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21 (Sem-7) JUPR 7-3

2016

**JURISPRUDENCE**

Paper : 7-3

Full Marks : 80

Time : Three hours

**The figures in the margin indicate full marks for the questions.**

1. Fill in the blanks with the appropriate words: 1×10=10

(i) The word 'Jurisprudence' is derived from the \_\_\_\_\_ word 'Jurisprudencia'.

(a) Greek

(b) Latin

(c) English

(d) French.

Contd.

(ii) Salmond classifies 'sources of law' into \_\_\_\_\_.

- (a) One class
- (b) Two classes
- (c) Three classes
- (d) Four classes.

(iii) According to Austin, Command, \_\_\_\_\_ and sanction are inseparably connected terms.

- (a) right
- (b) liability
- (c) duty
- (d) power.

(iv) Stammlar was a supporter of \_\_\_\_\_.

- (a) Natural law School
- (b) Analytical School
- (c) Historical School
- (d) Sociological School.

(v) Savigny attacked the idea of codification in \_\_\_\_\_.

- (a) Germany
- (b) America
- (c) England
- (d) France.

(vi) According to Jerome Frank, 'certainty of law is \_\_\_\_\_.

- (a) a fiction
- (b) a imagination
- (c) an idea
- (d) a myth.

(vii) Kant and Hegel are the main followers of \_\_\_\_\_ theory of Property.

- (a) Natural Law
- (b) Labour
- (c) Metaphysical
- (d) Sociological.

(viii) According to \_\_\_\_\_, a legal person is any subject matter, other than a human being to which law attributes personality.

- (a) Austin
- (b) Salmond
- (c) Roscoe Pound
- (d) Savigny.

(ix) Feminist legal theory is concerned with how the law \_\_\_\_\_ women.

- (a) disturbs
- (b) effects
- (c) is created by
- (d) is developed by.

(x) 'Sruti' means \_\_\_\_\_

- (a) what was heard
- (b) what was remembered
- (c) Sadachar
- (d) Custom.

2. Write the meanings of :

2×5=10

- (a) Professional opinion
- (b) Volksgeist
- (c) Natural Law
- (d) Corporation Sole
- (e) Legal Positivism.

3. What is precedent? Explain its utility as a source of law in the modern age with special reference to India.

3+9=12

**Or**

Define justice. Enumerate the different kinds of justice.

3+9=12

4. Critically examine Austin's contribution to Analytical Positivism.

12

**Or**

What are the different implications of Kelsen's Pure Theory. 12

5. What do you mean by Social Engineering? Write on Pounds arrangement of different interests. 4+8=12

**Or**

What are the basic tenets of Realist School? Write on the contribution of American Realists. 5+7=12

6. What is feminism? Write on the three approaches of feminist theory. 3+9=12

**Or**

What is liability? Explain the kinds of liability. 4+8=12

7. Write in Indian legal system after independence. Discuss the role played by Law Commission. 8+4=12

**Or**

Discuss Sociological Jurisprudence in Indian perspective. 12