

**NATIONAL LAW UNIVERSITY, DELHI**  
**LL.M. Programme, I-Semester (Batch of 2019)**

**Repeat Examination, February - 2020**

**Paper: Comparative Public Law**

Time: 3:00 Hours

Total Marks: 50

Instructions:

1. Please answer **all** the following questions. **Questions 1 and 5 have two options.** Please answer only **one** of them in each.
  2. Your answer to any question should not exceed **500 (FIVE HUNDRED) words** excluding punctuation marks.
  3. All questions carry **10 marks** each.
- 

**Q.1** “The comparative method is sufficiently elastic to embrace all activities which, in some form or other, may be concerned with the study of foreign law”. Critically examine the above statement by citing examples.

**Or**

“There are factual and normative issues regarding methodology and though the two are conceptually distinct, they are often linked in practice”. Illustrate with suitable examples.

**Q.2** “The state is multifaceted, and a state that takes social rights seriously must give effect to its duties at the legislative, executive, (non-constitutional) adjudicative, and constitutional levels”. Elaborate upon this statement with appropriate examples.

**Q.3** “Many classical liberals believed that a liberal democracy could be made secure, even in absence of an especially virtuous citizenry, by creating checks and balances”. Evaluate the statement by citing suitable examples in support of your arguments.

**Q.4** “Logically, a constitution could not be said to ‘generate its own validity’, beyond legitimacy even its legal validity would depend upon compliance with a rule regulating its generation”. Explain and illustrate with suitable examples the above statement.

**Q.5** “A constitution is legitimate not only as a factual condition. It is also recognized as a just order, when the power and authority of the constitution making power, on whose decision it rests, is acknowledged’. Elucidate with the help of suitable examples.

**Or**

“Secularism is taken to be the view that religion must be separated from the state for the sake of extensive religious liberty and equality of citizenship. This view can be differently interpreted”. Elaborate the above statement by engaging with Indian and at least one western society.