

[This question paper contains 2 printed pages.]

6431

Your Roll No.

LLM/MCL.

A

LM-2011 – COMPARATIVE JURISPRUDENCE

Time : 3 Hours

Maximum Marks : 80

*(Write your Roll No. on the top immediately
on receipt of this question paper.)*

Answer any four questions.

All questions carry equal marks.

1. "... market may not necessarily be a poor economic ideology and may be a global compulsion, but if basic human needs and aspirations of the impoverished Indians have to be realistically satisfied, market needs to be tamed by activist intervention of the state."

Do you agree? Comment in the light of India's advance in the areas of de-regulation, privatisation and globalisation since the early 1990's and its constitutional obligations to social justice.

2. (a) Explain the difference, if any, between "individual" or "personal" freedom and "political" freedom giving appropriate examples.
- (b) Joel Feinberg identifies seven liberty limiting principles in "Rights, Justice and Bounds of Liberty".

Briefly explain these principles giving appropriate examples.

P.T.O.

3. Discuss and critically evaluate Jhon Rawl's Theory of Justice and its implications for developing societies like India.

4 "It has to be recognised that from the right to basic necessities flows an incidental right, or rather, a correlative state duty to facilitate access to justice for the victims of such deprivation." Does that resolve the dilemma of 'bread' vs. 'freedom' ?

Comment. What model would you suggest for fulfilment of the basic needs of millions of impoverished in India.

5. "Secularism in the context of our Constitution means only an attitude of live and let live developing into the attitude of live and help "live".

Critically examine the above view expressed by Justices Mathew and Chandrachud in St. Xavier College Society Case, in the light of more recent judgements of the Supreme Court and your own understanding of the concept of 'secularism'.

6. Write brief notes on any two of the following :

(a) Empowerment of Women as a strategy to bring about equality between men and women

(b) Reception of Common law in India

(c) Liberty and Civil Disobedience