

Total number of printed pages-4

21 (7) JUPR 7.3

2020

(Held in 2021)

JURISPRUDENCE

Paper : 7.3

Full Marks : 56

Time : 2½ hours

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

GROUP-A

1. Fill in the blanks by choosing the appropriate answer : 1×8=8

(a) The 'realist' theory asserts that 'juristic persons' enjoy a real existence as _____. [a group/an individual]

(b) A possessor is not so much one who has certain rights as one who actually _____ possession. [has/has not]

(c) _____ can be inherited. [Any interest/ Legal interests]

Contd.

(d) _____ was the most prominent philosophy of law in the eighteenth century.

[*Analytical School of Law/ Realist School of Law*]

(e) _____ introduced the concept of Pure theory of Law. [*Holland/ Hans/ Kelson*]

(f) As per Analytical Jurisprudence, Sanction means _____ .

[*acquiescence/ punishment*]

(g) _____ rights are recognised and enforced at law. [*Legal/ Natural*]

(h) Personal rights are _____ .

[*inheritable/ uninheritable*]

2. Write short notes on : 2×3=6

(a) Judge made law and customary law

(b) Rule of Recognition

(c) Movement from status to contract.

3. Distinguish between 'the concept of law' and 'the idea of law' with suitable examples.

7

Or

Discuss the revival of natural law in the 20th century as propounded by Stammler.

4. Discuss and critically assess the Roscoe Pound's theory of Social Engineering. 7

GROUP-B

5. 'Law grows with the growth and strengthens with the strength of the people and finally dies away as the nation loses its nationality.'
-Volksgeist. Elucidate the above statement. 14

Or

Briefly explain Hohfeldian analysis of the concept of 'right'. Define each term used by Hohfeld in his analysis.

Or

6. Feminist approach to law can be seen to start from basic assumption about relationship between man and women and the law is informed by and serves to reinforce patriarchal social relationship that is based on male norms, male experience and male dominance that woman's experience is excluded from the law and the law has contributed to women's oppression." Elucidate the above statement in reference to Indian legal system. 14

Or

- (a) According to Roscoe Pound, competing interests are to be balanced. Discuss with your comment.
- (b) How the defects in the 'idea of obligation' are supplemented by secondary rules ? Explain.

~~DISPUR LAW~~