

Total number of printed pages-3

14 (LLM-1) 1.4

2019

THEORY OF LEGISLATION

Paper : 1004

Full Marks : 80

Time : Three hours

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

Answer any five questions.

1. Write a critical note on the 'principle of utility'. What are the objections to the Principle of Utility and how does Bentham Counter them. Discuss. 8+8=16

OR

2. What are the different kinds of pleasures and pains? State and explain the various simple pleasures and simple pains catalogued by Bentham. Briefly state the method adopted by Bentham to measure pleasures and pains. 4+6+6=16

Contd.

effort, position, preparation

3. How does Bentham analyze 'Liberty'? Is not the liberty to do evil liberty? Is it possible to take away liberty from idiots and bad men, because they abuse it? Explain.

8+8=16

OR

4. Define the term 'Property'. Bring out the significance of Bentham's distribution of property by Succession with the suitable examples. 16

5. Discuss how Bentham explains the 'indirect means of preventing offences'. How are they diffused through society? 16

OR

6. What is meant by an offence? What are the different kinds of offences classified by Bentham? State and explain Grounds of justification provided by Bentham in this regard. 16

7. Enumerate and briefly explain the concept of public opinion. Mention the characteristics of law-making opinion in England and trace the relation between law and public opinion in England as well as in India. 16

OR

8. Write short notes on : (any two)

8+8=16

(i) Referendum

(ii) Election

(iii) Opinion polls

(iv) Plebiscite.

9. Bring out the differences between Statute law and Judiciary law. Discuss the advantages of Precedent over Statute law. 8+8=16

OR

10. Enumerate and briefly explain about the composition, powers and functions of Law Commission of India. Also highlight some of the recommendations given by the Law Commission of India for maximising Justice in Society. 8+8=16