

Total number of printed pages-3.

23 (Sem-2) LWJU 2-2

2012

LAW AND JUSTICE

Paper : 2-2

Full Marks : 80

Time : Three hours

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

1. Write a critical note on the concept of legal material with reference to Indian jurisprudential development in post Independence era. Explain in details. 16

*Or*

Define the concept of power. How the problem of power can best be analysed in context to the modern day global legal order ? 6+10=16

2. Elucidate the cardinal principles of Marxian philosophy with practical illustrations.

Give a brief account of contradictions and synchronization of post Marxism to Indian developing socialism. 8+8=16

*Contd.*

Or

Many jurists are of the opinion that Indian Socialism is a blending mixture of Marxism and Gandhism. Do you agree with that? Give reasons with logical analysis. 16

3. How do you justify the relevancy of the study of historical school to the development of Volkgeist of the modern day world?

Give an account of the contribution of Savigny in the orientation of a legal system and its systematization. 8+8=16

Or

Make a critical note on the modern perspective of Law and Society in the context of the philosophy as propounded by Rosene Pound.

How far Pound's proposition is relevant to modern Indian socio-economic progress. Illustrate with examples. 8+8=16

4. Explain the Critical Race Theory in the domain of Critical Legal Studies. How this theory has been evolved in the developed countries with its acceptability?

Explain the theory in context to Article 17 of the

Constitution of India. Give reasons how far India is successful in promoting the objectives of the theory in Indian Society. 8+8=16

Or

"Justice is never given, it is always a task to be achieved" Friedrich.

Explain the above in context of the tasks of justice to achieve justice. 16

5. "Justice is the first virtue of social institutions as truth is of system of thought" – John Rawls.

Explain the above in relation to the concept of justice as advanced by John Rawls. What according to Rawls are the formal constraints of concept of right?

What do you mean by the term "difference Principles"? Discuss. 8+4+4=16

Or

Describe the concept 'internal morality of law' as formulated by Lon Fuller.

What according to Lon Fuller are the eight requirements that consist internal morality of law?

What do you understand by the term "a pre condition of good law"? 4+8+4=16