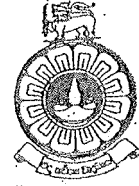


THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCE
DEPARTMENT OF LEGAL STUDIES
LLB DEGREE PROGRAM
LEVEL 6
LLU6813 JURISPRUDENCE
CONTINUOUS ASSIGNMENT TEST II -2022/2023
DURATION ONE (01) HOUR



115

DATE: 02nd December 2023

TIME-01.30 PM-02.30 PM

Answer the following question.

Question carries Twenty (20) marks.

Illegible handwriting will be penalized.

1. "Spiritual Purity" is a temple located on Keer Mountain in the state of Serendib. This religious place is managed by a Board, and the Chief Priest is empowered to decide on traditions and practises that should be followed by the devotees. The Board ensures the continuation of all essential religious practises, including restricting women between the age of 10 to 50 from entering the temple. The devotees of the Spiritual Purity temple believe this restriction is an essential religious practice that has been followed for many years, and any violation will disturb the spiritual development of devotees and the purity of the temple.

Based on this practice, the Parliament of Serendib has proposed Spiritual Purity Temple (Authorization of Entry) Bill in 2023, which prohibits women aged 10 to 50 from entering the premises of the temple. According to the preamble, this law is enacted to recognize the centuries old essential religious practises associated with the Spiritual Purity temple.

The Young Lawyers Association of Serendib has challenged the bill in the Supreme Court, seeking a direction to allow entry of women into the Spiritual Purity temple without any restriction. They argued that this bill violates the fundamental rights guaranteed by the constitution which prohibits any discrimination on the grounds of sex. A women's empowerment group called 'Freedom' contended that the discrimination created by the bill amounts to violate the rights of female devotees.

Analyze the above situation with reference to the philosophical thinking of the sociological school of law, which mainly focuses particularly on striking a balance between conflicting interests.

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