



BRAINWARE UNIVERSITY

Term End Examination 2024-2025

Programme – LL.B.-2021/LL.B.-2022/LL.B.-2023

Course Name – Jurisprudence

Course Code - LLB303

(Semester III)

LIBRARY
BRAINWARE UNIVERSITY
SCHOOL OF LAW
Barasat, Kolkata - 700107

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

- (i) Select the central idea behind Roscoe Pound's theory of social engineering.
 - a) Social order and justice
 - b) Natural law
 - c) Legal positivism
 - d) Legal realism
- (ii) Choose the central concept in Savigny's legal philosophy.
 - a) Natural law
 - b) Volksgeist
 - c) Social contract
 - d) Legal positivism
- (iii) Identify which is a source of law.
 - a) Media
 - b) Internet
 - c) Religion
 - d) Precedent
- (iv) Tell that Stare Decisis means the previous judgments shall be _____.
 - a) Amended
 - b) Substituted
 - c) Upheld
 - d) Replaced
- (v) Select the kind of jurisprudence which deals with the law as it ought to be is known as:
 - a) Analytical jurisprudence
 - b) Historical Jurisprudence
 - c) Ethical Jurisprudence
 - d) None of these
- (vi) Tell that the chief exponent of Command Theory of Law was:
 - a) Salmond
 - b) Austin
 - c) Holland
 - d) Paton
- (vii) Choose that Criticizing Savigny's theory, who said that Savigny encouraged juristic pessimism.
 - a) Montesquieu
 - b) Maine
 - c) Allen
 - d) Pound
- (viii) Classify from the following option that who categorized the subject of jurisprudence as Expository Jurisprudence and Censorial Jurisprudence.
 - a) Holland
 - b) Bentham
 - c) Salmond
 - d) Paton

- (ix) Select from the followings that Probation is a _____ of the Administration of Criminal Justice.
- a) kind
b) type
c) component
d) characteristic
- (x) Identify the correct answer that Animus Domini is:
- a) Physical control over the object possessed.
b) the mental element or the intention to hold the object as owner
c) Physical control over the object possessed and the mental element or the intention to hold the object as owner
d) Neither Physical control over the object possessed and the mental element or the intention to hold the object as owner
- (xi) Write Corpus possessionis means-
- a) Physical control over the object possessed.
b) the mental element or the intention to hold the object as owner
c) Physical control over the object possessed and the mental element or the intention to hold the object as owner
d) Neither Physical control over the object possessed and the mental element or the intention to hold the object as owner
- (xii) Select the correct answer from the following that Legislation is derived from two Latin terms, legis which means _____ and latum which means _____.
- a) Leg/Legs
b) Law/to make
c) Low/price
d) Rule/Random
- (xiii) Select the thing on which the right is to be exercised is known as _____ of right.
- a) Characteristic
b) Object
c) Subject
d) Content
- (xiv) Select that Ownership is the _____ recognition of a claim.
- a) de jure
b) de facto
c) ipso facto
d) per se
- (xv) Describe that John Austin defines jurisprudence as _____ of _____ Law.
- a) Philosophy / positive
b) Science / positive
c) Philosophy/ethical
d) Study/moral

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Explain "utilitarianism". (3)
3. Determine the concept of social solidarity as developed by Duguit. (3)
4. Describe the doctrine of judicial precedent and its application in Indian practice. (3)
5. Interpret the concept of sanction as mentioned in Austin's theory. (3)
6. Explain 'Social Engineering theory'. (3)

OR

Describe which school of jurisprudence do you believe? Explain the reasons. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Discover the role of judicial precedent as a source of law. (5)
8. Describe the importance of customs and traditions in shaping customary law. (5)
9. Evaluate and determine the mechanisms by which customary law can exist alongside and in harmony with formal statutory law. (5)
10. Critically discuss the theory propounded by Jeremy Bentham. (5)
11. Connect the Principle of Natural Law under the Indian Constitution. (5)
12. Explain the concept of Jural Postulates summarised by Rosco Pound. (5)

OR

Critique Kelsen's Pure Theory of law and differentiate it from Austin's view. (5)