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KNU/2022/ LL.BHC102

**3 Years LL.B.(H) 1<sup>st</sup> Semester Examination- 2022****Award: LLB(HONS)****Discipline: LAW****Course Type: CC****Course Code: LLBHC102****Course Name: Jurisprudence****Full Marks: 70(Regular)/80(Backlog)****Time: 4hrs**

**Candidates appearing examination for backlog courses are informed to attempt 6 questions from the question number 3**

**ব্যাকলগ কোর্সের জন্য পরীক্ষায় অংশগ্রহণকারী প্রার্থীদের 3 নম্বর প্রশ্ন থেকে 6 টি প্রশ্ন করার জন্য জানানো হচ্ছে**

**Group-A****I. Answer any ten questions:****1X10=10**

1. Jurisprudence is the observation of things human and divine stated by  
a) August Comte ( b) Hobbes (c) Ulpian (d) Austin
2. The term "legal theory" for the first time coined by  
a) W. Friedman (b) Salmond (c) Kelson (d) Julius Stone
3. Jurisprudence is the philosophy of positive law stated by  
(a) John Austin (b) Jeremy Bentham (c) Hohfield (d) H.L.A.Hart
4. The founder of Historical School is  
(a) Sir Henry Maine (b) Duguit (c) Savigny (d) Puchta
5. The theory of social solidarity was propounded by  
(a) Roscoe Pound (b) Ihering (c) Ehrlich (d) Duguit
6. The guiding force of the Historical School is  
(a) Legislation (b) Precedent (c) Custom (d) none of these
7. The only right which a man possesses is to perform his duty  
(a) Roscoe Pound (b) Fredrick Pollock (c) Blackstone (d) Leon Duguit
8. Elements of possession are  
(a) Corpus (b) Animus (c) Both (a)& (b) (c)None of these
9. The theory of social engineering propounded by  
(a) John Austin (b) Savigny (c) Roscoe Pound (d) Jerome Frank



10. Jurisprudence is

(a) the knowledge of law (b) the science of law (c) the grammar of law (d) All of the above

11. Who among the following put international law under positive morality along with the Law of honour and the law of fashion?

- (a) Austin
- (b) Allen
- (c) Salmond
- (d) Savigny

12. In order that a local custom may be valid and operative as a source of law, which of the following requirements besides antiquity are to be satisfied?

- 1. Reasonableness
- 2. Conformity with statute
- 3. Observance as a matter of moral right

Select the correct answer using the codes given below

Codes

- (a) 1, 2 and 3
- (b) 2 and 3
- (c) 1 and 3
- (d) 1 and 2

13. „Positive law’ is called positive because it is:

- (a) made as a result of divine providence
- (b) made as a result of collective effort
- (c) made by a person in authority
- (d) followed by everybody

14. A right which has a co-relative duty can be legally enforced is called

- (a) an antecedent right
- (b) a remedial right
- (c) a perfect right
- (d) an imperfect right

15. Ownership is “a right indefinite in point of user unrestricted in point of disposition and unlimited in point of duration over a determinate thing”

This definition of ownership has been given by

- (a) Salmond
- (b) Allen
- (c) Paton
- (d) Austin

16. The statement “Precedents are the past decisions which are used as guide in the molding of future decisions”, is attributed to

- (a) Dias

- (b) Gray
- (c) Keeton
- (d) none of the above



### Group-B

#### II. Answer any ten questions

2X10=20

- i. Define Jurisprudence?
- ii. What is Grundnorm?
- iii. "Law is found and not made" - this is the assumption of which school of jurisprudence?
- iv. What is "legal personality"?
- v. What is "Law" according to Savigny?
- vi. According to whom "Law is the command of Sovereign"?
- vii. What is the purpose of Law according to Bentham?
- viii. Who is the father of sociological jurisprudence?
- ix. What do you mean by Subordinate legislation?
- x. What do you mean by "animus possidendi"?
- xi. How "Ownership" is defined by Holland?
- xii. Is right of Ownership is superior to right to Possession?
- xiii. Is Municipal Corporation a legal person?
- xiv. Whether legal rights and duties are correlative?
- xv. "Possession is nine points of ownership" -Is this statement correct?
- xvi. What do you mean by "Sovereign" in jurisprudence?

### Group-C

#### III. Answer any four(Regular)/ six(backlog) questions:

5X4=20/ 5X6=30

- i. Law is the command of sovereign, command implies duty and sanction, with reference to the above statement explain Austin's School at jurisprudence.
- ii. Explain Volkgeist theory of Savigny referring historical school.
- iii. Write a note on the Contribution of Hart.
- iv. "Do judges make law or declare law"? Explain.
- v. What is legal personality? Explain status of - Unborn child - Dead man - Animals - Idols
- vi. What is Legislation? State Advantages and Disadvantages of Legislation.
- vii. What is the relation between Law and Morals?
- viii. Discuss the chief principles of Natural Law School of Jurisprudence.
- ix. What is the theory of Maine and discuss his contribution?
- x. Define Possession. Explain different kinds of Possession.

### Group-D