

LJST 10  
Professor Adam Sitze  
Legal Theory

Take-home Test #3

*Page Limit:* 9 double-spaced pages, excluding endnotes.

1. On what points does Hart critique Austin's legal positivism? Of Hart's proposed solutions for the problems he finds in Austin, which is the most important? Why?
2. On what points, if any, do Hart and Fuller disagree? Of these disagreements, which is the most decisive? Why?
3. On what points does Dworkin critique Hart's legal positivism? Of Dworkin's proposed solutions for the problems he finds in Hart, which is the most important? Why?
4. Of the theorists we have read during Weeks 9-12, who offers the best account of what legal theory is and/or ought to be? Why?