

2022

LAW

Jurisprudence

Paper - 504

(NEW SYLLABUS)

Full Marks : 80

Time : 3 Hours

The figures in the right-hand margin indicate marks.

Candidates are required to give answers in their own words as far as practicable.

Answer question no. 1 and any five from the rest.

1. Answer any ten questions: 2×10=20

- i) Define the word 'Jurisprudence'.
- ii) What do you mean by '*Lex aeterna*'?
- iii) What is analytical Jurisprudence?
- iv) What is 'Living Law'?
- v) What is 'Volksgeist'?
- vi) What do you mean by 'Law by analogy' in Austin's division of law?
- vii) What is the difference between Jurisprudence and Legal theory?

[Turn over]

- viii) What is 'average utilitarianism'?
- ix) What is 'grundnorm'?
- x) State what is meant by 'proposition of law' and 'proposition of science'.
- xi) Who is the author of 'A Theory of Justice'?
- xii) What is Duguit's theory of 'Social Solidarity'?
2. What do you consider to be Maine's singular contributions to jurisprudence? 12
3. Discuss the scope and utility of jurisprudence. 4+8=12
4. Discuss the 'Social Engineering' theory of Roscoe Pound. 12
5. "Law is what the Judges declare."— Explain the quoted statement along with the criticisms levelled against it. 8+4=12
6. Discuss Hart's Primary and Secondary Rules with the help of illustrations. 12
7. What is Thomas Aquinas' theory of Law? 12
8. Critically examine Savigny's Historical School of Jurisprudence. 12
9. Give a general account of the views of Justice Holmes in relation to the nature of law. 12