

30 APR 2024

NATIONAL LAW UNIVERSITY, JODHPUR

End Term Examination: April-May 2024

Semester: UG IV Semester

Subject: Jurisprudence – II

Time: Three Hours

Marks : 100

Instructions:

- (1) Answer any five of the following questions.
- (2) All questions carry equal marks.
- (3) Clearly identify the question you are answering.

Q 1. Is it correct to say that the views on justness of a transaction essentially emerge from our views on who we are? In what different ways the 'self' is understood, and how that understanding makes a difference in our views on justice?

(Marks 20)

Q 2. Article 16 of the constitution of India reads as follows:

Equality of opportunity in matters of public employment

(1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect or, any employment or office under the State.

(3) Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office under the Government of, or any local or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory prior to such employment or appointment.

(4) Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any



backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.

(5) Nothing in this article shall affect the operation of any law which provides that the incumbent of an office in connection with the affairs of any religious or denominational institution or any member of the governing body thereof shall be a person professing a particular religion or belonging to a particular denomination.

Examine the justness of clause (4) of this article from the view point of John Rawls's theory of justice.

(Marks 20)

Q3. Compare Jeremy Bentham's version of utilitarianism with that of J S Mill specifically highlighting the difference in their views on Minority Rights.

(Marks 20)

Q4. What are the anti-utilitarian objections to the utilitarian model of rights? Can there be a right to do a wrong thing from an anti-utilitarian perspective?

(Marks 20)

Q5. Explain and evaluate Kantian idea of treating humanity as an end in itself. Do you see any practical application of this idea in modern democracies?

(Marks 20)

Q6. Can we ever claim that we have a 'natural right'? If yes, what that natural right could be?

(Marks 20)

