

HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH
SCHOOL OF LAW
JAMIA HAMDARD, NEW DELHI - 110062
LLM 2nd Semester July 2024
Law and Justice in a Globalising
World

Time: 3 Hours**Maximum Marks: 60**

Write your Roll No. on the top immediately on receipt of this question paper. Attempt five questions selecting one from each unit. Each question carries twelve marks.

UNIT-I

Q1. An overwhelming majority of legal scholars argue that most law is coercive in nature. Do you agree with the proposition? (12)

Q2. HLA Hart and Hans Kelsen have significantly softened the way positivists look at law. But, has that actually helped in making law non-coercive? Discuss. (12)

UNIT-II

Q3. The debate on separation of law and morality continues to rage. To what extent morality should infuse law? Should unjust laws be valid and obeyed? (12)

Q4. Write your reflections on Leslie Green's paper on 'Positivism and the Inseparability of Law and Morals'. (12)

UNIT-III

Q5. "It is only in hard cases - cases in which it is unclear what the law requires - the judges are entitled to use discretion in making their decision." Comment. (12)

Q6. Why do you think constitutional courts in India need to strongly exercise the power of judicial review? (12)

UNIT-IV

Q7. Using the feminist lens, what alternatives have been used to explain the narrations and experiences of women from the caste and religious minorities, and geographical margins? (12)

Q8. Despite the fact that Critical Legal Studies (CLS) is arguably no longer the movement it once was, critical legal theory, which sees law as politics, holds a crucial place in contemporary critical legal thought. Discuss. (12)

UNIT-V

Q9. Critically discuss the different strings of philosophical debate on distributive justice. (12)

Q10. Write an essay on the rationale of historical justice. Critically discuss the events of the last century aimed at remedying past wrongdoings against groups and communities. (12)