

Case Studies

Approaching the problem ->

1. Understand the **subject matter** of the problem: Values, Ethics, examples, references depends on these (some of the useful terms under each subject given in other note, refer and internalise those)
2. Understand the **Instructions** : structuring depends on it
3. Identify **stakeholders** -> your answer should focus on all relevant stakeholders and address their concerns -> be it positive/ negative
4. For Value addition, in reasoning / Justification / conclusion always involve:
 - a. Values -> Civil services
 - b. Values -> Constitutional values, human values
 - c. Laws, rules
 - d. Personalities
 - e. Philosophies
 - f. Link it with present developments, issues / events
5. Solutions related:
 - a. always include technology related(not just bureaucrat but also technocrat) , legal side, social side, Civil society(decentralised)
 - b. Don't just solve specific problem but also a bigger & Systemic problem;
 - c. show your VISION of the Nation, Govt and world

Introduction:

1. Narrative and contextualization: Link it with the present context and give some examples....
 - The above case deals with the present issue happening in the society and the same is referred to in the case study which can be analysed as follows:
2. Stakeholder Approach -> Identify the stakeholders and their Interests (2-3 Questions)
3. Show the value conflict in the case studies / Values at stake (1-2 Q)
4. Decision premises -> use mainly when so many values involved like -> social justice, legal, human rights, dignity -> useful in case studies with social justice problems.
5. Dimensions -> use it for any public work related problem where so much of info is available

Ethical issues:

1. Always start writing from most vulnerable people's perspective.. eg. If Tribals are involved...write lack of livelihood, rights, treated as infra citizens,
2. Then go onto write philosophical aspect or values involved, like civil service values....
3. Any legal aspect, violation of constitution

Civil service related:

- Write from the civil services point of view , put sub-headings: whenever you want to show incapacity of civil servant...
 - lack of Integrity,
 - lack of accountability & responsibility
 - Irresponsive behaviour,
 - Breach of social contract
 - Weak implementation of law and lack of proper enforcement
 - Businesses - Politician - Bureaucratic nexus & vested interests
 - Greed, selfishness and desire to earn
 - Moral failure of the state
 - bypassing public interest
 - crisis of conscience
 - law not implemented in right spirit

Ethical issues related to constitution & govt

- Violation of the fundamental rights
- From state's perspective-> write moral failure of the state, against constitutional morality,
- Values of preamble are violated
- Welfare nature of state is compromised

Some social related:

- Social stigma attached with something
- Lack of social justice
- Lack of compassionate capitalism
- Lack of dignity and respect
- Kantian ethics - humanity as end rather than means

From society point of view:

- Lack of scientific temper in people
- Not following constitutional duties
- Lack of civic Nationalism, lack of civic sense
- narrow view, short sightedness

Corporate governance:

- Lack of compassionate capitalism
- Profit > People, Planet
- Greedy/Crony Capitalism

Ethical Dilemmas:

- Law and order /duty vs Conscience
- public interests vs private interests
- Rule of law vs discretion
- legally right vs ethically right
- professional ethics vs personal ethics
- conflict of interests
- Transparency vs secrecy
- Resource management vs state welfare responsibility
- Democratic attitude vs Bureaucratic attitude

- Righteousness vs Personal relations
- Humans Means vs Ends
- Duty Dilemmas
- Personal cost vs professional commitment
- Hierarchy vs Integrity
- Immediate Action vs delayed but holistic action
- Personal benefit vs adhering to professional standards
- Law vs compassion (displacement due to development)
- Loyalty vs public Justice (in case of whistle blowing)
- Objectivity vs empathy

Options available:

- Give 2 extreme options and choose the one with Madhyamarga (involves cooperation, persuasion, reforming the system, change oriented)
- Critical evaluation: use different techniques: write merits and demerits, write critical evaluation in paragraph in the same question.
- Merits & demerits: Always write from the vulnerable sections, society, then duty, family, last individual conscience.

For a course of action:

1. First write what is your aim: " "
2. Knowing and understanding stage
3. Strategies and planning stage
4. Action stage
 - from actions -> if other implications, solve them too
 - Sustainability of actions is very important
 - Take existing approaches (legal & institutional, Human resources, Behavioural, Technological)
5. Write justification even if it is not asked.. -> Justify based on ethical principles...
6. Short Term and long term cases

Justification::

- Justify on both why you are doing it and how you are doing it...
- Similar approach-> most vulnerable sections first, how it benefit them.. and what is the role of you to ensure that they get what rightfully theirs...
- If it involves civil services -> tell the role of Civil servant and what are the ethical values one needs to follow to ensure that and uphold civil services values & constitutional mandate
 - use Nolan principles or draft public service bill or 2nd ARC
- Then give justification to how are you doing it...

Some Solutions:

1. Take existing approaches (legal & institutional, Human resources, Behavioural, Technological)...
2. Behavioural approach...
3. Training the individuals...

4. Use Social Media as communication channel for quick dissemination of info
5. Give assurance to the locals, those who got affected -> so, that trust can be built
6. Take the help of CSO, NGO
7. use IQ, EQ, AQ (Intelligence, Emotional, Adversary Quotient)
8. Engage Community resources (eg: Armstrong Pame)
9. Maintain cultural sensitivity
10. Use of positive & negative enforcement, social persuasion, campaign, role model approach (local leaders)
11. In changing social evils ; need to bring attitudinal change: affective, behavioural, cognitive
12. Rectify loopholes in law. eg: amendments in law like CSS rules
13. Other sources of funding: NGO, local charitable organizations, community fund raising (crowd funding), funding from CSR, use of MNREGA to provide the employment to people
14. If there are any exceptional cases -> need to be documented and need to be presented to the higher authorities such that actions and measures will be taken in the future; also need to sensitize the people
15. Take different opinions from the experts, seniors... review the work and document them for future references.
16. Establish Migrant committees -> to study about migrant issues & help them...
17. use phrases like slippery slope
18. Responsibility matrix to be created...

Issues which need multi-pronged approach-

1. Detailed investigation and thorough analysis of the case
2. strong law enforcement
3. Building Social networks, community engagement, engage with local leaders
4. Taking the help of the civil society
5. Focussing on supply chains
6. Surprise raids and visits
7. ethical persuasion

Drug addiction- different approach:

1. Strengthen law enforcement: Coordinate with neighbouring districts & states, Intelligence based monitoring, random and surprise inspections, targetting the key players, supply chain disruptions
2. Community Harmony : inter community dialogues, shanti samiti meetings, shadbhavana divas celebrations, address grievances of the community
3. Rehabilitation and support to the victims: counselling & deaddiction, vocational training, reentry to mainstream
4. Community engagement and awareness generation: policemitras, community policing, community leaders & Social organization.
5. Social Persuasion: Social Engineering, public campaigns (explaining legal consequences), Community pledges & grassroot movements, collaborate with NGO
6. Socio- Economic development: education, health, job creation in the area.
7. Regular monitoring & evaluation of the above to see the effectiveness
8. other : Data collection, vulnerability mapping of the most affected and giving the micro strategies

Any ENvironment and development problems:

1. Short Term:

- a. Assessment of environmental and health impacts -> using committees, experts involved...
- b. Engage with affected communities -> listen to the concerns
- c. Monetary compensation to those who got affected
- d. Rehabilitation measures
- e. Thorough investigation and background checks on why it happened
- f. Enhancing public awareness about issues -> conducting campaigns, workshops, seminars

2. Mid- term:

- a. Strict enforcement of environmental laws and regulations: Conducting regular inspections, monitoring pollution levels, penalties
- b. Economic diversification in the area.
- c. Setup skill development and vocational training schools.

3. Long Term:

- a. Review and revise the regulatory policies -> experts, locals, CSO
- b. Promote sustainable development in the region...

Women or other social issues:

- give the solution at individual & family, societal, organisational , National, international, media levels...
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Conclusions:

- Give the reference of the Introduction;
- Avoid discussing trivial points- talk about the bigger picture; address the systemic issue; project your vision; long term solution;
- Give some philosophical or poetic touch ;

Catchy lines:

1. Empower & encourage the victim
2. collective actions against injustice forces individuals & institutions to bow down,
3. when whole world is silent, even voice of one person can be heard
4. world suffers because of silence of good people
5. upholding neeti with Nyaya
6. After all it is said that " we are our choices, initially we make choices later our choices make us"
7. notion of "Bahujan Hitaya - Bahujan Sukhayi"
8. Sheelam param bhushanam
9. Ecology is permanent economy
10. Key words like: Slippery slope, Public interest, bigger picture -> use them
11. Dharmo Rakshati Rakshitha
12. Control the controllables
13. Satyameva Jayate

Use of Philosophies:

1. Gandhi's Talisman, 7 deadly sins,

2. Swami Vivekananda: Daridranarayan, service to Jeeva is service to Shiva
3. John Rawls: Theory of Justice & Veil of ignorance
4. Plato's: 4 cardinal virtues (Fortitude, Prudence, Temperance, Justice)
5. Thomas Hobbes: Humans are inherently selfish
6. Mahabharata - "one must not be afraid to follow his/her duty(dharma)"
7. Kautilya's: Yogakshema
8. "to deny people their human rights is to challenge their very humanity" - Nelson Mandela
9. The service to others is rent you pay for staying on this earth - Mohammed Ali

Articles & DPSP:

1. A47 -> prohibition on narcotic drugs and liquor
2. A43: just and humane conditions for the work
3. upholding constitutional morality, Socio-Economic-Political Justice

Some Fodder for Intro and Conclusions:

- **Question on local governance, panchayat:** Use Gandhiji...
 - Gandhiji had aptly remarked that independence must begin at the bottom. And it is to emphasise that women's empowerment should also start from the villages, the grass-root level units.
- **Bonded labour, human rights or any question related to dignity:**
 - **Human should be treated as an end in itself rather than mean to achieve some ends or purpose – Kant.** Therefore, the dignity of individual is very important. Women should enjoy dignity, complete control over their body. Therefore, there should be an emphasis on safe abortion to all women.
- **Illegal mining or any which needs state intervention:**
 - According to Thomas Hobbes, strong State is required to ensure order in society as human is selfish, brutish and will seek to fulfil only self-interest. Therefore, in such scenarios where people are acting in a selfish manner, affecting other members of society and the environment, the State should deal with iron hand.
- **There may a question can come on social media:**
 - "The power of social media should be used only for people's welfare and public causes." - PM in 11th civil service day address to bureaucrats. Social media has strong potential use in public service delivery and governance process. However, the civil servants should use social media platforms only for public welfare purposes. E.g. If the social media is used for announcing the date for the anti-polio vaccination, then it's very good, but giving two drops of polio vaccine and then circulating the photo through social media should not be done.
- **Question which is testing civil service values:**
 - Probity in governance, i.e. upholding the highest standards of behaviour is very important for civil servants so as to ensure public interest. At the same time, the character of the civil servant is tested when they face such challenging situation as mentioned in the case. Civil servants should apply their wisdom to overcome such challenges and take the right decision.
 - Satya Mev Jayate is the philosophy which should work as guide for governance based on truth.

- A good administrator/public servant do not give in to the resistance, pressure rather he/she shows courage to bring change. However, he/she should not become aggressive but rather maintain good behaviour and act as role model for others. One can learn from TN Seshan and Kiran Bedi, how they faced extreme level of challenge in terms of resistance, allegation and threats but still they never gave in to such pressures.
- Civil servants may face pressure from the superiors or political executives to take immediate action but it should not result into violation of rule of law and natural justice principles. State should also respond in responsible manner as Kautilya also said that State should be compassionate towards people. The State has three-fold duties: protection and security, welfare and nurturing the subject.
- Question related to corruption :
 - Corruption of any sort is not tolerated as govt already do not have any funds at its disposal, further govt is just custodian and Corruption beaches the social contract, increases poverty, socio economic development....
 - Use Kautilya's reference.... as Govt has to have strong vigilance mechanism...
- **Corporate governance:**
 - "Commerce without morality is a sin" – Mahatma Gandhi
- Kautilya's Arthashastra: yogakshema of people
- Women: " Progress of any society is measured by a progress woman attains" ; women can't be developed, they develop themselves

Some concepts related to each Topic:

Corporate Governance:

1. Some values involved/catchy phrases:

- Profit, Planet, Public
- Common good vs business interest
- Public interest vs profitability
- Commerce w/o Morality - Gandhi's 7 sins.
- Non-compliance / lack of respect to national laws/ evasions / ill methods / subversions

Work Culture: *(Be it Private / public organization)*

- Need Emotional attachment, respecting autonomy, larger organizational goals.
- **Govt initiatives to change the work culture:**
 - A centralised bio-metric system for punctuality and discipline; SPARROW, PROBITY and Solve for integrity and performance; 360 degree for performance based culture; Perform or Perish to dismantle traditional bureaucratic attitude

Facing difficult situations in administration :

- Adversity Quotient: is a score that measures the ability of a person to deal with adversities in their life. It is also known as the science of resilience. AQ is a person's ability to manage difficulties and transform obstacles into opportunities. The AQ is one factor that affects a person's success since it correlates positively with a person's performance. A person who has a high AQ will also have high performance
- **Emotional Intelligence**

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Accountability Mechanisms:

Social Audit:

Questions which test Problem solving approach / Integrity:

1. There is always an option of Transferring to other post/ job or not to take any action i.e remain status-quo -> write for the sake of it but do not take any of those actions... -> write merits which are related to case study only and write more demerits than merits
2. Take the option of problem solving where you can change the existing structure/culture -> be innovative in those and find a ways to reduce demerits while exemplifying merits

SOCIAL JUSTICE:

1. Women
2. Child labour
 - Lack of free-will: The condition is forced on children due to socio-economic circumstances, poverty.
3. Tribals
 - Jal-Jangal-Jameen & Planet, Profit & People
4. Socio-Economic issues like rights, livelihood,

Ethical mapping / decision premises:

- legal
- Ethics in governance/ moral values

Ethical issues involves always (think in these perspectives):

- legal (like not adhering to law, unlawful practices)
- Issues related to human rights, morality, dignity , livelihood, alienation, deprivation, exploitation, poverty,
- denial of entitled rights
- Gender discrimination

Related to core Ethics and Values:

1. Some issues/ problems
 - Ethical egoism vs Ethical altruism
 - civic nationalism
 - collective morality and conscience
 - manifestation of weak moral standards

- people have not risen to the occasion
- Greedy/crony capitalism
- lack of effective legal enforcement
- Violation of natural justice
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