

HONS. 09 / 011 / 22

**B.A.LL.B., (Hons.) DEGREE NINTH
SEMESTER EXAMINATION,
NOVEMBER 2022**

**COMPARATIVE
CONSTITUTIONAL
RIGHTS ADJUDICATION**

Time: 3 Hours

Maximum Marks :50

**Answer any 5 questions. Each question
carry ten marks (5*10 =50 Marks)**

1. Write short notes on
 - (a) Negative rights and positive rights
 - (b) Right- Duty; Privilege- No Right

2. Explore the Lockian Principle of rights in the Indian and US Constitutions. What is the social contract theory and how has it influenced the Bill of rights in the US?
3. What is Hate speech? What are the standards of review of hate speech cases in India and the USA
4. Examine the standard of reasonableness as adopted by the courts in India, South Africa and the US with respect to the fundamental right of equality and equal protection of laws.
5. Critically examine the decision in *Dobbs v Jacksons Women's Wealth Organisation*, that overturned the decision earlier decision relation to abortion in the USA. What is the

standard of review in Ireland and in India.

6. Write short notes on
 - (a) Discrimination on the basis of sex
 - (b) Protective discrimination and affirmative action

7. The Hicklin test is inappropriate as it restricts free speech rather than protect free speech. Examine the statement in the light of recent trends in the standards of obscenity as seen in USA, India and Canada

8. Write Short notes on –
 - (a) Pornography and obscenity
 - (b) Harm Principle and free speech