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# Mastering Jurisprudence: FAQs for CLAT PG

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Jurisprudence, often described as the grammar of law, is one of the most conceptually challenging yet scoring subjects in the CLAT PG syllabus. Unlike codifying laws, Jurisprudence demands a deep structural understanding of various legal schools of thought, the evolution of legal concepts, and the philosophies of foundational jurists. This is therefore a complete FAQ guide for CLAT PG.

The NLU Consortium routinely tests candidates on definitions of law, theories of rights, ownership, possession, and corporate personality.

This blog post functions as a complete FAQ and revision manual. It compiles 50 highly relevant multiple-choice questions (MCQs) mapped out to match the contemporary standards of the CLAT PG exam. Each question is paired directly with its options and the correct answer for efficient self-evaluation.

## 50 Frequently Asked Questions & MCQs

Q1. Who is traditionally regarded as the "Father of English Jurisprudence"?

- A) John Austin
- B) Jeremy Bentham
- C) H.L.A. Hart
- D) Thomas Hobbes

Answer: A

Q2. Jeremy Bentham distinguished between two approaches to jurisprudence: "Expositorial" and "Censorial". Censorial jurisprudence deals with:

- A) What the law is
- B) What the law ought to be
- C) How the law is enforced

D) The historical origin of law

Answer: B

Q3. The Command Theory of Law, which defines law as the "command of a sovereign backed by a sanction", is primarily associated with which jurist?

A) Hans Kelsen

B) John Austin

C) Ronald Dworkin

D) Roscoe Pound

Answer: B

Q4. According to John Austin, which of the following is NOT an essential element of a positive law?

A) Command

B) Sovereign

C) Sanction

D) Morality

Answer: D

Q5. Hans Kelsen's "Pure Theory of Law" is described as 'pure' because it excludes:

A) Constitutional norms

B) Statutory rules

C) Extralegal elements like ethics, politics, sociology, and history

D) Logic and formal analysis

Answer: C

Q6. In Kelsen's Pure Theory of Law, the ultimate dynamic source from which all legal norms derive their validity is called the:

A) Grundnorm

- B) Sovereign Will
- C) Natural Law
- D) Volkgeist

Answer: A

Q7. H.L.A. Hart conceptualized law as a union of two types of rules. These rules are:

- A) Moral rules and legal rules
- B) Primary rules and secondary rules
- C) Divine rules and human rules
- D) Substantive rules and procedural rules

Answer: B

Q8. According to H.L.A. Hart, a "Rule of Recognition" is a:

- A) Primary rule that imposes duties on citizens
- B) Secondary rule providing the criteria for evaluating the validity of other rules
- C) Moral principle derived from nature
- D) Rule used to interpret criminal statutes

Answer: B

Q9. The "Inner Morality of Law", which consists of eight procedural requirements that a legal system must meet to be valid, was formulated by:

- A) Lon L. Fuller
- B) H.L.A. Hart
- C) Gustav Radbruch
- D) John Finnis

Answer: A

Q10. The famous "Hart-Fuller Debate" primarily revolved around the relationship between:

- A) Law and Economics
- B) Law and Morality
- C) Custom and Legislation
- D) Corporate and Individual Liability

Answer: B

Q11. The Historical School of Jurisprudence was founded as a reaction against:

- A) The Realist School and sociological data
- B) The Natural Law School and French codification movements
- C) Marxist interpretations of property
- D) Analytical positivism alone

Answer: B

Q12. The concept of "Volksgeist" (the collective spirit or common consciousness of the people) was introduced by:

- A) Friedrich Carl von Savigny
- B) Henry Maine
- C) Georg Friedrich Puchta
- D) Hugo Grotius

Answer: A

Q13. Sir Henry Maine is famous for his thesis that the movement of progressive societies has hitherto been a movement from:

- A) Contract to Status
- B) Status to Contract
- C) Custom to Legislation
- D) Feudalism to Capitalism

Answer: B

Q14. According to Sir Henry Maine, societies that do not advance beyond the stage of codification are called:

- A) Progressive societies
- B) Static societies
- C) Primitive societies
- D) Natural societies

Answer: B

Q15. Who is considered the founding father of the Sociological School of Jurisprudence?

- A) Roscoe Pound
- B) Rudolf von Jhering
- C) Eugen Ehrlich
- D) Leon Duguit

Answer: B

Q16. Roscoe Pound's theory of "Social Engineering" aims to:

- A) Reshape human nature through criminal law
- B) Balance competing interests in society with the least amount of friction and waste
- C) Centralize lawmaking within state agencies
- D) Build a society entirely free of legal regulations

Answer: B

Q17. Roscoe Pound classified interests into three categories. Which of the following is NOT one of them?

- A) Private interests
- B) Public interests
- C) Social interests
- D) Divine interests

Answer: D

Q18. The concept of "Living Law", which emphasizes that the actual law governing society is found in human conduct rather than formal legal codes, was propounded by:

- A) Eugen Ehrlich
- B) Leon Duguit
- C) Karl Llewellyn
- D) Max Weber

Answer: A

Q19. Leon Duguit is renowned for his theory of "Social Solidarity", which posits that:

- A) The state has absolute authority over individuals
- B) Individuals have absolute rights against the community
- C) Humans are interdependent, and law should minimize conflict to enhance social cohesion
- D) Law is merely an instrument of the ruling class

Answer: C

Q20. The American Realist School of Jurisprudence is heavily influenced by which philosophical movement?

- A) Idealism
- B) Pragmatism
- C) Utilitarianism
- D) Scholasticism

Answer: B

Q21. "The prophecies of what the courts will do in fact, and nothing more pretentious, are what I mean by the law." This famous quote is attributed to:

- A) Justice Oliver Wendell Holmes Jr.
- B) Karl Llewellyn

C) Jerome Frank

D) John Chipman Gray

Answer: A

Q22. Jerome Frank represents the branch of American Realism known as "Fact Scepticism", which argues that:

A) Statutes are entirely unpredictable

B) Appellate court judgments are logically flawed

C) The primary uncertainty in legal outcomes arises from the unpredictability of finding facts at the trial court level

D) Scientific facts cannot be used in courts

Answer: C

Q23. The Scandinavian Realist School differs from the American Realist School because it focuses more on:

A) The psychological and metaphysical critique of legal concepts like 'rights' and 'duties'

B) The behavior of judges in trial courts

C) Economic analysis of statutory law

D) Reviving natural law principles

Answer: A

Q24. Karl Marx and Friedrich Engels viewed law as:

A) An expression of the common will of all classes

B) A tool used by the ruling economic class to exploit the working class

C) A manifestation of divine justice on earth

D) An autonomous system independent of economic structures

Answer: B

Q25. Which school of jurisprudence argues that law is inherently patriarchal and serves to maintain male dominance over women?

- A) Critical Legal Studies
- B) Feminist Jurisprudence
- C) Sociological Jurisprudence
- D) Historical Jurisprudence

Answer: B

Q26. The "Hohfeldian Table of Jural Correlatives" identifies the exact structural relationship between different legal rights. What is the jural correlative of a "Right"?

- A) Duty
- B) No-Right
- C) Privilege
- D) Liability

Answer: A

Q27. According to Wesley Newcomb Hohfeld, what is the jural opposite of a "Power"?

- A) Liability
- B) Disability
- C) Immunity
- D) Duty

Answer: B

Q28. The two main competing theories regarding the nature of a legal right are:

- A) The Will Theory and the Interest Theory
- B) The Command Theory and the Pure Theory
- C) The Realist Theory and the Idealist Theory
- D) The Status Theory and the Contract Theory

Answer: A

Q29. The "Interest Theory" of legal rights, which defines a right as a "legally protected interest", was pioneered by:

- A) John Locke
- B) Rudolf von Jhering
- C) Immanuel Kant
- D) H.L.A. Hart

Answer: B

Q30. A right that is enforceable against the entire world is known as a:

- A) Right in personam
- B) Right in rem
- C) Proprietary right
- D) Contingent right

Answer: B

Q31. The two essential elements of Possession as formulated by classical jurists are:

- A) Ownership and Title
- B) Corpus Possessionis and Animus Possidendi
- C) Jus in re propria and Jus in re aliena
- D) Fact and Law

Answer: B

Q32. "Animus Possidendi" means the:

- A) Physical control over the object
- B) Intent to exclude others from the control of the object
- C) Legal title to the property

D) Spiritual connection to the land

Answer: B

Q33. In English common law, the landmark case of *Armory v. Delamirie* established that:

A) A finder of property has no rights against anyone

B) A finder of an object acquires a right to keep it against all but the rightful owner

C) Possession can never ripen into ownership

D) A servant always holds possession on behalf of the master

Answer: B

Q34. Possession acquired through an agent or a servant is called:

A) Mediate possession

B) Immediate possession

C) Incorporeal possession

D) Adverse possession

Answer: A

Q35. The ultimate legal relationship between a person and an object, giving the person the most complete set of rights over it, is defined as:

A) Possession

B) Custody

C) Ownership

D) Encumbrance

Answer: C

Q36. Ownership over tangible physical objects like land or a car is called:

A) Incorporeal ownership

B) Corporeal ownership

C) Contingent ownership

D) Beneficial ownership

Answer: B

Q37. Trust property presents a unique split in ownership. The trustee holds the \_\_\_\_\_, while the beneficiary holds the \_\_\_\_\_.

A) Legal ownership, Beneficial ownership

B) Beneficial ownership, Legal ownership

C) Sole ownership, Co-ownership

D) Vested ownership, Contingent ownership

Answer: A

Q38. An encumbrance on the property of another person that grants specific rights of use (such as a right of way) is called a/an:

A) Lease

B) Easement

C) Pledge

D) Bailment

Answer: B

Q39. A legal person is defined in jurisprudence as:

A) Any living human being only

B) Any entity (human or non-human) capable of bearing legal rights and duties

C) A registered partnership firm only

D) An individual holding public office

Answer: B

Q40. The process by which the law confers legal personality upon an artificial entity (like a company) is called:

- A) Aggregation
- B) Incorporation
- C) Codification
- D) Adjudication

Answer: B

Q41. Which theory of corporate personality argues that a corporation has no real willpower or mind, and its personality is merely a fiction created by the law for convenience?

- A) Realist Theory
- B) Fiction Theory
- C) Bracket Theory
- D) Concession Theory

Answer: B

Q42. The "Realist Theory" of corporate personality, which asserts that a corporation is an organic reality with a real psychic will of its own, is primarily associated with:

- A) Friedrich von Gierke
- B) Savigny
- C) Salmond
- D) Kelsen

Answer: A

Q43. The judicial doctrine that allows courts to look behind the corporate facade to identify the real individuals controlling a company is known as:

- A) Ultra Vires
- B) Lifting the Corporate Veil
- C) Constructive Notice
- D) Indoor Management

Answer: B

Q44. According to Salmond, a "Title" is the:

- A) Physical possession of a good
- B) De facto control over an area
- C) Vesting fact or event which creates, transfers, or extinguishes a right
- D) Registration certificate issued by government

Answer: C

Q45. A liability that arises even in the absence of mens rea (guilty mind) or negligence is known as:

- A) Vicarious liability
- B) Strict liability
- C) Remedial liability
- D) Joint liability

Answer: B

Q46. The distinction between "Jus Scriptum" and "Jus Non-Scriptum" refers to:

- A) Written law and Unwritten law
- B) Public law and Private law
- C) International law and Municipal law
- D) Civil law and Criminal law

Answer: A

Q47. Custom, to be recognized as a valid source of law in India, must fulfill which of the following criteria?

- A) It must be ancient, continuous, and reasonable
- B) It must not be opposed to public policy or statutory law
- C) It must be observed as a matter of right

D) All of the above

Answer: D

Q48. The doctrine of "Stare Decisis" means that:

- A) Legislation overrides judicial decisions
- B) Lower courts are bound to follow the legal precedents set by higher courts
- C) Customary practices must be coded immediately
- D) Foreign judgments are strictly binding on domestic courts

Answer: B

Q49. The core legal principle or reasoning underlying a judicial decision, which forms the binding element of a precedent, is the:

- A) Obiter Dicta
- B) Ratio Decidendi
- C) Res Judicata
- D) Per Incuriam

Answer: B

Q50. An observation made by a judge in a judgment that is not essential to the decision of the case and acts as a persuasive statement is called:

- A) Ratio Decidendi
- B) Obiter Dictum
- C) Writ of Mandamus
- D) Decree

Answer: B

*Success in the Jurisprudence section of the CLAT PG requires a clear transition from rote learning to analytical thinking. The NLU Consortium frequently structures passage-based questions around dense legal excerpts written by jurists like Austin, Hart, or Pound.*

*By reviewing these foundational MCQs and establishing clarity on core concepts like Hohfeld's rights table and possession elements, you can quickly untangle complex theoretical problems during the exam. Keep analyzing the primary texts, and best of luck!*