

UNIVERSITY OF COLOMBO, SRI LANKA

FACULTY OF LAW

DEGREE OF MASTER OF LAWS BY COURSEWORK - 2023/24

2<sup>nd</sup> SEMESTER END EXAMINATION

Law and Social Justice -TLLM 12313

(Three Hours)

Total number of questions: 04

Answer any **Three** questions.

(Candidates will be penalized for illegible handwriting)

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1. "The goal of equality is more than an evolutionary intolerance to adverse discrimination. It is to ensure, too, that the vestiges of these arbitrarily restrictive assumptions do not continue to play a role in our society..."

*Rosalie Silberman Abella, Equality in Employment: A Royal Commission Report (1984).*

Evaluate the above statement with reference to inequality and social justice. Candidates shall employ relevant examples to illustrate the answer.

(20 Marks)

2. Public Interest Litigation (PIL) has been identified as one of the most significant instruments for people to access justice, especially for unrepresented and underprivileged segments of society. Nevertheless, PIL has been interwoven with different challenges in addressing social issues in contemporary societies.

Critically analyse the above statement with regard to the scope, limitations, and challenges to PIL. Substantiate your answer with legal authorities, including relevant case laws.

(20 Marks)

3. 'Social movement organizations seek to secure law reform; in turn, changes in the law bring about changes in society. While this conventional conception dominates much research and can be helpful for the purpose of analyzing the direct effects of social movement law reform, it misses several important dimensions of the relationships among social movements, law, and society.'

*Coglianesse, Cary, "Social Movements, Law, and Society: The Institutionalization of the Environmental Movement". Faculty Scholarship. Paper 1404 (2001)*

Analyse the above statement in light of law and social movements. Candidates are expected to use suitable examples from any selected jurisdictions to justify the position of the answer.

(20 Marks)

4. Recognizing diverse sexual and gender identities and eliminating discrimination against them is vital to upholding the basic values of social justice in the contemporary world. Although this has been a challenge due to colonial legal provisions on sexual and gender identities, certain judicial actions in post-colonial countries have made significant progress in addressing these issues.

Do you agree? Discuss with reference to law, sexual and gender identities, providing relevant examples to support your answer.

(20 Marks)

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