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**PRESIDENCY UNIVERSITY
BENGALURU**

**SCHOOL OF LAW
END TERM EXAMINATION - JUN 2023**

Semester : Semester II - 2022

Course Code : ENG3002

Course Name : Sem II - ENG3002 - Law and Literature

Program : BAL,BBL&BCL

Date : 7-JUN-2023

Time : 1.00PM - 4.00PM

Max Marks : 100

Weightage : 50%

Instructions:

- (i) Read all questions carefully and answer accordingly.*
 - (ii) Question paper consists of 3 parts.*
 - (iii) Scientific and non-programmable calculator are permitted.*
 - (iv) Do not write any information on the question paper other than Roll Number.*
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ANSWER ALL THE QUESTIONS

(10 X 10 = 100M)

1. According to the Supreme Court, the choice of LGBT persons to enter into intimate sexual relations with persons of the same sex is an exercise of their personal choice, and an expression of their autonomy and self-determination. Critically examine the arguments in favor of and against the decriminalization of Section 377.

(CO4) [Application]
2. According to the judgment in Plessy v. Ferguson as long as resources are equal there can be no inequality. It was stated that laws mandating segregation are being interpreted as propagating inferiority by black people when that wasn't actually the case. How does Brown v. Board of Education depart from this reading of the law?

(CO3) [Comprehension]
3. What are the responsibilities of a lawyer according to Justice Chagla and Fali Nariman? Why do they believe that lawyers can play an important role in shaping public opinion?

(CO5) [Comprehension]
4. Fali Nariman, praising the dissenting opinion of Justice H. R. Khanna in the ADM Jabalpur case, stated that he refused to bow down to might and rationalize tyranny. Like Justice Chagla he also offers a scathing critique of the Emergency imposed by Indira Gandhi in 1975. Elaborate with special emphasis on the role of the Judiciary during the Emergency.

(CO5) [Comprehension]

5. The Supreme Court of India in *K.S. Puttaswamy v. Union of India*, interpreted the right to privacy as a broad right that protects individuals' physical and mental privacy, as well as their decisions, choices, information, and freedom. The Court held that privacy is a multifaceted, overarching right and that it is not limited to a narrow right against physical invasion. Critically examine the approach to privacy adopted by the Court.

(CO4) [Application]

6. The basic structure doctrine helps to protect the fundamental principles of the Constitution, and to ensure that the Parliament cannot amend the Constitution in a way that would fundamentally change the nature of the Indian state. Explain with reference to case laws.

(CO5) [Comprehension]

7. What according to Justice Chagla are the weaknesses of the International Court?

(CO5) [Comprehension]

8. 'I ask not leniency at your hands - but rather the full rigors of the law.' Susan Anthony thus argues for a broad and liberal interpretation of the 14th amendment. Explain with reference to the trial of Susan B. Anthony.

(CO3) [Comprehension]

9. By reading about the social, political, and economic conditions of the time when the law was created, we can better understand the reasons why the law came into being and how it is intended to function. Explain how literature helps us to gain a deeper understanding of the law and its role in society.

(CO1) [Comprehension]

10. In India, the right to die is a complex and controversial issue. There is no clear legal or ethical consensus on whether or not people have the right to end their own lives. Some people believe that people have the right to die with dignity, while others believe that suicide is always wrong. Is the right to die a fundamental right under the Indian Constitution? Elaborate with reference to case laws.

(CO4) [Application]