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14 (LLM-2) 2-2

2015

LAW AND JUSTICE

Paper : 2002

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 "Power"? What are the guiding principles which the power wielders must follow while exercising powers?

What are the different methods that may be applied to check the abuse of power?

2+6+8

Or

Analyse the concept of "Jural Relations" with the help of an accurate diagram. Mention briefly about the jural correlatives, evaluation of Hohfeld's analysis as well as its temporal perspective.

4+4+4+4

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 elaborate 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. Discuss about the historical development of sociological jurisprudence. Mention the important features of "Social engineering" evolved by Roscoe Pound. How far this philosophy has been applied in the Indian Legal system? 4+8+4

Or

Briefly discuss about the basic foundations of the Critical Legal Studies Movement. Highlight its relevancy to Indian Jurisprudential thought process. 10+6

4. "John Rawls tried to give a rational conception of justice for the basic structure of society." (Dias, P-481)

Elucidate the above statement in the light of the cardinal principles of Justice propounded by John Rawls. 16

Or

Discuss the Aristotelian concept of Distributive Justice. What are its major weaknesses put forward by Dias?

Friedrich observed 'Justice is never given, it is always a task to be achieved'. Mention briefly about the different tasks. How far the concept of distributive justice has been evolved by the Indian Judiciary? 2+6+6+2

5. Lon L. Fuller's morality has two aspects, external and internal. Discuss about the various components of both these aspects with suitable examples. What do you understand by the term "a precondition of good law"? 6+6+4

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