

**THE OPEN UNIVERSITY OF SRI LANKA
LL.B. DEGREE PROGRAMME - LEVEL III
FINAL EXAMINATION - 2006/2007
CONSTITUTIONAL LAW - LWU 1201
DURATION - THREE HOURS**



Date: 5th March 2007

Time: 10.00 a.m. - 1.00 p.m.

Answer **FIVE** questions only.

Illegible handwriting will be penalised.

01. The contributions made by the Colebrook Commission, McCallum Reforms, Manning Constitution, Donoughmore Constitution and Soulbury Constitution cannot be disregarded when evaluating the constitutional history of Sri Lanka. Their contributions has found expression in Constitutions drafted later.

Critically evaluate the above statement with reference to the constitutions of Sri Lanka of 1972 and 1978.

02. Any study on constitutional law focuses on the concepts of state and government. The state could be unitary or federal. The difference in procedure adopted to amend a constitution under each system could make such a constitution rigid or flexible.

Discuss.

03. Critically evaluate the effectiveness of the provisions incorporated in the 1978 Constitution of Sri Lanka with a view to securing the independence of judiciary.

04. "Power can be exercised effectively if it is devolved or shared".

Analyze the above statement making reference to the experiences of the United Kingdom, the United States of America and Sri Lanka.

05. The Constitution, which is the basic structure of a state, should be adjusted according to the changes of the needs of the people. Amending a constitution is not an easy task. In the Sri Lankan context the amending procedure changes according to the article, which requires amendment. However, an amendment to a statute could either be express or implied.

Comment.

06. The rule of law is an ancient concept which has been interpreted differently at different periods of time. But it is of continuing relevance today.

Analyse the above statement considering the attempts made by the international conference of jurists to make the rule of law more effective and a valid concept today.

07. "Under our present constitution the office of Executive President has a deep and pervasive influence on all organs of the State.

Analyse the correctness of the above statement.

08. Evaluate the legislative supremacy of the National State Assembly and Parliament under the constitutions of Sri Lanka 1972 and 1978.