

ARUNACHAL PRADESH PUBLIC SERVICE COMMISSION

Subject: - Jurisprudence

Time: 3 (three) hours

Full Marks: 100

(Group A is compulsory. Attempt any FOUR questions from Group- B)

GROUP-A **(Compulsory Group)**

Q.No.1. Attempt any 10 (ten) from the following:

(10×2=20)

- a. Discuss Salmond's theory of possession.
- b. Explain Rawl's 'Principles of Priority'.
- c. What do you understand by the idea of obligation?
- d. Explain Austin's theory of sovereignty.
- e. What are corporeal and incorporeal possessions?
- f. What is the fiction theory of legal personality?
- g. Distinction between liberty and a claim-right.
- h. What do you understand by the Static System of norms?
- i. What is objective of sociological jurisprudence?
- j. What is Austin's positive morality?
- k. What are Jural Postulates?
- l. What is subjective theory of negligence?

Group-B **(Attempt any four)**

Q.No.2. Attempt any 4 (four) from the following:

(4×5=20)

- a. What do you understand by vicarious liability of employers?
- b. What is legal positivism?
- c. Briefly explain radical feminism.
- d. What do you understand by 'Social Engineering' thesis of Pound?
- e. What is the importance of the trumping feature of rights in a diverse society like India?
- f. What is the difference between primary and secondary rules according to H.L.A Hart?

Q.No.3. Attempt any 4 (four) from the following:

(4×5=20)

- a. "The movement of progressive societies has hitherto been a movement from *status* to *contract*." Elaborate.
- b. What is the distinction between intention and negligence?
- c. What are the important features of feminist legal theory and methodology for the study of law?
- d. Distinguish between Kelsen's use of the terms 'validity' and 'effectiveness'.
- e. What do you understand by 'natural law with a variable content'.
- f. Describe the internal and external aspect of rules.

Q.No.4. Attempt any 4 (four) from the following:

(4×5=20)

- a. Write a short note on legal personality of a foetus.
- b. Write a short note on intimate relation between rights and violence.
- c. Explain with example the term Subjection used by Austin in his lectures.
- d. Write a short note on anthropological approach to the study of law.
- e. 'A unique feature of rights is that the right-holder may either invoke or not invoke his right'. Critically examine.

Q.No.5. Attempt any 4 (four) from the following:

(4×5=20)

- a. In your opinion, should modern law always reflect the 'spirit of the people' in order to be valid.
- b. Critically discuss the view that rights alone provide a basis for compensation.
- c. Explain Savigny's Volksgeist.
- d. Distinguish between mediate and immediate possession.
- e. What is the Austin's notion of independent political society?

Q.No.6. Discuss the relevance of the study of the Spelucan Explorer's case in jurisprudence.

(20)

Q.No.7. What are the reasons in your opinions that led to the revival of natural law in the twentieth century? Discuss with special reference to the theory of justice as propounded by John Rawls.

(20)

Q.No.8. Do you consider the idea of human rights to be universal or are they specific to the manner in which different cultures recognize human rights? Discuss in the light of Amartya Sen's discussion on culture and human rights.

(20)