

THE OPEN UNIVERSITY OF SRI LANKA
LL.B. DEGREE PROGRAMME – LEVEL 6
CONTINUOUS ASSESSMENT TEST II – 2006/2007
JURISPRUDENCE - LWU 4311/4321
DURATION : FOURTY MINUTES



DATE : 09th November 2006

TIME : 1.30 p.m. – 2.10 p.m.

ANSWER ONE QUESTION ONLY.

Illegible handwriting will be penalized.

01. “The society” plays a pivotal role in constructing jurisprudential doctrines. Once, the law is determined as a means of social engineering and some times it is explained as a means of balancing the social and individual interests.

Discuss the validity of the above statement?

02. “For Gray the law was simply what the court decided. Everything else, including statutes, were simply sources of law. Until the court applies statutes they are not ‘law’. This definition of law by itself was somewhat meaningless, but his intention was to show that judges act as the lawmakers by denying the existence of law until judgment...”

[“TEXT BOOK ON JURISPRUDENCE” by H. McCoubrey and N.D. White.
Pages – 194-195]

To what extent do you agree with the above statement? Give reasons for your answer.

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