

Name:	
Enrolment No:	

**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**

**End Semester Examination, December 2018**

**Course: Philosophy**

**Course Code: CLNL 2003**

**Semester: III**

**Programme: B. A. LL.B. (Hons.) ENERGY/CRIMINAL/LABOR/CONSTITUTIONAL LAW**

**Time: 03 hrs.**

**Max. Marks: 100**

**Instructions:**

**SECTION A**

**Write short notes on any two of the following.**

S. No.		Marks	CO
Q 1	Duty v/s Obligation	5	CO2
Q 2	Judeo-Christian viewpoint on man-environment relationship	5	CO1
Q 3	Hypothetical Imperative	5	CO2

**SECTION B**

Q 4	What are the common ethical dilemmas a lawyer might face during the course of his profession?	10	CO3
Q 5	Why do scholars argue for the futility of capital punishment?	10	CO4

**SECTION-C**

Q 6	Discuss how the understanding of the western world has evolved with respect to environmental ethics.	10	CO3
Q 7	Discuss basic principles of Nishkama Karmayoga theory.	10	CO2

**SECTION-D**

Q 8	<p>Read the following quotes and drawing from them answer the following questions</p> <p>“No man can be judged a criminal until he is found guilty; nor can society take from him the public protection until it has been proved that he has violated the conditions on which it was granted. What right, then, but that of power, can authorize the punishment of a citizen so long as there remains any doubt of his guilt?” - Cesare Beccaria</p> <p>“One is absolutely sickened, not by the crimes that the wicked have committed, but by the punishments that the good have inflicted; and a community is infinitely more brutalised by the habitual employment of punishment than it is by the occasional occurrence of crime.” - Oscar Wilde</p>		
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Q 8a	Why should one justify the practice of punishment?	<b>10</b>	<b>CO1</b>
Q 8b	Out of all possible aims of punishment rehabilitation seems to be the most noble. What are the points that counter this claim?	<b>15</b>	<b>CO1</b>
Q 8c	As per your opinion, what should be the aim of punishment? Give reasons in support of your answer.	<b>10</b>	<b>CO4</b>
Q 9	Out of the two models of morality: Deontological and Teleological, which one suits the purpose of law makers and why?	<b>15</b>	<b>CO4</b>

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**SECTION A**

**Write short notes on any two of the following.**

S. No.		Marks	CO
Q 1	Moral Objectivism v/s Subjectivism	5	CO2
Q 2	Mill's contribution to Utilitarianism	5	CO2
Q 3	Conferring of legal rights to non-human entities like different species, geographical features.	5	CO4

**SECTION B**

Q 4	How should one need to justify state-sponsored punishment?	10	CO1
Q 5	How and why the understanding of dynamics of man-environment relationship evolved over the past few decades?	10	CO3

**SECTION-C**

Q 6	Nishkama Karmayoga is action without any desire. Do you agree with statement? Why?	10	CO2
Q 7	Discuss the categorical imperatives given by Kant.	10	CO2

**SECTION-D**

Q 8	<p>Read the following poem and answer the following questions</p> <p style="text-align: center;"><b>The Lawyers Know Too Much</b></p> <p>The lawyers, Bob, know too much.  They are chums of the books of the old John Marshall.  They know it all, what a dead hand wrote,  A stiff dead hand and its knuckles crumbling,  The bones of the fingers a thin white ash.  The lawyers know  a dead man's thoughts too well.</p> <p>In the heels of the higgling lawyers, Bob,  Too many slippery ifs and buts and howevers,</p>		
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	<p>Too much hereinbefore provided whereas, Too many doors to go in and out of.</p> <p>When the lawyers are through What is there left, Bob? Can a mouse nibble at it And find enough to fasten a tooth in?</p> <p>Why is there always a secret singing When a lawyer cashes in? Why does a hearse horse snicker Hauling a lawyer away?</p> <p>The work of a bricklayer goes to the blue. The knack of a mason outlasts a moon. The hands of a plasterer hold a room together. The land of a farmer wishes him back again. Singers of songs and dreamers of plays Build a house no wind blows over. The lawyers—tell me why a hearse horse snickers hauling a lawyer’s bones.</p> <p style="text-align: right;">-Carl Sandburg</p>		
Q 8a	Lawyer and morality: the terms seem incompatible to each other in public perception. Why?	5	CO1
Q 8b	Do lawyers have a same morality as compared to a layman? Why? What could be the special dilemmas lawyers face?	15	CO3
Q 8c	How could these dilemmas be addressed? Highlight the need for a code of conduct.	10	CO3
Q 9	Critically analyse the practice of capital punishment. Outline arguments both for and against the practice. Also draw a conclusion on the basis of your arguments.	20	CO4