



FACULTY OF LAW
MASTERS OF LAW (LLM)
END OF MODULE I EXAMINATION
LLM 8002: LEGAL THEORY

DATE: 3RD April 2018

Time: 1.5 Hours

Instructions

1. This examination consists of **four** questions.
2. Answer **ALL** questions.
3. Provide evaluative and argumentative responses to those questions bearing greater marks

Question One

- a) In one sentence, describe the type of political system John Locke believed most appropriate. **(3 marks)**
- b) State one problem with adopting John Rawls' original position. **(3 marks)**
- c) Under Hohfeld's conception of rights, what is the opposite to a 'power', and what is the opposite to an 'immunity'? **(4 marks)**

Question Two

What is useful about Thomas Hobbes' analogy of a "state of nature" for understanding how law relates to human nature? **(30 marks)**

Question Three

How can African thought inform our notion of fairness in adjudication? Evaluate with reference to possible counter-arguments. **(30 marks)**

Question Four

In John Finnis' natural law approach, what is the role played by the moral assessments 'good' and 'bad' in considering how law relates to society? **(30 marks)**