

Case studies

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Approach

In the exam, attempt case studies first, because they carry the bulk marks. Theory portion should generally be attempted later.

What to identify in an event based case study

- i. Your designation - determines what you can and can't do
- ii. Background, contextual information - sets the tone
- iii. Facts causing the ethical dilemma
- iv. Possible consequences/ what is at stake
(this is usually clearly mentioned)
- v. What is the question specifically asking

Identification of conflict

- Follow a third party approach. Detach yourself to objectively identify the issues
- Identify minimum 1, max 2 dilemmas.
- Use 1 or 2 word phrases that both make sense. Prefer generic catchphrases (generic => applicable everywhere but with ethical keywords, not layman lg)
- The dilemma should always be phrased as a choice between two rights, never a right v/s a wrong. In the latter case, there is no dilemma.
- Explain conflict in 1 or 2 lines, not necessarily technical
 - o Also add a couple lines on why these values are relevant to the case at hand
- If unable to adequately explain conflict or relevance, use an analogy. NOT very preferable.

Body

- Comprises of course of action
- Mostly a choice between 2 alternatives - Y/N
 - o Preferable to choose the middle path
 - o DO NOT BREAK THE LAW
 - o If someone is at fault, do not let the person go. If a rule/ code/ law is broken, always say 'appropriate action'. Not your job to go into details of what that action will be, just write that action will be taken.
 - o Keep in mind that the evaluators are old school. Do not take one sided stances on new developments like social media
- Answer need not necessarily make practical sense, but it MUST make moral sense.
- Explain the alternatives in terms of their short and long run impacts
 - o Mention even the very obvious ones here
- In course of action, try to add something at the individual level to show your human side

Conclusion

- ALWAYS go back to introduction
- Try something poetic
 - o 'means do not justify ends'
 - o 'once tainted, always tainted'
- Avoid discussing trivialities, talk about the bigger picture

Approach for issue based case studies

- Approach them as one would approach GS questions
- **Subdivision method**

issue based n

- Approach them as one would approach GS questions
- **Subdivision method**
 - o Break the issue into several smaller questions
- Do not tabulate pros and cons of an issue. Discuss them properly

*Issue based
Qs - needs
discussion
rather than
tabulation - -*

G-Meet 9/6

- Most important among GS4 questions
- Said that it is evaluated first, so attempt it TO YOUR BEST
 - o Attempt these first, or right after first few theoretical questions
 - o Do NOT leave for end
- To check whether you can decide well under pressure
- Be very careful about what you write
 - o Eg. Don't say not accepting bribe 'b'cos' it'll jeopardise career
- Always pay heed to WHO you are -- circumscribes your powers
- Read it very carefully - so that you need max 2 readings
 - o Underline important points
- Broad steps (for open ended case studies)
 - o Recognise **FACTS** of the case - OBJECTIVITY
 - Do NOT insert inherent bias, only write according to what is given; eg. Don't colour all politicians corrupt
 - o Identify **stakeholders**
 - o Identify **dilemmas** + present them well
 - Present in terms of ethical values
 - Not action based
 - o **Choices** available
 - Merits, demerits
 - Also mention ethical values protected in merit, and ethical values compromised in demerit
 - Stick to facts while discussing these
 - o Make a **decision**
 - Don't repeat merits and demerits
 - Take a broader context here => bigger picture approach
 - Values upheld
 - Promote common good
 - Govt bodies/ schemes
 - Explore how it is neutral/ w/ no personal bias
 - Minimising losses
 - Also steps to address demerits of choice adopted
- For closed case studies, where specific parts are asked
 - o Shorten the parts not directly asked
 - o Focus more on actual demand of the question
- Course of action
 - o First of all try to solve within organisation
 - Shows you've faith in organisation
 - Unless mentioned explicitly that the culprit has support from higher ups
 - While talking to higher authorities -- can ask for resignation, formal apology, reinstate us

Case Study

Intro - ✓

Conclusion } reports, Constitution provisions
current affairs

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General Takeaways

- Do NOT break the law
- In case of multiple wrongs being done at the same time - prioritise/ align response based on urgency/ gravity
- Don't go running to the teacher; try to solve problems at your own level first, only if it fails approach higher authority for help in solving local issues
- Can sometimes go over the head of immediate superior officer to seek advice in case immediate superior's advice raises an ethical conflict
- Can assume security of tenure in case we've been brought in after transfer of previous official
- When complaining, give it in writing

Ethical dilemmas

Dilemma	Fields/ themes	Remarks
Righteousness vs Sustainability	Environment, finance, organisational continuity	
Righteousness vs Consequentialism		
Means vs ends	Doing right thing but wrong way	
Morality vs legality		
Rule of Law vs Moral relativism	Law is objective, morality is subjective	
Rule of Law vs Victimless Harm		
Regimentation vs righteousness	Uniformed personnel	
Ambition vs contentment		
Reputation vs rigor	Edu instis, course quality vs difficulty	
Organizational sustainability vs individualistic harm	One vs greater good kinda	
Right to life vs public welfare	Encounters	
Rules based system vs corruption		
() welfare vs commitment to international order/ treaties		
Right to livelihood vs public health	People engaged in industries with output injurious to health -- tobacco, __	
Personal ethics vs professional ethics		- Dialogue & discussion to align personal & professional ethics
Righteousness vs personal relations		
Right to be forgotten vs right to freedom of speech & expression + right to know		
Larger public interest vs personal interest		

Populism of elected rep vs duty of selected official		
Rules vs public interest		
Democratic attitude vs bureaucratic attitude		
Law and order vs conscience		
Impartiality vs neutrality		
Social obligation vs moral obligation		

Examples of human touch

- Get in touch with the victims' family etc to understand the circumstances and remedy the root cause
 - o Eg child labour -> talk to parents, get them edu, meals; proper guidance
- In case corruption but for good causes - like funding study etc
 - o Help them find suitable scholarship schemes, personally guide them in edu etc

Readymade Intro/ Conclusions

- Means do not justify the end
- Two wrongs do not make a right
- Once tainted, always tainted
- It takes a lifetime to build a reputation, takes a breath to ruin it
- Easy to do wrong, difficult to do right
- A nation that doesn't take care of those who protect doesn't deserve to be protected
- Ultimate aim of a civil servant is welfare of citizens.
- We are a nation of rule of law (not individual circumstances) and the only exceptions permissible are those mentioned under the law.
- No such thing as a victimless harm
- Diligence should be sensibly spontaneous and not forcibly consequential.
- A company is built with its people, not on its people.
- Arc of justice must always bend towards reformative justice. (not punitive)
- Stealing from the poor and undefended is thievery of the worst kind.
- In a public organisation, means should justify ends; unfair means could never bring welfare.
- A society in which murder is seen as justice rather than a crime ___ (honour killings, mob lynching)
- Food is a right for every individual, not a commodity that can be acquired and wasted for one's pleasure at the cost of someone else's life.
- Children often act as agents of change in the society. They can be roped in through awareness campaigns in schools/ colleges.
- Inaction on one's part may not only jeopardise own interests, but also chance of many other deserving candidates.
- Since all people are equal, one should not apply different standards to different people -- friends & family vs strangers/ people we dislike
- Civil servant's duty to give honest opinion to the political executive. Once a decision is taken, implement it whole heartedly. Disobeying legal and legitimate orders amounts to dereliction of duty.
- Transparency is the cornerstone of good governance.
- Elected and selected representatives are there so as to reinforce each other to do the right thing.
- (primary) education should be a leveller and not a source of inequality
- Schools not only impart education to students but also act as a bridge b/w an individual and the society.
- Governance demands results
- Discretion is an important part of performing duty, but it cannot become a conduit of diversion of funds.

Keywords type

Associate vs alienate	Oversight	Trust deficit	Syndrome
Synthesise vs segment	Proactive	Deterrence	Reputation
Collaboration vs compartmentalisation	Public faith	Public perception	Morale
Ambition vs complacency	Conundrum	Setting precedents	Compassion
Int'l communication channels	Rule of law	Prof competence	Objectivity
Grievance redressal mechanisms	Integrity	Prof morality	Leadership
Instilling sense of responsibility	Impartiality	Position of trust	Selflessness
Omission and commission	Fairness	Sensitivity training	Inclusion
Duty bestowed by Govt/ constitution	Justice	Substance + utility	Casteism
Democratic morality	Transparency	Trap of law	Patriarchy
Bureaucratic morality	Liberator	Process integrity	Obligation
Commitment to service values	Foresight	Feasibility study	Empathy
Victim vs accomplice vs bystander	Rationality	Robust security net	Crystallise
Right to be Forgotten	Responsibility	Slippery slope	Amicable
Integrity of internet	Hazard map	Proportionality	Assuage
Strict observance of law	Jurisdiction	Academic integrity	Synergetic
Blind observance of law	Sensitive	Net negative	Ecologism
Orthodox, outdated social traditions	Mobile	Net positive	Ecocentric
Condone = be complicit	Alert	Dereliction of duty	Dynamism
Institutional/ systemic changes	Responsive	Direct supervision	Banal
Soft approach vs hard approach	Deterrence	In-subordination	Ethos
Multi-stakeholder consultation	Remedial	Influence pedalling	
Scientific rationality		Unholy alliance	
Rules vs roles based		Anthropocentric	
Smart bureaucracy		Policy continuity	
Maximalist approach		Political neutrality	
Social proof technique		Political economy	
Vigilance & monitoring	Sensitisation	Absence of graft (2nd ARC)	
Administrative readiness		Use of technology	
KAP study - Knowledge Attitude Practice		Just savings principle (Rawls)	
IEC - Information Education Communication		Veil of ignorance	
Doctrine of Double Effect		Principle of Sacrifice (IR)	
lexdubianobligat		Global Communitarianism	
d	d		

Material for specific cases

- Honour killing
 - o Law Commission - disapproved Govt's proposal to amend IPC Sec 300 to include 'honour killings' under murder provisions separately; said existing provisions sufficient
 - o Law Commission - recommended declaring Khap Panchayats as unlawful

- Male as sole protector, family's honour, orthodox/ unorthodox
- Right to be Forgotten
 - European Court of Justice - allows individuals to submit requests to a search engine to remove certain results from searches on their names
 - Individual right
 - Favour: privacy, human dignity in case maligning info present online; many cties have laws regarding outdated info -- needn't even mention them in jobs, interviews etc after certain while
 - Against: right to know, freedom of speech & expression; attempt to censor the internet; possibility of misuses by corporations
 - Verdict:
 - not a strong case to make it FR;
 - Can't be absolute -- can't ask info to be deleted by the source; only on availability
 - Search engines
 - Obligation to remove inadequate, irrelevant, no longer relevant data; must ensure case by case requests do not result in biased results or compromise integrity of internet
- Trap of law
 - When a well intentioned decision/ action is illegal acc to law of the land
 - Eg corporal punishment to children to send them to school
 - Approach
 - Establish offence
 - Consider circumstances of perpetrator leading to the decision eg - why beating
 - Consider circumstances of the victim -- eg why children not going to school
- Child marriage to avoid dowry in future
 - Step 1: persuade the family w/ help of friends/ on your own
 - +ve: helps stop a social ill; no demerit
 - Arguments: child marriage illegal; dowry illegal; no use of edu if can't save family from ills of orthodox, outdated social traditions; encourage education & upskilling
 - Step 2: involve the local panchayat
 - +ve: social pressure; social change in the community
 - -ve: airing dirty laundry; may not get persuaded; anger, threats towards oneself
 - Step 3: FIR w/ police
 - +ve: achieves the most imp obj + deterrence effect
 - -ve: criminal proceedings for entire family; superficial -- doesn't address root cause
 - In such cases ALWAYS conclude saying you will try your best to resolve at Step 1 itself
- Illegal spying eg on leaders of opposition, etc
 - Alternatives
 - Do nothing -- personal life me shanti; condone privacy violation = complicit
 - Seek immediate superior's opinion; can also go to head of dept to know more, form a balanced opinion; can't disobey if HoD asks to do nothing
 - Anonymous letter to press -- media trial of govt; nothing constructive possibly
 - Go to press directly - detention, career ruined, treason, weakening of security apparatus /// citizens aware, inspire other whistle blowers
 - Course of action
 - Clandestine investigation to know facts of the case
 - Gauge diff viewpoints by getting inputs from his peers w/o revealing details of the case
 - If convinced of illegality - come to the public with details of the case + proof of govt's complicity
 - Stir a rational debate on implications of this on right to privacy, political freedom, national security
 - Refrain from mere attack on govt; go for systemic/ institutional changes
- When political executive is making BAD decisions
 - Try to modify scheme to make it more prudent and effective -- i.e. Do this in the analysis stage -- value of constructive feedback -- i.e. If the govt's scheme is not likely to work, tell them what will work instead

- Put honest comments for consideration
- Convince ministers to get public opinion before going ahead -- this must be done after placing the complete facts of the case in the public domain
 - Publish broad outlines + engage in public discussion
- Prevent the narrative from being hijacked politically
- In the presence, improve own understanding of socio-economic needs of the people
- Approaches to radicalisation
 - Soft approach - counselling, de-radicalisation; after de-radicalisation, release them to lead normal lives but maintain surveillance to avoid relapse
 - Hard approach - arrest, prosecution and punishment
- Extra-judicial killing/ encounters
 - Criminals: right to be heard; proportional punishment as codified in the law;
 - In the LR - results in lawlessness, illegal killing, breakdown of admin machinery
 - Police admin:
 - SR: flexibility, infuses fear, dampens crime rate
 - LR: inhuman, brutal & insensitive police; erodes public faith in police; hampers discipline; slippery slope
 - Society: victims of fake encounters members of minority/ socially disadvantaged group; fear psychosis; hampers faith in judiciary & democracy; culture of violence in society
 - Way forward
 - Separate investigative (plain cloth detectives) and law & order maintenance fn (uniformed)
 - Incorporate accountability at all levels
 - Implement SC directions on police reforms in the Prakash Singh case
 - Allocate more funds for police & judicial reforms
 - Recruit more
 - Modernise equipment, service condition, training
 - Fair, transparent, non-partisan transfer, posting and promotion