

**PARUL UNIVERSITY**  
**FACULTY OF LAW**  
**B.A. LLB. Summer 2017 – 18 Examination**

Semester: 4

Subject Code: 17300252

Subject Name: Legal Theory &amp; Jurisprudence

Date: 10/05/2018

Time: 10:00AM TO 01:00PM

Total Marks: 60

**Instructions:**

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Make suitable assumptions wherever necessary.
4. Start new question on new page.

**Q.1 Do as directed.** (1 marks each. All Compulsory)**(15)**

1. Who propounded concept of Social Solidarity.
 

A. Pound.	B. Eugene Ehrlich
C. Duguit	D. Rudolf von Ihering
2. Who said 'Essence of Law is Duty'
 

A. Austin	B. Duguit
C. Pound	D. Bentham
3. Who said 'the law is not to be deduced from rule, but rule from the law'?
 

A. Aristotle	B. Socrates
C. Ulpian	D. Paulus
4. Who defined Jurisprudence as "formal Science of positive Law"?
 

A. Austin	B. Bentham
C. Holland	D. Salmond
5. Who preferred to call himself as "constructive legal skeptic"
 

A. Jerome Frank	B. Ross
C. Justice Holmes	D. Holland
6. Who among the following have explained Social Contract Theory
 

A. Hobbes	B. Locke
C. Both A & B	D. None of the Above
7. Who among the following as propounded 'Theory of Justice'
 

A. Bentham	B. Austin
C. John Rawls	D. None of the Above.
8. Which of the following Schools are called as "metaphysics-skeptical"
 

A. American Realist	B. Scandinavian Realist
C. Analytical Positivist	D. Natural Law School
9. Who has made the following statement "*The prophecies of what the courts will do in fact and nothing more pretentious are what I mean by the law*"?
 

A. Justice Holmes.	B. Justice Gray
C. Ross	D. None of the above
10. Who used natural law theory to define international law?
 

A. Grotius	B. Hobbes
C. Locke	D. Socrates
11. Hobbes believed in undivided Sovereign. (True or False).
12. Henry Maine is a Scholar of Positivist School (True or False).
13. Duguit was the Scholar of Realist School (True or False).
14. Eugene Ehrlich believes that society is sources of law (True or False).
15. Austin believes in all powerful state (True or False).

- Q.2 A) Write short notes on (Each of three mark) (15)**
1. Explain various Sources of Law.
  2. Give difference between Historical & Positivist School
  3. Explain the Concept of Dharma
  4. Explain the relation between Law and Morals.
  5. Explain the concept of law and legal system by Eugene Ehrlich
- Q.3 A) List and Explain the 8 kinds of Law given by Salmond. (08)**
- OR**
- A) Explain the definition of Law by Austin along with the Criticism. (08)**
- B) Elaborate the theory of Social Engineering by Pound. (07)**
- OR**
- B) Explain the concept of Social Solidarity. (07)**
- Q.4 A) Explain the debate of Devlin v Hart. Give your own arguments on 'legality of homosexuality' based on law and morals. (07)**
- B) Answer the following (short questions) (Each of two mark) (08)**
1. Define Right. Explain the theories of right.
  2. Explain Austin's definition of Ownership.
  3. Define Liability. Explain the kinds of Liability.
  4. Define Possession. Explain the theories of Possession