



First Semester of LL.M. Examination, June 2013
LEGAL THEORY

Duration : 3 Hours

Max. Marks : 80

- Instructions:** 1. Answer **all** questions.
2. Figures to the **right** indicate marks.
3. Answer **one** essay type and **one** short note from **each Unit**.

Q. No. 1. (a) Influences of John Locke's philosophy of Natural law on Indian Constitution. Marks : 10

OR

Lan Fuller is different among the natural law thinkers.
Comment.

(b) Write a short note on : Marks : 6

Aristotelian theory of justice.

OR

Stammler's variable content of natural law.

Q. No. 2. (a) Bentham was mainly interested in law reform and he distinguished censorial jurisprudence from expository jurisprudence. Explain. Marks : 10

OR

Hart has wasted too much ink in the process of defining the law. Discuss.

(b) Write a short note on : Marks : 6

Kelson's Grund norm.

OR

Austin's view on international law.

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Q. No. 3. (a) "Law is found but not made", is philosophy of savigny. Explain.

Marks : 10

OR

"The dictatorship of the proletariat is said to represent the highest form of democracy possible in class society". Explain the comments of Dias on Karl Marx theory.

(b) Write short note on :

Marks : 6

Hegel's dialectic process.

OR

Contribution of Sir Henry Maine.

Q. No. 4. (a) Discuss the functions of law in the society.

Marks : 10

OR

Criticism of social engineering theory of Roscoe pound.

(b) Write short note on :

Marks : 6

Measurement of pain and pleasure is a crude methodology.

OR

Difference between formal law and living law.

Q. No. 5. (a) American realism is a combination of the analytical positivist and sociological approach. Explain.

Marks : 10

OR

Frank's view of law is either actual or probable attracted lot of criticisms from traditional jurist. Discuss.

(b) Write short note :

Marks : 6

Judicial Activism.

OR

Doctrine of separation of power.