports potentially disrupting global trade.
- **Foreign Alliances**: Trump criticized NATO allies for insufficient defense spending and considered reducing U.S. commitments to international alliances, which could weaken collective security frameworks.
- **Immigration Policy**: Stricter immigration rules, including limitations on H-1B visas, impacted global mobility, particularly for Indian professionals.
- **Climate Policy**: Withdrawing from the Paris Agreement and easing environmental regulations during his first term hindered global efforts to combat climate change.

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POLICIES TOWARD INDIA DURING TRUMP'S FIRST TERM

- **Defense Partnership**: India was designated as a Major Defense Partner, facilitating advanced military technology transfers. The COMCASA agreement in 2018 improved interoperability between the two militaries.
- **Trade Growth and Disputes**: Although bilateral trade increased, disputes over tariffs and market access led to the U.S. revoking India's GSP status in 2019.
- **Strategic Realignments**: Reviving the Quad aimed to counter China's influence in the Indo-Pacific region.
- **Immigration Restrictions**: Tightened rules on H-1B visas significantly impacted Indian IT professionals working in the U.S.

POTENTIAL NEGATIVES OF TRUMP'S RE-ELECTION FOR INDIA-U.S. RELATIONS

- **Increased Tariffs**: Trump's proposed 20% tariff on all imports and 200% duties on automobiles could escalate trade tensions. His earlier withdrawal of India's GSP status and tariffs on Indian goods may be reinstated, harming industries like textiles and pharmaceuticals.
- **Volatile Trade Relations**: Trump's unpredictable trade negotiations could create frequent disputes, making it harder for India to ensure stable export growth.
- **Budget Deficits and Global Markets**: Trump's tax cuts, despite a high U.S. deficit, could disrupt global bond markets, affecting India and other emerging economies.
- **Monetary Policies**: Trump's influence on the Federal Reserve could limit India's Reserve Bank from implementing rate cuts, reducing its ability to stimulate economic growth.
- **Space and Satellite Competition**: Increased lobbying by U.S. firms in the space sector could challenge India's ambitions and partnerships.

POTENTIAL POSITIVES OF TRUMP'S RE-ELECTION FOR INDIA-U.S. RELATIONS

- **Revival of Trade Talks**: Trump's interest in resuming Free Trade Agreement negotiations with India could boost trade volumes and technology transfers.
- **Military Cooperation**: Trump has signaled support for providing advanced U.S. military hardware to India, aligning with its modernization goals.
- **Reduced Pressure on Human Rights**: India might face less scrutiny from the Trump administration on issues like minority rights and press freedoms.
- **Action Against Khalistani Separatists**: Trump is expected to act against Khalistan groups in the U.S., which could benefit India. His stance against Canada's Justin Trudeau government is also seen as favorable for India.
- **Immigration Reforms**: Proposed green card reforms for international students could encourage more Indian students to study and work in the U.S.
- **Corporate Tax Reductions**: Lower U.S. corporate taxes could increase demand for Indian outsourcing services.

RECOMMENDATIONS FOR INDIA

- **Strategic Partnerships**: Strengthen ties with the U.S. in defense and energy sectors to capitalize on Trump's policies.
- **Trade Diversification**: Enhance domestic demand and diversify export markets to mitigate risks from U.S. tariffs.
- **Cautious Monetary Policies**: The Reserve Bank of India should prioritize stability in response to global market fluctuations influenced by U.S. policies.
- **Immigration and Education**: Foster collaborations in education and technology

to maximize benefits from U.S. immigration reforms.

- **Regional Leadership**: Use development programs to bolster India's influence in South Asia, compensating for reduced U.S. involvement in the region.

INDIA-CANADA AND KHALISTAN

RELEVANCE

- **Syllabus:**
  - **PSIR:** India and the Global Centres of Power
  - **GS2:** Effect of Policies and Politics of Developed and Developing Countries on India's interests, Indian Diaspora.

INDIA-CANADA RELATIONS

INTRODUCTION

India-Canada relations have historically fluctuated between cooperation and tension, impacted by various political, economic, and cultural factors. Here's an overview of the evolution and current status of these relations:

HISTORICAL CONTEXT OF INDIA-CANADA RELATIONS

India and Canada established diplomatic ties in 1947, grounded in shared democratic values and people-to-people connections. However, the relationship has faced several phases of deterioration and improvement:

1. **Initial Tensions**: Canada's support for a plebiscite in Kashmir (1948) and opposition

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to India's nuclear tests (1974, 1998) strained relations. Canada's call for disarmament and India's refusal to sign treaties like the Non-Proliferation Treaty (NPT) widened the divide.

2. **Khalistan Movement**: In the 1980s, Canada's perceived leniency toward the Khalistan movement became a point of contention, especially after the Air India bombing in 1985. The Khalistan issue has resurfaced since 2015, coinciding with Justin Trudeau's leadership and the influence of pro-Khalistan elements within Canada's political landscape.
3. **Renewed Cooperation**: From 2006-2015, Prime Minister Stephen Harper's administration saw a thaw, marked by multiple high-level visits and the celebration of the "Year of India in Canada." PM Modi's visit in 2015 elevated the relationship to a strategic partnership.

RECENT DIPLOMATIC STRAINS AND KEY ISSUES

India-Canada relations have recently deteriorated due to diplomatic fallout related to the Khalistan movement and accusations surrounding the assassination of Hardeep Singh Nijjar, a pro-Khalistan leader in Canada. Tensions increased as Canadian Prime Minister Justin Trudeau suggested potential involvement by Indian agents, which India has firmly denied. Key challenges include:

1. **Khalistan and Separatism**: India has criticized Canada for its perceived leniency toward Khalistani sympathizers, citing incidents such as Trudeau's association with pro-Khalistan figures and increased anti-India activities in Canada. This has impacted diplomatic relations, with India recently expelling Canadian diplomats.
2. **Economic Implications**: The diplomatic fallout endangers the stalled Free Trade Agreement (FTA) and jeopardizes Canadian investments in India, such as the $75 billion in Canadian pension funds. Additionally, disruptions in bilateral trade—such as India's significant import of pulses and fertilizers from Canada—pose economic concerns.
3. **Indian Diaspora and Remittances**: Canada is home to over 1.6 million Indians, including 427,000 students, and ranks among the top ten sources of remittances to India. Tensions could impact the mobility of students and the welfare of Indian expatriates.

SIGNIFICANCE AND AREAS OF COOPERATION

Despite political strains, India and Canada have vital mutual interests that underscore the significance of their relationship:

1. **Trade and Investment**: Canada is India's tenth-largest trading partner, with strong investments from Canadian pension funds in Indian companies, including stakes in Kotak Mahindra and Infosys.
2. **Indo-Pacific Strategy**: Canada's Indo-Pacific Strategy recognizes India as a key regional partner amid growing concerns over China, emphasizing shared values of democracy and pluralism.
3. **Education and Technology**: India is the largest source of international students in Canada, benefiting Canadian education institutions. Collaborative projects in science, technology, and space exploration also remain pivotal, including cooperation between ISRO and the Canadian Space Agency.

WAY FORWARD

1. **Engagement with the Sikh Diaspora**: India could deepen engagement with the Sikh diaspora to mitigate Khalistani narratives and foster constructive relations within Canada.
2. **Separating Political and Economic Interests**: India and Canada should aim to "de-hyphenate" trade relations from political disputes. A return to FTA negotiations could bolster bilateral trade and promote economic stability.

3. **Track II Diplomacy and Civil Society Involvement**: Dialogue initiatives through civil society and media can help address misunderstandings and foster positive perceptions among the public in both countries.

CONCLUSION

A collaborative approach could help address the recent strains and re-establish strong diplomatic and economic ties between India and Canada.

INDIA-ASEAN RELATIONS

RELEVANCE

- **Syllabus:**
  - **PSIR:** India and South Asia
  - **GS2:** India and its neighbourhood

INTRODUCTION

The PM of India attended the 21st East Asia summit and ASEAN-India Summit in Laos, which will provide a boost to India-ASEAN relations. PM Modi announced a 10 point plan to strengthen India-ASEAN relations

HISTORICAL OVERVIEW OF INDIA-ASEAN RELATIONS

India and Southeast Asia share centuries-old connections rooted in cultural, religious, and commercial exchanges. Formal ties began in 1992 when India was granted the status of a Sectoral Dialogue Partner with ASEAN, allowing for Secretary-level discussions. By 1995, this relationship was elevated to a Dialogue Partner

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status, where interactions moved up to the level of Foreign Ministers, symbolizing a deepening political and economic engagement. The year 2002 marked another milestone when annual summits between India and ASEAN leaders became a norm, highlighting the importance of Southeast Asia in India's strategic thinking. This growth culminated in a Strategic Partnership in 2012, emphasizing maritime and security collaboration. In 2022, to celebrate 30 years of engagement, the relationship was upgraded to a Comprehensive Strategic Partnershipy

AREAS OF INDIA-ASEAN COOPERATION

1. **Geopolitical Cooperation**: ASEAN and India maintain multi-tiered engagements, including summits like the ASEAN-India Summit and regular foreign minister meetings. India's involvement in ASEAN-led frameworks, such as the East Asia Summit (EAS) and ASEAN Regional Forum (ARF), demonstrates its commitment to regional security and stability.
2. **Geostrategic Cooperation**: The **Comprehensive Strategic Partnership** has been essential for promoting security and maritime stability, particularly amid rising tensions in the South China Sea. India and ASEAN also established funds such as the **ASEAN-India Cooperation Fund** to back collaborative initiatives.
3. **Geo-Economic Cooperation**: ASEAN ranks as India's fourth-largest trading partner, with bilateral trade reaching around USD 70 billion in recent years. The **ASEAN-India Free Trade Agreement (FTA)**, signed in 2009 and expanded in 2014 to cover services and investments, remains vital to strengthening economic ties.
4. **Connectivity Initiatives**: Projects like the **India-Myanmar-Thailand Trilateral Highway** and **Kaladan Multimodal Transit Transport Project** aim to bolster regional connectivity, linking India's Northeast with Southeast Asia.
5. **Cultural and Social Engagements**: India offers **scholarships** and **cultural exchange programs** to ASEAN students, fostering a strong people-to-people bond.

KEY CHALLENGES IN INDIA-ASEAN RELATIONS

1. **Geopolitical Tensions**: The increasing rivalry between the U.S. and China has impacted regional dynamics, with India's involvement in the Quadrilateral Security Dialogue (Quad) raising some ASEAN members' concerns. Additionally, **India's strained relationship with China** and ASEAN's internal divisions over issues like the Myanmar coup complicate its efforts to maintain a united stance.
2. **Economic Hurdles**: India's decision to withdraw from the **Regional Comprehensive Economic Partnership (RCEP)** has caused disappointment among ASEAN nations. Moreover, trade imbalances and non-tariff barriers have hindered the full potential of ASEAN-India trade relations .
3. Comparatively slow progress on infrastructure projects, such as the **India-Myanmar-Thailand Trilateral Highway**, contrasts with China's Belt and Road Initiative, affecting ASEAN's perception of India's regional commitment.
4. **Internal ASEAN Divisions**: The Myanmar crisis, for instance, has led to differing responses among ASEAN countries, making it challenging for India to align its policies consistently with the bloc's collective approach.

WAY FORWARD FOR STRENGTHENED RELATIONS

1. **Enhanced Trade Agreements**: Expanding the **ASEAN-India FTA** can address trade imbalances and non-tariff issues, facilitating smoother economic ties.
2. **Accelerated Infrastructure Projects**: Fast-tracking the **India-Myanmar-Thailand Highway**

and the **Kaladan Project** would improve both trade and people-to-people connectivity.

3. **Geopolitical Reassurance**: India's continued support for ASEAN's centrality in regional security could further bolster its strategic partnerships within Southeast Asia.
4. **Exploring Emerging Sectors**: Focusing on digitalization, health, and advanced manufacturing will keep India-ASEAN relations dynamic and relevant to current global trends.
5. **Strengthening Semiconductor Diplomacy**: Expanding semiconductor collaborations beyond Malaysia and Singapore would help India and ASEAN deepen technological ties in line with global digital transformation.

CONCLUSION

India's commitment to ASEAN's unity, coupled with collaborative trade, security, and cultural initiatives, remains essential for sustained mutual growth and stability in the Indo-Pacific.

16TH BRICS SUMMIT

RELEVANCE

❒ **Syllabus:**

- **PSIR:** India and the global south
- **GS2:** Bilateral, Regional and Global Groupings and Agreements involving India and/or affecting India's interests.

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INTRODUCTION

The 16th BRICS Summit, organized by Russia, recently took place in Kazan. It marked the first summit at the level of BRICS+ expansion, where leaders of newly included BRICS nations—Egypt, Ethiopia, UAE, Iran, and Saudi Arabia—also participated. The summit included a special BRICS outreach session, which saw attendance from approximately 30 leaders from the Global South.

KEY OUTCOMES OF THE 16TH BRICS SUMMIT

1. **Kazan Declaration** - The Kazan Declaration was formally adopted, highlighting the necessity for a fairer global governance framework and promoting peaceful solutions to international conflicts through dialogue.
2. **BRICS Pay** - A payment system alternative to SWIFT was introduced in Kazan, aimed at supporting trade within member nations and decreasing dependence on Western financial systems.
3. **BRICS Grain Exchange** - The BRICS Grain Exchange was established to strengthen food security and boost agricultural collaboration among BRICS members.
4. **Cross-Border Payment System** - Members examined the potential for a BRICS Cross-Border Payment System, intended to deepen economic integration among the countries.
5. **Political and Security Cooperation** - The summit also advocated reforms in global institutions, such as the UN and IMF, to ensure developing countries receive fair representation.

HISTORY OF BRICS EVOLUTION

1. **2001 - Term 'BRIC' Coined**: The concept of BRIC (Brazil, Russia, India, China) was introduced by economist Jim O'Neill from Goldman Sachs, who predicted that these emerging economies would significantly impact the global economy by 2050.
2. **2006 - Initial Informal Engagement**: The BRIC countries held their first informal meeting at the G8 Outreach Summit in St. Petersburg, marking the start of diplomatic collaboration and dialogue on economic and developmental issues.
3. **2009 - First BRIC Summit**: The inaugural BRIC Summit was held in Yekaterinburg, Russia, focusing on global governance reform, economic cooperation, and common challenges in development and security.
4. **2010 - South Africa's Inclusion**: South Africa joined the group in 2010, resulting in the rebranding to BRICS, adding greater diversity and representing a larger portion of the Global South.
5. **2014 - Launch of New Development Bank (NDB)**: BRICS established the NDB to offer development finance for emerging and developing economies, with an initial capital of $100 billion, aiming to reduce dependency on Western-led institutions.
6. **2023 - BRICS+ Expansion**: BRICS added six new members—Saudi Arabia, Iran, Egypt, Ethiopia, Argentina, and the UAE—ushering in BRICS+ and broadening the platform's geopolitical and economic reach.

SIGNIFICANCE OF BRICS AS A MULTILATERAL GROUPING

1. **Promoting Multipolarity**: BRICS supports a multipolar world order, advocating for economic and political balance and diminishing Western hegemony by creating a space for emerging economies (representing approximately 41% of the global population and 28% of GDP).
2. **Representation of the Global South**: As a voice for the Global South, BRICS allows developing nations to address global issues collectively. The recent inclusion of countries like Egypt and Ethiopia enhances this representation.

3. **Alternative to Bretton Woods Institutions**: Institutions like the NDB and BRICS Contingency Reserve Agreement offer alternatives to the World Bank and IMF, addressing development and financial needs of the Global South.
4. **Reducing Western Dependence**: The group promotes de-dollarization by encouraging the use of local currencies in trade, aiming to reduce reliance on the dollar in global transactions.
5. **Energy Cooperation Platform**: The BRICS+ nations account for 45% of global oil production capacity, which can provide an alternative to OPEC+ and address energy concerns within the bloc.
6. **Focus on Sustainable Development Goals (SDGs)**: BRICS prioritizes reducing poverty, food security, and sustainable development, aligning with United Nations' SDGs.

CHALLENGES FACING BRICS

1. **Expansion Pressures**: China's push for including nations like Belarus, perceived as being heavily influenced by Beijing, raises concerns that BRICS may lean towards a China-centric agenda, which India opposes.
2. **Balancing Core Identity**: As BRICS grows, it faces a choice between retaining its focus on South-South cooperation or becoming a larger geopolitical force, which may dilute its original purpose.
3. **Political Divisions**: Members have distinct political systems and ideologies, from India's democracy to China's communist model, leading to differing stances on issues such as UNSC reforms and the Russia-Ukraine conflict.
4. **Economic Disparities**: The economic size of BRICS members varies significantly, with China and India as major economic players while others like Brazil and Russia have smaller economies, creating an imbalance in influence.
5. **China's Dominance**: China's economic size and export dominance within BRICS have led to concerns of it exerting undue influence, raising tensions over its potential to steer the agenda.
6. **Limited Impact on Global Reform**: Despite efforts, BRICS has had minimal success in reforming Bretton Woods institutions or achieving significant de-dollarization.
7. **Consensus Difficulties on Key Issues**: Differences in member perspectives, notably on the Russia-Ukraine war, create challenges in reaching unified positions on major international matters.

THE WAY FORWARD FOR BRICS

1. **Establishing a Rule-Based Order**: A clear, rule-based framework can prevent any nation from dominating the grouping and allow BRICS to focus on constructive goals rather than anti-West sentiment.
2. **Balancing Influence within BRICS**: Reducing the influence of China, Russia, and India is crucial for BRICS to evolve into a more pan-continental representative of emerging economies.
3. **Transparent Membership Expansion**: A structured expansion policy would help BRICS grow systematically, ensuring that new members align with the group's objectives.
4. **Institutionalizing a Permanent Secretariat**: A permanent secretariat would enhance BRICS' operational efficiency and improve coordination on strategic initiatives across member states.
5. **Addressing Power Disparities**: Creative solutions, especially from India, can help mitigate Chinese influence and maintain equitable power distribution within BRICS, supporting a more balanced and united front.

CONCLUSION

Through these measures, BRICS can enhance its relevance as a voice for the Global South, balance geopolitical interests, and effectively pursue economic and developmental goals on the world stage.

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INDIA-CHINA BORDER ISSUES

RELEVANCE

- **Syllabus:**
  - **PSIR:** India and the Global Centres of Power
  - **GS2:** International Relations

INTRODUCTION

Recently, the Indian Foreign Secretary Vikram Misri announced that India and China had reached an agreement on patrolling arrangements along the Line of Actual Control (LAC). India-China LAC agreement aims to resolve the border issues that arose from Chinese transgressions in 2020. However, clouds of concerns remain over long-standing "legacy disputes" in eastern Ladakh at Demchok and Depsang. Despite this progress, challenges remain in the India China relations.

KEY ASPECTS OF THE RECENT INDIA-CHINA LAC AGREEMENT

1. **Patrolling Protocols**: The recent agreement allows both India and China to resume patrolling along previously established routes, aiming to return to the status quo before the tensions of 2020. This re-establishment of patrolling protocols is seen as a significant step towards stabilizing the border region.
2. **Disengagement Process**: A major focus of the agreement is the completion of the disengagement process, which has been ongoing since the 2020 clashes. The agreement is designed to ensure that both nations withdraw from confrontational positions, helping to de-escalate military tensions.
3. **Reduction of Military Presence**: Both India and China have agreed to reduce their military presence at key points along the LAC to prevent future confrontations. This mutual reduction

aims to create a more stable environment and reduce the risk of accidental conflict. Regular monitoring and review meetings will help ensure that the agreement is implemented effectively.

IMPLICATIONS FOR INDIA-CHINA RELATIONS

1. **De-escalation of Tensions**: The agreement marks a crucial step in reducing the tensions that have been high along the LAC, especially following the violent clashes in 2020. A reduction in military presence and the restoration of routine patrolling will likely lead to a decrease in the chances of further confrontations.
2. **Restoration of Diplomatic Relations**: If successfully implemented, this agreement could pave the way for the resumption of higher-level diplomatic engagements, such as within multilateral forums like BRICS and the Shanghai Cooperation Organization (SCO). A stable LAC relationship might foster deeper cooperation in other areas of bilateral relations.
3. **Economic and Trade Relations**: A more stable border will likely help improve economic ties, as it will open avenues for resuming flights and potentially boost Chinese investments in India. Trade relations, which have been impacted by tensions, could also see an upswing with an improved security environment.
4. **Influence on Regional Stability**: A stable relationship between India and China could set an important precedent for the resolution of other territorial disputes in Asia. Neighboring countries might reassess China's border policies and its willingness to engage in peaceful resolution of disputes.
5. **Path for Long-term Territorial Dispute Resolution**: While the immediate focus is on patrolling arrangements, the agreement could be an essential step in addressing long-standing "legacy issues" like Depsang and Demchok. This might provide a framework for resolving other border disputes in the future.

CHALLENGES IN RESOLVING THE INDIA-CHINA BORDER DISPUTE

1. **Historical Disagreements and Legacy Issues**: The dispute has deep historical roots, dating back to the 1962 border war. Long-standing issues such as Depsang Plains and Demchok remain unresolved, complicating any comprehensive solution to the border conflict.
2. **Unilateral Chinese Actions**: Past incidents of Chinese unilateral actions, including military incursions, have escalated tensions and made it difficult to reach an agreement. These actions, including attempts to alter the status quo, have contributed to mistrust and hindered negotiations.
3. **Strategic Concerns and Nationalistic Sentiments**: The disputed territories hold significant strategic importance for both countries, and nationalist sentiments on both sides make concessions or compromises highly sensitive. National pride often stands in the way of a mutually agreeable solution.
4. **Military Build-up and Infrastructure Development**: Both countries have heavily fortified their positions along the LAC, with significant infrastructure development. This military presence and the competition for control over key locations complicates the disengagement process and makes lasting peace more difficult.
5. **Lack of Trust and Mutual Suspicion**: The Galwan Valley clashes in 2020 deeply damaged trust between the two countries, leaving behind a legacy of suspicion. This mistrust creates a volatile environment that makes any long-term resolution difficult.
6. **Imbalance in Buffer Zones**: The disengagement process has led to some imbalance in buffer

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zones, with India reportedly losing more territory than China. This creates an atmosphere of dissatisfaction and may complicate the further resolution of disputes.

WAY FORWARD

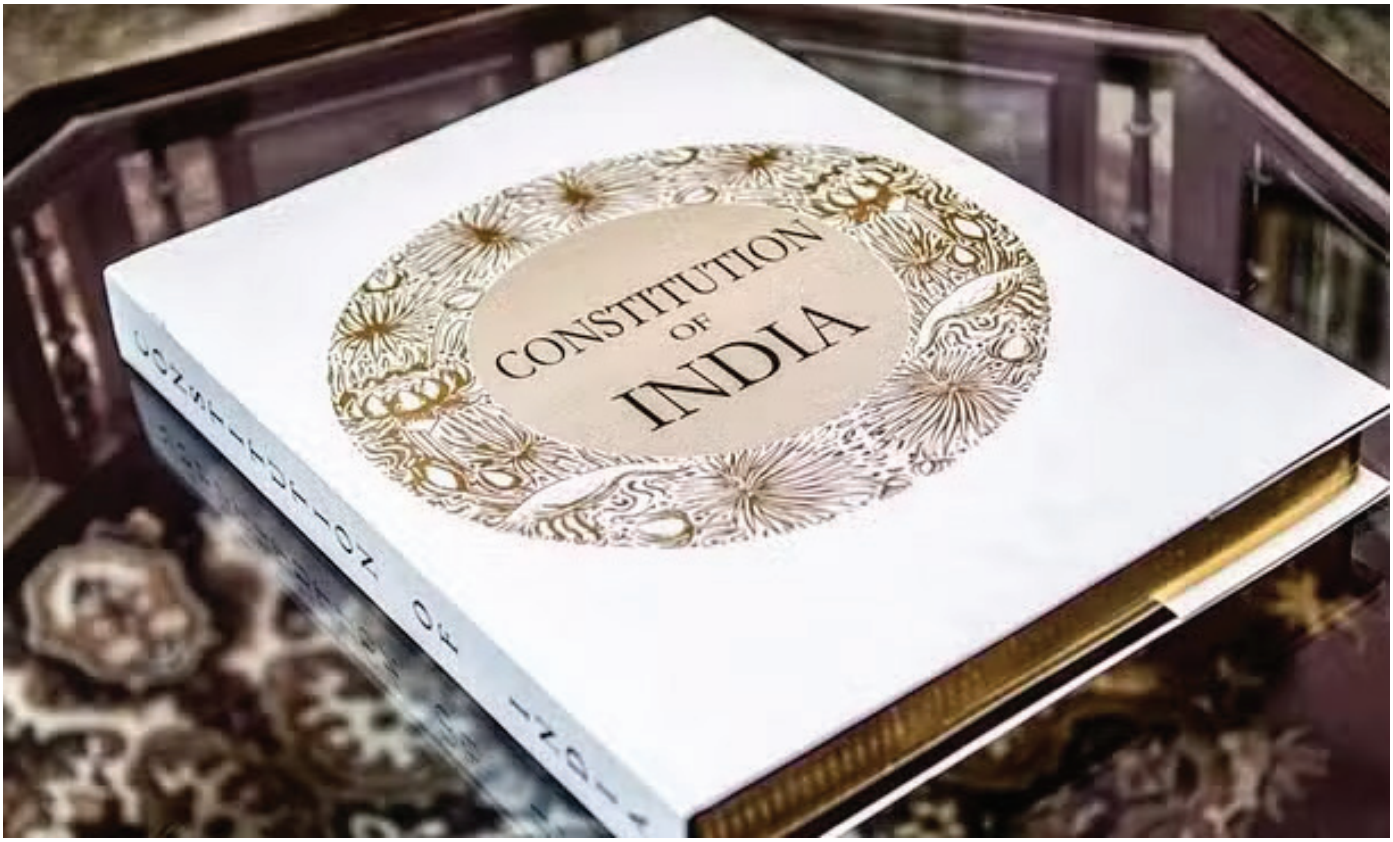
1. **Continued Dialogue and Negotiations**: Maintaining open channels for high-level talks is crucial. Continued military, political, and diplomatic engagement will be necessary to address emerging issues along the LAC and reduce tensions.
2. **Establishment of Trust**: Both sides must avoid actions that could escalate tensions, such as unilateral territorial changes, and work towards building mutual respect and understanding.
3. **Resolve Legacy Issues**: Addressing unresolved legacy issues like Depsang and Demchok should be prioritized in future negotiations. Resolving these disputes would contribute to a comprehensive and lasting solution to the border problem.
4. **Balanced Disengagement**: Future disengagement efforts should ensure that no side disproportionately loses territory, particularly in the creation of buffer zones. A balanced approach will help maintain stability and ensure that both sides feel equitably treated.

These steps, if followed, could pave the way for a stable, peaceful border and improved bilateral relations, creating a more favorable environment for economic, diplomatic, and regional cooperation.

75 YEARS OF INDIAN CONSTITUTION

RELEVANCE

- **Syllabus:**
  - **PSIR:** Making of Indian Constitution
  - **GS2:** Indian Constitution



INTRODUCTION

On November 26, 1949, the Constituent Assembly formally completed the Indian Constitution. Known as the largest constitution in the world, it has remarkably stood the test of time for 75 years. This endurance surpasses the global average lifespan of constitutions, which is approximately 17 years. The Indian Constitution's durability is further emphasized when compared to neighboring nations like Sri Lanka, Pakistan, and Nepal, which have revised or replaced their constitutions several times over the same period. This resilience highlights the foresight and vision of India's founding fathers, who crafted a democratic framework uniquely suited to the world's largest democracy. Constitution@75

HISTORICAL BACKGROUND OF THE INDIAN CONSTITUTION

1. **Government of India Act, 1935**: The British introduced this act as a constitutional framework for India. However, it was rejected by the Indian National Congress in 1936, citing

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its exploitative nature and intent to sustain British control.

2. **Cabinet Mission Plan, 1946**: This plan proposed a Constituent Assembly with representatives from the Congress, Muslim League, and princely states.
3. **Constituent Assembly**: The Assembly first convened on December 9, 1946, working for nearly three years to draft the Constitution. Chaired by Dr. B. R. Ambedkar, the Drafting Committee played a vital role. The final draft contained 243 articles and 13 schedules, supported by experts like B. N. Rau (constitutional adviser) and S. N. Mukherjee (chief draftsman).

FRAMEWORK OF THE INDIAN CONSTITUTION

- **Parliamentary System**: India adopted the parliamentary system, aligning with its historical and cultural traditions.
- **Federal Structure**: The Constitution provides a federal framework, balancing powers with greater authority for the Union government.
- **Comprehensive Design**: Unlike the UK's unwritten conventions, India's Constitution defines detailed roles for the legislature, executive, and judiciary, acknowledging the nation's diversity.
- **Fundamental Rights and Directive Principles**: Fundamental Rights safeguard individual freedoms, while Directive Principles guide states toward socio-economic justice.

KEY ACHIEVEMENTS OF THE CONSTITUTION AT 75 YEARS

1. **Foundation of Indian Democracy**: The Constitution established India as a sovereign, socialist, secular, and democratic republic, emphasizing checks and balances among the executive, legislature, and judiciary.
2. **Protection of Rights**: Enshrining Fundamental Rights ensures individual freedoms and promotes social justice by offering equal opportunities for all citizens.
3. **Social Transformation**: The Constitution has enabled significant social change, driving equality and justice across diverse societal sectors and supporting affirmative action.
4. **Constitutional and Civic Responsibility**: It has fostered constitutional literacy and civic responsibility, as seen in debates around the Citizenship Amendment Act (CAA) and National Register of Citizens (NRC).

THREATS TO CONSTITUTIONAL VALUES

1. **Decline in Press Freedom**: India ranks 159th out of 180 in the World Press Freedom Index 2024, reflecting concerns about freedom of expression.
2. **Disregard for Individual Rights**: Critics highlight the misuse of laws like the Unlawful Activities (Prevention) Act (UAPA) against dissenters, citing cases like Father Stan Swamy and Umar Khalid.
3. **Erosion of Democracy**: Issues such as labeling dissent as anti-national and weakening institutions like the Election Commission threaten constitutional morality.
4. **Decline of Parliamentary Debates**: Reduced parliamentary discussions and concerns over judicial independence are significant issues.
5. **Corporate-Driven Policies**: Allegations include favoring corporate interests, curtailing workers' rights, and suppressing farmers, with policies like labor codes and land acquisitions affecting marginalized groups.

WAY FORWARD

Dr. B. R. Ambedkar envisioned the Constitution as a safeguard against majoritarianism and state overreach. To uphold democratic principles:

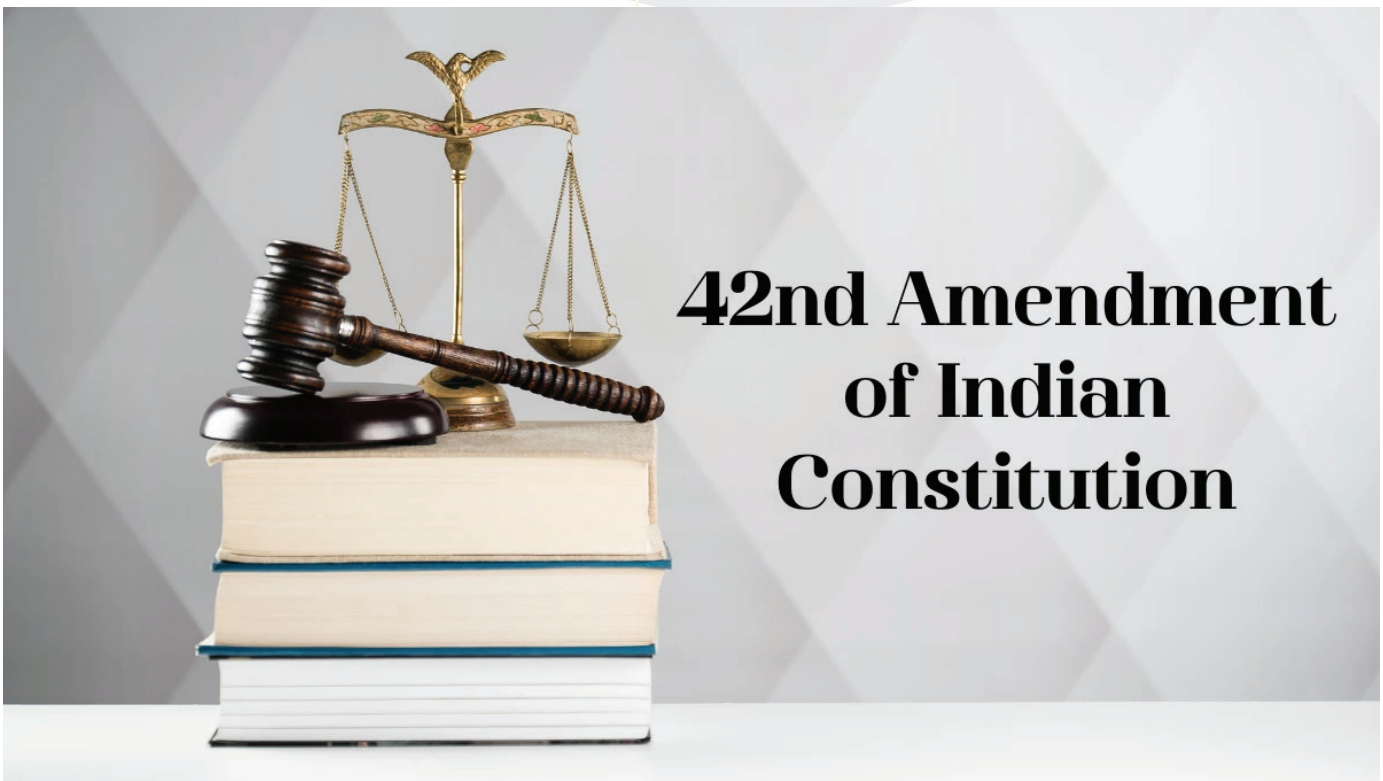
- **Limit State Power**: The Constitution must restrain authority while protecting freedoms.
- **Democracy Beyond Elections**: Democracy should encompass accountability, free speech, and adherence to constitutional values, not just electoral victories.
- **Adherence to Directive Principles**: Governments must follow the guiding principles of Directive Principles to prevent misuse of authority.

The survival of India's republic depends on its citizens, ensuring that constitutional principles are upheld in both letter and spirit.

SUPREME COURT'S VERDICT ON THE 42ND AMENDMENT TERMS

RELEVANCE

- **Syllabus:**
  - **PSIR:** Salient Features of the Indian Constitution
  - **GS2:** Amendments



INTRODUCTION

The Supreme Court of India rejected petitions challenging the inclusion of the terms "Socialist," "Secular," and "Integrity" in the Preamble through the 42nd Constitutional Amendment Act (CAA), 1976. Petitioners argued that these terms, introduced during the Emergency, were undemocratic. They claimed the original Preamble, adopted on November 26, 1949, precluded subsequent additions and requested either their removal or relocation to a different section.

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1. **Part of the Basic Structure Doctrine** The Court upheld that "socialist" and "secular" are integral to the Constitution's basic structure. Referring to the landmark 1994 **S.R. Bommai** case, the Court emphasized that secularism is a foundational principle of the Constitution.
2. **Constituent Assembly's Original Intent**
   - The Court noted that the Constituent Assembly deliberately omitted "socialist" to allow future generations flexibility in shaping the country's economic framework.
   - It also stated that "secular" was not explicitly included because the Constitution already guaranteed religious freedom, equality, and the right to belief and conscience through fundamental rights.
3. **Present-Day Relevance of Socialism and Secularism**
   - **Socialism**: The Court explained that socialism underpins India's welfare state, combining private enterprise with state-led welfare initiatives. Early policies reflected democratic socialism with centralized planning, but economic liberalization post-1991 introduced market-oriented reforms. Although these reforms reduced poverty, persistent inequalities demand continued welfare measures like MGNREGA, food subsidies, and direct benefit transfers.
   - **Secularism**: Indian secularism ensures religious neutrality, affirming freedom of belief and equality for all faiths. Highlighting the **S.R. Bommai** case, the Court reiterated that India's model neither supports nor opposes any religion, treating all equally.
4. **Emergency Context of the Amendment** The Court dismissed objections to the Emergency-era origins of the amendment. It cited parliamentary debates on the 44th Amendment (1978) as reaffirming these terms, underscoring that the Constitution is a living document open to amendments, including changes to the Preamble.

EVOLUTION OF LEGAL INTERPRETATIONS OF THE PREAMBLE

Debates about whether the Preamble is part of the Constitution have persisted for decades, with the Supreme Court offering evolving perspectives:

- **Berubari Union Case, 1960**: The Court recognized the Preamble as a "key to the minds of the makers of the Constitution" but ruled it was not part of the Constitution.
- **Kesavananda Bharati Case, 1973**: Overruling its earlier stance, the Court declared the Preamble an integral part of the Constitution, highlighting its significance in interpreting the Constitution's provisions.
- **LIC of India Case, 1995**: The Court reaffirmed that the Preamble is a crucial, though non-enforceable, part of the Constitution.

SIGNIFICANCE OF THE PREAMBLE

1. **Core Values**: It encapsulates the Constitution's fundamental philosophy and principles, described as the "keynote of the Constitution" by Sir Ernest Barker.
2. **Vision of the Constituent Assembly**: The Preamble reflects the lofty ideals of the Assembly and the aspirations of India's founding fathers.
3. **National Goals**: It outlines socio-economic objectives for governance and nation-building.
4. **Interpretative Tool**: Acting as the "identity card of the Constitution," as noted by N.A. Palkhivala, it aids in resolving ambiguities in constitutional language.
5. **People's Will**: Beginning with "We, the people of India," the Preamble asserts that the Constitution derives its authority from the collective will of the citizens.

CRITICISMS OF THE PREAMBLE

1. **Non-Enforceability**: Critics argue that the Preamble's ideals are aspirational and not legally binding.
2. **Unrealized Goals**: India's poor rankings in global indices, such as the **World Press Freedom Index (159th in 2024)** and the **Global Gender Gap Index (127th in 2023)**, highlight gaps in achieving liberty, equality, and justice.
3. **Challenges to Fraternity**: Persistent caste hierarchies and communal tensions undermine the spirit of fraternity.
4. **Threats to Unity**: Issues like regionalism, insurgency, terrorism, and separatist movements pose challenges to national unity and integrity.

CONCLUSION

Marking 75 years of the Constitution, the Supreme Court's judgment reinforces the enduring relevance of secularism and socialism in shaping India's democratic ethos. The Preamble remains a guiding light for interpreting and upholding the Constitution's principles.

INDIA AND THE PERSONS WITH DISABILITIES

RELEVANCE

- **Syllabus:**
  - **PSIR:** Human rights
  - **GS2:** Government Policies

INTRODUCTION

The Supreme Court's recent directive to frame binding rules for ensuring accessibility for persons with disabilities marks a significant step towards implementing their fundamental rights. Below is a detailed explanation addressing the classification,

status, provisions, challenges, and the Supreme Court ruling on accessibility for persons with disabilities in India.

WHO ARE CLASSIFIED AS PERSONS WITH DISABILITIES?

1. **International Definition (UN CRPD)**:
   - Persons with disabilities are individuals with long-term physical, mental, intellectual, or sensory impairments that hinder their full and effective participation in society on an equal basis with others.
2. **Indian Legal Framework**:
   - The **Rights of Persons with Disabilities Act, 2016 (RPwD Act)** adopts the UN CRPD definition and introduces the term **Person with Benchmark Disability**, defined as a person with at least 40% of a specified disability.
   - The RPwD Act expanded recognized disabilities from 7 to 21 categories, such as locomotor disability, visual and hearing impairments, mental illness, autism, and more.

STATUS OF DIFFERENTLY ABLED PEOPLE IN INDIA

1. **Census Data (2011)**:
   - India has **26.8 million persons with disabilities**, constituting **2.21%** of the total population.
   - **Rural-Urban Divide**: 69% reside in rural areas.
   - **Gender Split**: 14.9 million men (2.41%) and 11.9 million women (2.01%).
2. **Disability Distribution**:
   - **Movement Disabilities**: 20%.
   - **Visual Impairment**: 19%.
   - **Hearing Impairment**: 19%.
   - **Multiple Disabilities**: 8%.
3. **Age Group**: The highest prevalence is among those aged 10–19 years, with around 4.62 million individuals.

PROVISIONS FOR ACCESSIBILITY

1. **International Commitment**:
   - As a signatory to the **United Nations Convention on the Rights of Persons with Disabilities (CRPD)**, India is bound by **Article 9**, which mandates equal access to public spaces, transportation, communication, and services.
2. **Legislation**:
   - The **RPwD Act, 2016** ensures equal rights and prohibits discrimination.
   - The **RPwD Rules, 2017**, established guidelines for accessibility but lacked binding enforcement mechanisms, as noted by the Supreme Court.
3. **Transport Accessibility**:
   - There is a stark variation across states. For example, Delhi has 3,775 low-floor buses accessible to disabled individuals, whereas Tamil Nadu has only 1,917 accessible buses out of 21,669.
4. **Intersectionality**:
   - Accessibility is further challenged by social and economic factors like caste, gender, and regional disparities. For instance, job portals often exclude visually impaired users, and the absence of sign language recognition creates disadvantages.

KEY HIGHLIGHTS OF THE SUPREME COURT RULING

1. **Binding Rules**:
   - The Court directed the Union Government to replace recommendatory guidelines under **Rule 15(1) of the RPwD Rules** with enforceable standards within three months.

2. **Stakeholder Consultation**:
   - The government must engage with experts, including the **NALSAR Centre for Disability Studies**, while drafting rules.
3. **Compliance and Penalties**:
   - Non-compliance with accessibility standards will lead to penalties such as withholding completion certificates and fines.
4. **Accessibility as a Fundamental Right**:
   - The Court emphasized that ensuring accessibility is not just a statutory obligation but a **constitutional mandate** under the RPwD Act.

PROVISIONS FOR PERSONS WITH DISABILITIES IN INDIA

Constitutional Provisions

- **Preamble**: The Preamble of the Indian Constitution aims to ensure social, economic, and political justice for all citizens, including persons with disabilities (PwDs), ensuring equality of status and opportunity.
- **Fundamental Rights**: The dignity of individuals, which is central to all fundamental rights, extends to PwDs. All fundamental rights are available to them.
- **Directive Principles**:
  - **Article 41**: Emphasizes securing the right to work, education, and public assistance in cases of unemployment, old age, sickness, and disability.
  - **Article 46**: Promotes the educational and economic interests of the weaker sections, including PwDs, and aims to protect them from social injustice and exploitation.
- **Schedules of the Constitution**:
  - Disability relief is a state subject (Entry 9 in List II under the Seventh Schedule).
  - Welfare of the disabled is listed under item 26 in the Eleventh Schedule and item 9 in the Twelfth Schedule.

Legal Provisions

- **The Mental Health Act, 2017**: Replaced the 1987 Act to provide for mental healthcare and related services for persons with mental illness, ensuring the protection of their rights.
- **The Rights of Persons with Disabilities (RPwD) Act, 2016**: This Act, replacing the Persons with Disabilities (Equal Opportunities, Protection of Rights, and Full Participation) Act, 1995, aligns with India's obligations under the UN Convention on the Rights of Persons with Disabilities (UNCRPD). It increases reservations for PwDs in government jobs (from 3% to 4%) and in higher education (from 3% to 5%), and mandates accessibility in public buildings.
- **The Rehabilitation Council of India Act, 1992**: Established the Rehabilitation Council of India to regulate and monitor services for PwDs, set standards for professionals, and maintain a central register of qualified personnel.
- **The National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation, and Multiple Disabilities Act, 1999**: Establishes a national body to ensure the welfare of persons with specific disabilities, focusing on independent living and social integration.

Welfare Programmes

- **Accessible India Campaign**: Aims to create an accessible environment in India, addressing accessibility in built-up spaces, transportation, and Information & Communication Technology (ICT).
- **Deendayal Disabled Rehabilitation Scheme (DDRS)**: Provides financial assistance to NGOs working on the rehabilitation of PwDs, focusing on empowerment and social justice.

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- **Assistance to Disabled Persons for Purchase of Aids and Appliances (ADIP)**: Facilitates the purchase of durable aids and appliances for PwDs through NGOs and public-sector organizations like ALIMCO.
- **Indian Sign Language Research and Training Centre**: Focuses on promoting the use of sign language and developing resources for communication with deaf individuals.
- **National Institute of Mental Health Rehabilitation (NIMHR)**: Works towards building capacity in mental health rehabilitation, with a focus on community-based rehabilitation.

CHALLENGES FACED BY PEOPLE WITH DISABILITIES

1. **Social Challenges**: PwDs face discrimination, inequality, and social exclusion, including reluctance to hire them, inhuman treatment, and loss of identity due to their disability.
2. **Barriers to Education**: There is a lack of special schools and trained teachers for students with disabilities, and educational materials for visually impaired persons are often unavailable.
3. **Healthcare Issues**: PwDs often lack access to quality healthcare, further marginalizing them in society.
4. **Unemployment**: Persons with disabilities face higher unemployment rates, with private sectors being reluctant to hire them due to stereotypes.
5. **Accessibility Issues**: A lack of accessible infrastructure, such as disabled-friendly public transport and buildings, creates significant barriers for PwDs.

SUPREME COURT GUIDELINES TO PREVENT STEREOTYPING AND DISCRIMINATION

1. **Avoiding Derogatory Language**: The Court stressed avoiding terms like "cripple" or "victim," which perpetuate discrimination. The focus should be on respectful and inclusive language.
2. **Accurate Representation**: The Court mandated the accurate portrayal of disabilities in media, encouraging content creators to involve PwDs in the creation of visual media, adhering to the principle "nothing about us, without us."
3. **Creative Freedom vs. Marginalizing Portrayals**: While filmmakers have creative freedom, it should not be used to perpetuate harmful stereotypes. If media content harms the rights of PwDs, it cannot be protected under creative freedom.
4. **Collaboration with Disability Advocacy Groups**: The Court called for the involvement of disability advocacy groups in ensuring accurate portrayals and providing training for media professionals on the impacts of their work.

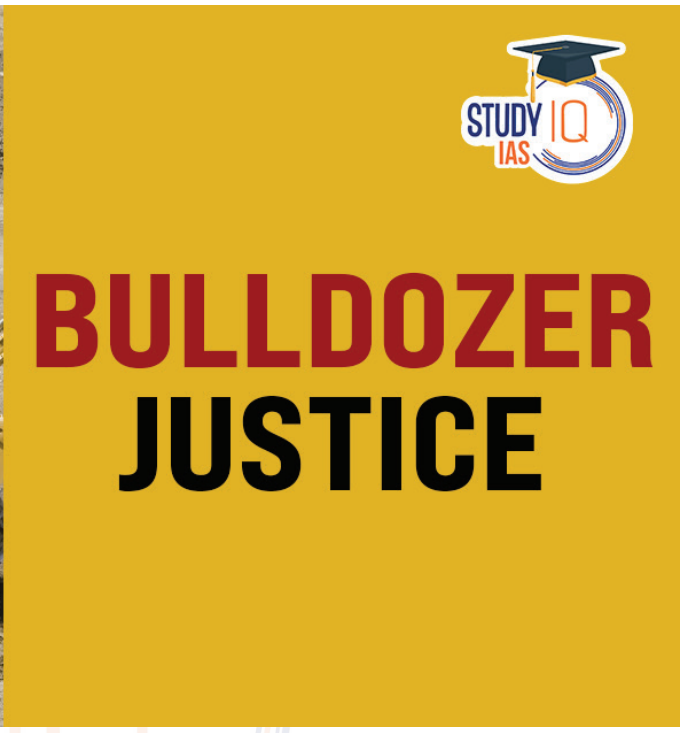
WAY FORWARD

1. **Accommodation and Inclusion**: Efforts should focus on providing better education, equal job opportunities, and social inclusion for PwDs, ensuring active participation in social and political decisions.
2. **Social Sensitization**: Overcoming stigma through public education and the use of terms like "Divyangjan" can help in better integrating PwDs into society.
3. **Preventive Measures**: Scaling up early detection programs such as the Comprehensive Newborn Screening (CNS) under the Rashtriya Bal Swasthya Karyakram can help in the early prevention of disabilities.
4. **Interventions in Public Policy**: Increased budgeting for the welfare of PwDs, similar to gender budgeting, can ensure more resources are dedicated to their upliftment and empowerment.

BULLDOZER JUSTICE

RELEVANCE

- **Syllabus:**
  - **PSIR:** Justice
  - **GS2:** Government Policies



INTRODUCTION

Bulldozer Justice refers to the controversial practice of using bulldozers and other heavy machinery to demolish the properties of individuals accused of serious crimes, such as communal violence, murder, or other offenses. This is often done without due legal process or court orders, and the demolition is frequently carried out as a punitive measure. The term highlights concerns about bypassing the judicial system in favor of extrajudicial actions, which are commonly referred to as "bulldozer justice."

RECENT HISTORY OF BULLDOZER JUSTICE

Instances of Bulldozer Justice have been reported across multiple states in India, including Uttar Pradesh, Madhya Pradesh, Delhi, Haryana, and Maharashtra.

- **Uttar Pradesh**: Bulldozer demolitions have been prevalent since 2017, with high-profile cases such as those of gangster Vikas Dubey and politician Atiq Ahmed, whose properties were razed following their alleged involvement in criminal activities.
- **Madhya Pradesh**: In April 2022, bulldozers demolished homes and shops in Khargone after communal clashes, affecting dozens of families.
- **Haryana**: In Nuh, bulldozer action was taken after communal violence erupted.
- **Maharashtra**: In 2020, part of actor-turned-politician Kangana Ranaut's bungalow in

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Mumbai was demolished after she made controversial comments comparing the city to Pakistan-Occupied Kashmir.

- **Delhi**: In April 2022, bulldozers were used in Jahangirpuri, North West Delhi, following communal clashes.

These actions have raised serious concerns about human rights, due process, and the rule of law, as they often result in the destruction of property without adequate legal justification or a fair hearing.

KEY GUIDELINES ISSUED BY THE SUPREME COURT

In response to the growing misuse of bulldozer justice, the Supreme Court of India, led by Justices B.R. Gavai and K.V. Viswanathan, issued comprehensive guidelines to ensure that demolitions are carried out in a lawful and transparent manner:

1. **Notice Requirements**:
   - **Advance Notice**: Authorities must issue a notice at least 15 days in advance before any demolition action is taken.
   - **Content of Notice**: The notice must specify the reason for demolition, describe the structure, and provide an opportunity for a personal hearing.
   - **Communication with Officials**: Authorities must inform the District Magistrate or local Collector by email, ensuring proper documentation to prevent backdating.
2. **Hearing and Final Order**:
   - **Recorded Hearing**: A formal hearing must be held, and the proceedings should be recorded.
   - **Contents of Final Order**: The order must provide a justification for demolition, including whether it is necessary to demolish the entire property or only part of it.
3. **Post-Order Implementation**:
   - **Waiting Period**: After the demolition order is issued, there must be an additional 15-day waiting period to allow for a legal challenge or voluntary removal of the construction.
   - **Documentation**: If the demolition proceeds, authorities must document the process with a video, inspection report, and a list of personnel involved.

However, these guidelines do not apply to unauthorized constructions in public areas or where a court has already ordered demolition.

RATIONALE BEHIND THE VERDICT

The Supreme Court's decision is grounded in several constitutional principles aimed at safeguarding individual rights and ensuring due process:

1. **Separation of Powers**: The Court emphasized that only the judiciary has the authority to determine guilt and impose penalties. Demolitions carried out by the executive as a form of punishment for alleged crimes would undermine this fundamental principle.
2. **Right to Shelter**: Under Article 21 of the Indian Constitution, which guarantees the right to life with dignity, the Court held that demolishing a person's property without proper legal process is unconstitutional and violates the right to shelter.
3. **Discriminatory Actions**: The Court noted that selective demolitions—targeting certain properties while ignoring others that violate similar laws—could be seen as punitive and discriminatory, rather than a legitimate action to remove illegal constructions. The guidelines were designed to prevent such selective actions.
4. **Public Accountability and Transparency**: The Court aimed to increase transparency in the demolition process and prevent "high-handed" actions by officials, ensuring that demolitions

are carried out in a fair and accountable manner.

ARGUMENTS IN FAVOR OF BULLDOZER JUSTICE

1. **Fulfillment of Legal Compliance**: State officials argue that bulldozer demolitions are often conducted under existing municipal laws, such as the U.P. Municipal Corporation Act or the U.P. Urban Planning and Development Act. These laws allow for demolitions of illegal structures. For example, Uttar Pradesh officials justify bulldozer actions by pointing to legal frameworks meant to address violations of land-use regulations and unauthorized constructions.
2. **Creation of Effective Deterrence**: Proponents contend that bulldozer justice is a tool to deter criminal activities. The swift and visible demolition of property, particularly in cases of alleged criminal involvement, is believed to send a strong message against such behavior. The state's argument is that this discourages future criminal acts, helping to maintain public order.
3. **Restoration of Law and Order**: In the wake of communal violence or mass unrest, the state argues that demolishing properties linked to the accused helps to restore calm and public order. For example, in Nuh, Haryana, bulldozers were used following communal violence to defuse tensions and prevent further escalation.
4. **Universal and Not Targeted at Specific Communities**: The government has defended the practice by asserting that demolitions are not targeted at any specific community. The Solicitor General of India noted that in states like Madhya Pradesh, demolitions were not focused on any one group, with properties from diverse communities, including Hindus, being affected.
5. **Fulfillment of Public Demand for Visible Action**: Supporters claim that bulldozer justice is a direct and visible response to public demand for action against criminal activities. They argue that it provides a decisive mechanism when authorities face pressure to act quickly, especially in the aftermath of crimes or riots.

CONCERNS WITH BULLDOZER JUSTICE

1. **Violation of the Rule of Law**: Bulldozer demolitions often bypass legal processes, violating the principle of natural justice. The absence of proper advance notice or the right of individuals to be heard before such drastic measures is a significant concern. For instance, demolitions have sometimes occurred without any formal hearing, leaving individuals unable to contest the action.
2. **Violation of Fundamental Rights**: Bulldozer demolitions infringe on the **Right to Shelter**, a crucial aspect of the Right to Life under Article 21 of the Indian Constitution. The demolitions not only displace families but also remove their fundamental right to secure housing.
3. **Violation of Presumption of Innocence**: Many argue that demolishing properties based on allegations alone undermines the principle of **presumption of innocence**, which is foundational in criminal law. Property owners are penalized without having been proven guilty in a court of law.
4. **Specific Targeting of Minorities**: Critics have raised concerns about the disproportionate targeting of minority communities, particularly Muslims. Reports, such as one from **Amnesty International**, indicate that demolitions have predominantly affected properties owned by Muslims, suggesting potential ethnic or religious bias.
5. **Promoting Authoritarianism**: Critics argue that bulldozer justice can lead to authoritarian practices, where the state exercises unchecked

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power to punish individuals based on perceived political or social dissent. It is seen as a method of retribution, especially against marginalized groups or political opponents.

6. **Ethical Issues**: Bulldozer justice conflates the roles of judge, jury, and executioner, bypassing the judiciary's role in adjudicating guilt and punishment. This raises significant ethical concerns, particularly when innocent family members of the accused are also affected by the demolition.

OBSERVATIONS OF THE SUPREME COURT IN CASES OF DEMOLITIONS

1. **Maneka Gandhi vs. Union of India (1978)**: The Court held that executive actions must adhere to fairness, justice, and reasonableness, setting the foundation for due process in government actions.
2. **Municipal Corporation of Ludhiana vs. Inderjit Singh (2008)**: The Court clarified that authorities cannot proceed with demolitions, even of illegal constructions, without notifying the affected parties and offering them an opportunity to be heard.
3. **Olga Tellis vs. Bombay Municipal Corporation (1985)**: The Court emphasized that eviction without proper notice violates the right to livelihood, reinforcing the importance of due process under Article 21.
4. **Punjab and Haryana High Court's Intervention in Nuh Demolitions**: The High Court intervened to halt bulldozer actions in Nuh, citing a lack of due process and the potential for ethnic targeting.

WAY FORWARD

1. **Adequate Surveys Before Demolition**: The Supreme Court has mandated a pre-demolition survey and the enforcement of procedural protocols, including the requirement for sufficient advance notices.
2. **Pan-India Procedural Guidelines**: There is a need for uniform guidelines across the country to govern demolitions. These should be integrated into relevant municipal laws to ensure compliance with due process at all stages—before, during, and after the demolition.
3. **Shifting the Burden of Proof**: The onus should be on the authorities to prove the legality and necessity of demolitions. This will protect citizens' right to shelter and ensure that demolitions are justified and lawful.
4. **Independent Review Mechanism**: A committee with judicial and civil society representation should be established to review proposed demolitions and ensure that they are not arbitrary or politically motivated.
5. **Focus on Rehabilitation**: Clear guidelines for the rehabilitation of innocent victims of bulldozer actions should be established, ensuring that families affected by such demolitions are provided with adequate housing and compensation, as per international human rights standards.

These measures would help safeguard citizens' rights and ensure that demolitions are carried out in accordance with the law and due process, preventing the misuse of state power.

MINORITY INSTITUTIONS IN INDIA

RELEVANCE

- **Syllabus:**
  - **PSIR:** Institutions/Commissions
  - **GS2:** Government Policies

INTRODUCTION

A seven-judge bench of the Supreme Court, in a 4-3 majority ruling, established a "holistic and realistic" test to assess the "minority character" of educational institutions in India. The decision by the SC could pave the way for Aligarh Muslim University (AMU) to be recognized as a minority institution.

BACKGROUND OF THE AMU CASE

The Aligarh Muslim University (AMU) case revolves around its status as a minority institution under **Article 30** of the Indian Constitution, which grants minorities the right to establish and administer educational institutions. The issue began in the **S. Azeez Basha v. Union of India (1967)** case, where the Supreme Court ruled that AMU did not qualify as a minority institution. This decision was based on the fact that AMU was established through the **AMU Act of 1920**, a central legislative act, and thus could not be considered as an institution set up or administered by the Muslim minority community.

In **1981**, the government amended the AMU Act, recognizing the institution as one established by the Muslim community for their cultural and educational advancement. However, this amendment was challenged when, in **2006**, the Allahabad High Court struck down the AMU's 50% Muslim reservation policy in postgraduate medical courses, referring back to the 1967 ruling, which denied its minority status. The case was escalated to the **Supreme Court** in 2019, where it was referred to a seven-judge bench.

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RECENT SUPREME COURT RULING ON MINORITY INSTITUTIONS

The Supreme Court ruling introduced a **holistic and realistic test** to assess the minority character of educational institutions. The judgment emphasized the following key elements to define the "minority character":

1. **Purpose**: The primary aim of the institution should be to preserve the language, culture, and identity of the minority community. However, this does not mean the institution should focus solely on this goal.
2. **Admission**: Admitting non-minority students does not automatically disqualify an institution from being a minority institution.
3. **Secular Education**: Providing secular education (non-religious education) does not affect the minority status.
4. **Religious Instruction**: Institutions receiving state aid cannot mandate religious instruction; fully state-funded institutions cannot offer religious instruction while retaining minority status.

The Court further established a **two-part test** to determine minority status:

- **Establishment**: Focuses on the institution's origins, its founding intent, and its financial backing.
- **Administration**: Evaluates how the institution is managed and whether its administration aligns with the minority community's interests.

LEGAL AND CONSTITUTIONAL PROTECTION FOR MINORITY INSTITUTIONS

- **Article 30(1)**: Guarantees minorities the right to establish and administer educational institutions of their choice.
- **Article 15(5)**: Allows **minority educational institutions (MEIs)** to be exempt from reservations for Scheduled Castes (SCs) and Scheduled Tribes (STs), providing them with greater autonomy.

BENEFITS OF MINORITY EDUCATIONAL INSTITUTIONS

1. **Autonomy in Curriculum**: Minority institutions can integrate cultural education with standard academic programs, helping preserve the community's unique heritage.
2. **Promotion of Heritage**: These institutions play a pivotal role in preserving minority languages, scripts, and cultural traditions.
3. **Community Cohesion**: Education within a familiar cultural context promotes solidarity and reinforces shared community values.
4. **Access to Quality Education**: They help improve literacy and educational outcomes within minority communities.
5. **Reservation**: MEIs can reserve seats for minority students, ensuring better access to education for the community.

CHALLENGES WITH MINORITY EDUCATIONAL INSTITUTIONS

1. **Inadequate Resources**: Many face challenges like poor infrastructure and inadequate teaching materials.
2. **Misuse of Minority Status**: Some institutions falsely claim minority status to evade regulations, leading to concerns about transparency.
3. **Corruption and Mismanagement**: Issues like financial irregularities are common in some private unaided institutions.
4. **Lack of Accountability**: Insufficient oversight can lead to poor governance and lower educational standards.

CONCLUSION

The Supreme Court's ruling on the AMU case has provided a nuanced approach to determining the minority status of educational institutions.

This decision could pave the way for AMU to be recognized as a minority institution, reaffirming the rights of minority communities under the Indian Constitution. The application of this ruling will also likely influence the legal status and operational dynamics of other similar institutions across India.

RIGHT TO PROPERTY IN INDIA

RELEVANCE

❒ **Syllabus:**

- **PSIR:** Salient Features of the Indian Constitution
- **GS2:** Government Policies

INTRODUCTION

In a landmark decision with significant implications for private property rights, a nine-judge bench of the Supreme Court ruled that not all private property qualifies as "material resources of the community" under Article 39(b) of the Constitution. The SC held that the government cannot acquire and redistribute all privately owned property by simply deeming them as "material resources of the community" under Article 39(b) of the Indian Constitution.

EVOLUTION OF THE RIGHT TO PROPERTY IN INDIA

The **Right to Property** in India has undergone significant evolution since the Constitution's adoption:

1. **Initially a Fundamental Right**: Under **Articles 19(1)(f)** and **31**, property was a fundamental right, and any acquisition of private property required compensation.
2. **25th Constitutional Amendment (1971)**: This amendment introduced **Article 31C**, which

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provided immunity to laws aimed at fulfilling the principles of **Articles 39(b)** and **39(c)** (e.g., equitable distribution of resources and preventing concentration of wealth) from challenges based on fundamental rights violations. The government could thus enact laws for redistribution without the risk of them being struck down as unconstitutional.

3. **Kesavananda Bharati Case (1973)**: The Supreme Court upheld **Article 31C**, but allowed judicial review of laws claiming immunity under it.
4. **Downgrading to Constitutional Right (1978)**: The **42nd Amendment** moved the right to property from a fundamental right to a **constitutional right** under **Article 300A**, allowing the government to acquire property for public purposes with fair compensation. This reduced the absolute protection previously afforded to private property.

KEY ISSUES ON PRIVATE PROPERTY IN RECENT SUPREME COURT DELIBERATIONS

The recent **Supreme Court ruling** involved two key points:

1. **Validity of Article 31C**: The Court reaffirmed the **Kesavananda Bharati** judgment, ensuring **Article 31C** provides protection only for laws that implement **Articles 39(b)** and **39(c)** (equitable distribution of resources and prevention of wealth concentration), but subject to judicial review. The extension of protection to all Directive Principles of State Policy (DPSPs) under the **42nd Amendment** was struck down in the **Minerva Mills** case (1980).
2. **Interpretation of Article 39(b)**: The Court ruled that not all privately owned property can be deemed "material resources of the community" for acquisition. It clarified that only certain resources with significant community impact, such as those under the **public trust doctrine**, can be acquired for redistribution. Thus, private property cannot be arbitrarily seized by the government under this provision.

SUPREME COURT JUDGMENT ON PRIVATE PROPERTY

In the **Property Owners' Association v. State of Maharashtra** case, the Court held that:

- **Article 31C Protections** remain valid but are limited to laws aimed at implementing **Articles 39(b) and 39(c)**.
- The Court rejected the broader interpretation that all private property could be considered "material resources of the community" for redistribution.
- **Factors for material resource consideration** include scarcity, community impact, and the potential harm of monopolization.

IMPLICATIONS OF THE SC RULING

1. **Limits on Government Power**: The judgment restricts the government's ability to acquire private property under **Article 39(b)** by clarifying the scope of "material resources of the community". It narrows the government's authority over private property, safeguarding individual property rights.
2. **Support for Economic Democracy**: The ruling supports the constitutional vision of economic democracy, emphasizing that the Court's role is to uphold the principles of fairness rather than dictate economic policy.
3. **Adapting to Market Realities**: The judgment recognizes the evolution of property, acknowledging newer forms like **data** and **space resources**, reflecting the changing nature of assets in the modern economy.
4. **Role of DPSPs**: The ruling underscores that **Directive Principles of State Policy (DPSPs)** are guiding principles rather than enforceable laws. While important, they cannot override

constitutional protections like the right to property.

5. **Protection for Marginalized Communities**: By limiting government acquisition, the ruling helps protect small landowners, especially marginalized groups, from unjust acquisition while promoting responsible public resource management.
6. **Reinforcement of a Market-Oriented Economy**: The judgment supports India's move toward a market-driven economic model, where property rights are respected, and redistribution is not automatic.

CONCLUSION

The Supreme Court's ruling presents a balanced approach to property rights, affirming the protection of private ownership while allowing for public welfare-driven acquisition of specific resources. It ensures that **private property** can only be acquired in cases where it aligns with public good, leaving space for economic policies that respect individual ownership and address societal needs in a democratic framework.

WITHDRAWAL OF LIFE SUPPORT IN TERMINALLY ILL PATIENTS.

RELEVANCE

❒ **Syllabus:**

- **PSIR:** Salient Features of the Indian Constitution
- **GS2:** Government Policies

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INTRODUCTION

Recently, the Ministry of Health and Family Welfare has released draft Guidelines for the Withdrawal of Life Support in Terminally Ill Patients. These guidelines aim to operationalise the Supreme Court's 2018 and 2023 orders on the right to die with dignity for all Indians. These draft guidelines, and the Supreme Court's judgment, provide a clear legal defined framework for withholding/ withdrawing life-sustaining treatment in India.

WHAT IS MEANT BY WITHHOLDING/ WITHDRAWING LIFE-SUSTAINING TREATMENT? HOW IS IT FOLLOWED IN INDIA?

Withholding or withdrawing life-sustaining treatment refers to the decision to stop medical interventions such as ventilators and feeding tubes when they no longer provide benefit to the patient or when they only prolong suffering without improving the person's health condition.

PROCESS OF WITHHOLDING LIFE SUPPORT TREATMENT:

- This can happen in the following ways:
  - **Informed Refusal**: If a patient with decision-making capacity voluntarily refuses treatment.
  - **Advance Medical Directive or a 'Living Will'**: A document in which a person specifies the medical actions to be taken if they are unable to make decisions for themselves in the future.
  - **Determination by the Treating Physician** (in the absence of a living will): If there is no living will, the doctor can decide to withdraw life support in situations where there is no reasonable chance of recovery from a terminal illness or vegetative state. This decision is made when further treatment would only artificially extend the dying process.

Withholding/Withdrawing life-sustaining treatment is Palliative Care, Not Abandonment:

- Withdrawing or withholding treatment is not considered abandonment of care. Instead, it marks a shift to **palliative care**, which focuses on reducing pain and enhancing the patient's comfort in their final stages.

WHAT HAS BEEN THE HISTORY OF EVOLUTION OF THE RIGHT TO DIE IN INDIA?

The **right to refuse medical treatment** has always existed in common law, even if it results in death. Following the Supreme Court's decision in **Common Cause vs Union of India (2018)**, the **right to refuse medical treatment** was also recognized as a **fundamental right** under **Article 21** (the right to life and personal liberty) of the Indian Constitution.

- **Aruna Shanbaug vs Union of India (2011)**: The Supreme Court affirmed that life-sustaining treatment could be legally withheld or withdrawn even from individuals who do not have the capacity to make decisions for themselves.
- **Common Cause vs Union of India (2018)**: The Court confirmed that **the right to die with dignity** is a fundamental right under **Article 21** of the Constitution. It also legalized the use of **advance medical directives** (living wills), where individuals could outline their wishes for medical treatment in advance.
- **Common Cause vs Union of India (2023)**: The Supreme Court simplified the procedure for creating living wills and withdrawing life-sustaining treatment by removing bureaucratic obstacles, making the process more accessible.

WHAT ARE THE LATEST GUIDELINES OF THE MINISTRY OF HEALTH AND FAMILY WELFARE FOR THE WITHDRAWAL OF LIFE SUPPORT?

The **dras** for the withdrawal of life support provide a detailed process:

1. **Establishment of Medical Boards**: Hospitals are required to form **Primary and Secondary Medical Boards** to assess whether continued treatment is beneficial for a terminally ill patient.
   - **Primary Medical Board**: This board includes the treating physician and two subject-matter experts, each with at least five years of experience. They evaluate the patient's condition and determine if life-sustaining treatment should be withdrawn.
   - **Secondary Medical Board**: This board consists of a registered medical practitioner, nominated by the district Chief Medical Officer, and two other subject-matter experts, each with at least five years of experience. This board must be composed of members who were not part of the Primary Medical Board. It is tasked with reviewing the decision made by the Primary Medical Board.
2. **Consent by the Nominated Persons**: If the patient has an advance medical directive, the designated persons (who are named in the directive) or surrogate decision-makers (if no directive exists) must provide consent for the withholding or withdrawal of life-sustaining treatment.
3. **Notification of the Decision to Judicial Magistrate**: Once a decision has been made to withhold or withdraw life-sustaining treatment, the hospital must notify the **local judicial magistrate**.

WHAT IS THE SIGNIFICANCE OF THE GUIDELINES FOR WITHDRAWAL OF LIFE SUPPORT?

1. **Affirms the Right to Die with Dignity**: The draft guidelines operationalize the Supreme Court's 2018 and 2023 rulings, establishing a **clear legal framework** for terminally ill patients to exercise their **right to die with dignity**.

Structured Mechanisms for Decision-Making: By mandating **Primary and Secondary Medical Boards**, the guidelines ensure that the decision to withdraw life support is made after thorough evaluation by qualified professionals.

2. **Procedure for Life Support Withdrawal**: The guidelines create a defined process. The Primary Medical Board evaluates the patient's condition, and the Secondary Medical Board conducts an independent review. Family members or surrogate decision-makers must consent to the decision, and the hospital must inform the judicial magistrate. This ensures **transparency, accountability, and checks** in the process.
3. **Ethical Shared Decision-Making**: The guidelines encourage shared decision-making between medical professionals and the patient's family, ensuring that decisions are made in line with the patient's wishes. This helps protect patient autonomy and reduces emotional and ethical burdens on the family.

WHAT ARE THE CHALLENGES WITH THE NEW GUIDELINES FOR WITHDRAWAL OF LIFE SUPPORT?

1. **Complexity in Medical Board Setup**: Establishing Primary and Secondary Medical Boards in all hospitals, particularly smaller hospitals, can be a **resource-intensive** process, which may present logistical challenges.
2. **Lack of Dedicated Legislation**: Without specific legislation addressing the **right to die**, the guidelines may lead to **inconsistent application** across hospitals, creating legal uncertainty and possibly discouraging full implementation.
3. **Misunderstanding of Treatment Withdrawal**: The term **"passive euthanasia"** is often misunderstood, leading to confusion and social discomfort around the concept of withdrawal of life support, creating cultural resistance.
4. **Challenging Process for Creation of Living Will**: The process of creating and validating a **living**

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will is **complex**, involving documentation, witness verification, and notary services, which can be inaccessible to many people.

5. **Potential for Delayed Decision-Making**: The multi-step process involving medical boards, family consent, and judicial notification could **delay** the decision to withdraw life support, potentially undermining the patient's right to die with dignity.
6. **Emotional and Ethical Strain on Families and Physicians**: The shared decision-making process, while intended to protect the patient's rights, can place considerable **emotional and ethical strain** on both family members and medical professionals, complicating an already difficult decision.

WHAT SHOULD BE THE WAY FORWARD?

1. **Legislative Clarity and Support**: There is a need for lawmakers to create a **dedicated law** that defines and governs life-support withdrawal, which would help provide **legal clarity** and **consistency** in decision-making.
2. **Educating and Training Medical Professionals**: It is crucial to offer **training** to medical professionals on the **ethical**, **legal**, and **procedural** aspects of withdrawing life-sustaining treatment, ensuring better implementation.
3. **Streamlining the Living Will Process**: The procedure for creating and validating a **living will** should be made **simpler** and more **accessible** to people from diverse backgrounds, promoting wider adoption.
4. **Raising Public Awareness**: Increasing **public awareness** of these rights will enable families to make more informed decisions, aligned with their loved ones' wishes, helping to reduce unnecessary suffering.

STATUS OF POLITICAL REPRESENTATION OF WOMEN IN INDIA

RELEVANCE

❒ **Syllabus:**

- **PSIR:** Salient Features of the Indian Constitution
- **GS2:** Government Policies

STATUS OF POLITICAL REPRESENTATION OF WOMEN IN INDIA

Representation of Women in Parliament over the Years

1. **1952**: Women constituted just 4.41% of the strength in the Lok Sabha.
2. **1962**: By the next Lok Sabha, this percentage rose to more than 6%.
3. **1971**: Despite Indira Gandhi being Prime Minister, women's representation dropped below 4%.
4. **2009**: A significant increase to over 10% was observed, peaking at 14.36% in **2019**.
5. **2024**: Of the 74 women MPs, 43 are first-time MPs, with an average age of 50 years, younger than the House's overall average of 56 years. Most are as educated as their male counterparts, with 78% having completed undergraduate studies.

Representation in State Legislative Assemblies

Women's representation is relatively low in state assemblies. **Chhattisgarh** leads with 14.4%, followed by **West Bengal** at 13.7% and **Jharkhand** at 12.4%.

Comparison with Global Standards

Globally, as per the **Inter-Parliamentary Union (2021)**, women represented 26.1% of parliamentary positions. India ranks lower than many African and South Asian countries (e.g., Nepal, Pakistan, Sri Lanka), with only ~16% women in the **17th Lok Sabha**.

NEED FOR GREATER POLITICAL EMPOWERMENT OF WOMEN IN INDIA

1. **Accountability and Gender-sensitive Governance**: Women's political empowerment helps promote gender equality in policy-making, ensuring more effective governance.
2. **Breaking Patriarchy**: Increasing female representation challenges the traditionally male-dominated political space, which is crucial for dismantling the patriarchy in politics.
3. **Focus on Gender Issues**: More women in parliament often leads to better policy attention on women's issues, with stronger responses to gender-related problems.
4. **Gender Equality**: Political participation is a key driver for gender equality and genuine democracy, ensuring that women's issues are part of legislative agendas.
5. **Change of Stereotypes**: More women in political roles change the traditional stereotype of women as homemakers to powerful lawmakers.
6. **Improvement in Economic and Infrastructure Outcomes**: Research shows that constituencies led by women improve economic performance and infrastructure outcomes more effectively than those led by men.

REASONS BEHIND LOW POLITICAL REPRESENTATION OF WOMEN IN INDIA

1. **Gender Gaps in Political Ambition**:
   - Women are often less encouraged to pursue political careers compared to men.
   - The competitive nature of politics, combined with self-doubt, societal stereotypes, and family considerations, often discourage women from entering politics.
2. **Patriarchal Society**:
   - Structural barriers in education, access to resources, and entrenched gender biases hinder women's political participation.
   - The societal expectation that women bear the brunt of housework and child-rearing also limits their political involvement.
3. **Cost of Contesting Elections**: Rising electoral costs disproportionately affect women, who may lack the resources needed to finance a political campaign.

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4. **Male Gatekeepers**: Party leaders tend to favor male candidates, undermining women's chances of political advancement.
5. **Criminalization and Corruption**: The rise of criminalized politics and corruption drives women away from political careers, due to lack of political education and the negative environment.

MEASURES UNDERTAKEN FOR POLITICAL EMPOWERMENT OF WOMEN

Legislative Measures

1. **Nari Shakti Vandan Adhiniyam**: This Bill ensures 33% reservation for women in the Lok Sabha and state assemblies.
2. **73rd and 74th Amendment Act**: Provided 33% reservation for women in local bodies, with some states increasing this to 50%.
3. **Parliamentary Committee on Empowerment of Women**: Formed in 1997 to promote women's empowerment.
4. **Gender-Neutral Rules in Lok Sabha**: In 2014, under Speaker Meira Kumar, the Lok Sabha adopted gender-neutral rules.

Constitutional Measures

1. **Article 14**: Ensures equality before the law, fostering equal opportunities.
2. **Article 46**: Directs the state to protect vulnerable groups from injustice and exploitation.
3. **Article 243D**: Mandates 33% reservation for women in Panchayati Raj Institutions.
4. **Article 326**: Establishes the basis of adult suffrage for elections to legislative bodies.

International Covenants

1. **CEDAW (1979)**: Reaffirmed women's right to participate in public life.
2. **Beijing Platform (1995)**, **Millennium Development Goals (2000)**, and **SDGs (2015-2030)**: Emphasized the need for equal participation of women in politics.

WAY FORWARD

1. **Checks on Criminalization in Politics**: Electoral reforms should address issues like criminalization and black money to make space for genuine women representation.
2. **Intra-party Democracy**: Political parties should institutionalize internal democracy, broadening the pool of women candidates.
3. **Rajya Sabha and State Legislative Councils**: Political parties must ensure a gender-balanced nomination process.
4. **Promotion of Women at Panchayat Level**: Strengthening women's self-help groups will ensure more qualified women candidates for higher offices.
5. **Support for Women's Agencies**: Strengthening organizations that advocate for women's rights will foster a more equitable society.
6. **Promote Girls' Participation in Political Debates**: Encouraging young women's involvement in political activities in colleges and universities will prepare them for leadership roles.
7. **Reaffirm G20 Commitments**: India must reaffirm its commitment to the **G20 New Delhi Leaders' Declaration**, which highlights the importance of investing in women's political empowerment.
8. **Gender Sensitization**: Promoting gender sensitization through workshops and internships will create a more gender-equal political culture.

These efforts collectively aim to ensure that women can play a more significant role in shaping India's political landscape.

Q. Salig S. Harrison termed the first two decades following the Independence as the ''most dangerous decades" referring to the linguistic or communal conflicts which took place in the country at that time. Explain the above statement with reference to the ethnic challenges of India.

The challenges to nation-building and nation-state building in India related to ethnic identity have had significant implications for the country's social fabric and governance. Here is a more detailed elaboration on each of the forms mentioned:

1. Autonomy movements: Autonomy movements typically arise from a desire for greater self-governance and decision-making powers within a specific region or community. Various ethnic groups in India, such as the Kashmiris, Nagas, and Mizos, have demanded autonomy or regional self-rule. These movements often seek to address historical grievances, preserve cultural identity, protect economic interests, and secure political representation. Autonomy movements challenge the centralized authority of the state and call for decentralized governance structures that recognize the distinct needs and aspirations of specific regions or communities.
2. Demands for secession: Some ethnic groups have gone beyond autonomy movements and called for outright secession from India. These demands for separate nationhood are often rooted in historical, cultural, linguistic, or religious differences. The most notable example is the demand for an independent Khalistan by some sections of the Sikh community in Punjab during the 1980s. While secessionist demands have not gained widespread support, they reflect the deep-seated frustrations and grievances of certain ethnic communities that feel marginalized within the Indian state.
3. Insurgency: Insurgency refers to armed rebellions or uprisings by ethnic groups seeking political, social, or economic change through forceful means. Insurgencies often arise when peaceful means of redress are perceived as inadequate or ignored. For instance, the insurgency in Jammu and Kashmir has been a long-standing challenge for the Indian state, with various militant groups seeking independence or merger with Pakistan. Insurgency movements involve armed confrontations with state security forces and have resulted in significant human rights abuses and disruptions in affected regions.
4. Conflicts and riots on the basis of identity markers: India has experienced numerous conflicts and riots based on identity markers such as language, religion, caste, and tribal identity. These conflicts often arise from perceived or real social, economic, or political inequalities between different communities. Examples include the communal violence between Hindus and Muslims during the partition of India, caste-based conflicts in various regions, and clashes between tribal communities and non-tribal settlers in resource-rich areas. These conflicts can lead to loss of life, displacement of communities, and deepening social divisions.

It is important to note that these forms of challenges to nation-building do not occur in isolation but are often interconnected. Ethnic identity-based movements and conflicts can stem from historical grievances, socio-economic disparities, cultural differences, and political marginalization. Addressing these challenges requires inclusive governance, equitable development, respect for cultural diversity, and mechanisms for meaningful participation and dialogue among various ethnic groups.

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Q. Is it evident that contemporary democracy is confronting a crisis, particularly considering the growing public discontent and the limitations of the global democratic framework in effectively addressing the Russian-Ukrainian Crisis?

The global decline in democracy has become a concerning trend, challenging the principles of government by the people. According to Larry Diamond, we are currently experiencing a phase of democratic recession, with setbacks and popular protests occurring worldwide.

The rise of authoritarian trends and identity politics has led to democratic setbacks across the world. Notable events include China's imposition of new security laws in Hong Kong, XInjiang, and continued mass demonstrations in Belarus, Kyrgyzstan, and Kazakhstan due to alleged election rigging.

The military coup in Myanmar, which was emerging from decades of military control, and the fall of the people's government in Afghanistan, following a war fought in defense of democratic principles, are significant blows to democracy. Even the United States, often considered a stronghold of democracy, has witnessed the erosion of democratic practices.

One of the reasons behind the global decline in democracy is attributed to the double standards of Western countries, as highlighted by Dani Rodrik. For instance, Western nations have been seen supporting autocratic regimes while undermining democratic movements, whether it be in Egypt or Bahrain. These double standards have allowed leaders like Putin and Xi to question the West's commitment to democracy. Furthermore, the failure of the West to prevent the Russian invasion of Ukraine has significantly eroded public trust in the global democratic order.

There are several other reasons for the decline in global democracy. The failure to reform global governance institutions, which could have promoted inclusive growth, has undermined democracy. In European countries, the refugee crisis and job losses to immigrants have fueled populism and anti- democratic sentiments.

However, amidst this despair, there are glimpses of hope. Countries worldwide had united to combat the COVID-19 pandemic, demonstrating unprecedented global collaboration. Protests for better governance in nations like Sudan and Chile have resulted in significant improvements. Landmark rulings, such as the overturning of rigged election results in Malawi, signify the triumph of independent institutions over government pressure. Election victories in Montenegro and Bolivia, as well as protests against government corruption in Bulgaria, have highlighted the resilience of democracy.

Moving forward, it is crucial to prioritize democratic reforms in global governance processes and institutions, as well as to strengthen the democratic credentials of nations. Only through these efforts can we reverse the decline in global democracy and restore faith in democratic principles within the world order.

Q. Make a comparative assessment of Greek perspective of Justice with the Rawlsian concept of Justice.

The concept of justice has evolved over time, as evident from the perspectives of various philosophers across history. In Plato's "Republic," justice was one of the four cardinal virtues alongside temperance, wisdom, and courage. Plato envisioned an ideal state where individuals fulfilled their roles based on their inherent nature. Justice was a fundamental principle, and each person's duty was to be diligently carried out.

Aristotle, building on this foundation, introduced additional dimensions to justice, including considerations of equality, proportionality, and maintaining societal balance. The Greek understanding of justice often included hierarchical elements, drawing from divinity, natural principles, or established traditions.

Moving forward in history, John Rawls introduced a modern perspective on justice. He emphasized that justice was achieved when deviations from equality could be reasonably justified. Rawls' theory of justice revolved around the idea of fairness, where societal and economic conditions played a crucial role. His works, "A Theory of Justice" and "Justice as Fairness," delved into the economic and social realities of contemporary societies.

Rawls' assertion that "justice is the first virtue of social institutions" and the emphasis on the "basic structure of society" being the primary focus of justice continues the classical legacy. This echoes Aristotle's observation that people pursue what they consider good and prefer more to less. While Rawls' approach is less abstract than Plato's and more attuned to the current social context, the evolution of justice is evident as it incorporates both historical ideas and contemporary considerations.

In essence, justice remains a moral virtue throughout this evolution. Like Plato, Aristotle, and Rawls, the concept of justice is still tied to a "public conception of justice." As societies evolve, so does the notion of justice, yet it continues to draw from its early philosophical roots while adapting to the changing dynamics of the world.

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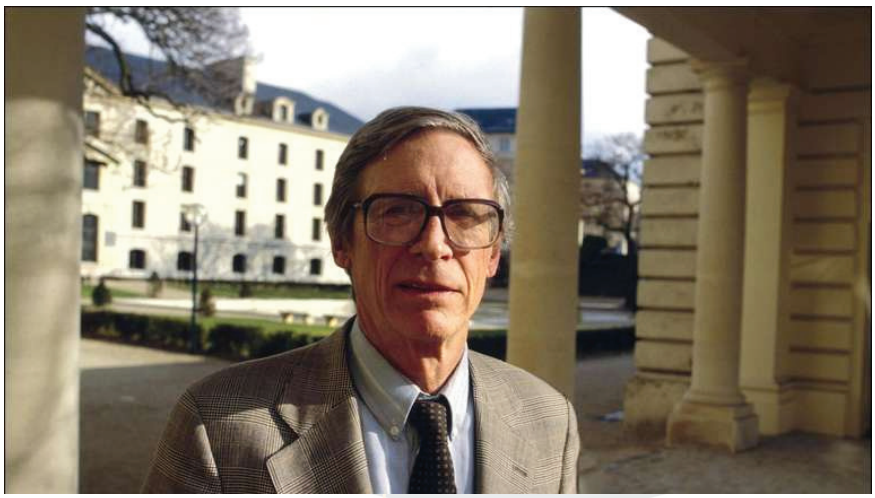
JOHN RAWLS: A VISIONARY IN POLITICAL PHILOSOPHY



INTRODUCTION

John Rawls, an American philosopher, made significant contributions to political philosophy, particularly in the realms of justice and fairness. Born in 1921 in Baltimore, Maryland, Rawls grew up witnessing the socio-political turbulence of the 20th century, which significantly shaped his intellectual pursuits.

Rawls's magnum opus, "A Theory of Justice," published in 1971, revolutionized political philosophy by introducing a fresh perspective on justice and equality. His ideas have influenced scholars, policymakers, and activists worldwide.

THE VEIL OF IGNORANCE

At the core of Rawls's philosophy is the concept of the "original position" and the "veil of ignorance." He asks us to imagine a hypothetical scenario where individuals are about to create a new society but are unaware of their personal attributes, such as wealth, talents, or social status. This "veil of ignorance" ensures that the decision-makers are unbiased and rational, as they are oblivious to their own positions in the forthcoming society.

PRINCIPLES OF JUSTICE

From behind the veil of ignorance, Rawls argues that rational individuals would agree upon two fundamental principles of justice:

The Principle of Equal Basic Liberties: Each person is entitled to the most extensive basic liberties compatible with similar liberties for others.

The Difference Principle: Social and economic inequalities should be arranged so that they benefit the least advantaged members of society. Any inequality must be to everyone's advantage and, notably, attached to positions and offices open to all.

These principles are foundational to Rawls's vision of a just society. They prioritize individual rights, especially those of the most vulnerable, and propose a fair distribution of resources and opportunities.

REFLECTIVE EQUILIBRIUM

Rawls introduced the concept of "reflective equilibrium" to address criticisms and refine his theory continuously. It suggests that moral judgments should align coherently with our considered beliefs. Rawls encourages an ongoing

dialogue between our fundamental principles and our intuitive judgments, seeking a state of reflective equilibrium where they mutually reinforce each other.

POLITICAL LIBERALISM

In his later works, particularly in "Political Liberalism" (1993), Rawls adapted his theory to be more inclusive, recognizing the diversity of comprehensive doctrines in a pluralistic society. He aimed to provide a framework for political cooperation that people from different moral, religious, and philosophical backgrounds could accept.

CRITIQUES AND LEGACY

While Rawls's theory has been influential, it has faced criticism. Some argue that the veil of ignorance is an unrealistic abstraction, while others question the feasibility of achieving the principles of justice in a complex, real-world society. Critics also argue that Rawls's focus on justice can sideline other important values, such as efficiency or economic growth.

Despite these critiques, Rawls's ideas have left an enduring legacy in political philosophy. His emphasis on justice as fairness, the original position, and the veil of ignorance has shaped debates on distributive justice, societal fairness, and the role of institutions in creating an equitable social order. Rawls's work continues to inspire scholars, policymakers, and activists seeking to create a more just and egalitarian world.

HENRY KISSINGER

Henry Kissinger, born on May 27, 1923, in Fürth, Germany, is a towering figure in U.S. foreign policy and international relations. A Jewish refugee who fled Nazi persecution in 1938, Kissinger's early experiences deeply shaped his worldview and approach to diplomacy. He is best known for serving as the U.S. Secretary of State and National Security Advisor under Presidents Richard Nixon and Gerald Ford during the 1970s.

Kissinger's academic career began at Harvard University, where he earned a Ph.D. in 1954 with a dissertation on the Congress of Vienna and its impact on international diplomacy. His academic work established him as a leading thinker on realpolitik, a pragmatic approach to foreign policy

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focused on power and practical interests rather than ideological or moral considerations. This approach would later define his political career.

In 1969, Kissinger was appointed National Security Advisor by President Nixon, and in 1973, he became Secretary of State. His tenure was marked by significant achievements that reshaped global geopolitics. One of his most notable accomplishments was the policy of détente with the Soviet Union, which sought to reduce Cold War tensions through diplomacy and arms control agreements, including the Strategic Arms Limitation Talks (SALT).

Kissinger is perhaps most famously associated with the opening of diplomatic relations between the United States and the People's Republic of China. In 1971, he secretly visited Beijing, paving the way for Nixon's historic visit in 1972. This realignment dramatically altered the global balance of power, isolating the Soviet Union and shifting the dynamics of the Cold War.

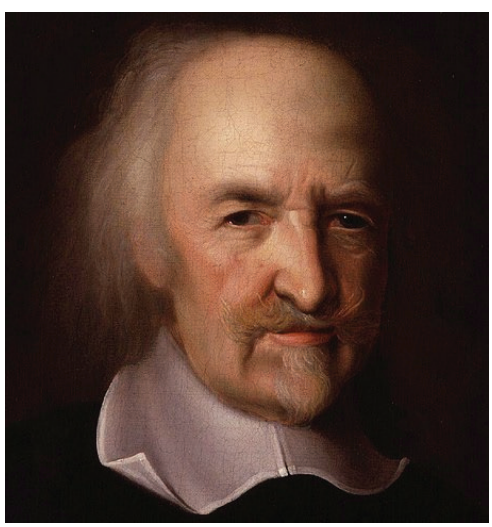
Another key aspect of Kissinger's legacy is his role in the Vietnam War. He was instrumental in negotiating the Paris Peace Accords, which led to a ceasefire and the eventual withdrawal of U.S. troops from Vietnam. For his efforts, Kissinger was awarded the Nobel Peace Prize in 1973, a decision that was highly controversial due to the continued fighting in Vietnam after the accords were signed.

Kissinger's foreign policy approach was not without criticism. His support for authoritarian regimes in countries like Chile, Argentina, and Indonesia, often in the name of anti-communism, has been condemned by human rights advocates. His involvement in the 1973 Chilean coup, which led to the overthrow of democratically elected President Salvador Allende and the rise of General Augusto Pinochet, remains particularly contentious.

Despite the controversies, Kissinger's influence on U.S. foreign policy is undeniable. After leaving government, he continued to be an influential voice in international affairs through his consulting firm, Kissinger Associates, and as an author and commentator. His numerous books on diplomacy and international relations, including "Diplomacy" and "World Order," have been widely read and studied.

At over 100 years old, Kissinger remains active in public life, contributing to debates on global issues. His legacy is a complex one, characterized by both groundbreaking diplomatic achievements and contentious moral questions, but his impact on the world stage is enduring.

THOMAS HOBBES



He was an English political philosopher who lived in the 17th century. He is best known for his work "Leviathan," which laid the groundwork for modern political theory. Hobbes believed that humans are naturally selfish and violent, and that a strong, centralized government was necessary to keep society from descending into chaos.

STATE OF NATURE

Hobbes believed that the natural state of humans is one of war and chaos. In the absence of government, individuals are in a constant state of competition and conflict, where life is "solitary, poor, nasty, brutish, and short." This state of nature is characterised by a "war of all against all," where individuals are constantly at risk of being harmed or killed by others. According to Hobbes, this makes life in the state of nature "nasty, brutish, and short."

SOCIAL CONTRACT

To escape the state of nature, Hobbes argued that individuals must enter into a social contract with each other. In this contract, individuals agree to give up some of their natural rights in exchange for protection from the government. The government, in turn, is responsible for maintaining law and order, and ensuring the safety and security of its citizens. Hobbes believed that the social contract was necessary to prevent society from descending into chaos and violence.

ABSOLUTE SOVEREIGNTY

Hobbes believed that the best form of government was an absolute monarchy, where the ruler has unlimited power and authority. According to Hobbes, the sovereign should have complete control over all aspects of society, including religion and the economy. He believed that this was necessary to maintain order and prevent dissent. In Hobbes' view, the ruler's power was absolute and could not be challenged by the people.

RELEVANCE TO MODERN POLITICS

Hobbes' political philosophy has been influential in modern political theory, particularly in the areas of political sovereignty and social contract theory. His ideas about the need for a strong government to maintain order and prevent chaos have been echoed by many modern political thinkers. However, his view of absolute monarchy has been criticized as undemocratic and authoritarian.

CONCLUSION

Thomas Hobbes was a pioneering political philosopher whose work laid the foundation for modern political theory. His belief in the need for a strong, centralized government to prevent society from descending into chaos and violence remains relevant today. However, his view of absolute monarchy has been met with criticism and has been replaced by more democratic forms of government. Nonetheless, his contributions to the field of political philosophy have been significant and continue to be studied and debated by scholars today.

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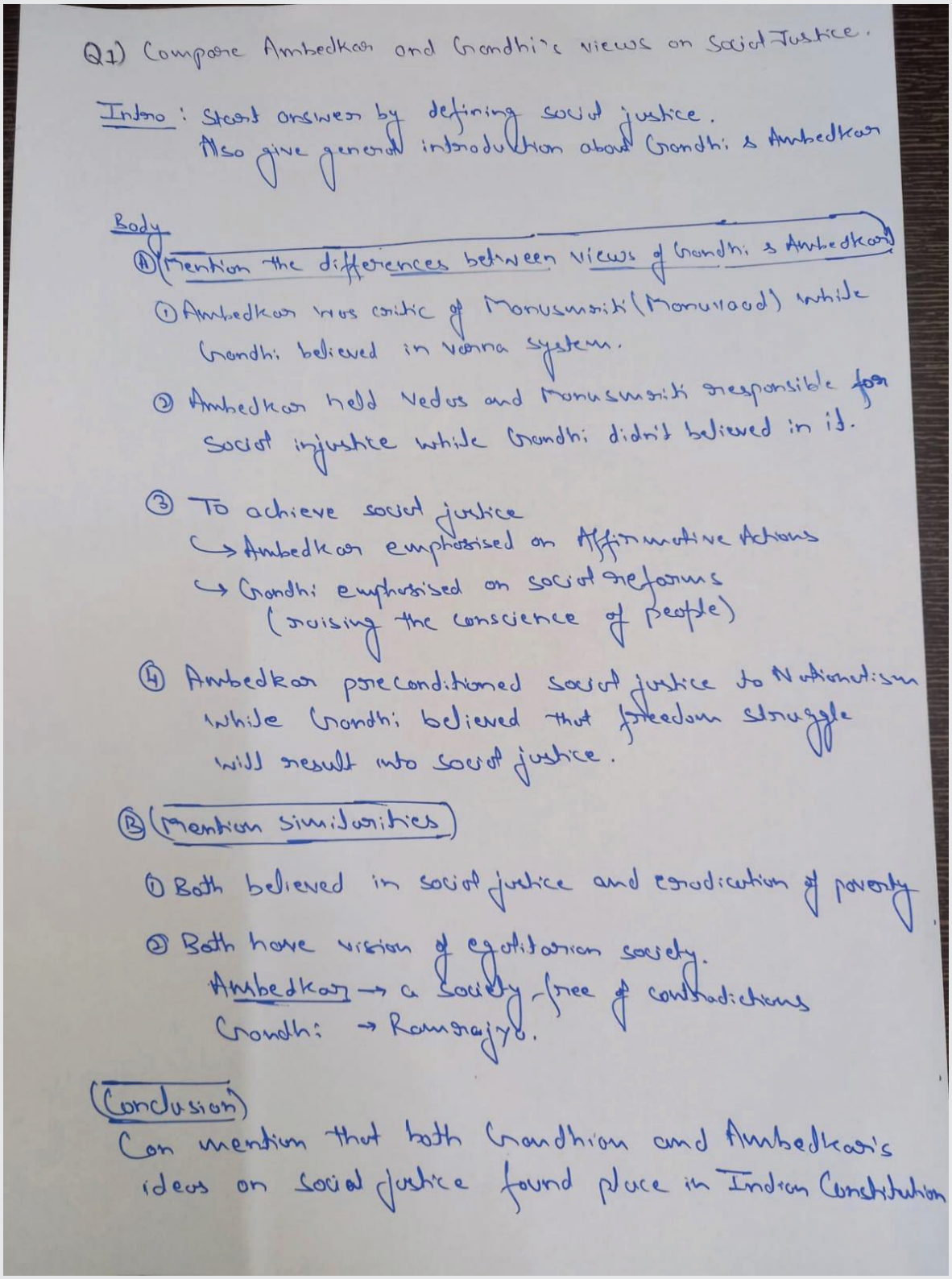
1. Compare Ambedkar and Gandhi's views on social justice.



Q1) Compare Ambedkar and Gandhi's views on Social Justice.

Intro : Start answer by defining social justice.
Also give general introduction about Gandhi & Ambedkar

Body

(A) Mention the differences between views of Gandhi & Ambedkar

① Ambedkar was critic of Manusmriti (Manuvaad) while Gandhi believed in Varna system.

② Ambedkar held Vedas and Manusmriti responsible for social injustice while Gandhi didn't believed in it.

③ To achieve social justice
↳ Ambedkar emphasised on Affirmative Actions
↳ Gandhi emphasised on social reforms (raising the conscience of people)

④ Ambedkar preconditioned social justice to Nationalism while Gandhi believed that freedom struggle will result into social justice.

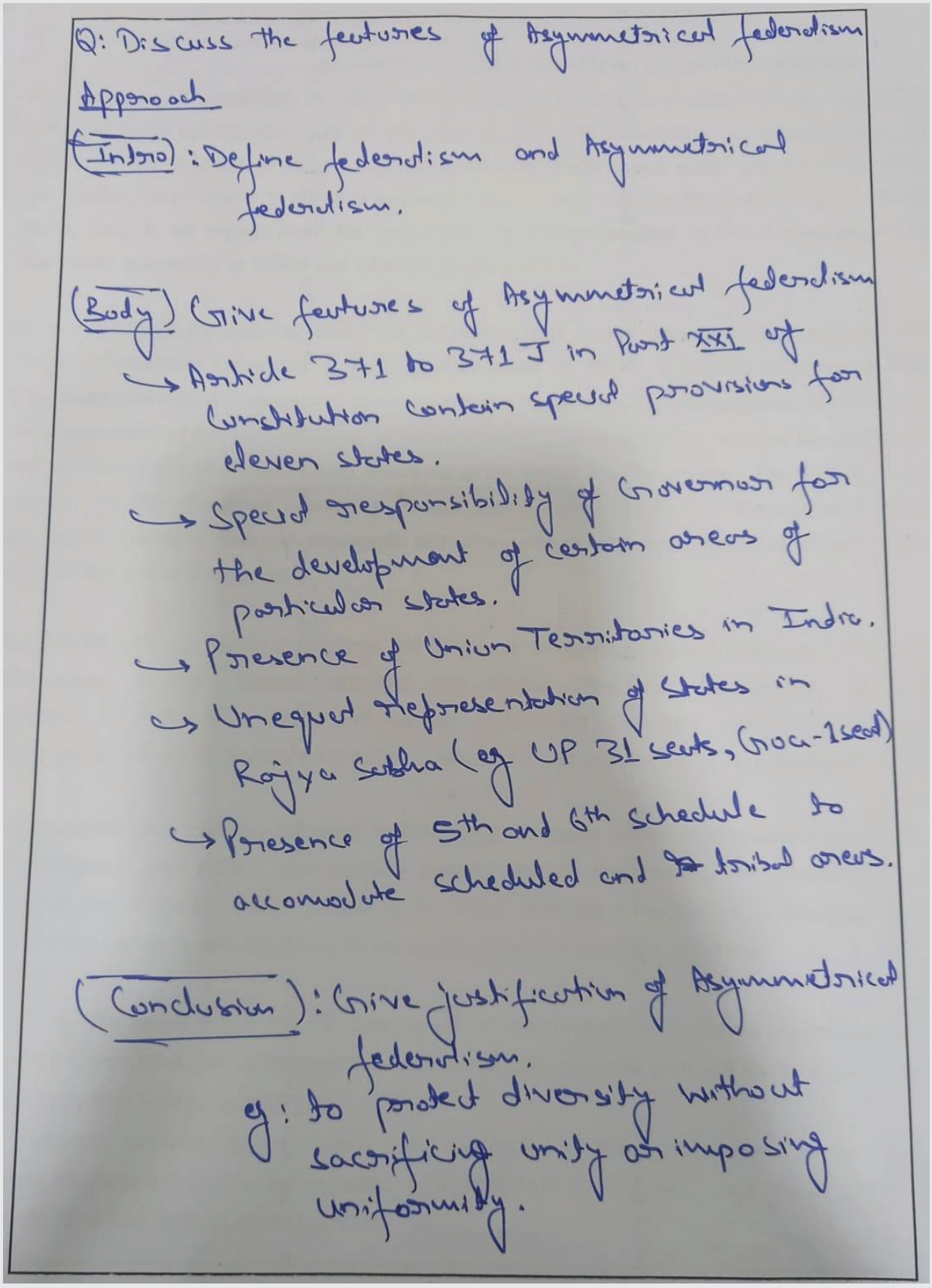
(B) Mention similarities

① Both believed in social justice and eradication of poverty

② Both have vision of egalitarian society.
Ambedkar → a society free of contradictions
Gandhi: → Ramrajya.

(Conclusion)
Can mention that both Gandhian and Ambedkar's ideas on social justice found place in Indian Constitution

Q. Discuss the features of asymmetrical federalism.



Q: Discuss the features of Asymmetrical federalism

Approach

(Intro): Define federalism and Asymmetrical federalism.

(Body) Give features of Asymmetrical federalism

↳ Article 371 to 371 J in Part XXI of Constitution contain special provisions for eleven states.

↳ Special responsibility of Governor for the development of certain areas of particular states.

↳ Presence of Union Territories in India.

↳ Unequal representation of States in Rajya Sabha (eg UP 31 seats, Goa-1seat)

↳ Presence of 5th and 6th schedule to accomodate scheduled and ~~st~~ tribal areas.

(Conclusion): Give justification of Asymmetrical federalism.

eg: to protect diversity without sacrificing unity or imposing uniformity.

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Q. India needs some creative diplomacy to address the changing environment of the relations between China and Srilanka. Comment

Q→ "India needs some creative diplomacy to address the changing environment of the relations between China and Sri Lanka". Comment.

Answer

Intro: Give India's relations with respect to Sri Lanka.

↳ Relationship between India and SriLanka is inter twined in historical bond. (Rajasingham Jayadevan)

Body: Tell the emerging China-SriLanka relations

↳ Hambantota port lease to SriLanka.

↳ Sri Lanka's debt to China tripled in last decade.

Give ideas of creative Diplomacy

↳ Using Buddhism as a common link

↳ Resolving small disputes eg fishing etc

↳ Economic interdependence.

Conclusion

↳ Resolve the impending issues and build people to people relations.

PRELIMS PRACTICE QUESTIONS

1. Which concept in international relations refers to the use of nuclear weapons as a means of preventing an adversary from taking aggressive actions?

(a) Non-proliferation
(b) Deterrence
(c) Containment
(d) Disarmament

(2) The term "nuclear taboo" refers to:

(a) A legal framework for regulating nuclear weapons
(b) A collective norm opposing the use of nuclear weapons
(c) A doctrine encouraging nuclear proliferation
(d) A strategy for nuclear disarmament

3. Which country is considered a "P5" member under the Nuclear Non-Proliferation Treaty (NPT) ?

(a) India
(b) Iran
(c) North Korea
(d) China

4. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) aims to:

(a) Encourage the spread of nuclear technology
(b) Promote disarmament among non-nuclear states
(c) Establish a global ban on nuclear energy
(d) Limit the use of conventional weapons

Answers

1. (b) Deterrence
2. (b) A collective norm opposing the use of nuclear weapons
3. (d) China
4. (b) Promote disarmament among non-nuclear states

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