

219495\_620301\_1910097368\_(2023-08-18 13:01:00)

TEST CODE 6 2 0 3 0 1

FIAS - MGP 2023 - Essay Test (FLT) #1

Time Allowed : Three Hours  
समय : तीन घंटे**ForumIAS**Maximum Marks : 250  
अधिकतम अंक : 250**ESSAY / निबंध**

Name Of Candidate परीक्षार्थी का नाम	PATEL MITULKUMAR		
Roll No./अनुक्रमांक	1910097368	Medium/माध्यम	English <input checked="" type="checkbox"/> हिंदी <input type="checkbox"/>
Center Code/परीक्षा केंद्र	DELHC	Date/दिनांक	18/08/2023

\*Center Code : For Online - 1900 / Delhi : Karol bagh - 1901, ORN - 1902, Mukharji Nagar - 1903 / Patna : Boring Rd. - 2001 / Hyderabad : Jawahar Nagar - 2101

INDEX TABLE / अनुक्रमणिका			INSTRUCTION / अनुदेश
Q. No. प्र.सं.	Max. Marks अधिकतम अंक	Marks Obtained प्राप्तांक	1. Please do furnish Name, Email, Roll No and Mobile in the answer sheet. कृपया उत्तर-पुस्तिका में नाम, ईमेल, रोल नंबर और मोबाइल नंबर भरें।
Q.1			2. There are TWO Sections. Each Section has MULTIPLE topics printed in English/Hindi. You have to write on 1 topic from Each part. प्रश्न पत्र में दो खंड हैं। प्रत्येक खंड में अंग्रेजी/हिंदी में बहु-विषय मुद्रित हैं। आपको प्रत्येक भाग में से किसी एक विषय का लेखन करना है।
Q.2			3. One question in each part is compulsory. प्रत्येक भाग में से एक प्रश्न करना अनिवार्य है।
Total Marks/कुल अंक			4. The number of marks carried by a question/part is indicated against it. एक प्रश्न/भाग द्वारा किए गए अंकों की संख्या इसके सामने इंगित की गई है।
Remarks/टिप्पणी :			5. Answers must be written in the medium authorized in the admission Certificate, which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided. उत्तर प्रवेश पत्र में अधिकृत माध्यम में लिखे जाने चाहिए, जो कि दिए गए स्थान में इस प्रश्न-सह-उत्तर (क्यूसीए) पुस्तिका के कवर पर स्पष्ट रूप से लिखा जाना चाहिए।
			6. Word limit in questions, if specified, should be adhered to. प्रश्नों में शब्द सीमा, यदि निर्दिष्ट हो, का पालन किया जाना चाहिए।
			7. Any page or portion of the page left blank in the Question-Cum Answer Booklet must be clearly Struck off. प्रश्न-सह-उत्तर पुस्तिका में खाली छोड़ा गया कोई भी पृष्ठ या पृष्ठ का भाग स्पष्ट रूप से काट दिया जाना चाहिए।
<b>For Student Only / केवल परीक्षार्थी प्रयोग हेतु</b>			
Start Time/प्रारंभ करने का समय :		End Time/समाप्त करने का समय :	
Mode Of Examination/ परीक्षा की विधि :		Online/ऑनलाइन <input type="checkbox"/> Offline/ऑफलाइन <input type="checkbox"/>	
<b>For Office Use Only / केवल कार्यालय प्रयोग हेतु</b>			
ECN CODE/ ईसीएन कोड :		EG/ईजी :	Evaluation Date/ मूल्यांकन तिथि :

## MARKING SCHEME

<b>Parameter/Criteria</b>	<b>Aspects Considered</b>	<b>Total Marks</b>	<b>Essay 1</b>	<b>Essay 2</b>
<b>Basic Format</b>	Introduction + Conclusion	10		
	Body	15		
<b>Content</b>	Data/Facts/Interpretation/Analysis	25		
<b>Organisation</b>	Flow of ideas/ Absence of Deviation from the topic	25		
<b>Language Skills</b>	Punctuation/Grammar/ Sentence Formation/Spellings	25		
<b>Examiner's Discretion</b>	Perception/ Innovation/ Engaging	25		

<b>Parameters</b>	<b>Very Good</b>	<b>Good</b>	<b>Average</b>	<b>Poor</b>
<b>Coherence</b>				
<b>Language</b>				
<b>Handwriting</b>				
<b>Pre-writing</b>				

<b>Very Good</b>	<b>Good</b>	<b>Average</b>
120 and above	100-120	Below 100

**SECTION - A**

1. The ultimate renewable energy is the human ingenuity.

मानव प्रतिभा सबसे बेहतर नवीकरणीय ऊर्जा है।

2. Human laws and natural laws mutually reinforce each other.

मानवीय कानून और प्राकृतिक कानून परस्पर एक दूसरे को सुदृढ़ करते हैं।

3. History should be understood as evolution of society.

इतिहास को समाज के उद्भव के रूप में समझा जाना चाहिए।

4. If one has seen further than others it is by standing upon the shoulders of giants.

अगर किसी ने दूसरों से दूर तक देखा है तो यह दिग्गजों के कंधों पर खड़े होने की वजह से है।

Human laws and natural laws mutually reinforce each other

It was the time when monarchy was the law and tyranny in rule was the common human order. John Locke, in that time, gave idea of natural liberties <sup>and rights</sup> of human beings.

They consisted of right to life, liberty and property. If one sees from the nature's perspective, it seems that natural law grants these rights upon every living being, and not just to humans. Thereby one may wonder that human laws, which John Locke tried to provide, and

natural laws mutually reinforce each other.

Human laws are summation of all the legal rules, social and customary practices, human philosophy and various human perspectives. They are the rules which prescribe the human conduct, or even restrict the liberty of other animals! They are the product of millenniums of evolution and human cognitive capabilities.

On the other hand, the natural laws are the order of the nature. They are the prescription <sup>for</sup> of natural events such as attraction between stars and planets, evolution of life, survival of life, etc. They are the cardinal and unalterable order of the nature.

In this essay, we will first look at the aspects in which how human laws and natural laws mutually reinforce each other. Then, we will see some aspects ~~where~~ where they diverge from each other. Lastly we will arrive at the lessons we need to learn from natural law to live a better life.

The first thought about human law comes to our mind is constitutional law. In modern nation-state concept, a constitution is said to be a mother law for all other human law. Supreme Court of India said that Indian constitution is like a living tree which is to be interpreted with changing times. This is a most basic instance where natural law seems to reinforce human law,

similarly, basic concept of a nationality or regionality takes

its form owing to the natural order of geography. Robert Kaplan in his book 'Revenge of Geography' explains how people of one region start to form an artificial construct of a nation-state. Here also, natural law seems to guide human law to construct concept of a nation.

Moreover, Forest Right Act, 2006 is a human law, confers land rights and community rights to the tribals and other forest dwellers. This is the apt example where natural law seems to reinforce human law. This is because traditionally and naturally tribal people have lived for centuries in the forest in harmony with the nature. And conferring them such basic rights is the most natural thing which should happen.

Likewise, nature teaches us to live in harmony. It has been a natural role which is easily visible from the fact which Yuval Noah Harari writes in his book 'Homo Sapiens'. It said that Homo Sapiens outlived or defeated <sup>other</sup> Homo species due to this group's survivability. This has become first rule of human law as they guide us against hate crimes, violence, etc.

In addition to the above, UN charter's most basic principle that nations should not go against each other through war is the core in point. Natural law of living in harmony reinforces this thinking.

Having seen some aspects where natural law reinforcing human law, now we should see how human law

reinforce the natural law.

First aspect is about technology. We have come to the level where human knowledge can alter basic principle of natural selection. Gene-altering technology is the best example of it. We, by using this technology, can alter ~~what~~ the principles or parameters for natural selection and generate products we want. Thereby, human laws are now reinforcing natural laws.

Second aspect is about the conservation of nature. Climate change could be occurring either by humans or by natural processes. Though it is mostly anthropogenic, as pointed by IPCC in its sixth report; even if it could be occurring through natural order, we can device strategies and technology to reinforce natural process in the other direction.



Thirdly, it is natural law that when survivability improves through provisions of resources population would increase. This is happening with humans in form of population explosion. To reinforce this natural law to go in other direction, humans laws have come up with strategies to alter it. For example India's National Family Planning mission.

Having seen the ways in which human laws and natural laws reinforce each other it becomes pertinent to look at the flip side of it. Can both diverge in their way? can one defy the other?

The natural law, as discovered by Charles Darwin, says 'survival of the fittest'. One may ask is this ~~the~~ law applicable in observing

phenomena of inequality in wealth distribution, disparity in growth among the nations, etc. To defy this natural law, in this perspective, human laws have espoused the maxims of 'last mile growth' and 'Sabka Saath Sabka Vikas'.

similarly, nature is affected by events happening at one place to cause some impact at other place. In essence it is 'whole' and 'united' in its nature. But rising call for deglobalisation, narrowness of national interests, etc point at the fact that humans, may be for wrong or right purposes, defying call of unity by nature.

On the other hand, sometimes natural laws deter human laws. for example, recent Forest Conservation (Amendment) Bill, 2023 exempted

construction in strategic areas from environmental clearance, but one may ask can this human law stand to the order of nature? Can it with stand events like Kashmir floods, 2005 or Kutch Earthquake, 2001?

Similarly, we see that humans of same thinking or ideology gets attracted to each other. In contrast Coulomb law, a natural law governing force between charged particles, says that similarly charged particles repel each other. This is a classic example where human laws and natural laws negates each other.

All said and done, we see that mutual reinforcement between human laws and natural laws generate more happiness for both, humans and nature. Hence let's look at

lessons we can learn coming out of this mutual reinforcement.

A natural law of gravity deters going to space due to its attractive nature. It constantly tells us that before seeing dreams, like Elon Musk does, of colonising Mars we need to fight Earth's problems, for instance problem of climate change. Due to this guidance by nature, Bon Ki Moon said, "There is no plan B, as there is no planet B". This proclamation was aimed at taking climate action with cooperation by the planets. We need to evolve human laws to hear this call of the nature.

Similarly, natural law of symbiosis, such as that between coral polyps and Zooxanthelle algae, guides us to live in harmony

with each other. This reinforcement can be a solution to the issues in human laws of geopolitics, growth etc. It can solve Russia-Ukraine war, bickering between developed countries and developing countries at international platforms like WTO.

Natural law on sustainability and rejuvenation of growth of life forms can guide us in economic growth. This is the basis on which Brunetland Report came up with idea of sustainable growth. This natural call on sustainability teaches us a lesson that "there is no-existence <sup>without</sup> ~~or~~ co-existence" between humans and the nature.

The ultimate lesson which humans learn from natural law is mentioned in Maha Upanishad, which is "Vasudhaiva Kutumbakam" (Whole Earth is a family). Let us take this lesson to depth of our heart to go beyond this call to "whole universe is a family".

## Feedback

Feedback to be provided in terms of (1) Introduction (2) Sentence Constructions (3) Paragraph Formation (4) Legibility (5) Deviation from Topic (6) Coverage of dimensions (7) Simplicity / ease of reading

**SECTION - B**

1. Is modernism at a crossroads with cultural and civilisational ethos?

क्या आधुनिकतावाद सांस्कृतिक और सभ्यतागत लोकाचार के दोराहे पर खड़ा है?

2. Man often enjoys the comfort of opinion without the discomfort for thought.

मनुष्य अक्सर चिन्तन के असुविधा के बिना विचार के सुविधा का आनंद लेता है।

3. The rise of populism in democratic societies is a threat to the rule of law and constitutionalism.

लोकतांत्रिक समाजों में लोकलुभावनवाद का उदय विधि के शासन और संवैधानिकता के लिए खतरा है।

4. It's time for us to turn to each other, not on each other.

यह हमारे लिए एक-दूसरे की ओर मुड़ने का समय है, न कि एक-दूसरे के विरुद्ध।

The rise of populism in democratic societies is a threat to the rule of law and constitutionalism

"Tyranny of the prince in an oligarchy is better than apathy of citizens in a democracy." - Montesquieu

The above quote highlights the concern of Montesquieu about apathy of citizens in democracy. When tools of populism becomes rule and not exception, true spirit of democracy

dies. And for this event apathy of citizens is the cause. This threatens rule of law and constitutionalism as spirit of laws are sidelined by spirit of populism in the veins of body of governance.

If we talk about rise of populism in democracies we are reminded of events or demands like 'free electricity', 'less taxes', 'preference to one section over other', etc. Populism is a tool to rule by keeping people deluded and misled.

Rule of law, as given by A. V. Dicey, has three components to it. One is a limited government, that is constitutionalism. second is equality before the law, and third is laws are inspired by rights of citizens. This essay will discuss threats which populism puts to rule of law and



constitutionalism, and also discuss some solutions to counter it in democracies.

Populism - a threat to rule of law in democratic societies

The first aspect of populism is about majoritarianism. In a modern democratic setup, if a political party secures majority, it comes to power. So if a political party leverage this aspect by keeping major section of people happy, irrespective of welfare of the other sections, it violates 'Equality before the law'. Hence, majoritarian populism threatens fundamental tool or aspect of rule of law.

To illustrate above point a democratic Italy just ~~before~~ <sup>after</sup> the election of Mussolini is perfect case. At that time, Mussolini leveraged capitalists' happiness and started massive industrial-

-tation. Employment increased and people became happy. But later he through majoritarian policy turned to fascism and made Italy an autocracy, deranging rule of law.

Populism is a threat to rule of law as many times governments succumb to unjust demands of people. For example, when a dominant section within a society ask for unjust affirmative actions, it may misure the tenets of equality before the law. Affirmative actions, aimed at bringing vulnerable sections at equal platform, if misutilised, cause injustice to their own goals. So, Populism threatens rule of law in this aspect.

Similarly, Populism through unjust economic policies may create law and order problems in future.

Pakistan's current economic-political crisis is core in point. Unjust economic populism in form of low taxes kept fiscal capacity of Pakistan very low. Further, massive debts to cater to these needs led to FOREX crises in current times, this further escalated to political crisis which saw breaking down of law and order, and rule of law.

Similarly, ethnicity based populist governments in democracies paved way for breaking down of rule of law. Case in point is current crisis in Sri Lanka. Earlier Rajapaksa-government in Sri Lanka ruled by keeping Sinhala-dominance to occupy government-seat. Due to this populism they ruled with corruption and mis-governance. Product is economic and political crisis in Sri Lanka.

On the same note, if populism turns to communal politics, it threatens rights of minorities and equality before the law. In recent times, Myanmar government's discriminatory policies towards Rohingya Muslims is an example of it. Such policies violates basic right to live in their country and to free mobility in other countries.

Talking of economically invisible ~~pop~~ policies may remind us a concept of 'intergenerational equity'. If today's governments in populist policies like 'free electricity', 'free fertilizers', etc. outrun their fiscal capacities, it may lead to rise of taxation on future generations. This would deprive people of future of their economic freedom.

Regionalist populism may create law and order situations which grossly violate rule of law. For example, current Manipur crisis at the moment, if seen in perspective of 'Hill tribes' versus 'valley tribes', is an example of it.

Populism - a threat to Constitutionalism in democratic societies

If a Populist government is in power and if it acquires unlimited power through use of majoritarianism, it derails constitutionalism.

- Nazi government, under Hitler, did this evil task. First, they propounded race-supremacy and deluded people with concept of 'Lebensraum' (i.e. heaven for German people). Then they lowered the powers of parliament, and acquired unchecked power.

Similar is the case with today's democratic Israel. Recently,

a government in power, due to Jewish-supremacy, misused its majority to enforce judicial reforms. As per experts, these judicial reforms may empower Knesset (Israel's parliament) to override judiciary's power. ~~It~~ This possibly gives a majority party in parliament with unlimited power, violating constitutionalism.

Max Weber's theory on charismatic leadership is an apt example to justify how populism violates constitutionalism. According to it a charismatic authority derives its legitimacy from popular support. So, if such charismatic leader proclaims some unjust call to people it may break down constitutional order in the nation. Donald Trump's call on Capitol Hill in USA is exemplary threat to democratic constitutionalism.

Populism can transform itself in honey-trapping people to stay in power. Hence misguiding or misleading people through sweet rewards may override constitutional tenets of liberty, equality and fraternity. Hence, populism may pose a grave threat to a democracy.

Countering unjust Populism - a stepping stone for a progressive democracy with rule of law and constitutionalism

In a 'welfare state', populism gets its legitimacy through constitutional provisions. For example, Article 38 of Indian Constitution mentions welfare state concept. To prevent misutilization of that wording, Indian Supreme Court in Subramanian Balaji case warned against populism and misuse of the concept.

Hence, it is the most important task to define what consists of 'populist freebies' and what does not.

Similarly, Economic Survey of India (2014-15) gave concept of 'Golden Rule of fiscal policy'. It said that governments should spend their resources in those missions which creates intergenerational gains. Hence, populist tendencies must be countered with productive spending on education, health, etc.

Aristotle gave an idea of involving people in policymaking. He said, "Common men working together can arrive at better solution than philosopher king in isolation." Hence instead of just blindly following call of a particular



section of society, government must hear a collective voice of people to generate common good.

TO counter majoritarian populist tendency, 'Ethical Governance' holds promising solution. Ethical governance is based on dictum, "Ethics is knowing the difference between what is our right to do and what is the right thing to do." If dictators like Hitler or Mussolini would have paid attention to this quote, they might not have done the unspeakable deeds.

Putting end to this discussion, we firmly establish that populism rising to unjust heights is certainly a grave threat to rule of law and constitutionalism. TO stop unchecked growth of populism, former Indian

Prime Minister Atal Bihari Vajpayee's  
words are pertinent to read. He  
said, "Sarkare ayengi aur jayengi,  
par ye desh rehna chahie" (governments  
will rise and fall, but the nation has  
to survive). Essentially, governments  
should adopt this dictum to their  
heart to check tendency to move  
on unjust-populism road.

## Feedback

Feedback to be provided in terms of (1) Introduction (2) Sentence Constructions (3) Paragraph Formation (4) Legibility  
(5) Deviation from Topic (6) Coverage of dimensions (7) Simplicity / ease of reading