

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 2019

LAW 300
Jurisprudence and Critical Perspectives

Section 2
James Stewart

TOTAL MARKS: 99

TIME ALLOWED: 3 HOURS
and 10 minutes reading time

- NOTE:
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. How is Positivism attempting to be “pure”? Why is it so concerned to establish this purity, and does it succeed in achieving it?
- B. What is Dworkin’s donut metaphor? Is it compelling?
- 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 is the relationship between American Legal Realism and Critical Legal Studies. Compare and contrast the two traditions in jurisprudential thought, using examples you care about.
- C. What are the different schools of Feminist jurisprudence, and how do they inform your understanding of practical legal issues in 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. Rawls attempts to marry equality and freedom in his conception of justice. Explain, drawing on ideas about distributive justice.
- 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 compare with Anglo-American equivalents? Is the comparison more meaningful than objectionable?

END OF EXAMINATION