



Seat No. : _____

TN-114

LL.M. Sem. I

May-2013

401 LEGAL THEORIES

Time : 3 Hours]

[Max. Marks : 100

Instruction : All questions carry equal marks.

1. Explain in detail the utilitarian principal given by Jermy Benthom and state its importance.

OR

Discuss the criticisms of Prof. H.L.A. Hart on the Austin's theory of Positivism.

2. "Graundnorm is the initial hypothesis upon which the whole system rests." Explain the implications of pure theory of law by discussing the above statement of Kelsen.

OR

Discuss the criticisms of Kelsen's pure theory by various jurists.

3. Explain the following :

- (a) " A law which does not stand the test of social solidarity is not a valid law."- Duguit.
- (b) Social utilitarian theory given by Ihering.

OR

Critically examine the theory of Social Engineering as propounded by Roscoe Pound.

4. "A lawyer is concerned with what the law is and not with what it ought to be." Discuss this statement in the light of realistic approach of Justice Holmes.

OR

Discuss the principal features of Realist Approach as given by Carl N. Llewellyn.

5. Write explanatory note on revival of natural law thinking and value oriented jurisprudence.

OR

Explain any **two** from the following :

- (a) Relation between law and morality.
- (b) Categories of laws as divided by Saint Thomas Aquinas.
- (c) "Law is a command of the sovereign backed by a sanction."
- (d) Cases incorporating the ideas of Natural Justice by Indian Courts.