

Reg. No. : .....

Name : .....

**Third Semester LL.M. Degree Examination, September 2025**

**Branch II – Constitutional Law**

**Paper IV – CIVIL AND POLITICAL RIGHTS IN THE CONSTITUTION**

**(2021 Admission Onwards)**

Time : 3 Hours

Max. Marks : 60

Instructions : Answer all questions.

All questions carry equal marks.

1. (a) Critically examine the evolution of civil and political rights in comparative constitutional traditions, with special reference to the United Kingdom, United States and India. How do these systems differ in their approach to rights protection?

OR

- (b) Discuss the role of international human rights instruments such as the UDHR and ICCPR in shaping the normative understanding of civil and political rights within domestic constitutional frameworks.

2. (a) Analyse the judicial response to group-based inequalities in India, particularly in the context of protective discrimination. How has the Indian Supreme Court reconciled formal equality with substantive justice?

OR

- (b) Compare the interpretation of freedom of speech and expression by the Supreme Court of India and the U.S. Federal Supreme Court. What are the key differences in the treatment of free speech under Article 19 of the Constitution of India and the First Amendment of the U.S Constitution?

P.T.O.

3. (a) Examine the tension between individual liberty and social control in Constitutional democracies. To what extent can reasonable restrictions be justified without undermining the core of fundamental rights?

OR

- (b) Critically evaluate the constitutional guarantees of religious freedom, especially the right to administer religious institutions. How has the judiciary balanced secularism with minority rights?
4. (a) Discuss the impact of national emergency on the suspension of fundamental rights in India. Has the Constitutional framework adequately safeguarded civil liberties during extraordinary times?

OR

- (b) Compare the amendment procedures for fundamental rights in the Indian and American Constitutions. How do they reflect differing philosophies regarding the rigidity and adaptability of rights?
5. (a) Evaluate the effectiveness of judicial remedies like habeas corpus and mandamus in enforcing civil and political rights. What are the limitations of traditional writs in a modern rights regime?

OR

- (b) Critically analyse the role of Public Interest Litigation (PIL) in expanding access to justice. What are the promises and perils of judicial activism in the domain of fundamental rights?

(5 × 12 = 60 Marks)