THIS EXAMINATION CONSISTS OF 3 PAGES

PLEASE ENSURE THAT YOU HAVE A COMPLETE PAPER

THE UNIVERSITY OF BRITISH COLUMBIA

PETER A. ALLARD SCHOOL OF LAW

FINAL EXAMINATION – DECEMBER 2022

LAW 300

Jurisprudence and Critical Perspectives

Section 5

James Stewart

**TOTAL MARKS:**  99

**TIME ALLOWED:** 3 HOURS

and 10 minutes of reading time

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**NOTE:** 1. This is an open-book examination.

 2. ANSWER ALL QUESTIONS.

THIS EXAMINATION CONSISTS OF 3 QUESTIONS

Question 1 – Western Concepts of Law

**33 Marks**

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

1. Why is Positivism attempting to ground law in “social facts”? Is that agenda important, does it succeed?
2. What is Dworkin’s donut metaphor? Is it compelling?
3. Natural law is difficult to define concretely but largely inescapable in that we often want the law to embody higher values. Critically discuss using examples.

Question 2 – Critical Traditions

**33 MARKS**

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

1. 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?
2. 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.
3. Law arbitrarily privileges certain bodies and minds. Discuss, drawing on one or more critical perspectives on law and justice that we studied in this class.

Question 3 – Theories of Justice

**33 MARKS**

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

1. The Star Wars movies offer several insights about law and justice. Explore these insights based on examples from our class.
2. State borders are practically arbitrary and conceptually irrelevant in thinking about justice. Critically discuss drawing on our discussions of world poverty.
3. How do Indigenous concepts of law and justice compare with Anglo-American equivalents? Is the comparison more meaningful than objectionable?

**END OF EXAMINATION**