BLOGS

MCQ’s on Jurisprudence for CLAT PG [Part 5]

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Q1. A right that exists only in the sphere of morality is called:

a. Legal right

b. Moral right

c. Perfect right

d. Real right

Q2. Who wrote *“The Province of Jurisprudence Determined”*?

a. Bentham

b. Austin

c. Salmond

d. Kelsen

Q3. Which theory treats possession as a psychological relationship?

a. Ihering’s theory

b. Savigny’s theory

c. Salmond’s theory

d. Holmes’ theory

Q4. The view that law must be studied as it is, not as it ought to be, reflects:

a. Natural Law

b. Positivism

c. Historical School

d. Sociological School

Q5. Which jurist criticised “metaphysical” explanations of law?

a. Savigny

b. Kelsen

c. Pound

d. Aquinas

Q6. A right enforceable by action is termed:

a. Moral right

b. Imperfect right

c. Perfect right

d. Natural right

Q7. Hohfeld's "immunity" is opposite of:

a. Duty

b. Power

c. Privilege

d. Liability

Q8. Who regarded law as an expression of "collective will"?

a. Bentham

b. Savigny

c. Austin

d. Hart

Q9. Which school emphasises "law in action" over "law in books"?

a. Positivist

b. Historical

c. Realist

d. Natural

Q10. Which jurist connected law with morality most strongly?

a. Hart

b. Kelsen

c. Aquinas

d. Austin

Q11. The term "jurisprudence" is derived from:

a. Greek

b. French

c. Latin

d. German

Q12. Who defined jurisprudence as "the formal science of positive law"?

a. Salmond

b. Austin

c. Holland

d. Bentham

Q13. A duty corresponding to a right in rem lies against:

a. One person

b. The State

c. Everyone

d. The sovereign

Q14. Which jurist rejected the idea that sovereignty is central to law?

a. Austin

b. Hart

c. Bentham

d. Holland

Q15. The concept of *Grundnorm* belongs to:

a. Hart

b. Kelsen

c. Savigny

d. Pound

Answers

1. Correct Answer: B – Moral right

Explanation – Moral rights exist in ethical domain and lack legal enforceability.

2. Correct Answer: B – Austin

Explanation – This work laid the foundations of analytical jurisprudence and command theory.

3. Correct Answer: B – Savigny

Explanation – Savigny saw possession as requiring *corpus* and *animus*—physical control plus mental intent.

4. Correct Answer: B – Positivism

Explanation – Positivists insist on studying law "as it is," separating law from moral ideals.

5. Correct Answer: B – Kelsen

Explanation – Kelsen rejected metaphysical and moral explanations, aiming for a "pure" legal science.

6. Correct Answer: C – Perfect right

Explanation – A perfect right is legally enforceable through courts.

7. Correct Answer: B – Power

Explanation – Immunity negates another's power to alter one's legal position.

8. Correct Answer: B – Savigny

Explanation – Savigny saw law as expression of collective will and historical development.

9. Correct Answer: C – Realist

Explanation – Realists focus on actual operation of law rather than abstract doctrine.

10. Correct Answer: C – Aquinas

Explanation – Aquinas integrated morality into law, treating unjust law as lacking true legal character.

11. Correct Answer: C – Latin

Explanation – Derived from *jus* (law) and *prudentia* (knowledge).

12. Correct Answer: C – Holland

Explanation – Holland viewed jurisprudence as a formal analytical science of law.

13. Correct Answer: C – Everyone

Explanation – A right in rem imposes correlative duties on all persons.

14. Correct Answer: B – Hart

Explanation – Hart replaced sovereign-centric theory with a rule-based structure.

15. Correct Answer: B – Kelsen

Explanation – Grundnorm is the foundational presupposed norm giving validity to all other norms.