



UNIVERSITY OF THE PUNJAB

PART-I: Annual - 2018
Examination:- L.L.B. (05 Years)

Roll No.

Subject: Introduction to Philosophy of Law
PAPER: V

TIME ALLOWED: 3 hrs.
MAX. MARKS: 100

Attempt any five of the following. All questions carry equal marks.

Q. 1 Explain the historical background of 'Law'. Highlight its role in the society by giving some examples.

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Q. 2 What do you understand by the term 'Law'? Explain with the help of the definitions given by jurists.

Q. 3 Explain the classification of civil law.

Q. 4 Write a detail note on the following kinds of law:

b) Physical or Scientific Law.

c) Natural or Moral Law.

Q. 5 Discuss the precedent and its classification as a source of law.

Q. 6 What do you understand by the Natural Law theory, explain its salient features also elaborate its distinction with the other laws.

Q. 7 Explain Kelsen's pure theory of law.

Q. 8 What was the state of nature and challenges to the life of men according to the John Locke's Social Contract Theory?

Q. 9 Illustrate with examples the following types of legal rights:

i. Proprietary and personal rights.

ii. Public and private rights.

iii. Primary and sanctioning rights.

Q. 10 Elaborate the concept of 'Rule of Law' in the light of Pakistan, British and American constitution.

The Enterprise Of Law Questions In Legal Experience And Philosophy

**Pawel Banas, Adam Dyrda, Tomasz
Gizbert-Studnicki**



The Enterprise Of Law Questions In Legal Experience And Philosophy:

The Enterprise of Law Malcolm Clark, 1987 Legal Theory and the Legal Academy Maksymilian Del Mar, 2017-07-05

The third in a series of three volumes on Contemporary Legal Theory this volume deals with four topics 1 the role of legal theory in the legal curriculum 2 the teaching of legal theory 3 the relationship of legal theory to legal scholarship and 4 the relationship of legal theory to comparative law The focus of the first two topics is on the common law world where the debates over the aims and proper place of legal theory in the study of law have traversed a good deal of ground since John Austin's 1828 lecture *The Uses and the Study of Jurisprudence* These first two parts offer a selection of the most important papers including surveys as well as pedagogical viewpoints and particular course descriptions from analytical critical feminist law and literature and global perspectives The last three decades have seen just as many changes for legal scholarship and comparative law These changes such as the rise of empirical legal scholarship have often attracted the attention of legal theorists Within comparative law the last thirty years have witnessed intense methodological reflection within the discipline the results of these reflections are themselves properly recognised as legal theoretical contributions The volume collects the key papers including those by Neil MacCormick Mark Van Hoecke Andrew Halpin William Ewald and Geoffrey Samuel

Friends at the Bar Nancy Black Sagafi-nejad, 2012-01-02 George Fox founder of the Religious Society of Friends admonished his followers against going to law In this fascinating wide ranging book a Quaker lawyer explores the relationship between Quakers and the American legal system and discusses Friends legal ethics A highly influential group in the US both for their spiritual ideals of harmony equality and truth telling and for their activism on many causes including abolition and opposition to war Quakers have had many noteworthy interactions with the law Nancy Black Sagafi nejad sketches the history and beliefs of the early Quakers in England and America then goes on to look at important twentieth century constitutional law cases involving Quakers many involving civil rights issues Sagafi nejad's survey of 100 Quaker lawyers shows them to be at odds with the adversarial system and highlights a legal practice which must balance truth telling and zealous advocacy The Quaker development of extra legal dispute resolution to solve debates amongst Friends is discussed along with a look at the possible future of mediation

Law's Community Roger Cotterrell, 1995 Law's Community offers a distinctive analysis of law identifying political and moral problems that are fundamental to contemporary legal theory It portrays contemporary law as institutionalized doctrine emphasizing ways in which legal modes of thought influence wider currents of understanding and belief in contemporary Western societies Exploring relationships between law and sociology as contrasting and competing fields of knowledge Law's Community develops ideas from social theory to identify key problems for legal development in particular those of restoring moral authority to law and of elaborating a concept of community that can guide legal regulation The analysis leads to radical conclusions among them that law's functions need reconsideration at the most general level that a unitary state legal system as portrayed in traditional kinds of

legal theory may no longer be adequate in complex contemporary societies and that law should be reconceptualized as a diverse but co-ordinated plurality of systems, sites and forms of regulation *Bowker's Law Books and Serials in Print*, 1995

THE THEORIES OF LEGAL PHILOSOPHY HASBOLLAH BIN MAT SAAD, 2020-04-08 This book focused mainly on the subject matters that are related to the current issues of the relationship between the application of the law theory in the society and its aspects of practicality. These two perspectives are the utmost important and relevant subjects which need more clarification that can be blended with our law. We cannot always simply rely on our thoughts to the theories of the western philosophers per se but we should have our own identity in shaping our law for the betterment of our country. This book is designed and written in a very simple step so that the readers can understand the very basic of the subject matter in a better way. The author also tried to open the readers' minds through discussions in the related topics. A Treatise of Legal Philosophy and General Jurisprudence Gerald J. Postema, 2011-08-05 Volume 11 the sixth of the historical volumes of A Treatise of Legal Philosophy and General Jurisprudence offers a fresh philosophically engaged critical interpretation of the main currents of jurisprudential thought in the English speaking world of the 20th century. It tells the tale of two lectures and their legacies: Oliver Wendell Holmes Jr's The Path of Law 1897 and H. L. A. Hart's Holmes Lecture Positivism and the Separation of Law and Morals 1958. Holmes's radical challenge to late 19th century legal science gave birth to a rich variety of competing approaches to understanding law and legal reasoning from realism to economic jurisprudence to legal pragmatism from recovery of key elements of common law jurisprudence and rule of law doctrine in the work of Llewellyn Fuller and Hayek to root and branch attacks on the ideology of law by the Critical Legal Studies and Feminist movements. Hart simultaneously building upon and transforming the undations of Austinian analytic jurisprudence laid in the early 20th century introduced rigorous philosophical method to English speaking jurisprudence and offered a reinterpretation of legal positivism which set the agenda for analytic legal philosophy to the end of the century and beyond. A wide ranging debate over the role of moral principles in legal reasoning sparked by Dworkin's fundamental challenge to Hart's theory generated competing interpretations of and fundamental challenges to core doctrines of Hart's positivism including the nature and role of conventions at the foundations of law and the methodology of philosophical jurisprudence. Current Legal Theory, 1988

Pragmatism and Law Michal Alberstein, 2017-03-02 Pragmatism and Law provides a textual reading of the American legal discourse as it unfolds through various genres of pragmatism which evolve and transform during the twentieth century. The historical narrative which the book weaves traces the transformation of the pragmatic idea from the forefront of philosophical intellectual inquiries at the turn of the twentieth century to a common sense lawyers' practical rule of action at the turn of the twenty first century. During this sequence a fresh look at American history and legal history in particular is offered through the emphasis on recurring discursive structures which assume incommensurable treatments of basic liberal notions like justice, politics and truth. Underlying the writing is an interpretative mode of inquiry based on European post

structural methodologies while claiming to represent their next intellectual phase This contemporary mode of inquiry is that of a reading which insists on healing through the paradoxes It is the same mode that sets in the author's view the updated interpretative model of dispute resolution studies

Metaphilosophy of Law Pawel Banas, Adam Dyrda, Tomasz Gizbert-Studnicki, 2016-10-06 Methodological and metaphilosophical disputes in the contemporary philosophy of law are very vivid Basic issues remain controversial The purpose of the book is to confront approaches of Anglo Saxon and continental philosophy of law to the following topics the purpose of legal philosophy the role of disagreement in legal philosophy methodology of legal philosophy conceptual analysis and normativity of law We see those areas of legal metaphilosophy as drawing recently more and more attention in the literature The authors of particular chapters are internationally recognised scholars rooted in various traditions Anglo Saxon Gerald Postema Dennis Patterson Kenneth Ehrenberg Veronica Rodriguez Blanco Southern European Riccardo Guastini Manuel Atienza Nordic Torben Spaak German Ralf Poscher and Central European Jan Wolenski Tomasz Gizbert Studnicki Adam Dyrda They represent different approaches and different backgrounds The purpose of the volume is to contribute to the cross cultural discussions of fundamental issues of philosophy of law

Law and Truth Dennis Michael Patterson, 1999 Taking up a single question What does it mean to say a proposition of law is true this book advances a major new account of truth in law Drawing upon the later philosophy of Wittgenstein as well as more recent postmodern theory of the relationship between language meaning and the world Patterson examines leading contemporary jurisprudential approaches to this question and finds them flawed in similar and previously unnoticed ways He offers a powerful alternative account of legal justification one in which linguistic practice the use of forms of legal argument holds the key to legal meaning

Law, Hermeneutics and Rhetoric Francis J. Mootz Iii, 2016-04-22 Mootz offers an antidote to the fragmentation of contemporary legal theory with a collection of essays arguing that legal practice is a hermeneutical and rhetorical event that can best be understood and theorized in those terms This is not a modern insight that wipes away centuries of dogmatic confusion rather Mootz draws on insights as old as the Western tradition itself However the essays are not antiquarian or merely descriptive because hermeneutical and rhetorical philosophy have undergone important changes over the millennia To return to hermeneutics and rhetoric as touchstones for law is to embrace dynamic traditions that provide the resources for theorists who seek to foster persuasion and understanding as an antidote to the emerging global order and the trend toward bureaucratization in accordance with expert administration violent suppression or both

National Legal Bibliography, 1987

On Philosophy in American Law Francis J. Mootz III, 2009-03-23 In recent years there has been tremendous growth of interest in the connections between law and philosophy but the diversity of approaches that claim to be working at the intersection of these disciplines might suggest that this area of inquiry is so fractured as to be incoherent This volume gathers leading scholars to provide focused and straightforward articulations of the role that philosophy might play at this juncture of the history of American legal thought It marks the

seventy fifth anniversary of Karl Llewellyn's essay *On Philosophy in American Law* in which he rehearsed the broad development of American jurisprudence diagnosed its contemporary failings and then charted a productive path opened by the variegated scholarship that claimed to initiate a realistic approach to law and legal theory. It is written in the spirit of Llewellyn's article: they are succinct and direct arguments about the potential for bringing law and philosophy together.

Teaching Legal Research Barbara Bintliff, Duncan Alford, 2013-09-13. Legal research is a fundamental skill for all law students and attorneys. Regardless of practice area or work venue, knowledge of the sources and processes of legal research underpins the legal professional's work. Academic law librarians, as research experts, are uniquely qualified to teach legal research. Whether participating in the mandatory first year law school curriculum or offering advanced or specialized legal research instruction, law librarians have the up-to-date knowledge, the broad view of the field, and the expertise to provide the best legal research instruction possible. This collection offers both theoretical and practical guidance on legal research education from the perspectives of the law librarian. Containing well-reasoned analytical articles on the topic, the volume explains and supports the law librarian's role in legal research instruction. The contributors to this book, all experts in teaching legal research, challenge academic law librarians to seize their instructional role in the legal academy. This book was based on a special issue of *Legal Reference Services Quarterly*.

Elucidating Law Julie Dickson, 2022. In *Elucidating Law*, Julie Dickson addresses questions concerning the methodology of legal philosophy and advocates that legal philosophers should espouse an Indirectly Evaluative Legal Philosophy. This approach can facilitate legal philosophers' understanding of aspects of the nature of law without regarding law as inherently morally valuable. *The Oxford companion to philosophy*.

Ted Honderich, 1995. Entries on philosophers, schools of thought, subjects, theories, debates, concepts, practical issues. **Recht und Frieden in der Philosophie Kants** Valério Rohden, 2008. *GO TO CLAT Guide with Passage based Questions* Disha Experts, 2020-03-19.

Formalism and Pragmatism in American Law Thomas C. Grey, 2014-09-03. In *Formalism and Pragmatism in American Law*, Thomas Grey gives a full account of each of these modes of legal thought with particular attention to the versions of them promulgated by their influential exponents, Christopher Columbus Langdell and Oliver Wendell Holmes Jr. Grey argues that legal pragmatism, as understood by Holmes, is the best jurisprudential framework for a modern legal system. He enriches his theoretical account with treatments of central issues in three important areas of law in the United States: constitutional interpretation, property, and torts.

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