



THE UNIVERSITY OF THE WEST INDIES

EXAMINATIONS OF DECEMBER 2003

CODE AND NAME OF COURSE: LA25A - JURISPRUDENCE

DATE AND TIME:

DURATION: 2 HOURS

INSTRUCTIONS TO CANDIDATES: This paper has 1 page and 4 questions.

Answer **TWO (2)** questions. Answers may be confined to the law of any jurisdiction in the Commonwealth Caribbean unless the context indicates otherwise.

1. It can be said that West Indian constitutional law and the regimes of criminal and tort law are examples of law that Natural Law Theory would readily endorse as befitting its conception of law.

Discuss.
2. Discuss the relevance of Kelsen's theory of revolutionary legality to the determination of the issue of the validity of the court in *Andy Mitchell and Others*.
3. It is submitted that the debate between Dworkin and the legal realists ultimately turns on their competing conceptions of law and, therefore, on the proper nature and scope of adjudication that their respective conceptions of law would inform.

Discuss.
4. Discuss the adequacy of the positivistic theories of Austin and Hart for understanding the modern constitutionalist democratic state and the claim to moral distinction that such a state commands.

END OF PAPER