

NATIONAL LAW UNIVERSITY DELHI

LL.M., Semester-I Repeat Examinations, July-2023

Paper: COMPARATIVE PUBLIC LAW

Total Marks: 50

Instructions:

1. All questions are compulsory.
 2. No clarification shall be sought on the question paper.
 3. Answer to any question should not exceed 1500 words.
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1. "Public law is formed in the modern world as the code of emerging autonomous political sphere. This is public law as 'political right'." Elaborate upon the above statement.
2. "Citizenship is not just a certain status, defined by a set of rights and responsibilities. It is also an identity, an expression of one's membership in a political community". Elucidate the above statement by citing suitable examples.
3. "If it is agreed that the Indian Constitution is based upon an initial exercise of constituent power by the Indian nation, the next question would seem to be: has the original constituent power been spent in the effort, or have the people retained it, to exercise it, if they wish to replace the existing Constitution by a new one?". Answer by explaining the statement.
4. "Is it appropriate for our judges to use and cite to foreign materials in the course of deciding constitutional cases?". Critically examine the above statement.
5. "The existence of positive duties in turn raises the issue of the means by which they may be fulfilled. While such duties must ultimately rest on each individual, there is a very real possibility that individual action in many instances would be at best be ineffective". Engage with the above statement in the light of prevailing discourses on the social rights.