BLOGS

MCQs on Jurisprudence for CLAT PG [Part 5]

Adtiya Aryan · 05 Feb 2026

Jurisprudence literally means the “knowledge of law.” It is concerned with the systematic and scientific study of legal concepts and legal principles. Unlike the practice of law, which deals with application in courts and legal procedure, jurisprudence deals with the foundational ideas underlying law itself such as what law is, why it exists, and how it should function in society.

Law is not merely a set of rules issued by a sovereign, but a system that must reflect justice, fairness, and social order. The nature of law has been a subject of debate among jurists for centuries.

Some jurists, like the natural law school, hold that law is deeply intertwined with morality and that unjust laws are not true law. Others, such as legal positivists, insist that law must be understood as it is a command backed by sanctions separate from moral judgments about justice.

According to Salmond, a right in law corresponds with a duty; every legal right has a corresponding obligation binding on others. For instance, a right to property imposes on others the duty not to interfere with that property.

A legal person is any entity, natural or juristic, that is capable of having rights and duties. Juristic persons, such as corporations, possess legal personality even though they are not physical persons.

The analytical school focuses on the logical structure of legal systems, emphasising clarity and precision in the definition of legal concepts. In contrast, the historical school sees law as evolving out of the customs and usages of a community over time. Custom, therefore, may become a source of law if it is ancient, continuous, and accepted as binding by the society in which it operates.

Another important concept in jurisprudence is liability. Liability refers to the legal responsibility one bears for the consequences of his or her actions. Salmond describes liability as the *vinculum juris* the legal bond that connects the wrongdoer to the remedy imposed by law. Liability may be civil, penal, or remedial. Penal liability focuses on punishment and deterrence, while civil liability aims to compensate the victim.

Jurisprudence also examines the role of judges and judicial decisions. Judicial precedent, or *stare decisis*, is recognised as a source of law in many legal systems. Under this doctrine, decisions of higher courts bind lower courts, ensuring consistency and predictability in legal rulings. However, judges may also distinguish or overrule precedents when the circumstances warrant it.

Law is seen both as a means to an end and as rooted in broader social values. The rule of law that no person shall be punished except for a breach of law established in the ordinary legal manner remains a fundamental principle.

The study of jurisprudence, therefore, equips students and practitioners with an understanding of not just the mechanisms of law, but also its deeper purposes within a community.

Q1. Jurisprudence is best described as:

a. A body of enforceable rules

b. Science of legal principles and theory

c. Practice of law in courts

d. Codified statutes only

Q2. Which of the following is not traditionally considered a source of law?

a. Legislation

b. Custom

c. Judicial precedent

d. Private morality

Q3. The Analytical School of jurisprudence primarily focuses on:

a. Moral foundations of law

b. Law as it is, not as it ought to be

c. Sociological impact of law

d. Religious bases of law

Q4. According to legal positivism, law and morality are:

a. Always inseparable

b. Completely distinct

c. Morally superior to law

d. Interchangeable

Q5. The ‘command theory’ of law was propounded by:

a. H.L.A. Hart

b. John Austin

c. Ronald Dworkin

d. Hans Kelsen

Q6. Natural law theory asserts that:

a. Law has no connection with morality

b. Law is a product of human will only

c. Certain moral principles are inherent in law

d. Law is merely commands backed by sanctions

Q7. Which school emphasises law as a social institution shaped by customs and usage?

a. Historical School

b. Analytical School

c. Natural Law School

d. Realist School

Q8. Hart’s primary criticism of Austin’s command theory was that it:

a. Overemphasised morality

b. Failed to account for the internal point of view of rules

c. Lacked sociological basis

d. Was too focused on custom

Q9. A ‘legal person’ in jurisprudence means:

a. Only natural persons

b. Entities capable of possessing rights and duties

c. Only corporations

d. Only state actors

Q10. The Pure Theory of Law by Kelsen seeks to:

a. Integrate morality and law

b. Separate law from all other disciplines including ethics and politics

c. Emphasise custom as source of law

d. Focus exclusively on criminal law norms

Q11. In jurisprudence, 'liability' refers to:

a. A moral duty only

b. Legal responsibility for consequences of an act

c. Ownership of property

d. Immunity from legal consequences

Q12. Realist theories of law argue that:

a. Law is purely theoretical

b. Judicial decisions are influenced by social and psychological factors

c. Law and morality are identical

d. Law is simply religious scripture

Q13. 'Secondary rules' in Hart's theory are important because they:

a. Define private morality

b. Allow creation, alteration, and extinction of primary rules

c. Are optional guidelines with no legal effect

d. Replace all customary law

Q14. Which concept primarily distinguishes law from ethics?

a. Law is always moral

b. Ethics is enforceable by courts

c. Law is enforceable by the state

d. Ethics is mandated by legislation

Q15. The purpose of jural analysis in jurisprudence is to:

a. Provide legal representation in courts

b. Break down legal concepts into basic elements

c. Replace statutory interpretation

d. Codify religious norms

Answers with Explanations

1. Correct Answer: B – Science of legal principles and theory

Explanation: Jurisprudence is the philosophical study of the nature, purposes, and foundations of law, not the enforcement of specific rules themselves. It investigates what law is and ought to be.

2. Correct Answer: D – Private morality

Explanation: Traditional sources of law include legislation, custom, and precedent. Private morality, while sometimes influencing law, is not itself a recognized source of law.

3. Correct Answer: B – Law as it is, not as it ought to be

Explanation: The Analytical School focuses on defining law in objective terms, emphasizing analysis of legal concepts without moral judgment.

4. Correct Answer: B – Completely distinct

Explanation: Legal positivism maintains that law and morality are separate; what is legally valid is not necessarily moral.

5. Correct Answer: B – John Austin

Explanation: John Austin's *The Province of Jurisprudence Determined* articulated the command theory of law, defining law as commands of a sovereign backed by sanctions.

6. Correct Answer: C – Certain moral principles are inherent in law

Explanation: Natural law theory holds that law derives authority from inherent moral principles common to human reason.

7. Correct Answer: A – Historical School

Explanation: The Historical School views law as a product of evolving customs and traditions within a society.

8. Correct Answer: B – Failed to account for the internal point of view of rules

Explanation: Hart criticised Austin for not recognising that legal rules are accepted and followed internally, not just because of fear of sanctions.

9. Correct Answer: B – Entities capable of possessing rights and duties

Explanation: Legal personality refers to any entity natural or juristic that the law recognises as capable of having rights and duties.

10. Correct Answer: B – Separate law from all other disciplines including ethics and politics

Explanation: Kelsen's Pure Theory of Law seeks a scientific, value-free analysis of law as a normative system distinct from morality and politics.

11. Correct Answer: B – Legal responsibility for consequences of an act

Explanation: In jurisprudence, liability means legal obligation to answer for one's act, distinct

from mere moral duty.

12. Correct Answer: B – Judicial decisions are influenced by social and psychological factors

Explanation: Realists argue that law is shaped by real-world decision-making processes and social context, not just abstract rules.

13. Correct Answer: B – Allow creation, alteration, and extinction of primary rules

Explanation: Hart's secondary rules empower a legal system to change or recognise primary rules, solving problems of uncertainty and inefficiency.

14. Correct Answer: C – Law is enforceable by the state

Explanation: A key distinction is that law has state enforcement mechanisms, whereas ethics depends on individual or social norms without legal compulsion.

15. Correct Answer: B – Break down legal concepts into basic elements

Explanation: Jural analysis seeks to clarify complex legal notions (like rights and duties) by examining their basic conceptual components.