



BRAINWARE UNIVERSITY

Term End Examination 2023-2024

Programme – BBA LL.B.-2019

Course Name – Jurisprudence

Course Code - BBALLB603

(Semester VI)

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 Salmond's view on jurisprudence

- | | |
|--|--|
| a) jurisprudence is the name given to a certain type of Investigation into law | b) it is a chaos of approaches to chaos of topics chaotically determined |
| c) Formal science of positive law | d) Study and systematic arrangement of the general principles of law |

(ii) Select Julius Stone's view on jurisprudence

- | | |
|--|--|
| a) jurisprudence is the name given to a certain type of Investigation into law | b) it is a chaos of approaches to chaos of topics chaotically determined |
| c) Formal science of positive law | d) Study and systematic arrangement of the general principles of law |

(iii) Select the purpose of jurisprudence as identified by Salmond

- | | |
|----------------------|-------------------|
| a) exposition of law | b) science of law |
| c) legal history | d) All of these |

(iv) Select the purpose of jurisprudence opined by Bentham

- | | |
|---|--|
| a) exposition of law | b) censor of law |
| c) Both exposition of law and censor of law | d) Neither exposition of law and censor of law |

(v) Identify the Sources of law are

- | | |
|----------------|-----------------|
| a) Custom | b) Precedent |
| c) Legislation | d) All of these |

(vi) Identify the origin of Customary law

- | | |
|----------------|-----------------|
| a) Custom | b) Precedent |
| c) Legislation | d) All of these |

(vii) Identify Allen's view on Jurisprudence

- | | |
|-------------------------|--|
| a) as social phenomenon | b) custom is the source of law, which countries in the declaration of legal rule competent authority |
|-------------------------|--|

- c) custom covers anything said or done which furnishes a rule for subsequent practice
- (viii) Locate the word custom
- a) custom covers anything said or done which furnishes a rule for subsequent practice
- c) custom is the source of law, which countries in the declaration of legal rule competent authority.
- (ix) Locate the definition of precedent
- a) precedent covers anything said or done which furnishes a rule for subsequent practice
- c) precedent is the source of law, which contains in the declaration of legal rule competent authority
- (x) Locate the Merit of precedent
- a) precedent show respect for the opinion of one's ancestors
- c) precedent brings flexibility in law
- (xi) Locate the meanig of the term Ratio decidendi
- a) observations made by the Judge, but are not essential for the decision reached
- c) The law relating to the control of power of judiciary
- (xii) Identify the Essentials of custom
- a) antiquity
- c) continuity
- (xiii) Identify the Merit of precedent is
- a) precedent show respect for the opinion of one's ancestors
- c) precedent brings flexibility in law
- (xiv) Select the Demerit of precedent
- a) precedent show respect for the opinion of one's ancestors
- c) There is always a possibility of overlooking authorities
- (xv) Identify Ratio decidendi
- a) observations made by the Judge, but are not essential for the decision reached.
- c) The law relating to the control of power of judiciary
- d) custom is legislation
- b) custom is not the source of law but it takes a shape of law when the camp of recognition by the state
- d) custom is legislation
- b) precedent is not the source of law but it takes a shape of law when the camp of recognition by the state
- d) precedent is legislation
- b) precedent brings certainty in law
- d) All of these
- b) the principles of law formulated by the Judge for the purpose of deciding the problem before him(
- d) precedent brings flexibility in law
- b) reasonableness
- d) All of these
- b) precedent brings certainty in law
- d) All of these
- b) precedent brings certainty in law
- d) precedent brings flexibility in law
- b) the principles of law formulated by the Judge for the purpose of deciding the problem before him
- d) precedent brings flexibility in law

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Jurisprudence is the lawyers extraversion -tell your view. (3)
3. Explain the definition of law in terms of social ends or interests. (3)
4. Discuss about Austin's sanction in his theory. (3)
5. Critisize Kelsen's Pure Theory of law and differentiate it form Austin's view. (3)
6. Explain Administration of justice. (3)

OR

Differentiate between corporate sole and corporate aggregate. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Explain the nature scope and utility of Jurisprudence. (5)
8. Define the term Dharma in Indian jurisprudence. (5)
9. State the term sources of law and write brief definition of each sources of law. (5)
10. Explain Holland's legal right (5)
11. Illustrate and compare the concept of 'corpus possessionis' and 'animas possidendi'. (5)
12. "Legal personality is a fiction of law"- Explain. (5)

OR

your idea about the variour forms or kinds of ownership. (5)
