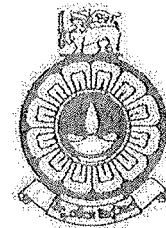


THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES
BACHELOR OF LAWS (HONOURS) - LEVEL 3
CONTINUOUS ASSESSMENT TEST I – 2022/2023
LLU3604 – CONSTITUTIONAL LAW I
DURATION – 1 HOUR



DATE: 20th of August 2023
TIME: 01.30 pm – 02.30 pm

Answer ONLY ONE question.

Candidates will be penalised for illegible handwriting.

1. “Constitutionalism is the doctrine which governs the legitimacy of government action. By constitutionalism is meant – in relation to constitutions, written and unwritten – conformity with the broad philosophical values within a state. Constitutionalism implies something far more important than the idea of ‘legality’ which requires official conduct to be in accordance with pre-fixed legal rules. Constitutionalism suggests the limitation of power, the separation of powers and the doctrine of responsible accountable government.”
– Hilaire Barnett, *Constitutional & Administrative Law* (4th edn., Cavendish Publishing: London 2002) 05 – 06.

Evaluate the above statement with reference to the relevant legal authorities and judicial decisions.

(20 marks)

2. The British invasion of Sri Lanka in 1796 marked the beginning of the end of over 2300 years of Sinhalese monarchy. The Kandyan Convention of 1815 deposed the Kandyan king, and the sovereignty of the people was conferred to the British crown. Subsequently, British governance has significantly influenced the constitutional journey of Sri Lanka. This influence is evident in a series of crucial constitutional reforms implemented between 1833 and 1972. By these reforms, the British authorities aimed to address the evolving requirements of the country.

Discuss the above statement in light of at least two important constitutional reforms implemented between 1833 and 1972 in Sri Lanka.

(20 marks)