

<b>Name:</b>	 <b>UPES</b> UNIVERSITY WITH A PURPOSE
<b>Enrolment No:</b>	

**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**Online End Semester Examination, December 2020**

<b>Course: Comparative Civil and Political Rights</b>	<b>Semester: V</b>
<b>Program: B.A. LL.B CL/LL/CL</b>	<b>Time 03 hrs.</b>
<b>Course Code: CLCC3030</b>	<b>Max. Marks: 100</b>

**SECTION A**

- 1. Each Question will carry 5 Marks**
- 2. Instruction: Complete the statement / Select the correct answer(s)**

S. No.	Question	CO
Q1	What are the three basic principles of rights? Who declared that the rights are inalienable, imprescriptible and inalienable?	CO1
Q2	Elucidate the relation between 'jus natural' and 'lex naturalis'	CO1
Q3	What do you understand from civil and political rights comparison?	CO2
Q4	Qualitatively compare the preamble of American and Chinese Constitutions	CO3
Q5	Identify the promulgated constitutions (year) in China and Pakistan	CO2
Q6	The compare the constitutional design of structure concerning the fundamental rights between India and USA	CO2

**SECTION B**

- 1. Each question will carry 10 marks**
- 2. Instruction: Write short / brief notes**

Q7	Why the comparatist begins to look at (constitutional) law not just as a body of norms but as "a view of the way things are,"	CO1

Q8	Compare the free speech and judicial responses in USA and Pakistan	CO2
Q9	Evaluate the promotion and protection of minority rights under communist, theocratic and democratic constitutional framework.	CO2
Q10	With the help of examples, discuss the way the American Bill of Rights has influenced countless political systems around the globe since their authorization	CO3
Q11	How affirmative actions in India and USA have the backing of their respective constitutions? While experimenting with them over a period, evaluate their success and failures.	CO3

**Section C**

- 1. The Question carries 20 Marks.**
- 2. Instruction: Write long answer.**

Q12	<p>Comparing constitutions and constitutional rights means having to cope with problems of understanding that which is unfamiliar and fabricating a variety of texts. A layered narrative is a way to address these methodological and theoretical challenges. It starts from the assumption that the comparatist, while never able to see the whole picture, must nonetheless focus on seemingly marginal details. To capture the interaction between constitutions and cultures, the narrative has at its base a broad conceptual grid. The next layer is informed by four constitutional archetypes—the constitution as a contract, manifesto, program, and law. In a more structuralist vein, the narrative analyzes the constitutional architecture dominated by a master plan whose elements are rights and principles, values and duties, organizational provisions, and rules for constitutional amendment and interpretation. While the elements of the master plan correspond to a global catalog, their specific composition and distinctive details reflect the local knowledge that is crucial to the revitalization of comparative fundamental right discussion.</p> <p><i>a. From this extract, what the author trying to convey to the readers?</i></p> <p><i>b. Compare the democracy and the protection of fundamental rights and freedoms under theocratic constitution ( Pakistan ) and Communist Constitution ( China )</i></p> <p><i>c. Discuss the role of the judiciary to enforce the basic rights under theocratic constitutions and democratic constitutions</i></p> <p><i>d. How the dominant constitutionalization, the delegate constitutionalization and coordinate constitutionalization happens in a different political systems.</i></p>	CO4
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