BLOGS

MCQs on Jurisprudence for CLAT PG [Part 6]

Adtiya Aryan · 17 Feb 2026

Q1. Which of the following best explains why John Austin excluded morality from the concept of law?

a. Morality lacks universal acceptance

b. Moral rules are unenforceable by courts

c. Law derives validity from sovereign command, not ethical content

d. Moral principles evolve faster than legal rules **Q2. Hart's criticism of Austin primarily rests on the claim that Austin's theory fails to explain:**

a. The coercive nature of law

b. The continuity of legal systems

c. The role of morality in adjudication

d. The supremacy of constitutional norms **Q3. According to Hart, the Rule of Recognition performs which central function?**

a. It authorises courts to invalidate immoral laws

b. It identifies valid legal rules within a legal system

c. It ensures democratic legitimacy of legislation

d. It reconciles primary and secondary rules **Q4. Dworkin's concept of "principles" differs from "rules" mainly because principles:**

a. Are enforced only by higher courts

b. Operate in an all-or-nothing manner

c. Have weight and may conflict without invalidation

d. Are derived from legislative intent **Q5. Which jurisprudential implication follows from Dworkin's "one right answer" thesis?**

a. Judges always apply statutory text mechanically

b. Judicial discretion is unlimited

c. Hard cases involve moral reasoning, not discretion

d. Precedents have no binding force **Q6. Legal realism's core challenge to formalism lies in its assertion that:**

a. Law is identical with morality

b. Judges decide cases solely based on personal bias

c. Judicial decisions are influenced by extra-legal factors

d. Statutes are irrelevant in adjudication **Q7. The realist claim that law is what courts "actually do" primarily undermines which idea?**

a. Separation of powers

b. Predictability of law

c. Judicial independence

d. Legislative supremacy **Q8. Kelsen's Pure Theory of Law rejects sociological and moral considerations because:**

a. They dilute the normative purity of law

b. They conflict with democratic values

c. They reduce judicial accountability

d. They expand judicial discretion **Q9. In Kelsen's framework, the Grundnorm functions as:**

a. A historical constitution

b. A moral justification of law

c. A presupposed source of legal validity

d. A natural law principle **Q10. Natural law theories most directly conflict with legal positivism on the question of:**

a. Source of law

b. Method of interpretation

c. Relationship between law and morality

d. Judicial discretion **Q11. Finnis departs from classical natural law theorists by grounding legal obligation primarily in:**

a. Divine command

b. Historical continuity

c. Basic human goods and practical reason

d. State authority **Q12. The jurisprudential significance of Fuller's "inner morality of law" lies in its claim that:**

a. Unjust laws are void

b. Procedural principles condition legal validity

c. Morality overrides legislative supremacy

d. Judges must apply equity over law **Q13. Which of the following best captures the Hart–Fuller debate?**

a. Whether courts should strike down immoral laws

b. Whether law can exist without moral content

c. Whether morality determines legislative competence

d. Whether sovereignty is absolute **Q14. Critical Legal Studies scholars primarily argue that law:**

a. Reflects neutral principles

b. Is indeterminate and politically contingent

c. Derives authority from social consensus

d. Evolves through judicial wisdom **Q15. Which jurisprudential approach most strongly supports the claim that constitutional interpretation must evolve with social change?**

a. Analytical positivism

b. Legal formalism

c. Sociological jurisprudence

d. Command theory **Answers Correct Answer: C – Law derives validity from sovereign command, not ethical content**

Explanations – Austin's positivism is built on **source-based validity**. For him, law is law because it is commanded by a sovereign and backed by sanctions. Moral merit or justice is irrelevant to its legal status, though it may matter politically or ethically. **Correct Answer: B – The continuity of legal systems**

Explanations – Austin could not explain why laws remain valid after a sovereign changes. Hart solved this through secondary rules, especially the Rule of Recognition, which explains legal continuity without personal obedience. **Correct Answer: B – It identifies valid legal rules within a legal system**

Explanations – The Rule of Recognition is the **ultimate test of validity**. It tells officials what counts as law (constitution, statutes, precedents), not whether law is moral or democratic.

Correct Answer: C – Have weight and may conflict without invalidation

Explanations – Dworkin distinguishes rules (which apply conclusively) from principles (which have dimension of weight). Principles can compete and be balanced, not invalidated when overridden. **Correct Answer: C – Hard cases involve moral reasoning, not discretion**

Explanations – Dworkin rejects Hart's idea of judicial discretion in hard cases. Judges interpret legal principles embedded in the system, meaning law extends beyond explicit rules. **Correct Answer: C – Judicial decisions are influenced by extra-legal factors**

Explanations – Realists do not deny law's existence but argue that social, economic, and

psychological factors influence how judges actually decide cases. **Correct Answer: B – Predictability of law**

Explanations – If law is what judges do, and decisions depend on subjective or contextual factors, certainty and predictability which central to rule of law—are weakened. **Correct Answer: A – They dilute the normative purity of law**

Explanations – Kelsen wanted a scientific theory of law, free from sociology, politics, or morality. Law, for him, is a normative system, not a social fact or moral ideal. **Correct Answer: C – A presupposed source of legal validity**

Explanations – The Grundnorm is not enacted or moral; it is assumed to explain why lower norms are valid. It anchors the legal system without invoking metaphysics. **Correct Answer: C – Relationship between law and morality**

Explanations – Natural law insists unjust law is not true law, while positivism maintains conceptual separation. This is the deepest and most enduring jurisprudential divide. **Correct Answer: C – Basic human goods and practical reason**

Explanations – Finnis modernises natural law by grounding it in reasoned human flourishing, not divine will. Law is obligatory because it promotes common good. **Correct Answer: B – Procedural principles condition legal validity**

Explanations – Fuller argued that laws must meet standards like generality, clarity, and prospectivity. A system that violates these fails as law itself, regardless of content. **Correct Answer: B – Whether law can exist without moral content**

Explanations – Hart said immoral laws can exist; Fuller said systematic immorality undermines legality itself. The debate focuses on conceptual validity, not judicial activism. **Correct Answer: B – Is indeterminate and politically contingent**

Explanations – CLS critiques law as serving dominant interests. Legal outcomes are shaped by power, ideology, and politics, not neutral reasoning. **Correct Answer: C – Sociological jurisprudence**

Explanations – Thinkers like Roscoe Pound argue law must adapt to social needs and realities. This supports living constitutionalism and dynamic interpretation.