

NATIONAL LAW UNIVERSITY, DELHI
LL.M. Degree Programme, I-Semester (Batch of 2019)
End-Semester Examination, December - 2019
Paper: Advanced Constitutional Law

Time: 3:00 Hours

Total Marks: 50

Instructions:

1. All questions are compulsory.
 2. No clarification shall be sought on the question paper.
-

Q.1 The “3 visions of liberty” as expounded by JS Mill, Isaiah Berlin and Quentin Skinner are significant milestones in the journey of the ‘liberty’ narrative.

Keeping in mind the above statement, elaborate and elucidate the contribution of the authors towards the conceptual understanding of ‘liberty.’ **(10 Marks)**

Q.2 a) Outline the liberal features of the Indian Constitution and the approximation to the most cogent explanation in terms of any/all of the above authors. **(5 Marks)**

b) Critically evaluate ‘sedition’ or ‘hate speech’ in the contemporary Indian constitutional and legal framework. **(3 Marks)**

Q.3 Explain the ‘Idea of Justice’ as a critique of the ‘Theory of Justice.’ Also give a critique of the critique. **(7 Marks)**

Q.4 India’s system recognizes the value of achieving substantive equality while also protecting individual freedom and rights. America follows individualistic as well as formalistic approach towards equality of opportunity and justifies existing inequalities by referencing the formal equality of every individual under the law.

Discuss and compare the Indian and American approach to ‘right to equality’ and substantiate your viewpoint by giving legal and logical reasoning. **(15 Marks)**

Q.5 Substantial gaps exist even after more than 70 years of independence between the SCs, STs and backward classes and other general categories in access and quality of education and learning, health facilities, income etc. along with the attitude of the rest of society towards them. The affirmative action and positive discrimination strategies could not improve the status and position of these weaker sections of Indian society.

Do you agree with the statement given above? If yes, kindly give reasons in support of that along with your suggestions to improve the situation with regard to the widening gaps between the rich and the poor in Indian society. **(10 Marks)**