

THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES
LLB DEGREE PROGRAM- 2021/2022
LEVEL 6
LLU6813 - JURISPRUDENCE
CONTINUOUS ASSESSMENT TEST – 2



DATE :14TH SEPTEMBER 2022

TIME: 1.30 PM-2.30 PM

Illegible handwriting will be penalized.

Each carry twenty (20) marks.

Read the following scenario to answer question number 1 or 2.

Zoothopia is a developing country. According to the Zoothopian Statistical Bureau, the population of the country as of December 2021 is twenty million. About 30 percent of Zoothopia's population is 65 years or older, and the country is considered the world's 'oldest' country. Zoothopia has also recorded the world's lowest fertility rate. A declining population growth with an increasing aging population has created a crisis in Zoothopia. A few months ago, the parliament of Zoothopia adopted a new policy called 'Goddess of Zoothopia' to boost the country's birth rate. According to this policy, a woman who has three children will be honoured as a 'Goddess of Zoothopia'. This policy also established the 'Baby Bonus Fund', which provides financial assistance to every baby from birth to age four.

Recently, the Zoothopian Parliament proposed the 'Elderly Protection Act' in response to the increase in the population aged 65 and over. This Act introduced a 'comprehensive Long-Term Care Insurance,' which is regarded as one of the most generous and comprehensive health insurance systems in the region. This insurance is intended to pay for government-approved care plans that provide the elderly with a variety of care options such as living in assisted-care facilities, home care, and grocery shopping assistance. Both the Elderly Protection Act and comprehensive Long-Term Care Insurance from the government to address the demographic shift have been strongly criticized by economic experts, who highlight the financial burden imposed on Zoothopia as a developing country. They also pointed out that the implementation of such policies may create a negative impact on the current working population of Zoothopia.

In response to criticism, the government of Zoothopia stated that its efforts are similar to those of State Zhuzhus, a developing country facing a similar demographic shift. Zoothopia also claimed that previous governments implemented similar policies to address demographic shifts, such as

financial aid for pregnant mothers during pregnancy, free public transportation for the elderly, and higher savings rates for senior citizens at state banks. Certain social activist groups, however, support these proposed policies, and emphasize that a practice from Zoothopia known as "welcome flowers" is observed to encourage prospective parents to welcome a new life in their family. They also refer to the mandatory protection provided to older parents by the personal laws of Zoothopia.

Assume you are a legal researcher from Zoothopia. Analyze the efforts by the government of Zoothopia to address its demographic shift in light of the relevant fundamental ideologies and concepts of **ONE (01)** of the following schools of jurisprudence;

1. Sociological school
2. Historical school

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