

MARKS: ONE HUNDRED (100)

TIME: (3) THREE HOURS

SECTION ONE

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 Write a short note on law as a periphery of society.
- 1.2 How is legal education related to socio-legal research?
- 1.3 Succinctly describe the meaning of 'research'.
- 1.4 What is the difference between "Research" and "Research Methodology"?

4x4=16 MARKS

SECTION TWO

PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER FOUR QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 A friend of mine has said that law is not based on logic; it has been based on experience... - Justify his/her statement. How do you think socio-legal research can influence the development and growth of law in the society?
- 2.2 In the context of rampant corruption, violence and disturbances that has seized the Indian society, how do you think legal education can contribute to the withholding of values, goods and the objective that are enshrined in the preamble of the constitution?

501

- 2.3 Discuss the significant contribution of the Law commission of India in the evolution and the codification of laws.
- 2.4 What do you understand by the term 'Legal Aid'? How do you think legal aid can help in the growth of legal education in India?
- 2.5 Comment on the need for legal reforms in the light of increasing violence against the body of women and children in India.
- MODULE- II**
- 2.6 "Research is a voyage of-discovery, a journey from the known to the unknown". Explain how the statement can help in the understanding of the meaning of research?
- 2.7 In a society where difference branches of knowledge co-exist for the better understanding of the society and law being a mere periphery, do you think a socio-legal research can be a significant tool in the evolution of society?
- 2.8 Justify the statement, "Research is a systematic process involving thinking, creative and thinking process".
- 2.9 "A research problem well stated is a work half done". Explain the given statement with the help of relevant illustrations.
- 2.10 What is the meaning of the term, "Hypothesis"? How does it help in the development of research process?

8x7=56 MARKS

SECTION THREE

PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.

- 3.1 Write an essay on the present scenario of legal education in India.
- 3.2 "Socio-legal research is a new phenomenon of research in the field of Law". Elucidate the importance of interdisciplinary research in law in the context of the evolution of socio-legal research.

- 3.3 "Behind every research there is an inquisitive mind". Write an essay on how inquisitive and compelling mind can and does help in the formulation and development of research?
- 3.4 Discuss in detail the relevance of 'intellectual sufferings' in the formulation of research problem.

2x14=28 MARKS

NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY ASSAM

L.L.M. (TWO YEAR PROGRAMME)

ACADEMIC SESSION: 2013-14

MID-SEMESTER EXAMINATION (24-09-2013)

1.2 LAW AND SOCIAL TRANSFORMATION (FIRST SEMESTER)



MARKS: ONE HUNDRED (100)

TIME: THREE (3) HOURS

SECTION ONE

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 Define the concept of 'social change'.
- 1.2 List some of the significant features of 'modernization'.
- 1.3 Write the difference between 'individualism' and 'collectivism'.
- 1.4 How is Legislative Process better than Judicial Process as a tool for social transformation?

4x4=16 MARKS

SECTION TWO

PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER FOUR QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 Discuss the theoretic models on social transformation in the light of relevant recent trends of social phenomena. Which model according to you is the most effective one to bring about social change in India? Give reasons in support of your answer.
- 2.2 Draw out some of the impediments which cause failure of law to bring social change in India. What solution would you suggest to remedy these impediments?

SECTION THREE

PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.

- 3.1 "Law is necessarily the product of tradition, culture and social evils". Do you agree? Justify your answer in the light of the constitutional scheme and relevant statutes in India.
- 3.2 Give an account of the reformative actions taken up by the state for bringing about uniformity in the area of family law in India. How does public opinion act as an opposing force against the unification of personal laws in India? Discuss your answer in the light of landmark case laws.
- 3.3 Give explanatory notes on **anytwo** of the following:
 - (a) Cyber pornography with special reference to India: An analysis of the legal framework
 - (b) Empowering and transforming village through Local Self Government: Indian policy
 - (c) Legal control of homosexuality in India: A critique
- 3.4 Discuss the initiatives taken up and the challenges faced by the government in bringing about socio-economic reforms in India. How did the judiciary respond to the conflict between individual's interest and public interests? Support your answer with landmark judicial precedents.

2x14=28 MARKS

- 2.3 Has India been successful in realizing the object of inserting Part-IVA in the Indian Constitution? What are the legislative enactments which reflect the enforcement of fundamental duties?
- 2.4 "Public participation in the law making process is a *sine qua non* element in a democratic form of government". Do you agree and why? What is the position in this regard in India? Suggest manner of facilitating public participation in an effective manner.
- 2.5 Evaluate the impact of colonization on the development of law and legal institutions in India. Do you think that in the absence of the colonial rule, India would have had better laws? Give the rationale for your answer.

MODULE- II

- 2.6 Critically assess the impact of liberalization, privatization and globalization on the Indian Trade Policy.
- 2.7 Discuss the issues of surrogacy and the legal response in India. Do you think that the present Indian legal framework in the area of surrogacy is adequate to counter the issues? How would you suggest in improving the scenario?
- 2.8 Identify the main challenges which defeat the purpose of introducing plea-bargaining in India. What measures should be adopted to make plea-bargaining effective in India?
- 2.9 "The emergence of the notion of compensatory jurisprudence in India has secured the fundamental rights of victims of crime upto a certain extent". Comment on the statement.
- 2.10 Explain the legislative efforts taken up by India in the pre-independence and post-independence era to formalize Alternative Dispute Resolution system.

8x7=56 MARKS

MARKS : ONE HUNDRED (100) TIME: THREE (3) HOURS

SECTION ONE

PLEASE ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY.

- 1.1 Explain the concept of Positive Law.
- 1.2 Is there any relation between Confucian Thought and Human Rights?
- 1.3 What is John Rawls' Theory of Justice?
- 1.4 How is the San Francisco Conference of 1945 relevant in the context of Human Rights?

4x4 = 16 MARKS

SECTION TWO

PLEASE ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER TWO QUESTIONS FROM EACH MODULE.

MODULE – I

- 2.1 How did the Magna Carta contribute towards the development of the concept of Human Rights?
- 2.2 What was the historical background of the American Bill of Rights? Can the provisions contained therein be seen as having an influence on Constitutions of modern nation-states that arise in the subsequent period?
- 2.3 Discuss the various rights guaranteed under the Universal Declaration of Human Rights.

- 2.4 Discuss the Second Optional Protocol to the International Covenant on Civil and Political Rights and the abolition of death penalty during peace times.
- 2.5 What is the International Bill of Human Rights?

MODULE – II

- 2.6 Discuss the relation between the Buddhist Principles and Human Rights.
- 2.7 What are the Rights based on the Value of Utility?
- 2.8 How is the concept of Human Rights reflected in Marxism?
- 2.9 How is the Third World Perspective of Human Rights related to Cultural Relativism?
- 2.10 Make a comparative study of the concept of rights in the views of Thomas Hobbes and John Locke.

8X7 = 56 MARKS

SECTION THREE

PLEASE ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.

- 3.1 Locate the origin of Human Rights in the Natural Law Theory.
- 3.2 Discuss the Feminist Perspective of Human Rights.
- 3.3 Examine Mahatma Gandhi's views on Human Rights and how far are they applicable?
- 3.4 Can the concept of Human Rights in India be traced back to the Early Hinduism?

2x14=28 MARKS

Directions to answer items

1. Questions are marked either as unweighted or as weighted and this is for information only.

2. You should answer the questions in the order in which they are given. Do not answer questions until you have read the question carefully. Do not answer questions in the order in which they are given.

3. You may use a calculator. You may also use a ruler for the purpose of drawing diagrams.

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Directions to answer items

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SECTION THREE

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NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

L.L.M. (TWO YEAR PROGRAMME)

ACADEMIC SESSION: 2018-19

MID-SEMESTER EXAMINATION (28-09-2018)

1.6.2 INTERNATIONAL AND REGIONAL PERSPECTIVE OF HUMAN RIGHTS (FIRST SEMESTER)



MARKS: ONE HUNDRED (100)

TIME: THREE (3) HOURS

SECTION ONE

ANSWER THE FOLLOWING QUESTIONS IN APPROXIMATELY 100 WORDS. ALL QUESTIONS ARE COMPULSORY

- 1.1 Discuss as to how the Anti-slavery movement had given birth to the American Civil- War?
- 1.2 Explain the "Principle of Legality" as enumerated in Article 15 of the International Covenant on Civil and Political Rights of 1966.
- 1.3 Give a short discussion on the prosecution of perpetrators responsible for the commission of Armenian genocide in 1915.
- 1.4 How can poor countries with resource limitations be held to the same human rights standards as rich countries? Discuss.

4x4=16 MARKS

SECTION TWO

ANSWER EIGHT OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 250 WORDS. IT IS COMPULSORY TO ANSWER FOUR QUESTIONS FROM EACH MODULE.

MODULE - I

- 2.1 "I also took part in the day before yesterday's huge mass killing...When the first truckload (of victims) arrived my hand was slightly trembling when shooting, but one gets used to this. When the tenth load arrived I was already aiming more calmly and shoot securely at the many women, children and

infants... Infants were flying in a wide circle through the air and we shot them still in flight, before they fell into the pit and into the water. Let's get rid of this scum that tossed all of Europe into the war..."-Walter Mattner, October 5, 1941. Examine the human rights scenario with the help of above statement since 1933 to 1950.

- 2.2 Evaluate the role of the Universal Declaration of Human Rights of 1948 in subsequent human rights revolution in the world.
- 2.3 Evaluate the success of the United Nations High Commissioner for Human Rights for the protection and promotion of human rights in the conflict regions.
- 2.4 "The double standards that deprive the Commission of any credibility. In some cases, there is concern about human rights violations, in other cases they are ignored". Examine the reasons which seriously wounded the objectives and credibility of the United Nations Human Rights Commission.
- 2.5 Critically examine the necessity of the abolition of death penalty in the international as well as in the national legal systems.

MODULE- II

- 2.6 Discuss the determining factors which contribute to the regional aspirations of human rights.
- 2.7 Discuss the provisions of the UN Charter in the protection and promotion of human rights in the regional basis.
- 2.8 Give a critical appraisal on the role of African Commission on Human and People's Rights in burning African countries.
- 2.9 Give a critical assessment on the enforcement of human rights under African Charter of Human and People's Rights.
- 2.10 Examine the role of the UN Security Council in protection of human rights a crossing the world.

8x7=56 MARKS

SECTION THREE

ANSWER ANY TWO OF THE FOLLOWING QUESTIONS ANALYTICALLY IN APPROXIMATELY 1000-1200 WORDS.

- 3.1 "Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of the mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people". With the help of the above statement, examine the human rights situation of the people living in a burning world.
- 3.2 The UN General Assembly Resolution 1514(XV) of 1960 states that self-determination as the right of people "to freely determine their political status and freely pursue their economic, social and cultural development". However, it does state: "Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with" the Charter. Justify the struggle for the right to self-determination with the help of above statements considering the contemporary political environment.
- 3.3 Discuss the reporting procedure and the responsibility of the States Parties under Articles 40 to 42 of the International Covenant on the Civil and Political Rights of 1966.
- 3.4 Give a brief appraisal of the evolution of international human rights jurisprudence.

2x14=28 MARKS
