



THE UNIVERSITY OF THE WEST INDIES

EXAMINATIONS OF _____ DECEMBER _____ 2005

CODE AND NAME OF COURSE: LA25A (LAW2510) - JURISPRUDENCE

DATE AND TIME:

DURATION: 2 HOURS

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

Answer ANY TWO (2) of the four questions.

1. "The courts of the Commonwealth Caribbean ought to give a wider interpretation to the fundamental rights provisions in the constitutions, so as to give meaning and importance to the underlying natural law philosophy so obviously embedded in the constitutions."

Discuss.
2. "Hart's "soft positivism", though a remarkable improvement on Austin's theory nonetheless fails to offer an adequate account of legal obligation, largely because of its endorsement of the positivist thesis that there is no *necessary* connection between law and morals".

Discuss.
3. "The debate between Dworkin and the American Realists turns on the fundamental question whether judges are in fact, or ought to be, constrained by rules and other legal standards".

Discuss.
4. Critically assess the relevance of John Rawls' *Theory of Justice* as a political philosophy for West Indian societies.

END OF PAPER