

**GOA UNIVERSITY  
G.R. KARE COLLEGE OF LAW  
FYLLM - SEM –I  
LEGAL THEORY – I**

**June 2015**

**Jan 2015**

**July 2014**

**Jan 2014**

**Jun 2013**

**Jan 2013**

**Jun 2012,**

**Jan 2012,**

**July 2011**

**Jan 2011,**

**Jan 2010,**

**July 2009,**

**Jan 2009,**

**July 2008,**

**Jan 2008,**

**July 2007,**

**Jan 2007,**

**July 2006,**

**Jan 2006,**

**July 2005,**

**2004,**

**2002,**

**2001,**

**Jan 2000,**

**1999,**

**1998**



LL.M. (Semester - I) Examination, June 2015  
LEGAL THEORY - I

Duration : 3 Hours

Max. Marks : 75

**Instructions :** 1) Answer any five questions from question nos. 1 to 8.  
2) Each question carries 15 marks.

1. Trace the growth and development of the Natural law theory from the medieval times to the modern period. (5x15=75)
  2. Examine Kelsen's Pure theory of law and evaluate Raz's comments on it.
  3. Critically examine Roscoe Pound's theory of social engineering.
  4. Examine the contributions of American Realists "as a corrective to the philosophy of analytical positivism".
  5. Give an account of Marx's interpretation of law and discuss its shortcomings.
  6. "The Supreme Court through its creative interpretation has added new dimensions to the Indian human rights jurisprudence" - Explain with illustrations.
  7. Critically examine the radical and liberal views in feminist jurisprudence.
  8. Write notes on any two :
    - a) Volksgeist
    - b) Law and morals
    - c) Bentham's theory of utilitarianism.
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LL.M. (Semester – I) Examination, January 2015  
LEGAL THEORY – I

Duration : 3 Hours

Total Marks : 75

**Instructions :** 1) Answer **any five** questions from Question Nos. 1 to 8.  
2) **Each** question carries 15 marks.

(15×5=75)

1. Critically examine the classification of law according to St. Thomas Aquinas and comment on its significance.
  2. Compare and contrast Hart's theory of law with Austin's command theory.
  3. Critically evaluate Rawl's theory of justice.
  4. Evaluate the contribution of American Realists towards the reform of judicial process.
  5. Examine the legal doctrines that can be deduced from Marx's economic theory.
  6. Comment on the impact of feminist jurisprudence in the Indian context.
  7. Critically comment on Hart-Fuller debate on the relation between law and morality.
  8. Write notes on **any two** :
    - a) Maines' progressive society
    - b) Nature and scope of jurisprudence
    - c) Theory of social engineering.
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LL.M. (Semester – I) Examination, July 2014  
LEGAL THEORY – I

Duration : 3 Hours

Max. Marks : 75

**Instructions :** 1) Answer **any five** questions.  
2) **All** questions carry **equal** marks.

(15x5=75)

1. "Natural law terminology tends to obscure the possibility of criticizing law on other than purely moral grounds." – Elucidate.
  2. Kelsen sought to expel ideology of every description from the concept of law and attempted to present a picture of law austere in its abstraction and severe in its logic – Elucidate.
  3. "Henry Maine distinguished between static and progressive societies and their evolution". – Discuss.
  4. Explain Roscoe Pound's contribution to sociological jurisprudence.
  5. "Purpose is the creator of the entire law". – Explain Ihering's view on law.
  6. Examine the contribution of Jerome Frank towards realist jurisprudence.
  7. Critically analyze St. Thomas Aquinas' view of natural law.
  8. Write notes on **any two** :
    - a) Difference between primary and secondary rules
    - b) Meaning of positivism
    - c) Holmes concept of the Bad man.
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BSM – 119

LL.M. (Semester – I) Examination, January 2014  
LEGAL THEORY – I

Duration : 3 Hours

Max. Marks : 75

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Instructions: 1) Answer **any five** questions.

2) **All** questions carry **equal** marks.

(15×5=75)

1. Discuss the contribution of Plato and Aristotle to political and legal thought.

4. ~~2~~ Critically discuss Jeremy Bentham's views on law.

6. ~~3~~ "The pure theory of law is a theory of positive law." – Comment.

4. Critically examine the strengths and weaknesses of the Natural Law Theory.

9. ~~2~~ "The sociological jurists look upon law as a social phenomenon." – Elucidate.

6. The origin and essence of the law may be discovered by an understanding of the people's spirit". Explain.

12. ~~7~~ Explain Marxist conception of history, base and superstructure and law.

8. Write short notes on **any two** :

a) Ehrlich's 'living law'.

6. b) Llewellyn's 'Law jobs'

c) Rule of recognition.

BSM – 111

LL.M. (Semester – I) Examination, June 2013  
LEGAL THEORY – I

Duration : 3 Hours

Total Marks : 75

- Instructions :**
- 1) Answer **any five** questions.
  - 2) **All** questions carry **equal** marks.
  - 3) Begin **each** question on a **fresh** page.
  - 4) Question No. should be written **correctly**.

1. Critically analyze the internal morality of law of Fuller with Harts' idea of minimum content of law.
2. Examine Marx's and Engel's Doctrine of withering away of law and state.
3. Write an essay on Scandinavian Realists' contribution to reforms in judicial process.
4. 'Law is the command of the sovereign' – Explain in detail.
5. Outline Sir Henry Maine's contribution to Anthropological jurisprudence.
6. Make a comparative analysis between sociology of law and sociological jurisprudence.
7. How has judicial activism in India contributed to new Indian jurisprudence ?
8. Write short notes on :
  - a) Feminist Jurisprudence
  - b) St. Thomas Aquinas.



**BSM – 1320**

**LL.M. (Semester – I) Examination, January 2013**  
**LEGAL THEORY – I**

Duration : 3 Hours

Max. Marks : 75

- Instructions :** 1) Answer **any five** questions.  
2) **All** questions carry **equal** marks.  
3) Begin **each** question on a **fresh page**.  
4) Question **No.** should be written **correctly**.

1. Write an Essay on John Rawl's Theory of Distributive Justice.
  2. Analyze HLA Hart's idea of habit of obedience and the continuity of law.
  3. Compare the contribution of American Realists with that of Scandinavian Realists.
  4. 'Economic compulsion and economic needs have their impact in law'. Examine this statement in terms of nature of law.
  5. What is meant by sanction ? Examine its place in the theories of Austin, Bentham and Kelson.
  6. Distinguish between fact sceptic and rule sceptic in law.
  7. What is the relevance of Rosco Pound's idea of law being an instrument of social engineering in the Indian context ?
  8. Write short notes on :
    - a) Grundnorms
    - b) Duty and Obligation.
-



LL.M. I Semester Examination, June 2012  
LEGAL THEORY – I  
20/06/2012 (Wed.)

Duration : 3 Hours

Max. Marks : 75

**Instructions :** 1) Answer **any five** questions.

2) **All** questions carry **equal** marks.

3) Begin **each** question on a **fresh** page.

4) Question number should be written **correctly**.

1. What is Jurisprudence ? Examine jurisprudence as 'Lawyers entraversion'.
  2. Discuss the circumstances leading to the revival of natural law in the 20<sup>th</sup> century.
  3. With reference to Bentham's definition of law discuss the role of morals in legal theory.
  4. Examine the role of Roscoe Pound's theory in explaining the function of law in an underdeveloped society like India.
  5. Critically evaluate Llewellyn's law as an institution.
  6. Examine K.Von. Savigny's contribution to historical school of law.
  7. What are rights ? Examine Ronald Dworkin's theory of right.
  8. Write explanatory notes on **any two** of the following :
    - a) Schools of feminist Jurisprudence.
    - b) Aristotle on natural law.
    - c) Withering away of state and law.
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Total No. of Questions : 8]

**LL.M. (Semester - I) Examination, January - 2012****LEGAL THEORY - I**

Duration : 3 Hours

Total Marks :75

- Instructions :*
- 1) *Answer any five questions.*
  - 2) *All questions carry equal marks.*
  - 3) *Begin each question on a fresh page.*
  - 4) *Question No. should be written correctly.*

**[5 × 15 = 75]**

- Q1)** What is natural law? Examine it as a foundation for modern developments in the field of human rights.
- Q2)** Critically examine Austinian conceptions of “sovereignty” and “sanctions”.
- Q3)** With reference to Ronald Dworlein’s criticisms evaluate H.L.A. Hart’s concept of law as a system of rules.
- Q4)** Explain Roscoe Pound’s contribution to sociological jurisprudence high lighting the role of values.
- Q5)** Examine the circumstances responsible for the advent of realist movement in America and high light its contribution to reform of judicial process.
- Q6)** Explain Marxist conceptions of ‘History’, ‘base and super structure and human rights’.
- Q7)** Discuss the role of critical legal studies movement in America towards understanding of relation between law and politics.
- Q8)** Write explanatory notes on any two of the following :
- a) Unjust laws.
  - b) Volk geist.
  - c) Schools of feminist Jurisprudence.



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(Pages : 01)

BSM - 11

[Total No. of Questions : 8]

05/07/2011

(Tuesday)

LL.M. (Semester - I) Examination, July 2011

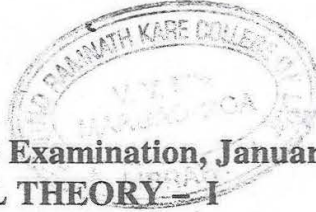
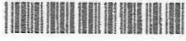
LEGAL THEORY - I

Duration : 3 Hours

Total Marks : 75

- Instructions :*
- 1) Answer any Five questions.
  - 2) All questions carry equal marks.
  - 3) Begin each question on a fresh page.
  - 4) Question No. should be written - correctly.

- Q1) Examine Hart - Fuller debate on relation between law and morality.
- Q2) Discuss Bentham's contribution to english classical positivism.
- Q3) Examine the similarities between Hart's 'rules of recognition' and Kelsen's 'Grund Norm'.
- Q4) Critically examine Roscoe Pound's contribution to sociological jurisprudence.
- Q5) Discuss the virtues of Scandinavian Realism and compare it with Americal Realism.
- Q6) Discuss the contribution of Sir Henry Maine to Anthropological jurisprudenes and examine its relavence to the study of modern societies.
- Q7) Critically evaluate Marxist concept of "Class" and "inthering away of state and law".
- Q8) Write short notes on any two of the following:
  - a) Aristotle on distributive justice.
  - b) Liberal Feninism.
  - c) Sovereign according to Aurtin.



**BSM – 12**

**LL.M. (Semester – I) Examination, January 2011  
LEGAL THEORY – I**

Duration: 3 Hours

Total Marks : 75

- Instructions :**
- 1) Answer any five questions.
  - 2) All questions carry equal marks.
  - 3) Begin each question on a fresh page.
  - 4) Question No. should be written correctly.

1. What is natural law ? Examine its revival after the second World War.
  2. Critically examine positivist conception of total separation of law and morals.
  3. With reference to the writings of Durkheim and Weber explain social basis of law.
  4. Discuss the contribution of American Realists towards reform of American Judicial Process.
  5. Explain the virtues of John Rawl's 'A theory of justice'.
  6. Examine Marxist conception of History on the one hand and justice, morality and Human Rights on the other.
  7. Examine the influence of critical legal studies on the emergence of Feminist jurisprudence in U.S.A.
  8. Write explanatory notes on **any two** of the following :
    - a) Grund norm
    - b) Rules of recognition
    - c) Roscoe Pound's theory of Social Engineering.
-



09/01/2010  
Monday

NNK - 11

LL.M. Semester - I Examination, 2010  
LEGAL THEORY - I

Duration : 3 Hours

Total Marks : 75

- Instructions :**
- 1) Answer **any 5** questions.
  - 2) **All** questions carry **equal** marks.
  - 3) Begin **each** new answer on a **fresh** page.
  - 4) Question No. should be written **correctly**.

1. Critically examine the importance of Natural Law Theory in the modern day study of jurisprudence.
  2. Critically analyze and compare Hart's minimum content of law to Fuller's idea of inner morality of law.
  3. Kelsen's concept of ground norm undermines the very purity of its theory.
  4. Critically analyze Hart's criticism of Austin's concept of sovereign.
  5. Examine the idea of Savigny's "volksgeist" and the problems faced in the determination of "volksgeist" of a particular society.
  6. Examine the ideas of A. Ross on Scandinavian and American realism.
  7. Critically analyze the emergence of feminist jurisprudence and its modern day relevance.
  8. Write short notes on **any two** :
    - a) Utilitarian theory
    - b) Theory of Right
    - c) Post modernism.
-



NNK - 1

LL.M. (I Semester) Examination, July 2009  
LEGAL THEORY - I

Duration : 3 Hours

Total Marks : 7

*Instructions:* 1) Answer any five questions.  
2) All questions carry equal marks.

1. Examine the need for separation of law from morals with reference to Bentham's criticisms of natural law.
  2. With reference to R. Dworkin's criticisms, examine H. L. A. Hart's concept of law.
  3. What is sanction ? Examine its place in the theories of Bentham, Austin and Kelsen.
  4. Examine the reasons for 20<sup>th</sup> century revival of natural law and explain how natural law is the base of modern concept of human rights.
  5. Explain how Roscoe Pound introduces natural law from the backdoor.
  6. Explain with reference to critical legal studies the relation between law and politics.
  7. Examine the distinction between fact scepticism and rule scepticism in law.
  8. Write explanatory notes on any two of the following :
    - a) Jurisprudence and 'Lawyers' extraversion.
    - b) Scandinavian Realism.
    - c) Schools of feminist jurisprudence.
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NNK - 11

05/01/09

LL.M. I Semester Examination, January 2009  
LEGAL THEORY - I

Duration : 3 Hours

Total Marks : 75

- Instructions : 1) Answer any five questions.  
2) All questions carry equal marks.*

1. Examine the need for a definition of law. Explain the nature of a good definition of law.
  2. Critically comment on Hart-Fuller debate relating to relation between law of morality.
  3. Explain strength and weaknesses of John Austins's theory of law.
  4. Examine Eugen Ehrlich's contribution to sociology of law and distinguish between sociology of law and sociological jurisprudence.
  5. Discuss American realists contribution towards reform of judicial process.
  6. Examine the relevance of Marxist Jurisprudence in the era of globalisation.
  7. Critically evaluate K. Von Savigny's contribution to historical school.
  8. Write explanatory notes on **any two** of the following :
    - a) Unjust law is no law.
    - b) Jural postulates.
    - c) Feminist methodology.
-



**LL.M. (Sem. – I) Examination, 2008**  
**LEGAL THEORY – I**

Duration : 3 Hours

Max. Marks : 75

*Instructions :* i) Answer any 5 questions.  
ii) All questions carry equal marks.

1. Evaluate the contributions of American realists towards reform of judicial process.
  2. Explain the legal doctrines that can be deduced from the economic theory of Karl Marx.
  3. Evaluate the contributions of Scandinavian realists towards reform of judicial process.
  4. What is Sanction ? Examine its place in legal theory.
  5. Explain social basis of law with reference to the contributions of Max Weber and Emile Durkhiem to Sociology of Law.
  6. Examine the limitations of Hans Kelsen's pure theory of law.
  7. Critically examine the emergence of Indian jurisprudence in the light of judicial activism.
  8. Write short notes on :
    - a) Analyse the classification of law according to St. Thomas Aquinas.
    - b) Examine the normative theory of law according to Kelsen.
-

**L.L.M. (SEMESTER I) Examination, January 2008**

**LEGAL THEORY – I**

**Duration : 3 hours**

**Max. Marks : 75**

**Instructions :** 1. Answer any **five** questions.  
2. All questions carry **equal** marks.

1. Critically analyze the growth of natural law leading to predominance of human rights in this century.
  2. Examine Marx's theory of law and its relevance in the present context of Jurisprudence.
  3. Examine the Bentham's Theory of Utility and Hart's view of Utilitarianism.
  4. Analyze the basis for various theories of feministic jurisprudence.
  5. Elucidate and explain Ronald Dworkin's Theory of Right.
  6. Critically analyze John Rawls's Theory of Justice and its impact on Natural law theory.
  7. Explain the different kinds of vestative facts.
  8. Write short notes on :
    - a) Comment of Augusti Comte's sociological approach to law.
    - b) Define the concept of Rights.
-

First Semester LL.M. Examination, July 2007  
LEGAL THEORY – I

Time : 3 Hours

Max. Marks : 75

*Instructions : 1) Answer any five questions.  
2) All questions carry equal marks.*

1. Examine Jurisprudence as 'Lawyers Extraversion'.
  2. Explain L.L. Fullers theory of natural law.
  3. Examine the relevance of Austin's imperative theory of law.
  4. With reference to Ronald Dworkin's criticisms examine H.L.A. Hart's concept of law as a system of rules.
  5. Examine the limitations of Hans Kelsen's pure theory of law.
  6. Distinguish sociological jurisprudence from sociology of law.
  7. Examine Sir Henry Maine's contribution to Anthropological Jurisprudence.
  8. Write explanatory notes on **any two** of the following :
    - a) Volkgeist
    - b) Withering away of state and law
    - c) Unjust law is no law.
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I Semester LL.M. Examination, January 2007  
LEGAL THEORY – I

Duration : 3 Hours

Total Marks: 75

*Instructions: 1) Answer any five questions.  
2) All questions carry equal marks.*

1. Examine the relevance of jurisprudence in understanding the concept of Law.
  2. Explain natural law as a basis of the notion of Human Rights.
  3. What is sanction ? Examine its place in legal theory.
  4. Evaluate Hart's concept of Law as a system of rules.
  5. Explain social basis of law with reference to the contributions of Max Weber and Emile Durkhiem to Sociology of Law.
  6. Examine Karl LLewellyn's theory of law as an institution.
  7. Critically evaluate K.Von Savigny's historical Jurisprudence with particular reference to the creative role of the judiciary.
  8. Write explanatory notes on **any two** of the following:
    - a) St. Thomas Aquinas
    - b) Post modernist Jurisprudence
    - c) Critical Legal Studies.
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12/7/06 (1)

MAH - 102

LL.M. (Semester - I) Examination, 2006  
LEGAL THEORY - I

Duration : 3 Hours

Maximum Marks : 75

*Instructions:* 1) Answer **any 5** questions.

2) **All** questions carry **equal** marks.

1. Critically consider the revival of Natural Law in the twentieth century.
2. Explain Rosco Pound's Theory of Law and his jurul postulates.
3. Distinguish fully between Duty and obligation.
4. Discuss the different classifications of law according to St. Thomas Aquinas and evaluate its importance in the present century.
5. Examine the propositions of H.L.A. Hart relating to the transformation of primary rules into a dynamic legal system.
6. Comment on Augusti Comte's sociological approach to law.
7. Explain the different kinds of vestative facts.
8. Write short notes on :
  - 1) Advantages of incorporation
  - 2) Possessory remedies.

10/1/06

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**LL.M. SEMESTER I** January 2006.

**LEGAL THEORY I**

Duration : 3 Hours.

Maximum Marks : 75

**Instructions :**

- 1) Answer any 5 questions.
- 2) All questions carry equal marks.

1. Discuss Hart's Theory of the Union of primary and secondary rules with modern day illustrations.
2. Explain Kelson's Theory of Law and J. Raz's commentary on Pure Theory of law.
3. Examine Darkin's Theory of Right and Rawl's Theory of justice.
4. Define the concept of Rights and discuss the nature and basis of rights.
5. Discuss the emergence and contribution of critical legal studies to the establishment of conceptual framework of "Law".
6. Explain the legal doctrines that can be deduced from the economic theory of Karl Marx.
7. Evaluate the contributions of American realists towards reform of judicial process.
8. Wrote short notes on:
  - a) Standard of care in negligence.
  - b) Feminist Jurisprudence.

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LL.M. SEMESTER I EXAMINATION AUGUST 2005

LEGAL THEORY I

Duration : 3 Hours.

Maximum Marks : 75

Instructions : 1) Answer any 5 questions  
2) All questions carry equal marks.

1. Examine the Normative Theory of Law according to Kelsen's and the issues relating to "Grund Norm".
2. Analyze the classification of Law according to St. Thomas Aquinas and evaluate its importance today.
3. Examine Hart's Theory of the Union of Primary and Secondary rules with modern day illustrations.
4. Critically analyze John Rawl's Theory of Justice and its impact on Natural Law Theory.
5. Evaluate K. Llewellyn's views on Realism and how far it differs from Olivercrona's views.
6. Analyze the idea of feministic jurisprudence and its impact on women and ideology.
7. Critically analyze and examine the dialectics of Mark and Hegel's.
8. Write short notes on :
  - a. Ethics of legalism.
  - b. Anthropological jurisprudence.

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**LL.M. SEMESTER – (I) EXAMINATION 2004**  
**LEGAL THEORY – I**

Time : 3 hrs.

Max.Marks : 75

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**Instructions :** 1) Answer any 5 questions  
2) All questions carry equal marks.

1. Analyze and evaluate the views of J. Raz on Kelsen's Pure Theory of Law.
2. Evaluate the impact of sociology of law according to Augustin Comte and the need for scientific approach to Justice.
3. Analyze HLA Hart's idea of habit of obedience and the continuity of law.
4. Elucidate and explain Ronald Dworkin's Theory of Right.
5. Explain with the help of Indian Constitution Karl Llewellyn's outline of the main features of the realistic approach.
6. Critically evaluate E. Pashkanis analysis of Law and Marxism.
7. Critically evaluate the idea of feministic jurisprudence as put forth by Ann C. Scales.
8. Analyze the Hart-Fuller debate on law and morals.

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OCT 20  
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RN - 1

LL.M. Semester I Examination, 2002  
LEGAL THEORY - I

Time: 3 Hours

Max. Marks: 75

*Instructions: 1) Answer any 5 questions.  
2) All questions carry equal marks.*

1. Trace the relation between natural law, social contract theories and Kant's idea of human freedom. 698
2. How far Devlin and <sup>Hart</sup> ~~Kant~~ concurs on enforcement of morals? Pg 70
3. Explain Hart's concept of law. ✓
4. Critically evaluate Rawls theory of distributive justice. Pg 718
5. Explain Alfred Ross's relation between law and justice.
6. ✓ How far Marx theory of law is relevant in the modern liberal society.
7. Critically evaluate the feminist legal theory.
8. The emerging Indian jurisprudence supports the idea of human rights. Discuss. (PIL, Justice Act 11)



**LL.M. First Semester Examination, 2001**  
**LEGAL THEORY - I**

Time: 3 Hours

Max. Marks: 75

*Instructions:* a) Answer any 5 questions.  
b) All questions carry equal marks.

1. Analyze the contribution of Greeks and Romans to the growth of natural law. ✓
2. Critically evaluate Devlin's and <sup>Hart's</sup> Kent's view regarding enforcement of morals. Pg - 113 ✓
3. Explain Hart's concept of law as a union of primary and secondary rules. Pg 530 Halaya ✓
4. Critically evaluate the relevance of Roscoe Pounds Theory of social engineering. ✓
5. Examine Marx's and Engle's doctrine of withering away of state. ✓
6. How far Bentham's doctrine of pleasure and pain and the principle of utilitarianism gain relevance in the modern context of law making? . Pg 512-1513 ✓
7. Examine Austin Command Theory of Law in the light of criticism by Hart. ✓
8. The system of public interest litigation as practiced by the Supreme Court of India transcends its jurisprudential basis. Comment. (Judicial Activism).  
(D P I L)

First Year LL.M. (Semester -- I) Examination, 2000

33

## LEGAL THEORY - I

Duration : 3 Hours

Total Marks : 75

Instructions : 1) Answer any 5 questions.

2) ALL questions carry EQUAL marks.

1. Critically analyze John Austin's Analytical Positivism and definition of Law in relation to modern legal systems.
2. Kelsen's Normative Theory of Law could hardly be called a pure theory of Law. Discuss the statement.
3. State and critically evaluate the relevance of Marx's Theory of Law in the modern context.
4. Trace the development of Natural Law Theories during the medieval times to the present day.
5. Examine Hart's concept of Law as a positivist perception of the legal system.
6. There are certain similarities and dissimilarities between Fuller's Concept of inner Morality and Hart's idea of minimum content of law. Discuss
7. Critically examine Roscoe Pound's idea of law being an instrument of social engineering. Does this concept have any relevance in the Indian situation.
8. Critically examine the emergence of the new Indian Jurisprudence in the light of the much talked about judicial activism.

Gomati

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RPN - 1

LL.M. First Semester Examination, 1999  
LEGAL THEORY - I

Time : 3 Hours

Max. Marks: 75

*Instructions :* 1) Answer any 5 questions.  
2) All questions carry equal marks.

1. Critically evaluate the internal morality of Law of Fuller with Hart's idea of minimum content of law.
2. Discuss Kelsen's Normative Theory of Law.
3. Scandinavian realism is different from American realism. Critically examine the statement.
4. Social facts are the guiding principles according to Pound in his sociological jurisprudence
5. Explore the growth of Natural Law Theories from early Greek times to the medieval period.
6. Compare Rule Theory of Law of Hart with Command Theory of Austin.
7. Marx's Theory of withering away of state and law has relevance even today, Discuss.
8. Critically examine public interest litigation as an emergence of new jurisprudence in India.

Gomati

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RN-43

LL.M. First Semester Examination, 1998  
LEGAL THEORY - I

Time : 3 Hours

Max. Marks : 75

*Instructions :* i) Answer any 5 questions.  
ii) All questions carry equal marks.

1. "Law is right reasons in agreement with nature" says Marcus Tullius Cicero of Rome. Critically examine the statement.
2. Analytical positivism of John Austin is most comprehensive formulation of the modern legal systems. Discuss. ✓
3. Roscoe Pound would call the tasks of a lawyer as social engineering, the analogy he often used. Discuss. ✓
4. The contemporary social reality can be said to be a reflection of Devlin Theory of morals. Critically evaluate.
5. Discuss Kelsen's Normative Theory as a pure theory. ✓
6. Critically examine Marx and Engels doctrine of withering away of law and state. ✓
7. The Court in India especially Supreme Court and High Court have been evolving a new Indian Jurisprudence. Discuss.
8. Economic compulsion and economic needs have their impact in law. Examine the statement in terms of nature of law.

Austin  
Bentham  
Roscoe Pound  
Marx & Engels  
Hart's theory  
Kelsen pure theory  
JIL.