

**GUJARAT NATIONAL LAW UNIVERSITY**  
**GANDHINAGAR**  
 Course: **Constitutional Law, Spirituality and Justice**  
**Semester- X (Batch: 2018-23)**  
**End Semester Examination: May 2023**

**Date: 03<sup>rd</sup> May, 2023****Duration: 3 hours****Max. Marks: 50****Instructions:**

- Read the questions properly and write the answers in the given answer book.
- Do not write anything on the question paper.
- The respective marks for each question are indicated in-line.
- Indicate correct question numbers in front of the answer.
- No questions or clarification can be sought during the exam period, answer as it is, giving reason, if any.
- 10 Marks: 600-750 words.

**Part: A****Marks**

- Q.1 From the following paragraph given below, answer the question by elucidating the values mentioned in "The Science of Living" written by author of the article The Mother, which are relevant for legal, professional and individual life. (10)

*"The Science of Living - To know oneself and to control oneself. An aimless life is always a miserable life. Every one of you should have an aim. But do not forget that on the quality of your aim will depend the quality of your life. Your aim should be high and wide, generous and disinterested; this will make your life precious to yourself and to others. But whatever your ideal, it cannot be perfectly realised unless you have realised perfection in yourself..... When we reach this degree of perfection which is our goal, we shall perceive that the truth we seek is made up of four major aspects: Love, Knowledge, Power and Beauty. These four attributes of the Truth will express themselves spontaneously in our being. The psychic will be the vehicle of true and pure love, the mind will be the vehicle of infallible knowledge, the vital will manifest an invincible power and strength and the body will be the expression of a perfect beauty and harmony".*

What is referred to as "make your life precious to yourself and to others" in the aforementioned paragraph? How do you think, "Love, Knowledge, Power and Beauty" are relevant for our Indian Constitutional law and legal profession as a whole?

**Part: B**(Answer **any four** questions)

- Q.2 The Mother in her article titled "The Science of Living" says the following: (10)

*In various times and places many methods have been prescribed for attaining this perception and ultimately achieving this identification. Some methods are psychological, some religious, some even mechanical. In reality, everyone has to find the one which suits him best, and if one has an ardent and steadfast aspiration, a persistent and dynamic will, one is sure to meet, in one way or another – outwardly through reading and study, inwardly through concentration, meditation, revelation and experience – the help one needs to reach the goal. Only one thing is absolutely indispensable: the will to discover and to realise. This discovery and realisation should be the primary preoccupation of our being, the pearl of great price which we must acquire at any cost. Whatever you do, whatever your occupations and activities, the will to find the truth of your being and to unite with it must be always living and present behind all that you do, all that you feel, all that you think. To complement this movement of inner discovery, it would be good not to neglect the development of the mind. For the mental instrument*



*can equally be a great help or a great hindrance. In its natural state the human mind is always limited in its vision, narrow in its understanding, rigid in its conceptions, and a constant effort is therefore needed to widen it, to make it more supple and profound. So it is very necessary to consider everything from as many points of view as possible. Towards this end, there is an exercise which gives great suppleness and elevation to the thought. It is as follows: a clearly formulated thesis is set; against it is opposed its antithesis, formulated with the same precision. Then by careful reflection the problem must be widened or transcended until a synthesis is found which unites the two contraries in a larger, higher and more comprehensive idea.*

*Many other exercises of the same kind can be undertaken; some have a beneficial effect on the character and so possess a double advantage: that of educating the mind and that of establishing control over the feelings and their consequences. For example, you must never allow your mind to judge things and people, for the mind is not an instrument of knowledge; it is incapable of finding knowledge, but it must be moved by knowledge. Knowledge belongs to a much higher domain than that of the human mind, far above the region of pure ideas. The mind has to be silent and attentive to receive knowledge from above and manifest it. For it is an instrument of formation, of organisation and action, and it is in these functions that it attains its full value and real usefulness. There is another practice which can be very helpful to the progress of the consciousness. Whenever there is a disagreement on any matter, such as a decision to be taken, or an action to be carried out, one must never remain closed up in one's own conception or point of view. On the contrary, one must make an effort to understand the other's point of view, to put oneself in his place and, instead of quarrelling or even fighting, find the solution which can reasonably satisfy both parties; there always is one for men of goodwill.*

Identify from the aforementioned paragraphs those practical values and thoughts that are useful for the legal profession and justice of various types while dealing with any issue of client and the clientele under any type of legal profession.

- Q.3 The Preamble of the Indian Constitutional Law guarantees Equality, Liberty, Fraternity, Dignity, Unity and Integrity. This is a national aspiration for human community as a whole. (10)

Explain the co-equivalent spiritual values of "Oneness" with equality, "Liberation from limitations" with liberty, "Love" with fraternity, "Compassion" with dignity, Universal Consciousness with unity and "Sincerity" with integrity.

- Q.4 Consider the following situation and suggest how you would deal with this issue in case you are asked to explain the spiritual connection with socio-legal order in the day to day functions of our society. (10)

A, B and C come from similar socio-economic external backgrounds. They all live in the same apartment complex as neighbours. All three saw X shouting badly at Y for some reason. X and Y too are living in the same apartment complex as neighbours of A, B and C. While A and B wanted to inquire X and Y as to the cause of this shouting incident they saw, C was unmindful of this incident. A and B found out from their inquiry that the issue between X and Y was in relation to re-payment of a debt. X had lent Rs 10,000 to Y and, Y delaying the repayment has become the cause of this incident. C took the position that it is a matter between X and Y and, thus, C has no responsibility on this issue and incident. Though, A, B and C have no practical and legal responsibility on this



issue and incident between X and Y either to inquire or even try to help or sort out their situation, nonetheless A and B acted out of their own value systems to reach to X and Y.

Why did A and B manage to inquire and find out the cause of the issue and incident between X and Y? Is it a spiritual sense of unifying oneness that comes in the day to day functions of the society? Or is it because they live in the same apartment complex as neighbours with which they want to socially help people who live together in one common place? Or is it any moral responsibility to help and bring in an amicable peace between X and Y, no matter if they accept it or not?

Explain the spiritual values that are applicable to social life from the abovementioned incident and what are the practical ways to deal with this kind of issue and incident? To what extent and how much can one go to connect with and help others?

Q.5 Explain the spiritual views that are there on the issue of pro-life and pro-choice challenges with respect to abortion. Do you agree it is better to have a planned family-hood by a conscious choice between partners when they are not ready for a family life with a child? On one side, life of the growing child-spirit is sacred and, on the other side, psychological life of the pregnant mother who is not interested in delivery is also sacred. However, spiritual understanding of the issue from both the sides emphasise on the conscious responsibility and foreseeability of the situation. Discuss. (10)

Q.6 Sustainable development is development that meets the needs of the present, without compromising the ability of future generations to meet their own needs. This concept can be interpreted in many different ways. However, at its core value, it is an approach to development that aims to have a balance that are both different as well as competing on needs of the present against an awareness of the environmental, social and economic limitations that humanity might face in the future. As much as we can and must enjoy the resources for our current existence based on our needs, we must also allow the continuation of resources to be enjoyed by our own future generation in the same way that the previous generation enjoyed the resources in ways by which they left something for their future generation that we enjoy at the present day. (10)

How do you think we can bring this balance between present and future? Both the sense of Time and the actual resources of the Mother Nature are not created by us and thus, to control them only to our greed beyond our need is the crucial sense that every individual shall develop in thought and action. Identify any one issue of your own choice where you think sustainable development is important for your consideration and suggest ways to educate in legal curriculum or make a policy-draft for legislature or bring practical strategies for good governance of the State.

Q.7 Current legal systems around the world are largely a system of rules and regulations for remedies on the injuries post-factum. This makes the idea of justice a set of remedies where concentration is on punishing the offender and less on victims who went through the injuries. When Indian Constitutional Law says that it secures to all its citizens the freedoms, does this security imply preventing the loss of freedom in addition to the remedies for the injuries post-factum? Explain how prevention of injustice is as important as course-correction and remedies for injustice. (10)

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