

**Department of Justice, Law and Society**  
**Master' Comprehensive Examination**  
**Law and Society**  
**Fall 2005**

**Instructions:** Answer any two of the following four questions. Include in your answers references to the relevant literature, case law and other sources. Label each answer by topic and number. Please begin each answer on a new page. Remember to write your 4-digit ID number on all pages.

1. Scholars writing in the law and society field have proposed various definitions of the law. Identify three of these definitions found in the works mentioned in the Law and Society reading list. Review the implications of each of these definitions for the relevance of moral theory to jurisprudence.
2. The connection between morality and the law has been widely debated. Explain the principal issues in this debate and the positions taken by key figures, giving attention to the source and limits of our moral obligation to obey the law and the role of morality in judicial decisionmaking.
3. Various postmodernist legal theories suggest that the law should take account of our identities as formed through membership in different groups. This idea challenges the idea that the law ought to treat people as individuals responsible for their own actions. To what extent does American law explicitly or implicitly adopt this postmodernist ideal? Discuss specific cases or areas of law and show how they reflect, or fail to reflect, this approach.
4. Some Americans object strenuously to taxation for redistributive purposes, while others argue that government should do more to help the disadvantaged. What principles should govern the distribution of wealth in society? Argue for your position, considering the views found in the literature.