

Seat No. : _____

ZI-107

May-2014

LL.M. Sem.-I

401 : Legal Theories

Time : 3 Hours]

[Max. Marks : 100

Instruction : All questions carry equal marks.

1. "The end of legislation is the greatest happiness of the greatest number." Explain this statement by discussing the utilitarian principle propounded by Bentham.

OR

"Law is a command of the sovereign backed by a sanction." Discuss this statement in the light of Analytical School of Jurisprudence.

2. Discuss in detail the pure theory of Kelsen. How it differs from Austin's theory of positivism ?

OR

Enumerate the criticism of Kelsen's pure theory of law by various jurists.

3. Discuss in detail the impact of law on the society along with appropriate illustrations.

OR

Explain in detail the theory of social engineering as propounded by Roscoe Pound.

4. Discuss about the principal features of the realist approach as propounded by Llewellyn.

OR

Explain the contribution of Saint Thomas Aquinas, Grotius and Pufendorf and other jurists in shaping the Natural Law in the Middle Ages.

5. Explain any two from the following :

(1) Prof. Hart's criticisms on Austin's Theory of positivism

(2) "A lawyer should concerned with what the law is and not what the law ought to be." Explain the statement of Justice Holmes.

(3) Implication of Natural Law Theory in Judicial Pronouncements

(4) Relation between law and morality