

**UNIVERSITY OF COLOMBO, SRI LANKA**  
**FACULTY OF LAW**  
**MASTER OF LAWS DEGREE PROGRAMME 2022/24**  
**REPEAT EXAMINATION- TRIMESTER I**  
**FUNDAMENTALS OF PUBLIC LAW – LLM 1034**  
(Three Hours)

Total number of questions: 04

Answer any **Three (03)** questions

(Candidates will be penalized for illegible handwriting)

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1. 'Judicial review is a powerful tool that courts use to assess the legality of administrative actions. For this purpose, *ultra vires* has been the main ground for review and has shown considerable success'.

Critically comment on the above statement with reference to the grounds for judicial review developed by the courts. Candidates are required to cite relevant case laws to substantiate their answers.

(100 Marks)

2. "Generally, international law, compared with national law, remains 'weak law' and is subject to 'realpolitik'. Even in the 21st century, some still deny the existence of any real 'law' in international affairs. However, with the proliferation of international rules witnessed during this past century, international law is arguably increasing its ability to regulate international relations"

*Congyan Cai, 'New Great Powers and International Law in the 21st Century'; (2013) 24(3) EJIL 755, 765.*

Critically analyse the credibility of the above statement in light of the contemporary developments in international law. Your arguments should be supported by suitable examples and case studies (if any).

(100 Marks)

3. 'Greening rights is one of the main ways to recognize environmental rights in the contemporary world. The judiciary has employed this method satisfactorily with innovative judicial interpretation'.

Do you agree with the above statement? Discuss with reference to environmental rights and their modern application. Relevant case law jurisprudence should be used to support your arguments.

(100 Marks)

4. 'Constitutionalism is a tool used in law to uphold human rights and prevent despotism. It provides the opportunity to include precise, long-lasting, and mandatory language in a document to restrict governmental authority and regulate the conduct of government officials. Ultimately, it paves the way for the full realization of good governance and the rule of law'.

Critically evaluate the above statement with reference to the underpinning principles of constitutionalism and its modern application. Substantiate your answer with suitable examples.

(100 Marks)

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