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**PRESIDENCY UNIVERSITY
BENGALURU**

SET B

**SCHOOL OF LAW
END TERM EXAMINATION - JAN 2024**

Semester : Semester V - 2021
Course Code : LAW2027
Course Name : Jurisprudence
Program : B.Com LLB Honors

Date : 04-JAN-2024
Time : 1:00 PM - 4:00 PM
Max Marks : 100
Weightage : 50%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Question paper consists of 1 part.
- (iii) Scientific and non-programmable calculator are permitted.
- (iv) Do not write any information on the question paper other than Roll Number.

ANSWER ALL THE QUESTIONS

10 X 10M = 100M

1. The Wolfenden Report, a study containing recommendations for laws governing sexual behaviour, was published in 1957 by the Committee on Homosexual Offences and Prostitution in Great Britain. The report recommended the repeal of laws criminalizing private homosexual conduct between consenting adults, which sparked an intensely debated controversy in political philosophy and jurisprudence: The HART- DEVLIN DEBATE. The issue: is society justified in criminalizing behaviour which, although causing no secular harm, transgresses widely held moral values? Critically discuss.
(CO1) [Comprehension]
2. Critically discuss the essentials of 'Ownership' according to John Austin. Further, elaborate on different kinds of ownership.
(CO2) [Comprehension]
3. According to Ihering, "A legal right is a legally protected interest". Discuss the essentials of a legal right, kinds of rights and related theories.
(CO2) [Comprehension]
4. Explain whether a 'dead man' is a 'person' in the eyes of law. In this light, further elaborate on theories of personality.
(CO2) [Comprehension]
5. The existence of law is one thing; its merit and demerit another. Whether it be or be not is one enquiry; whether it be or be not conformable to an assumed standard, is a different enquiry. Discuss Legal Positivism and opine on the give statement with reasonable arguments.
(CO3) [Comprehension]
6. Fuller provides a study of the "internal morality of law." For a principle to be acceptable as a law, he states that it must be measured in terms of eight standards. However, Fuller does not state which one of his eight postulates should be given preference over any other. Critically comment.
(CO3) [Application]

7. "The movement of the progressive societies has hitherto been a movement from Status to Contract". Discuss. (CO4) [Application]
8. Is law a tool to engineer the society? Discuss the contributions of Sociological School of Jurisprudence. (CO4) [Application]
9. "The prophecies of what the courts will do in fact, and nothing more pretentious, are what I mean by the law". Elaborate on the statement and discuss the significance of judges as "law-makers" with special significance to India. (CO4) [Application]
10. 'Possession is 'Nine-Tenths' of the Law. Discuss the concept of possession. (CO2) [Application]