BLOGS

Multiple Choice Questions on Schools of Law in Jurisprudence

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Preparing for the upcoming CLAT and AILET PG examinations? Attempt these questions on Schools of Law in Jurisprudence and test yourself now!

1. Which school of law emphasizes the role of morality and justice in legal principles?

A) Analytical School

B) Natural Law School

C) Historical School

D) Realist School

Correct Answer: B) Natural Law School

Explanation: The Natural Law School believes that law is based on morality, justice, and higher principles that exist beyond human-made laws. Thinkers like Aristotle, Aquinas, and Grotius advocated this view, arguing that laws should align with moral principles and universal truths.

2. Who is considered the father of the Analytical School of Law?

A) Montesquieu

B) Jeremy Bentham

C) H.L.A. Hart

D) Hugo Grotius

Correct Answer: B) Jeremy Bentham

Explanation: Bentham laid the foundation of the Analytical School by advocating utilitarianism and a scientific approach to law. He emphasized laws as commands of the sovereign, focusing on codification and utility rather than morality.

3. The Historical School of Law emphasizes the role of:

A) Morality and justice

B) Judicial decisions

C) Customs and traditions

D) Legislation by the sovereign

Correct Answer: C) Customs and traditions

Explanation: The Historical School, led by thinkers like Friedrich Karl von Savigny, argues that law develops organically from customs, traditions, and societal history rather than being imposed by the sovereign.

4. According to Legal Positivism, what is the main source of law?

A) Divine principles

B) Customary practices

C) Sovereign authority

D) Judicial interpretation

Correct Answer: C) Sovereign authority

Explanation: Legal Positivism, promoted by thinkers like John Austin, holds that law is a command of the sovereign, backed by sanctions. It does not consider morality or justice as necessary components of law.

5. Which school of law focuses on the practical effects of law rather than its theoretical justifications?

A) Sociological School

B) Natural Law School

C) Analytical School

D) Historical School

Correct Answer: A) Sociological School

Explanation: The Sociological School, led by thinkers like Roscoe Pound, emphasizes that law should be studied in terms of its impact on society. It prioritizes social needs over rigid legal doctrines.

6. Who among the following is associated with the Realist School of Law?

A) Oliver Wendell Holmes Jr.

B) John Austin

C) Roscoe Pound

D) Savigny

Correct Answer: A) Oliver Wendell Holmes Jr.

Explanation: Holmes is a key figure in the Realist School, which argues that law is not merely written rules but is shaped by judicial decisions and real-world applications. It focuses on how law functions in society rather than on its formal structure.

7. Which of the following best describes the concept of "Volksgeist" in legal theory?

A) Law is a command of the sovereign

B) Law evolves from the spirit of the people

C) Law should be based on morality and justice

D) Law is shaped by judicial activism

Correct Answer: B) Law evolves from the spirit of the people

Explanation: Friedrich Karl von Savigny introduced the concept of Volksgeist, meaning the "spirit of the people." He argued that law is a product of national customs and historical development.

8. The Analytical School of Law is also known as:

A) Legal Positivism

B) Sociological Jurisprudence

C) Natural Law Theory

D) Critical Legal Studies

Correct Answer: A) Legal Positivism

Explanation: The Analytical School, often associated with legal positivism, views law as a system of rules enforced by the state, separate from morality. Thinkers like Bentham and Austin championed this approach.

9. The Sociological School believes that law should be studied in relation to:

A) The commands of the sovereign

B) Religious principles

C) Social institutions and changes

D) Historical customs only

Correct Answer: C) Social institutions and changes

Explanation: Sociological Jurisprudence asserts that law is a social phenomenon and should adapt to societal needs. Roscoe Pound emphasized “law as social engineering” to balance competing interests.

10. According to John Austin, law is:

A) Based on divine authority

B) A command of the sovereign backed by sanctions

C) Derived from customs and history

D) A means of ensuring social justice

Correct Answer: B) A command of the sovereign backed by sanctions

Explanation: John Austin’s theory of Legal Positivism defines law as commands from a sovereign, enforced through penalties. He separates law from morality, focusing on legal authority and obedience.

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