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1 SEM LLB JUR 4 (N)

2018

(December)

LAW

Paper : 1.4

(Jurisprudence)

Full Marks : 80

Time : Three hours

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

1. Define Jurisprudence. How does it differ from legal theory? 12

Or

What are the various sources of law? What are requisites of a valid custom? 12

2. Define Utilitarianism. What are the various aspects of law as per Bentham? 12

Or

Define Kelsen's Theory of Pure Science of Law. 12

3. Define Savigny's Theory of Possession. What are the various theories of possession? 12

Or

Define *Jus Tertii*. What are the different kinds of ownership? 12

4. Explain in brief the meaning and various kinds of Legal Rights. 12

Or

Explain in brief the Sociological School of Law. 12

5. Write short notes on **any two** of the following: 6×2=12

(a) Law is the king of kings

(b) Natural law in Indian Legal System

(c) Analytical Positivism

(d) Concept of Nonviolence in the Indian Constitution.

6. Answer the following questions: $2 \times 5 = 10$

- (i) What are the various theories of Property?
- (ii) Mention *two* differences between Crimes and Torts.
- (iii) Mention *two* differences between Civil and Criminal Liability.
- (iv) Mention the exceptions to the Doctrine of *mens rea*.
- (v) What are the different elements of a State?

7. Answer the following questions: $1 \times 10 = 10$

- (a) What is the object behind the Reformatory Theory of Punishment?
- (b) What do you mean by Administrative Justice?
- (c) What is 'Volksgeist'?
- (d) How did Austin define 'Sovereign'?
- (e) What is social interest as per Roscoe Pound?
- (f) What is Legal Right?

- (g) What is Sole Ownership ?
- (h) What do you mean by Possession ?
- (i) What is Dharma ?
- (j) Mention *one* difference between 'Rights in Rem' and 'Rights in Personam'.
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