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First Semester of LL.M. Examination, January 2011
LEGAL THEORY (Course – III)

Duration : 3 Hours　　　　　　　　　　　　　　　　Max. Marks : 80

Instructions : 1. Answer **all** questions.
　　　　　　　　2. Figures to the right indicate marks.

Q. No. 1. (a)　Classical Natural theory has laid down foundation for modern legal system. Explain.

　　　　　　　　　OR

　　　　　　　"Menaka Gandhi case ratio decidendi suggested that there are certain higher principles as doctrines to which positive law must subscribe" – Comment.　　　　Marks : 10

　　　(b)　Short notes :

　　　　　Stoic philosophy.

　　　　　　　　　OR

　　　　　Saint Thomas Aquian's Kinds of Law　　　　Marks : 6

Q. No. 2. (a)　"Hart's concept of law puzzled every one" – Discuss.

　　　　　　　　　OR

　　　　　　　Bentham's theory of law is more practicable utility than Austin's theory of law. Explain.　　　　Marks : 10

　　　(b)　Short notes :

　　　　　Criticisms of pure theory.

　　　　　　　　　OR

　　　　　Hart's comments on sovereign of Austin.　　　　Marks : 6

Q. No. 3. (a)　Discuss the difference between Hegel and Karl Marx in respect of idea and reality.

　　　　　　　　　OR

　　　　　Explain the reasons for the failure of socialist theories of law.　　　Marks : 10

　　　(b)　Write short notes :

　　　　　Criticisms of volksgeist.

　　　　　　　　　OR

　　　　　Whether today's progressive society is based on status to contract or contract to status ?　　　　Marks : 6

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Q. No. 4. (a) "Law is a means of balancing various conflicting interests in the society". Discuss.

OR

"Principle of Utility is Crude Methodology". Explain   Marks : 10

(b) Write short notes :

Social solidarity

OR

Ihering's Law's are means to end.   Marks : 6

Q. No. 5. (a) Critically examine the Frank's actual law and probable law.

OR

"American realistic theory is distinctive and emprical one" – Comment.   Marks : 10

(b) Short notes :

Bad Man's view on law.

OR

Lundstedt's view on Law.   Marks : 6

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