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23 (LLM-2) LWJU 2-2

2014

LAW AND JUSTICE

Paper : 2-2

Full Marks : 80

Time : Three hours

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

1. What do you understand by the term "Jural Relations"? Discuss briefly the scheme adopted by Hohfeld in respect of various "Jural Relations". Write a note on the temporal perspective of the concept. 16

Or

"Power denotes ability in a person to alter existing legal condition, whether of oneself or of another, for better or for work". Elucidate the statement in the light of the guiding frameworks which the power wielders must follow while exercising powers. 16

Contd.

2. Write a critical note on the Marxian philosophy as evidenced in the classical era. Analyse its impact in the contemporary world of class struggle. 16

Or

Make an academic assessment of the Marxian Philosophy and its relevancy to the Indian Jurisprudence. Support your views in the light of Gandhian Philosophy of 'Self Rule'. 16

3. "Sociological jurisprudence according to Pound should ensure that the making, interpretation and application of law take account of social facts." Discuss about the basic foundations as well as the theory of "Social Engineering" evolved by Roscoe Pound. 16

Or

"American Realism is a combination of the analytical, positivist and socio-legal approaches." Discuss about the contributions made by various exponents for the growth of American Realism. 16

4. Explain with logic your perception on "Distributive Justice". What according to you are the different tasks to be performed to achieve Justice? Discuss. 16

Or

What are the cardinal principles of Justice propounded by John Rawls? Explain in details. 16

5. The main thrust of the Critical Legal Studies Movement is against Liberal Legal Theories. Briefly discuss about the basic foundations of the Critical Legal Studies Movement. Highlight its relevancy to India as a developing nation. 16

Or

According to Lon L Fuller "Law is the enterprise of subjecting human conduct to the governance of rules".

Explain about the different aspects of morality as espoused by Fuller. Relate them to the Indian legal system in dispensing Justice. 16