

2011

LAW

(Jurisprudence)

Course No. 1:5

Full Marks : 100

Time : 3 hours

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

Answer questions No. 1 and any five from the rest.

1. Write notes on any two of the following: (10x2)
 - a) "Jurisprudence is the grammar of Law".
 - b) "The subject matter of jurisprudence is a very broad one, encompassing the philosophical, sociological, historical as well as analytical components of legal theory"
 - c) "Jurisprudence is a dynamic science"
2. Who classified sources of law into 'formal' and 'material' source? Who classified sources of law into 'formal' and 'non-formal' sources. Explain and distinguish 'formal' and 'non-formal' source. Does a decision of the Gauhati High Court constitute a source of law? Give reasons. (2+2+10+2)
3. Criticize Austin's theory of Imperative Law. (16)

(Please turn over)

4. Write short notes on any two of the (8x2) following:
 - a) Volksgeist
 - b) Jural correlatives
 - c) Delegated Legislation.

5. Distinguish between: (4x4)
 - a) Perfect right and imperfect right.
 - b) Right in rem and right in personam.
 - c) Antecedent right and remedial right.
 - d) Legal right and moral right.

6. Discuss the theories of punishment. (16)

7. Distinguish between possession and ownership. What is the function of ownership in social ordering? Give an account of ownership and allocation of benefits and burdens. (2+10+4)

8. What do you mean by legal personality? (8+8)
Explain the principles and grounds of 'lifting the veil' of corporate personality.

9. What is possession? What are the advantages attached to possession? Discuss the elements of possession. (4+6+6)

10. "The brief survey of the theories of "Natural Law" reveals that its concept has been changing from time to time"- Explain (16)
