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**FACULTY OF ARTS AND LAW  
SCHOOL OF LAW**

**COURSE NAME: JURISPRUDENCE**

**COURSE NO: LA 332**

**TIME ALLOWED: 3 hours for Face-to-Face  
3 ½ hours for Online**

**READING TIME: 15 minutes**

**NUMBER OF PAGES: Three (3) including this one**

**QUESTIONS ON PAPER: Five (5) for Face-to-face  
Six (6) for Online**

**QUESTIONS TO ANSWER: 1- 5 for Face-to-face  
1- 6 for Online**

**MARKS PER QUESTION: Ten (10) marks each**

**TOTAL MARKS: 50 for Face-to-face; 60 for Online**

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**THIS EXAM IS CLOSED-BOOK: So no materials other than pens & timepiece**

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Please do not turn over any page until you are told to do so.

APPROVED

*J. Rose* 24/05/07

**1.**

*(value: 10 marks)*

Choose **one (1)** of the following situations and give legal analyses of it from the points of view indicated.

**A.**

The stand-off between the Solomons and Australian governments concerning the status of Julian Moti.

*Points of view* – Natural Law and Realist.

**OR**

**B.**

The attempt by the Interim Regime in Fiji to close down blogs for publishing critical comments about it and its members.

*Points of view* – Positivist and Realist.

**OR**

**C.**

The immunity decree of the President of Fiji, covering acts done in the course of the current coup.

*Points of view* – Natural-Law and Positivist.

**2.**

*(value: 10 marks)*

If your custom were taught as a law course, in the School of Law, what do you think the course plan should be?

Given materials and time to prepare, do you think any otherwise-qualified lecturer could teach it properly?

(You may choose an entire jurisdiction as the relevant custom.)

**3.**

*(value: 10 marks)*

What single, *feasible* reform to the way law is made, practised, taught, or enforced in your jurisdiction would do the most, in your opinion, to improve or advance the rule of law?

**4.**

*(value: 10 marks)*

Some liberal writers approach the problem of consent of the governed by imagining that everyone in a given jurisdiction had the chance to approve or disapprove of the governing system, *before* they knew what their status would be in the system.

By this test, they say, it is obvious that no system of hereditary privilege would be approved.

*Is that obviously valid, in the South Pacific?*

**5. Answer either A OR B.**

*(value: 10 marks)*

**A.**

What should the role(s) be of the School of Law, and of legal academics as individuals, in political crises involving the law?

You may speak of crises in the whole region, or your jurisdiction, or the events of 2006 in Fiji, the Solomons, or Tonga.

**OR**

**B.**

If events continue as they have been, and the current Fiji coup becomes accepted in Fiji as legitimate, can you express any rule, principle, or convention that this would add to Fijian constitutional law?

### **ONLINE STUDENTS ONLY**

**6.**

*(value: 10 marks)*

Describe the policies and principles that you think actually apply to the School of Law's rule about extensions of course-work deadlines.

As 'law', what are the sources of these policies and principles?