



BRAINWARE UNIVERSITY

Programme – LL.B.-2020/LL.B.-2021
Course Name – Jurisprudence
Course Code - LLB303
(Semester III)

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.1 Group-A (Multiple Choice Type Question) 1. Choose the correct alternative from the following: (i) Write: Legal Realism was analyzed in United State by a) Salmond b) Holmes c) Austin d) Grotius (ii) Select : According to Salmond jurisprudence is the a) Formal science of positive law b) Science of civil law c) Scientific synthesis of essential principles of d) General principles of law law (iii) Trace: Lex Externa is the ordinance of: a) Devine wisdom of universal governance b) Theory of jurisprudence c) A school of thought d) None of these (iv) Memorize :Holland has defined jurisprudence as a) Scientific synthesis of essential principles of b) Science of civil law law c) Formal science of positive law d) General principles of law (v) Choose the options and fill_ hold that jurisprudence is the study of law as it is. a) Naturalists b) Positivists c) Realists d) Historical Jurist (vi) Indicate: Supreme legislation is that a) which is not independent and under the laws made by the executive control of another country c) which proceeds from sovereign power in the d) the laws and the rules made by the supreme court (vii) Select: colonial legislation is that a) which is not independent and under the laws made by the executive control of another country

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c) which proceeds from sovereign power in the state.	d) the laws and the rules made by the supreme court
(viii) Solve : 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 (ix) Identify: Municipal legislation or local legislation 	d) Neither Physical control over the object possessed and the mental element or the intention to hold the object as owner
 a) which proceeds from sovereign power in the state. 	b) the laws and the rules made by the supreme court
c) the law made by local bodies	d) which is not independent and under the
(x) Write Corpus possessionis means	control of another country
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 (xi) Select: Who propounded the concept of Grund 	 d) Neither Physical control over the object possessed and the mental element or the intention to hold the object as owner
a) Roscoe Pound	b) Hans Kelsen
c) John Austin	d) Hart s presented the thesis that jurisprudence is
a) John Stuart Mill c) Roscoe Pound (xiii) Tell :Professor Allen defined jurisprudence as	b) Black Stone d) Jeremy Bentham
a) Formal science of positive law c) General principles of law	b) Science of civil lawd) Scientific synthesis of essential principles of law
(xiv) Select : According to John Austin the subject-ma	atter of Jurisprudence is law.
a) Positive c) none of these	b) Negative d) Metaphysica
(xv) Explain : According to Austin, particular jurisprua) On the element of fear in the obedience of law	b) On the element of dear in the ignorance of law
c) On the evasion of law	d) Study of actual system of law or any portion of it
	ир-В
(Short Answer	Type Questions) 3 x 5=15
2. Explain the difference between Legal and equitabl 3. State the main differences between natural law ar 4. "Actio personalis moritur cum persona"- illustrate	nd legal positivism. (3)
status of a dead man. 5. Define pain pleasure theory. Analyze. 6. Evaluate the Hoffildian concept of legal right of jui	
Write a note on Administration of justice	OR (3)
	with the man read the substitution of the state of the st

Group-C (Long Answer Type Questions)

5 x 6=30

7.	Explain H.L.A hart's contribution to Analytical Positivism.	(5)
8.	Critisize Savigny's theory of law as he pointed out that the law developes like language and law grows with the growth of the society.	(5)
9.	"Legal personality is a fiction of law"- Explain.	(5)
10.	Differentiate legal right from fundamental rights and identify that right can be exercised against the state or not.	(5)
11.	. Define the term 'Dharma' in Indian jurisprudence.	(5)
12.	Direct a fair criticism against the deductions that Austin made from his fundamental positions, such as the illimitable and indivisible nature of sovereignty, or that internationally and constitutional law and also custom as were positive morality.	(5)
	OR	
	Illustrate the difference between exclusive and inclusive legal positivism. Can you name some natural lawyers and some legal positivists?	(5)