

I.L.M. Second Semester
40148 : Jurisprudence & Legal Theory Paper : F - III

P. Pages : 1

Time : Three Hours



AV - 0423

Max. Marks : 80

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- Notes : 1. Solve **any five** questions.
2. All questions carry equal marks.

1. Write short notes on **any two**.
 - a) Concept of property.
 - b) Classification of rights.
 - c) Unger and development of modern law.
 - d) Finnis and restatement of natural law.
2. "Possession is prima facie evidence of ownership". Discuss this statement with help of kinds & modes of acquisition of possession.
3. "Precedent is an important source of law". Explain this statement with help of Ratio Decidendi and Obiter Dicta.
4. According to Austin, "liability consists in those things which a wrongdoer must do or suffer as a bond of necessity that exists between wrongdoer & the remedy of the wrong". Explain this statement in the light of strict liability and absolute liability with help of decided case laws.
5. Critically evaluate legal studies movements on feminist jurisprudence. Refer relevant case laws.
6. "Jurisprudence is not a moral philosophy but it is systematic & scientific study of existing actual and positive law". Explain this statement in the light of nature & scope of jurisprudence.
7. According to fuller, "legal positivism and natural law are two different directions of legal thought & are two rival systems which claims ascendancy over another in all spheres and situations and of which people are confronted to make a choice." Elaborate this statement in the light of natural law theory.
8. "Law starts from a hypothetical, fundamental norms called as grundnorm, thr grundnorm is purely imaginary & hypothetical and can't have sequence of cause and effect as required by natural law". Examine this statement with help of Kelson's pure theory of law.
9. According to savigny, "Law is the manifestation of Volksgeist which means the true spirit of people or popular consciousness". Explain.
10. Critically examine theory of social engineering propounded by Roscoe pound with the help of jural postulates.
