

Write Your Exam Code Here: _____

Return this exam question paper to your invigilator at the end of the exam before you leave the classroom.

THIS EXAMINATION CONSISTS OF 3 PAGES, INCLUDING THIS PAGE
PLEASE ENSURE THAT YOU HAVE A COMPLETE PAPER

THE UNIVERSITY OF BRITISH COLUMBIA
FACULTY OF LAW

FINAL EXAMINATION – DECEMBER 2018

LAW 300
Jurisprudence and Critical Perspectives

Section 2
James Stewart

TOTAL MARKS: 99

TIME ALLOWED: 3 HOURS
and 10 minutes reading time

- NOTES:
1. This is a closed book examination.
 2. ANSWER ALL QUESTIONS.

THIS EXAMINATION CONSISTS OF 3 QUESTIONS

LAW 300, Section 2

Question 1 – Western Concepts of Law

33 Marks

Write an essay responding to ONLY ONE of the questions below:

- A. What were Positivists seeking to achieve in their theory of law? What are the different ways they went about this project, and in your view, did they achieve their goals?
- B. What role does the fictitious character Dworkin called Hercules play in his theory of law? Is Artificial Intelligence a plausible approximation to Hercules?
- C. Natural law is difficult to define concretely but largely inescapable in that we often want law to embody higher normative values. Critically discuss, considering examples we addressed in class.

Question 2 – Critical Traditions

33 MARKS

Write an essay responding to ONLY ONE of the questions below:

- A. James Sákéj Youngblood Henderson argues that “Alienation is to the oppressed what self-righteousness is to the oppressor.” How does this statement relate to law and justice, and do you agree with the statement?
- B. What are the key tenets of Critical Legal Studies? Describe how studying Critical Legal Studies has changed your vision of the relationship between law and justice, drawing on concrete examples.
- C. What are the different schools of Feminist jurisprudence, and how do they relate to practical legal issues in Canada and the world presently?

LAW 300, Section 2

Question 3 – Theories of Justice

33 MARKS

Write an essay responding to ONLY ONE of the questions below:

- A. Nozick's libertarian account of distributive justice is profoundly ahistorical and therefore irrelevant in the real world. Critically discuss based on materials we addressed in class.

- B. State borders are practically arbitrary and conceptually irrelevant in thinking about justice? Critically discuss drawing on our discussions of world poverty.

- C. How do Indigenous concepts of law and justice contrast with the various topics we addressed in this course? How do these contrasts inform your understanding of justice?

END OF EXAMINATION