

Total number of printed pages-4

14 (LLM-2) 2002

2018

LAW AND JUSTICE

Paper : 2002

Full Marks : 80

Time : Three hours

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

1. Briefly discuss Hohfeld's concept of legal materials with an accurate diagram. Analyse the four concepts of jural correlatives with suitable illustrations. What is the temporal perspective of this concept as espoused by Hohfeld? 4+8+4

OR

What do you understand by the term 'Power'? What are the different conditions that are to be fulfilled by the power wielders? What are the different modes which can be applied as checks to control the abuse/misuse of power? 2+6+8

Contd.

2. Explain how Marx described the evolution of society on-the basis of the Class struggle. Give a detailed account of post-Marxism relating to the dynamic Socialism in India.

8+8

OR

p-395
"The interpretation of law as part of an economic interpretation of social evolution is a by-product of the social and political theories of Marx and Engels." (Dias)

Explain the above in the context of the development in contemporary science having influence in social phenomena of the universal economic principles. How can the modern capitalist State be distinguished from primitive tribal society? Discuss with examples.

8+8

3. Give a brief account of the "Social Engineering Theory" as propounded by Roscoe Pound. How far Pound's proposition is relevant to modern Indian socio-economic progress? Illustrate with examples. 16

OR

"Critical Legal Studies is an attack on Western Liberal concepts of basic Civil and Political Rights."

Analyse the concept of CLS in the light of its origin, essential targets and difference with that of Realist Movement. Write a brief paragraph on Unger's philosophy on CLS.

4+4+4+4

4. "Aristotle distinguished between 'distributive' and 'corrective justice'."

What are the different weaknesses inherent in this principle? Briefly discuss at least three tasks to be accomplished in order to attain justice.

6+10

OR

"Law is only one institution of social justice in Professor Rawls's Scheme."

Elucidate the above statement in the light of the first and second principles of Justice espoused by Rawls.

8+8

5. What do you understand by the 'Internal and External Morality of Law' espoused by Lon L. Fuller?

What according to Fuller are the *eight* requirements that consist Internal morality of Law?

What do you understand by the term 'a pre-condition of good Law'? 3+3+8+2

OR

How will you justify that American Legal Realism is the contribution of analytical positivists and sociologists? Explain in detail. What are the *three* essentials of Realism, based on which bringing a dynamic social change is possible? 8+8