

29 APR 2025

NATIONAL LAW UNIVERSITY, JODHPUR

End Term Examination April -2025

Semester: UG II Semester

Subject: Jurisprudence

Time: 03 hours

Marks: 100

Instructions:

1. Attempt any **five (5)** questions.
2. Please specify the question you are answering before providing your response.
3. Each question carries 20 marks and break up of marks for questions with multiple parts is provided along with it.
4. Word limit for 20 marks questions is 600 words.

Q1. Explain John Rawls' concept of the "original position" and the "veil of ignorance." How do these concepts function as methodological tools in his theory of justice? In what way do they help derive principles of justice that are fair and impartial?

(10 +5+5 marks)

Q2. To what extent is Savigny's theory of Volksgeist relevant in modern legal systems? Assess whether modern legal systems, which often incorporate elements of codification, globalization, and international treaties, still reflect the Volksgeist of the societies they govern. Can law remain organic and culturally embedded in today's interconnected and interdependent world.

(7+7+6 marks)

Q3. Using Hart's distinction between primary and secondary rules, analyze how Indian law handles the formation, application, and modification of laws. Discuss the role of the legislature (rule of change), courts (rules of adjudication), and the Constitution itself (rule of recognition). How effectively does Hart's model map onto Indian jurisprudence?

(10+10 marks)

Q4. "Law is not born in the statute book—it lives, breathes, and evolves in the streets, in struggles, and in social expectations."

Critically examine this statement by comparing the views of Eugen Ehrlich, Rudolf von Ihering, and Roscoe Pound, the leading jurists of the Sociological School of Jurisprudence.



26 AUG 2025

NATIONAL LAW UNIVERSITY, JODHPUR

End Term Examination April -2025

Semester: UG II Semester

Subject: Jurisprudence

Time: 03 hours

Marks: 100

Instructions:

1. Attempt any five (5) questions.
2. Please specify the question you are answering before providing your response.
3. Each question carries 20 marks and break up of marks for questions with multiple parts is provided along with it.
4. Word limit for 20 marks questions is 600 words.

Q1. Discuss the two principles of justice proposed by John Rawls in *A Theory of Justice*. How do these principles aim to balance the need for basic liberties with social and economic inequalities? Illustrate your answer with examples reflecting the practical implications of each principle.

(10+10 marks)

Q2. Compare and contrast Savigny's Volksgeist theory with Maine's four-stage progression. How are their theories and approaches applicable or relevant in Indian context?

(10+10 marks)

Q3. "Between the rigid idealism of Natural Law and the cold command of Positivism, is there a more human face to law?"

In light of the above statement, explore how the leading thinkers of the Sociological School of Jurisprudence—Rudolf von Ihering, Eugen Ehrlich, and Roscoe Pound—respond to the two dominant traditions in legal thought.

(20 marks)

Q4. *Austinian legal positivism considers law the command of a sovereign backed by sanction. In the Indian context, the Constitution is sovereign, but Parliament enacts law, and the judiciary interprets it.*

Does this division of power challenge Austin's framework? How would Rousseau, who emphasized the "general will," assess the Indian model of constitutional democracy?

(10+10 marks)

Q5. Critically examine how the concept of Dharma challenges the modern idea of universal Law. Illustrate your answer with two real or hypothetical examples.

(20 marks)

Q6. If a government passes laws that are procedurally correct but morally abhorrent (e.g., racial segregation laws, anti-minority citizenship laws), should we accept them as "law" simply because they fit within the positivist framework? What alternatives does jurisprudence offer to resist such outcomes?

(20 marks)

18 FEB 2025

National Law University, Jodhpur
Jurisprudence
Semester: UG II Semester
Mid Term Examination- February 2025

Time: 90 minutes

MM: 40

Instructions:

- i. You are required to attempt three (3) questions in total. For question no. 3, there is an internal choice. Please specify the question you are answering before providing your response.
- ii. Word limit for 15 marks questions is 500 words.
- iii. Word limit for 10 marks questions is 350 words.

1. To quote Aquinas: "The natural law is nothing else but a participation of the eternal law in a rational creature."

Aquinas categorized law into four types: eternal law, natural law, divine law, and human law. Explain these categories with contemporary Indian examples.

(MM: 15 marks)

2. Philosophers like Hobbes and Locke had different views on the Social Contract—ranging from absolute rule to democratic rule.

- a. How does the Indian Constitution reflect Locke's emphasis on inalienable rights? (5 marks)
- b. Should the state be allowed to limit individual rights for national security, as per Hobbes' theory, or should individual freedoms be absolute, as per Locke? (5 marks)
- c. Should the government have the power to regulate social media (e.g., IT Rules, 2021) as part of its Social Contract with citizens, or does this violate fundamental rights? (5 marks)

3. How do you think has jurisprudence contributed to judicial activism in India? Provide examples from landmark Supreme Court cases.

(MM: 10 marks)

Or

Should jurisprudence be integrated into public policymaking and governance, or should it remain only an academic discipline?

(MM: 10 marks)



26 APR 2025

National Law University, Jodhpur
Jurisprudence
Semester: UG II Semester
Re-Mid Term Examination- April 2025

Time: 90 minutes

MM: 40

Instructions:

- i. You are required to attempt all three (3) questions in total.
- ii. Word limit for 15 marks questions is 500 words.
- iii. Word limit for 10 marks questions is 350 words.

1. What role does natural law play in the formation and legitimacy of legal systems? Use examples from Aquinas and Cicero. (MM: 15 marks)
2. Is the idea of a social contract still useful in justifying state authority today, or is it outdated in an age of globalisation and digital citizenship? (MM: 10 marks)
3. How did Hobbes and Locke differ in their views on the right to revolt against the sovereign? What would each think about civil disobedience? (MM: 15 marks)

