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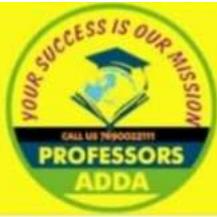
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Margdarshika Booklet UPDATED 2025 Edition

Margdarshika booklet what is this,

Why read this?

- It is a well-planned roadmap to simplify the vast and complex syllabus of UGC NET. It is like a Guru showing you the path to success in the subject. You do not need to depend on anyone.
- Its main aim is to give clear answers to questions like "what to read, where to start, and how deep to read". Focus points are explained.
- It gives a systematic direction to your preparation by dividing it into small (manageable) parts. It tells you what is the new trend of the exam these days.

What's that for?

- It is useful for students preparing for UGC NET, PGT, Asst Professor
- It is very useful for those who are preparing at home, those who are working, those who are not getting proper guidance, those who do not want to watch videos. It is a one stop solution for them

Key Features and Benefits

- **Benefits:** Explains important concepts, theories and examples of the subject.
- **Time saving:** Guides you in the right direction by saving you from unnecessary information. 100% exam oriented
- **Complete coverage:** Ensures that no important part of the syllabus is missed.
- **Increased confidence:** Having a clear plan reduces nervousness regarding preparation.

How to make best use of it?

- Make sure to remember the most important
- Follow the order given in the guide.
- Have a strong grip on the basics of each topic.
- While studying, focus on those topics in ProfessorsAdda Booklets.
- Try to establish a connection between different concepts.
- Solve MCQ practice questions and old question papers based on the guide. All this is given in ProfessorsAdda MCQ + PYQ booklet which is complete, quality updated.
- It works like your personal guide.

LAW Margdarshika Booklet

UNIT I: JURISPRUDENCE

1. What to Study (Do Highly Focus on These Topics)

- **Nature and Sources of Law:**
 - **Key Concepts:** Understand law not just as rules, but its function in society. Differentiate between law's form (statutes, rules) and its purpose (justice, order).
 - **Sources:**
 - **Custom:** Practices that gain the force of law over time through continuous, uniform, and accepted usage. (Example Saptapadi in Hindu marriage).
 - **Precedent (Judicial Decisions):** The principle of Stare Decisis.
 - Ratio Decidendi: The "reason for the decision," the binding part of a judgment.
 - Obiter Dicta: "Things said by the way," persuasive but not binding statements.
 - **Legislation:** Law formally enacted by a legislative body.
 - Supreme Legislation: Enacted by a sovereign power (Example Parliament).
 - Subordinate Legislation: Rules and regulations made by bodies other than the sovereign, under its authority (Example municipal bylaws).
- **Schools of Jurisprudence:**
 - **Analytical School (Positivism):** Focuses on law "as it is," not "as it ought to be."
 - John Austin: Law is the "command of the sovereign backed by a

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sanction."

- H.L.A. Hart: Law is a system of "primary rules" (which impose duties) and "secondary rules" (which confer powers, like rules of recognition, change, and adjudication).
- Hans Kelsen: "Pure Theory of Law." Law is a hierarchy of norms, with each norm deriving its validity from a higher norm, culminating in a Grundnorm (basic norm).
- **Historical School:** Sees law as a product of historical evolution and the spirit of the people (Volksgeist).
 - Savigny: Law is found, not made. It grows with the nation and dies with it. Volksgeist is the core concept.
 - Henry Maine: Traced the evolution of law from "status" (social position) to "contract" (individual agreement) in progressive societies.
- **Sociological School:** Studies law in its social context and its effect on society.
 - Roscoe Pound: "Social Engineering." Law's purpose is to balance conflicting interests in society to achieve the maximum satisfaction of wants with minimum friction.
 - Duguit: "Social Solidarity." Law arises from the fact of social interdependence. Any law that does not promote social solidarity is invalid.
- **Natural Law School:** Believes in a higher, universal law based on reason or morality, which is discoverable by human intellect.
- **Realist School:** Focuses on what courts actually do. Law is what judges decide.
- **Law and Morality:**
 - Explore the complex relationship. The **Hart-Fuller Debate** is a classic example: Hart argued for separating law and morals, while Fuller contended that a legal system must have an "inner morality."

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- **Concepts of Rights and Duties:**
 - **Hohfeld's Analysis:** A crucial analytical tool.
 - Jural Co-relatives (always exist together): Right-Duty, Privilege-No Right, Power-Liability, Immunity-Disability.
 - Jural Opposites (mutually exclusive): Right-No Right, Privilege-Duty, Power-Disability, Immunity-Liability.
- **Legal Personality:**
 - **Theories:** Fiction Theory (a corporation's personality is a legal fiction), Concession Theory (it's a concession from the state), etc.
 - **Latest Update:** The debate on Artificial Intelligence (AI) - can an AI be a legal person? What are the implications for liability and rights?
- **Property, Ownership, and Possession:**
 - Possession: Factual control (corpus) and the intention to possess (animus).
 - Ownership: The bundle of rights over a property, including use, enjoyment, and disposal.
- **Concept of Liability:**
 - Strict Liability: Liability without fault for harm caused by inherently dangerous activities.
 - Vicarious Liability: One person being held liable for the torts of another (Example employer for employee).

2. How to Study (Effective & Enlarged Strategies)

- **Comparative Tables:** Create a detailed table comparing schools of jurisprudence. Columns: School, Jurists, Core Philosophy (Keywords), and Criticism. This helps in "Match the Following" questions.
- **Mind Maps:** Use mind maps for complex topics. For example, a mind map for Hohfeld's analysis can visually link jural co-relatives and opposites, making them easier to remember.

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- **Jurist-Theory Flashcards:** Create physical or digital flashcards. On one side, write the name of a jurist (Example Roscoe Pound), and on the other, their key theory ("Social Engineering"). This is excellent for active recall and quick revision.
- **Link Theories to Current Events:** Try to apply jurisprudential theories to modern legal issues. For example, discuss the legal personality of AI using the Fiction or Realist theories. Analyze the basis of international law on terror using natural law or positivist theories.
- **One-Page Summaries:** For major theories like Kelsen's Pure Theory or Hart's Concept of Law, try to create a one-page summary that includes the core idea, key terms (Grundnorm, Primary/Secondary Rules), and a simple diagram.

3. Exam Tips (MCQ Focus)

- **High-Yield Areas:**
 - **Schools and Jurists:** This is the most frequently tested area. Matching jurists to their schools or theories is common.
 - **Sources of Law:** Questions distinguishing between custom, precedent, and legislation.
 - **Hohfeld's Analysis:** Expect direct questions on co-relatives and opposites.
 - **Rights and Justice:** Theories of justice (Aristotle, Rawls) and their connection to law.
- **Common Question Formats:**
 - **"Match the Following":** List A (Jurist/Book) and List B (Theory/Concept). Example: Match Savigny with Volksgeist.
 - **"Assertion (A) and Reason (R)":** To test your conceptual clarity. Example: A: Kelsen's theory is called the Pure Theory of Law. R: It aims to separate law from morals, sociology, and other external

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elements.

- **Direct Conceptual Questions:** "The concept of 'Social Engineering' was given by whom?"
- **Key Distinctions to Master:**
 - Ratio Decidendi vs. Obiter Dicta.
 - Possession vs. Ownership.
 - Rights vs. Liberties (Privileges) in Hohfeld's scheme.
 - Positive Law vs. Natural Law.

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LAW E-Booklet INDEX

UNIT I: JURISPRUDENCE

1. Nature and sources of law
2. Schools of jurisprudence
3. Law and morality
4. Concept of rights and duties
5. Legal personality
6. Concepts of property, ownership and possession
7. Concept of liability
8. Law, poverty and development
9. Global justice
10. Modernism and post-modernism

UNIT II: CONSTITUTIONAL AND ADMINISTRATIVE LAW

1. Preamble, fundamental rights and duties, directive principles of state policy
 - Preamble
 - Fundamental rights and duties
 - Directive principles of state policy
2. Union and State executive and their interrelationship
3. Union and State legislature and distribution of legislative powers
4. Judiciary
5. Emergency provisions
6. Temporary, transitional and special provisions in respect of certain states
7. Election Commission of India
8. Nature, scope and importance of administrative law
9. Principle of natural justice
10. Judicial review of administrative actions Grounds

UNIT III: PUBLIC INTERNATIONAL LAW AND IHL

1. International law - Definition, nature and basis
2. Sources of International law

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3. Recognition of states and governments
4. Nationality, immigrants, refugees and internally displaced persons (IDPs)
5. Extradition and asylum
6. United Nations and its organs
7. Settlement of international disputes
8. World Trade Organization (WTO)
9. International humanitarian law (IHL) - Conventions and protocols
10. Implementation of IHL - Challenges

UNIT IV: LAW OF CRIMES

1. General principles of criminal liability - Actus reus and mens rea, individual and group liability and constructive liability
 - Actus reus and mens rea
 - Individual and group liability
 - Constructive liability
2. Stages of crime and inchoate crimes - Abetment, criminal conspiracy and attempt
 - Abetment
 - Criminal conspiracy
 - Attempt
3. General exceptions
4. Offences against human body
5. Offences against state and terrorism
6. Offences against property
7. Offences against women and children
8. Drug trafficking and counterfeiting
9. Offences against public tranquility
10. Theories and kinds of punishments, compensation to the victims of crime
 - Theories and kinds of punishments
 - Compensation to the victims of crime

UNIT V: LAW OF TORTS AND CONSUMER PROTECTION

1. Nature and definition of tort
2. General principles of tortious liability
3. General defenses
4. Specific torts - Negligence, nuisance, trespass and defamation

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- Negligence
 - Nuisance
 - Trespass
 - Defamation
5. Remoteness of damages
 6. Strict and absolute liability
 7. Tortious liability of the State
 8. The Consumer Protection Act 1986 - Definitions, consumer rights and redressal mechanism
 - Definitions
 - Consumer rights
 - Redressal mechanism
 9. The Motor Vehicles Act, 1988 - No fault liability, third party insurance and claims tribunal
 - No fault liability
 - Third party insurance
 - Claims tribunal
 10. The Competition Act, 2002 - Prohibition of certain agreements, abuse of dominant position and regulation of combinations
 - Prohibition of certain agreements
 - Abuse of dominant position
 - Regulation of combinations

UNIT VI: COMMERCIAL LAW

1. Essential elements of contract and e-contract
2. Breach of contract, frustration of contract, void and voidable agreements
3. Standard form of contract and quasi-contract
4. Specific contracts - Bailment, pledge, indemnity, guarantee and agency
5. Sale of Goods Act, 1930
6. Partnership and limited liability partnership
7. Negotiable Instruments Act, 1881
8. Company law - Incorporation of a company, prospectus, shares and debentures
 - Incorporation of a company
 - Prospectus
 - Shares and debentures

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9. Company law - Directors and meetings
10. Corporate social responsibility

UNIT VII: FAMILY LAW

1. Sources and schools
2. Marriage and dissolution of marriage
3. Matrimonial remedies - Divorce and theories of divorce
4. Changing dimensions of institution of marriage - Live-in relationship
5. Recognition of foreign decrees in India on marriage and divorce
6. Maintenance, dower and stridhan
7. Adoption, guardianship and acknowledgement
8. Succession and inheritance
9. Will, gift and wakf
10. Uniform Civil Code

UNIT VIII: ENVIRONMENT AND HUMAN RIGHTS LAW

1. Meaning and concept of 'environment' and 'environmental pollution'
2. International environmental law and UN Conferences
3. Constitutional and legal framework for protection of environment in India
4. Environmental Impact Assessment and control of hazardous waste in India
5. National Green Tribunal
6. Concept and development of human rights
7. Universalism and cultural relativism
8. International Bill of Rights
9. Group rights - Women, children, persons with disabilities, elderly persons, minorities and weaker sections
 - o Women
 - o Children
 - o Persons with disabilities
 - o Elderly persons
 - o Minorities and weaker sections
10. Protection and enforcement of human rights in India - National Human Rights Commission, National Commission for Minorities, National Commission for Women, National Commission for Scheduled Castes, National Commission for Schedule Tribes and National Commission for Backward Classes

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- National Human Rights Commission
- National Commission for Minorities
- National Commission for Women
- National Commission for Scheduled Castes
- National Commission for Schedule Tribes
- National Commission for Backward Classes

UNIT IX: INTELLECTUAL PROPERTY RIGHTS AND INFORMATION TECHNOLOGY LAW

1. Concept and meaning of intellectual property
2. Theories of intellectual property
3. International conventions pertaining to intellectual properties
4. Copyright and neighboring rights - Subject matters, limitations and exceptions, infringement and remedies
 - Subject matters
 - Limitations and exceptions
 - Infringement and remedies
5. Law of patent - Patentability, procedure for grant of patent, limitations and exceptions, infringement and remedies
 - Patentability
 - Procedure for grant of patent
 - Limitations and exceptions
 - Infringement and remedies
6. Law of trademark - Registration of trademarks, kinds of trademarks, infringement and passing off, remedies
 - Registration of trademarks
 - Kinds of trademarks
 - Infringement and passing off
 - Remedies
7. Protection of Geographical Indications
8. Bio-diversity and Traditional Knowledge
9. Information technology law- digital signature and electronic signature, electronic governance, electronic records and duties of subscribers
 - Digital signature and electronic signature
 - Electronic governance
 - Electronic records

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- Duties of subscribers
- 10. Cyber crimes, penalties and adjudication

UNIT X: COMPARATIVE PUBLIC LAW AND SYSTEMS OF GOVERNANCE

1. Comparative Law - Relevance, methodology, problems and concerns in Comparison¹
 - Relevance
 - Methodology
 - Problems and concerns in Comparison
2. Forms of governments - Presidential and parliamentary, unitary and federal
3. Models of federalism - USA, Canada and India
4. Rule of Law - 'Formal' and 'substantive' versions
5. Separation of powers - India, UK, USA and France
6. Independence of judiciary, judicial activism and accountability - India, UK and USA
7. Systems of constitutional review - India, USA, Switzerland and France
8. Amendment of the Constitution - India, USA and South Africa
9. Ombudsman - Sweden, UK and India
10. Open Government and Right to Information - USA, UK and India

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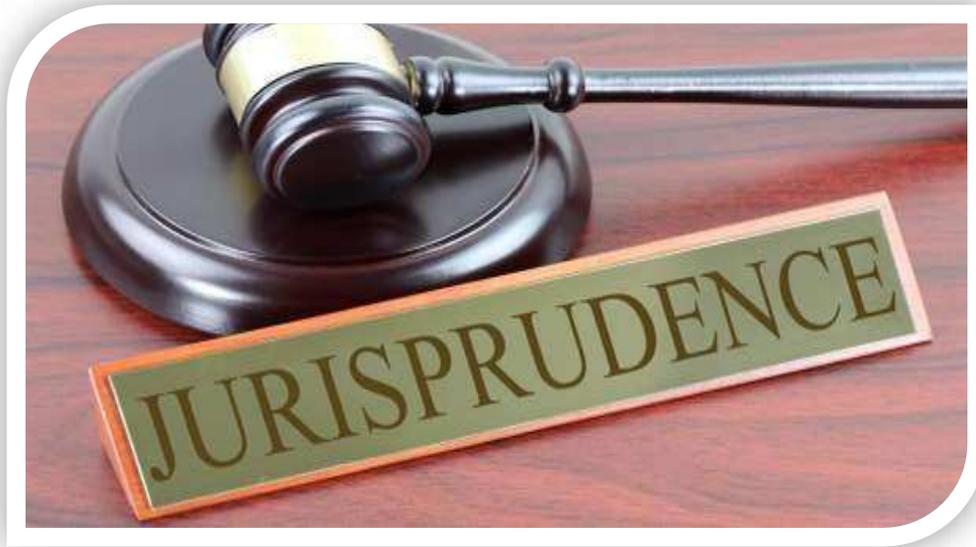
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LAW-Unit I E-Booklet Sample

2. Schools of Jurisprudence



Jurisprudence is the theory or philosophy of law. Different schools of jurisprudence offer distinct perspectives on what law is, its purpose, its relationship with other disciplines, and how it functions.

i. Natural Law School

- **Core Idea:** Law is based on inherent moral principles, reason, and the nature of human beings or the universe. There is a higher law (divine law, law of nature, or rational law) against which man-made laws can be measured. "An unjust law is no law at all" (Lex injusta non est lex).
- **Historical Development:**
 - **Ancient Greek Philosophers:**
 - **Socrates:** Virtue is knowledge; law should promote virtue.
 - **Plato:** Advocated for an ideal state ruled by philosopher-kings

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guided by reason and justice.

- **Aristotle:** Distinguished between natural justice (universal) and conventional justice (variable). Law helps achieve a good life.
- **Roman Period:**
 - **Cicero:** True law is right reason in agreement with nature, universal, unchanging, and everlasting.
 - Roman jurists developed concepts like jus civile (civil law), jus gentium (law of nations, common to all people), and jus naturale (natural law).
- **Medieval Period (Christian Thinkers):**
 - **St. Augustine:** Divine law is supreme; human law must conform to it.
 - **St. Thomas Aquinas:** Synthesized Aristotelian philosophy with Christian theology. Classified law into:
 - Lex Aeterna (Eternal Law): Divine reason governing the universe.
 - Lex Divina (Divine Law): Revealed in scriptures.
 - Lex Naturalis (Natural Law): Part of eternal law discoverable by human reason.
 - Lex Humana (Human Law): Man-made laws, which must be in accordance with natural law.
- **Renaissance and Reformation (Social Contract Theorists):**
 - **Hugo Grotius:** Father of international law; natural law based on human reason, even if God did not exist.
 - **Thomas Hobbes:** Natural state is "war of all against all"; people surrender rights to a sovereign for self-preservation. Law is command of the sovereign.
 - **John Locke:** Natural rights (life, liberty, property) exist in the state of nature. Government formed by social contract to protect these rights.
 - **Jean-Jacques Rousseau:** Social contract based on "general will" of

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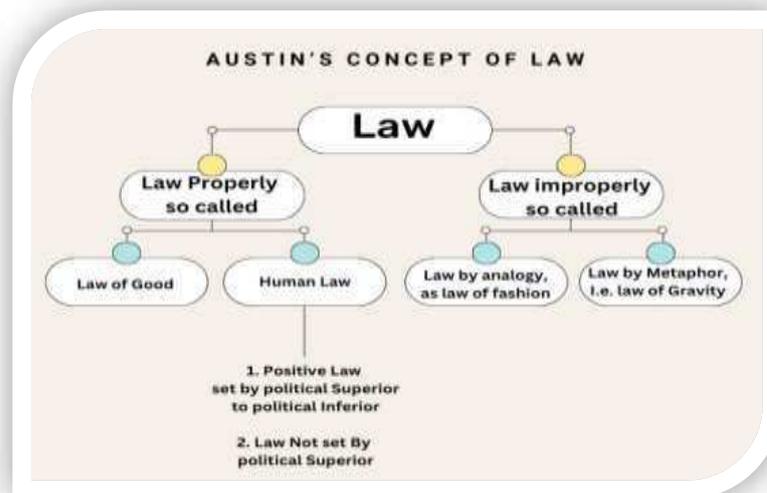
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the people.

- **Decline (19th Century):** Rise of positivism and historicism led to a decline in natural law thinking.
- **Revival (20th Century):** Post-World Wars, due to atrocities committed under positive laws, there was a revival of natural law with a changed content (e.g., Fuller, Finnis, Hart's minimum content of natural law).
 - **Lon Fuller:** Procedural naturalism; "inner morality of law" (eight desiderata for a legal system to be just).
 - **John Finnis:** Modern natural law theory based on "basic goods" and "practical reasonableness."
- **Criticism:** Vague, subjective, morality is not universal, "is-ought" fallacy (deriving what ought to be from what is).

ii. Analytical School (Positivism)



- **Core Idea:** Law is what it is (lex lata), not what it ought to be (de lege ferenda). It focuses on the analysis of law as it actually exists, without regard to its moral content. Law is a command of the sovereign backed by sanction.
- **Key Proponents:**
 - **Jeremy Bentham (Utilitarianism):**
 - Advocated for codification and law reform based on the principle

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of utility (greatest happiness of the greatest number).

- Defined law as an "assemblage of signs declarative of a volition conceived or adopted by the sovereign in a state, concerning the conduct to be observed in a certain case by a certain person or class of persons, who in the case in question are or are supposed to be subject to his power."
- Distinguished between expository jurisprudence (what law is) and censorial jurisprudence (what law ought to be).
- **John Austin (Imperative Theory):**
 - "Province of Jurisprudence Determined" (1832).
 - Law is a **command** issued by a **sovereign** (a determinate human superior not in a habit of obedience to a like superior, and who receives habitual obedience from the bulk of a given society) and backed by a **sanction** (evil or pain in case of non-compliance).
 - Elements: Command, Sovereign, Duty, Sanction.
 - Excluded customs, international law, and constitutional law from the strict definition of law.
- **H.L.A. Hart ("The Concept of Law" 1961):**
 - Modified positivism. Law is a system of rules.
 - Distinguished between **primary rules** (which impose duties or grant powers) and **secondary rules** (which confer powers to create, adjudicate, or change primary rules).
 - Secondary rules include:
 - **Rule of Recognition:** Specifies criteria for identifying valid primary rules (e.g., constitution, statute).
 - **Rules of Change:** Empower individuals or bodies to introduce new primary rules or modify/repeal old ones.
 - **Rules of Adjudication:** Confer power on judicial officials to determine whether a primary rule has been broken and to apply remedies.
 - Acknowledged a "minimum content of natural law" necessary for

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the survival of society.

- **Hans Kelsen (Pure Theory of Law):**

- Sought to create a "pure" theory of law, free from sociological, political, ethical, and historical influences.
- Law is a system of norms (ought-propositions or Sollen).
- Each norm derives its validity from a higher norm, forming a hierarchical structure.
- The ultimate source of validity is the **Grundnorm** (basic norm), which is a hypothetical, presupposed norm (e.g., "the constitution ought to be obeyed"). It is not a positive norm but a transcendental-logical presupposition.

- **Criticism:** Ignores the role of morality and justice, fails to explain customs and international law, the concept of sovereign is problematic in modern democracies, sanctions are not the only reason people obey law.

iii. Historical School

Historical
School of
Jurisprudence



- **Core Idea:** Law is not made by legislatures but is found in the customs, traditions, beliefs, and consciousness of the people. Law evolves organically with the society, like language. It emphasizes the historical development of legal institutions and principles.
- **Key Proponents:**

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- **Friedrich Carl von Savigny (Founder):**
 - Law is a product of the **Volksgeist** (spirit of the people or national character).
 - Law grows with the growth and strengthens with the strength of the people, and finally dies away as the nation loses its nationality.
 - Opposed codification in Germany at his time, arguing that law was not yet mature enough and should be developed through historical study.
 - Sources of law: Custom, then legislation, then juristic science.
- **Georg Friedrich Puchta:**
 - Follower of Savigny. Emphasized the role of popular conviction and usage.
 - Distinguished between customary law and legislation.
- **Sir Henry Maine (Comparative Historical Jurisprudence):**
 - Studied the development of legal systems in different societies.
 - Famous for the theory of legal development: "Movement of progressive societies has hitherto been a movement **from Status to Contract**."
 - **Status:** Social position fixed by birth, family, or community (e.g., slave, son, citizen). Rights and duties determined by status.
 - **Contract:** Individual freedom and self-determination. Rights and duties determined by voluntary agreements.
 - Identified stages of legal development: Law by divine inspiration, customary law, priestly class as interpreters, codification.
- **Criticism:** Volksgeist is a vague concept, overemphasis on custom and underestimation of legislation, not all customs are good or reflect popular will, difficult to apply in diverse societies.

iv. Sociological School

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- **Core Idea:** Law is a social phenomenon, an instrument of social control and social engineering. It focuses on the actual working of law in society, its social purposes, and its effects on social relations. Law should be studied in relation to society.
- **Key Proponents:**
 - **Montesquieu:** Emphasized the influence of social, geographical, and political conditions on laws.
 - **Auguste Comte:** Coined the term "sociology." Advocated for scientific methods to study society.
 - **Herbert Spencer:** Applied Darwin's theory of evolution to society; law as a part of social evolution.
 - **Rudolf von Jhering (Ihering):**
 - Law is a means to an end; the end is the protection of interests.
 - "Law is the sum of the conditions of social life in the widest sense of the term, as secured by the power of the State through the means of external compulsion."
 - Social utilitarianism: Law should serve social purposes.
 - Balancing of interests: Individual, state, and social interests.
 - **Eugen Ehrlich (Living Law):**
 - Distinguished between "norms of decision" (formal legal rules) and "living law" (actual rules governing social life).
 - The center of gravity of legal development lies not in legislation, nor in juristic science, nor in judicial decision, but in society itself.
 - **Roscoe Pound (Social Engineering):**
 - Law is an instrument of **social engineering**.
 - The task of law is to balance competing interests in society with minimum friction and waste.
 - Classified interests into:
 - **Individual Interests:** Personality, domestic relations, substance.
 - **Public Interests:** Interests of the state as a juristic person and as a guardian of social interests.

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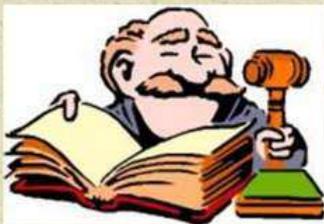
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- **Social Interests:** General security, security of social institutions, general morals, conservation of social resources, general progress, individual life.
- Advocated for a functional approach to law – how law works in practice.
- Jural Postulates: Assumptions about society on which law is based.
- **Léon Duguit:**
 - Doctrine of **social solidarity**.
 - Law arises from the fact of social interdependence. The purpose of law is to promote social solidarity.
 - Denied the concept of state sovereignty and private rights; emphasized social duties.
- **Criticism:** Social engineering can be manipulative, difficulty in objectively identifying and balancing interests, "living law" can be uncertain, vague definition of "society."

v. Realist School (Legal Realism)

What is Legal Realism?



✦ The school of legal philosophy that examines law in a realistic rather than a theoretical fashion; the belief that law is determined by what actually happens in the courts as judges interpret and apply law.

- **Core Idea:** Focuses on what courts actually do and how judges decide cases. Law is not just rules in books but the actual behavior of legal actors, particularly judges. Skeptical of the idea that rules definitively determine legal outcomes.

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- **American Realism:**
 - Concerned with judicial decision-making and prediction of judicial behavior.
 - **Oliver Wendell Holmes Jr.:** "The prophecies of what the courts will do in fact, and nothing more pretentious, are what I mean by the law." Law is experience, not logic.
 - **Jerome Frank:**
 - Distinguished between "rule skeptics" (uncertainty in rules) and "fact skeptics" (uncertainty in fact-finding at trial level).
 - Emphasized the role of judges' personalities, biases, and hunches in decision-making ("gastronomic jurisprudence").
 - **Karl Llewellyn:**
 - Law-jobs theory: Law serves certain functions in society.
 - Distinguished between "paper rules" and "real rules."
 - Advocated for studying the actual behavior of courts.
- **Scandinavian Realism:**
 - More philosophical and abstract than American Realism.
 - Focused on debunking metaphysical concepts in law (e.g., rights, duties, justice as objective entities).
 - **Axel Hägerström:** Founder. Rejected the idea of objective values. Legal concepts are fictions.
 - **Karl Olivecrona:** Law as "facts." Rules of law are "independent imperatives" that influence behavior through psychological pressure. No binding force in law itself.
 - **Alf Ross:** Legal norms are directives addressed to judges, predicting how they will decide. Validity of law depends on its effectiveness in judicial practice.
- **Criticism:** Overemphasis on judicial discretion and uncertainty, neglects the role of legal rules in guiding behavior, can lead to cynicism about law, difficult to predict judicial behavior accurately.

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2. Schools of Jurisprudence

School	Main Theme/Focus	Key Exponents/Jurists	Core Ideas/Concepts	Criticism
Natural Law School	Law is based on reason, morality, and inherent principles of justice discoverable by human intellect; "an unjust law is no law at all."	Socrates, Plato, Aristotle, Cicero, St. Augustine, Thomas Aquinas, Grotius, Hobbes, Locke, Rousseau, Kant, Fuller, Finnis	Divine law, law of nature, human reason, inherent rights, connection between law and morality.	Vague and abstract, difficult to apply universally, potential for subjectivity.
Analytical School (Positivism)	Law as it is (posited by a sovereign or authority), distinct from law as it ought to be (morality). Focus on the formal structure and analysis of legal rules.	John Austin (Command Theory), Jeremy Bentham (Utilitarianism), H.L.A. Hart (Concept of Law - primary & secondary rules), Kelsen (Pure Theory of Law - Grundnorm)	Law as a command, sovereign, sanction, separation of law and morals, hierarchy of norms, rule of recognition.	Ignores social factors, justice, and morality; Hart's theory seen as an improvement over Austin's rigidity.
Historical School	Law is found, not made; it evolves from the customs, traditions, and spirit of the people (Volksgeist).	Friedrich Carl von Savigny, Sir Henry Maine, Edmund Burke, G. Puchta	Volksgeist (spirit of the people), customary law, law as an organic growth, stages of legal development (status to contract - Maine).	Overemphasis on custom, downplays the role of legislation and conscious law-making, Volksgeist can be difficult to identify.
Sociological School	Law as a social phenomenon; studies the relationship between law and society, and the impact of law on social behavior.	Montesquieu, Auguste Comte, Herbert Spencer, Eugen Ehrlich (Living Law), Roscoe Pound (Social Engineering, Balancing of Interests), Duguit (Social Solidarity)	Law in action, social purpose of law, balancing of competing interests, law as an instrument of social control and social change, "living law."	Can be too focused on empirical observation, sometimes lacks a clear normative framework.
Realist School (American & Scandinavian)	Focus on what courts actually do and the factors influencing	American: Oliver Wendell Holmes Jr. ("Bad Man" theory), Jerome	Judicial behavior, prediction of judicial decisions, skepticism about	Overemphasis on judicial discretion, potential to

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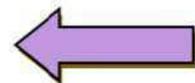
	judicial decisions, rather than abstract legal rules. Law is what judges declare.	Frank, Karl Llewellyn. Scandinavian: Axel Hagerstrom, Karl Olivecrona, Alf Ross.	rules, influence of non-legal factors (psychology, economics).	undermine legal certainty, Scandinavian realism more philosophical.
Feminist Jurisprudence	Examines how patriarchal assumptions have shaped law and legal systems, leading to disadvantages for women.	Catharine MacKinnon, Carol Gilligan, Martha Fineman	Gender bias in law, equality, difference, dominance, intersectionality.	Diverse perspectives within feminist thought; sometimes criticized for essentializing women's experiences.
Critical Legal Studies (CLS)	Law is indeterminate and serves to legitimize existing power structures and inequalities.	Duncan Kennedy, Roberto Unger	Deconstruction of legal doctrines, law as politics, critique of rights discourse.	Often seen as overly critical without offering concrete alternatives; can be nihilistic.

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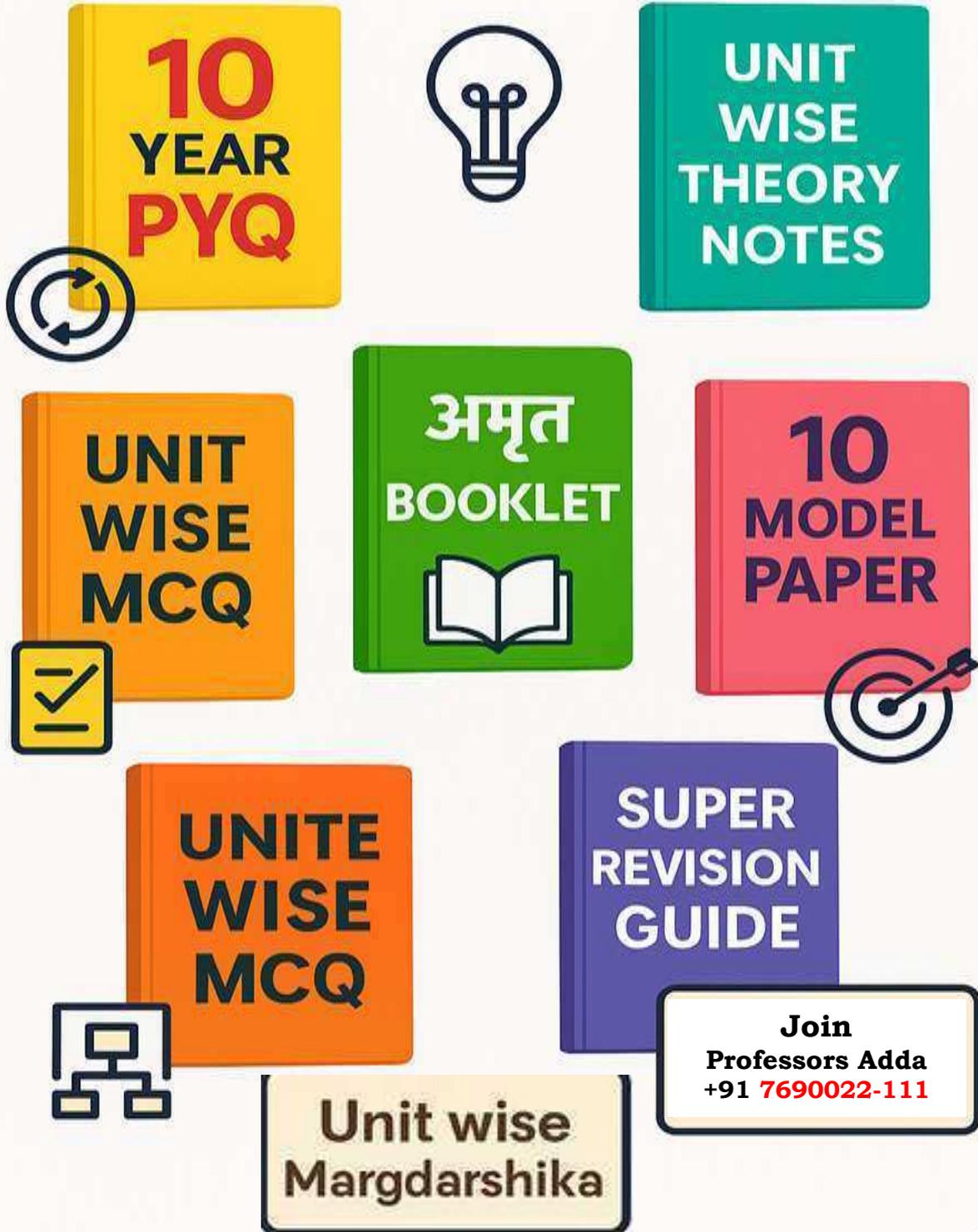
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6. Concepts of Property, Ownership and Possession

Property



- **Definition:**
 - **Narrow Sense:** Tangible things (corporeal property) like land, buildings, goods.
 - **Broad Sense (Legal Sense):** Bundle of rights with respect to something that has economic value. It includes both corporeal and incorporeal things. (Salmond: "any right which has a money value").
- **Theories of Property:**
 - **Natural Law Theory:** Property is a natural right, essential for human existence and development (Locke: labor theory of property).
 - **Labor Theory (Locke):** Individuals acquire property rights by mixing their labor with natural resources.
 - **Utilitarian Theory (Bentham):** Property institutions should be designed to maximize overall happiness or utility in society.
 - **Metaphysical Theory (Kant, Hegel):** Property is an expression of individual will and personality.
 - **Historical Theory (Maine):** Property concepts evolved from collective ownership to individual ownership.

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- **Sociological/Functional Theory:** Property is a social institution that serves social functions and should be regulated in the public interest.
- **Psychological Theory:** Property arises from an acquisitive instinct in humans.
- **Kinds of Property:**
 - **Corporeal and Incorporeal Property:**
 - **Corporeal Property (Tangible):** Has a physical existence; can be seen and touched (e.g., land, chattels/goods).
 - **Movable Property (Chattels):** Can be moved from one place to another (e.g., car, books, money).
 - **Immovable Property (Land):** Cannot be moved (e.g., land, buildings, rights attached to land like easements).
 - **Incorporeal Property (Intangible):** Has no physical existence but has economic value; exists only in contemplation of law (e.g., rights).
 - **Jura in re propria (Rights in one's own property):** e.g., patents, copyrights, trademarks (intellectual property).
 - **Jura in re aliena (Rights in the property of another / Encumbrances):** e.g., leases, mortgages, servitudes, securities.
 - **Real and Personal Property (English Law Distinction):**
 - **Real Property:** Rights over land.
 - **Personal Property:** Rights over chattels.
 - **Public and Private Property:**
 - **Public Property:** Owned by the state or public bodies for public use.
 - **Private Property:** Owned by individuals or private entities.
 - **Intellectual Property:** Creations of the mind (e.g., inventions, literary and artistic works, designs, symbols, names, and images used in commerce). Includes patents, copyrights, trademarks, geographical indications, trade secrets.

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Ownership



- **Definition:** The most comprehensive right or bundle of rights a person can have with respect to property. It implies the right to possess, use, enjoy, manage, alienate (dispose of), and destroy the property, subject to legal limitations. (Austin: "a right indefinite in point of user, unrestricted in point of disposition, and unlimited in point of duration").
- **Characteristics of Ownership (Salmond):**
 - **Right to Possess:** The owner has the right to possess the thing owned.
 - **Right to Use and Enjoy:** The owner can use and enjoy the property as they wish (within legal limits).
 - **Right to Consume, Destroy, or Alienate:** The owner can consume, destroy, or transfer the property to others.
 - **Indeterminate Duration:** Ownership is generally of a permanent nature.
 - **Residuary Character:** After all lesser rights (like lease, mortgage) are extinguished, ownership remains.
- **Subject Matter of Ownership:** Generally, only material objects can be owned. One cannot own abstract concepts or another person (slavery abolished).
- **Modes of Acquisition of Ownership:**
 - **Original Acquisition:** Acquiring ownership of a thing that has no previous owner (res nullius) or has been abandoned (res derelicta).

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- **Absolute:** Taking possession of res nullius (e.g., catching a wild animal).
- **Accession:** Acquisition of property by its incorporation with something already owned (e.g., house built on land).
- **Specification:** Creating a new thing from materials belonging to another (rules vary).
- **Derivative Acquisition:** Acquiring ownership from a previous owner.
 - **By Agreement/Transfer:** Sale, gift, exchange, will, assignment.
 - **By Operation of Law:** Inheritance (intestate succession), bankruptcy, execution of a court decree.
 - **Prescription:** Acquiring ownership by long, uninterrupted, and adverse possession (in some legal systems, mainly for land).
- **Kinds of Ownership:**
 - **Corporeal and Incorporeal Ownership:** Ownership of material objects vs. ownership of rights.
 - **Sole Ownership and Co-ownership:**
 - **Sole Ownership:** Ownership vested in a single person.
 - **Co-ownership:** Ownership vested in two or more persons simultaneously.
 - **Tenancy in Common:** Co-owners have distinct shares; no right of survivorship (share passes to heirs).
 - **Joint Tenancy (English Law):** Co-owners have undivided interest; right of survivorship (jus accrescendi - on death of one joint tenant, their interest passes to surviving joint tenants).
 - **Trust Ownership and Beneficial Ownership:**
 - **Trustee:** Legal owner, holds property for the benefit of another.
 - **Beneficiary:** Equitable owner, has the right to enjoy the benefits of the property.
 - **Legal and Equitable Ownership (English Law distinction).**
 - **Vested and Contingent Ownership:**
 - **Vested Ownership:** Ownership is absolute and unconditional.

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- **Contingent Ownership:** Ownership depends on the fulfillment of a future condition.
- **Absolute and Limited Ownership:**
 - **Absolute Ownership:** Full rights of ownership.
 - **Limited Ownership:** Ownership restricted in some way (e.g., life estate, Hindu woman's estate under old law).

Possession



- **Definition:** Physical control over a thing with an intention to hold it as one's own (or for oneself). It is prima facie evidence of ownership. "Possession is nine-tenths of the law."
- **Elements of Possession:**
 - **Corpus Possessionis (Physical Element):** Actual physical control or power over the object. The degree of control varies with the nature of the object.
 - **Animus Possidendi (Mental Element):** Intention to possess; to exclude others from interference. It is not necessarily an intention to own, but an intention to exercise control for oneself.
- **Theories of Possession:**
 - **Savigny's Theory:** Possession requires both corpus and animus domini (intention to hold as owner). Criticized for being too narrow.
 - **Salmond's Theory:** Possession consists of corpus possessionis and animus possidendi. Animus possidendi is the intent to exclude others,

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not necessarily to own.

- **Jhering's Theory:** Possession is primarily about corpus; animus is presumed if corpus exists, unless proven otherwise. Law protects possession for social order.
- **Holmes' Theory:** Possession is a matter of fact, based on the ability to exclude others and the intent to do so.
- **Why Law Protects Possession:**
 - Preservation of peace and order (prevents self-help).
 - Protection of prima facie ownership.
 - Protection of reliance on the appearance of ownership.
 - It is an important legal concept in property law, tort law (conversion, trespass), and criminal law (theft).
- **Kinds of Possession:**
 - **Corporeal and Incorporeal Possession:**
 - **Corporeal Possession:** Possession of material things.
 - **Incorporeal Possession:** Possession of rights (e.g., possession of an easement).
 - **Mediate and Immediate Possession:**
 - **Immediate (Direct) Possession:** Direct physical control by the possessor.
 - **Mediate (Indirect) Possession:** Possession held through another person (e.g., through an agent, servant, or bailee).
 - Possession through servant/agent (who has custody, not possession).
 - Possession through a bailee who holds on behalf of the bailor.
 - Possession through a person who holds for himself but acknowledges superior right of another (e.g., tenant).
 - **Constructive Possession:** Legal possession without actual physical control (e.g., possession of keys to a warehouse).
 - **Adverse Possession:** Possession of land by a person who is not the owner, in a manner that is actual, open, notorious, exclusive, hostile,

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and continuous for a statutory period, which can lead to acquisition of title.

- **Possession de facto and Possession de jure:**
 - **De facto Possession:** Actual possession, whether lawful or unlawful.
 - **De jure Possession:** Legal right to possess, whether in actual possession or not.
- **Acquisition of Possession:**
 - **Taking:** Acquiring possession without the consent of the previous possessor (can be lawful or unlawful).
 - **Delivery (Traditio):** Acquiring possession with the consent of the previous possessor.
 - **Actual Delivery:** Physical transfer of the object.
 - **Constructive Delivery:** Symbolic transfer (e.g., handing over keys, documents of title).
- **Possessory Remedies:** Legal remedies available to a person who has been wrongfully dispossessed, allowing recovery of possession even without proving title (e.g., Section 6 of Specific Relief Act in India).

Relationship between Ownership and Possession:

- Ownership is the right; possession is the de facto exercise of that right.
- Ownership is the guarantee of the law; possession is the guarantee of the facts.
- Normally, owner is also the possessor, but they can be separated (e.g., owner leases property to a tenant; tenant has possession, owner retains ownership).
- Possession is strong evidence of ownership.

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6. Concepts of Property, Ownership, and Possession

Concept	Description	Types/Elements	Key Jurists
Property	The legal relationship between a person and a thing; a bundle of rights.	Corporeal (tangible) & Incorporeal (intangible), Movable & Immovable, Real & Personal, Public & Private.	Bentham, Locke
Ownership	The right to exercise ultimate control over property, including rights of use, enjoyment, and disposal.	Salmond's definition: Relation between a person and an object forming the subject-matter of his ownership. Corporeal & Incorporeal, Sole & Co-ownership, Trust & Beneficial, Legal & Equitable, Vested & Contingent.	Austin, Salmond
Possession	The actual control or holding of property with the intention to exclude others (corpus possessionis and animus possidendi).	Possession in Fact (de facto) & Possession in Law (de jure), Mediate & Immediate, Corporeal & Incorporeal, Adverse Possession. Savigny's Theory: Corpus and Animus.	Savigny, Salmond, Ihering, Holmes

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LAW UNIT-1 MCQs Sample

1: In what form is Jurisprudence primarily known?

- (a) Comparative study of laws of different countries
- (b) Systematic study of the fundamental principles, concepts, and philosophy of law
- (c) Collection of court procedures and rules of evidence
- (d) Analysis of specific criminal cases

Answer: (b) Systematic study of the fundamental principles, concepts, and philosophy of law

Explanation:

- Jurisprudence is the theoretical and philosophical study of law, seeking to understand its nature, sources, and role in society.
- It examines the foundational concepts that underpin legal systems, such as rights, duties, justice, and legal reasoning.
- Unlike specific branches of law (like criminal or contract law), jurisprudence looks at the broader, abstract questions about law itself.
- It helps in developing a deeper understanding of legal rules and their application by exploring their conceptual basis.

2: "Law is the command of the sovereign." This famous statement belongs to which jurist?

- (a) Savigny
- (b) John Austin
- (c) Roscoe Pound
- (d) H.L.A. Hart

Answer: (b) John Austin

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Explanation:

- John Austin, a 19th-century British jurist, is a leading proponent of legal positivism and the "command theory" of law.
- According to Austin, law is a command issued by a political sovereign (a person or body habitually obeyed by the bulk of society and not obeying any other).
- These commands are backed by the threat of sanctions or punishments if not obeyed.
- This theory distinguishes law "as it is" (positive law) from law "as it ought to be" (morality).

3: Match List-I with List-II and select the correct answer using the codes given below:

List-I (Jurist)	List-II (Theory/School of Thought)
A. Kelsen	1. Social Engineering
B. Savigny	2. Pure Theory of Law
C. Pound	3. Historical School
D. Bentham	4. Utilitarianism

Codes:

- (a) A-2, B-3, C-1, D-4
- (b) A-1, B-2, C-4, D-3
- (c) A-3, B-4, C-2, D-1
- (d) A-4, B-1, C-3, D-2

Answer: (a) A-2, B-3, C-1, D-4

Explanation:

- A. Kelsen (2. Pure Theory of Law): Hans Kelsen proposed a "Pure Theory of Law," which seeks to define law by excluding all non-legal elements, viewing it as a hierarchy of norms deriving validity from a basic norm (Grundnorm).

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- B. Savigny (3. Historical School): Friedrich Carl von Savigny was a key figure in the Historical School, which argued that law develops organically from the common consciousness of the people (Volksgeist), not from arbitrary legislation.
- C. Pound (1. Social Engineering): Roscoe Pound, an American jurist, viewed law as a tool for "social engineering," aiming to balance competing interests in society to achieve the maximum satisfaction of needs with minimum friction.
- D. Bentham (4. Utilitarianism): Jeremy Bentham was a philosopher and jurist who advocated utilitarianism, the principle that laws should aim to produce the "greatest happiness for the greatest number."

4: Match List-I with List-II and select the correct answer using the codes given below:

List-I (Legal Concept)	List-II (Brief Description)
A. Right	1. Obligation to do or not to do an act
B. Duty	2. Physical control and dominion over a thing
C. Possession	3. Interest recognized and protected by law
D. Ownership	4. Aggregate of rights over a thing

Codes:

- (a) A-1, B-3, C-2, D-4
- (b) A-3, B-1, C-2, D-4
- (c) A-2, B-4, C-1, D-3
- (d) A-4, B-2, C-3, D-1

Answer: (b) A-3, B-1, C-2, D-4

Explanation:

- A. Right (3. Interest recognized and protected by law): A legal right is an interest or entitlement that is acknowledged and safeguarded by the legal system.

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- B. Duty (1. Obligation to do or not to do an act): A legal duty is a mandatory obligation imposed by law on a person to perform a certain act or refrain from acting. Rights and duties are often correlative.
- C. Possession (2. Physical control and dominion over a thing): Possession refers to the actual physical control and detention of a tangible object, which may or may not coincide with legal ownership.
- D. Ownership (4. Aggregate of rights over a thing): Ownership is the most comprehensive set of rights a person can have with respect to property, including the rights to use, enjoy, manage, and dispose of it.

5: Match List-I with List-II and select the correct answer using the codes given below:

List-I (Source of Law)	List-II (Main Characteristic)
A. Custom	1. Rules formally made by the legislature
B. Legislation	2. Principles established by judicial decisions
C. Precedent	3. Long-standing practices in society

Codes:

- (a) A-1, B-2, C-3
- (b) A-3, B-1, C-2
- (c) A-2, B-3, C-1
- (d) A-3, B-2, C-1

Answer: (b) A-3, B-1, C-2

Explanation:

- A. Custom (3. Long-standing practices in society): Custom as a source of law refers to established patterns of behavior or social norms that have been followed for a long time and are recognized by the community as binding.
- B. Legislation (1. Rules formally made by the legislature): Legislation is law that is formally enacted by a competent legislative body, such as a parliament or assembly. It is a primary source of law in modern legal systems.

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- C. Precedent (2. Principles established by judicial decisions): Precedent, or stare decisis, is a source of law where past judicial decisions serve as binding authority for courts in deciding similar cases, ensuring consistency and predictability.

6: Consider the following statements:

1. Natural Law holds that there are universal moral principles that should form the basis of law.
2. According to Natural Law, an unjust law is also considered fully a law.
3. Thomas Aquinas is considered a major proponent of Natural Law.

Which of the above statement(s) is/are correct?

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

Answer: (b) Only 1 and 3

Explanation:

- **Statement 1 is correct:** Natural Law theory posits that true law is based on inherent, universal moral principles discoverable through reason.
- **Statement 2 is incorrect:** A key tenet of many Natural Law theories is *lex injusta non est lex* (an unjust law is no law at all). Therefore, an unjust law is not considered fully a law.
- **Statement 3 is correct:** St. Thomas Aquinas was a prominent medieval philosopher who integrated Aristotelian philosophy with Christian theology to develop a comprehensive theory of Natural Law, dividing law into eternal, natural, human, and divine.
- Natural Law emphasizes the connection between law and morality.

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7: Consider the following statements regarding Analytical Jurisprudence or Positivism:

1. It emphasizes keeping the study of law separate from morality, social values, etc.
2. Its main concern is with 'law as it is', not 'law as it ought to be'.
3. It believes that the source of law is social necessities.

Which of the above statement(s) is/are correct?

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

Answer: (a) Only 1 and 2

Explanation:

- **Statement 1 is correct:** Analytical Jurisprudence, or Legal Positivism, insists on a clear separation between law and morality (the "separation thesis").
- **Statement 2 is correct:** Positivism focuses on describing and analyzing law as it actually exists ("law as it is" or *lex lata*), without necessarily evaluating its moral worth or prescribing how it should be ("law as it ought to be" or *de lege ferenda*).
- **Statement 3 is incorrect:** While positivists acknowledge social factors influence law, the idea that the primary source or justification of law is social necessities is more characteristic of Sociological Jurisprudence. Positivism emphasizes formal sources like legislation and sovereign command.
- Key figures in positivism include Austin, Hart, and Kelsen.

8: Consider the following statements regarding Legal Rights:

1. Every legal right has a correlative legal duty.
2. Legal rights can only be vested in individuals, not in corporations or the state.

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3. Remedy is provided by the state when legal rights are violated.

Which of the above statement(s) is/are correct?

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

Answer: (b) Only 1 and 3

Explanation:

- **Statement 1 is correct:** This reflects Hohfeld's analysis of jural correlatives, where a "right" in one person implies a "duty" in another. For example, a right to property implies a duty on others not to trespass.
- **Statement 2 is incorrect:** Legal rights can be held by various legal entities, including natural persons (individuals), artificial persons (like corporations), and even the state itself.
- **Statement 3 is correct:** A defining characteristic of a legal right is that it is enforceable through legal processes, and the state provides mechanisms (remedies) for its protection or for compensation if violated (ubi jus ibi remedium - where there is a right, there is a remedy).
- Legal rights are interests protected by law, the violation of which can lead to legal action.

9:

Assertion (A): According to the Historical School of Jurisprudence, law is not made, but found.

Reason (R): According to this school of thought, law is inherent in the common consciousness (Volkgeist) or spirit of the people and develops gradually through customs.

Codes:

- (a) Both (A) and (R) are true, and (R) is the correct explanation of (A).
- (b) Both (A) and (R) are true, but (R) is not the correct explanation of (A).

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- (c) (A) is true, but (R) is false.
(d) (A) is false, but (R) is true.

Answer: (a) Both (A) and (R) are true, and (R) is the correct explanation of (A).

Explanation:

- **Assertion (A) is true:** The Historical School, prominently represented by Savigny, argued that law is not an artificial creation of legislators but an organic outgrowth of a people's historical development.
- **Reason (R) is true:** This school posits that law originates from the "Volksgeist" – the unique spirit, customs, beliefs, and consciousness of a particular nation or people.
- **R is the correct explanation of A:** The idea that law is "found" (Assertion A) is directly explained by its origin in the Volksgeist and its gradual evolution through customs (Reason R), rather than being deliberately "made."
- This school emphasizes the importance of tradition and historical continuity in the development of legal systems.

10:

Assertion (A): According to John Austin, International Law is not 'law' in the true sense, but merely 'Positive Morality'.

Reason (R): International Law lacks a definite politically superior sovereign authority that can enforce its commands through sanctions.

Codes:

- (a) Both (A) and (R) are true, and (R) is the correct explanation of (A).
(b) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
(c) (A) is true, but (R) is false.
(d) (A) is false, but (R) is true.

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Answer: (a) Both (A) and (R) are true, and (R) is the correct explanation of (A).

Explanation:

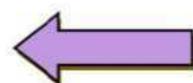
- **Assertion (A) is true:** John Austin, based on his command theory, classified International Law as "positive morality" rather than "law properly so called."
- **Reason (R) is true:** Austin's reasoning was that International Law did not emanate from a determinate political sovereign who could issue commands and enforce them with sanctions, which were essential characteristics of law in his view.
- **R is the correct explanation of A:** The lack of a global sovereign and effective enforcement mechanisms (Reason R) is precisely why Austin relegated International Law to the status of positive morality rather than true law (Assertion A).
- While Austin's view was influential, modern jurisprudence generally recognizes International Law as a distinct legal system, albeit with different enforcement mechanisms than domestic law.

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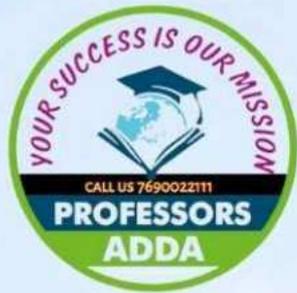
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1. In which of the following case it was held that the Preamble of the Constitution emphasises the need to secure to all its citizens Justice, Liberty, Equality and Fraternity?

- (a) *Kesavanand Bharti v. State of Kerala*
- (b) *K. S. Puttaswamy v. UOI*
- (c) *National Legal Services Authority v. Union of India*
- (d) *E. P. Royappa v. State of T.N*

Ans. (b):

2. Match the List-I with List-II

List-I	List-II
1. Death caused by child of 6 years	A. No offence
2. Death committed without premeditation in sudden fight	B. Exception 4 to Section 300
3. Death of trespasser escaping	C. Exception 2 to Section 300
4. Death caused in safeguarding property from mischief by fire	D. Right of private defence

Ans. (d):

3. Which of the following terms are defined under the Information Technology Act, 2000?

- A. *Computer Network*
- B. *Information*
- C. *Data*
- D. *Secure System*
- E. *Online*

Choose the correct answer from the options given below

- (a) A, D, E only
- (b) A, B, C, D only
- (c) A and D only
- (d) A, C, D, E only

Ans. (b):

4. भारतीय दण्ड संहिता 1860 के अनुसार, निम्नलिखित में से कौन लोक प्रशान्ति के विरुद्ध अपराध है?

- A. *Counterfeiting coin*
- B. *Unlawful Assembly*
- C. *Sedition*
- D. *Rioting*
- E. *Affray*

Choose the correct answer from the options given below

- (a) B, C, D only
- (b) A, B, D only
- (c) B, D, E only
- (d) A, C, E only

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Ans. (c):

5. Arrange the following Conventions in the chronological order of their adoption.
- Vienna Convention on the Protection of Ozone Layer*
 - Stockholm Convention on Persistent Organic Pollutants*
 - Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)*
 - The Basel Convention on the Control of Transborder Movements of Hazardous Waste and their Disposal*

नीचे दिए गए विकल्पों में से सही उत्तर का चयन कीजिए:

- A, C, B, D
- C, A, D, B
- A, B, C, D
- D, B, A, C

Ans. (b):

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6. What does "Ratio Decidendi" generally imply?

- Reason for decision alone
- Principles laid down in the case alone
- Both (1) and (2)
- Observations and opinions

Ans. (c):

7. Which of the following is NOT part of 'International Bill of Rights'?

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- A. Magna Carta, 1215
- B. Universal Declaration of Human Rights, 1948
- C. International Covenant on Civil and Political Rights, 1966
- D. Convention on Rights of the Child, 1989

Choose the correct answer:

- (a) A and B only
- (b) A and C only
- (c) B and C only
- (d) A and D only

Ans. (d):

8. Which section of the Biological Diversity Act, 2002 mandates approval of National Biodiversity Authority (NBA) before applying for any Intellectual Property Right in a foreign country?

- (a) Section 7
- (b) Section 6
- (c) Section 19
- (d) Section 8

Ans. (c):

9. Match the List-I with List-II

List-I / (Initial Establishment and Commissions/Tribunals)	List-II (Year of Establishment)
A. National Commission for Backward Classes (NCBC)	I. 1992
B. National Commission for Women (NCW)	II. 2010
C. National Green Tribunal (NGT)	III. 2004
D. National Commission for Scheduled Castes (NCSC)	IV. 1993

Ans. (a):

10. Independent Director may be paid remuneration by way of:

- A. Sitting fees
- B. Stock option
- C. Profit-related commission approved by board members
- D. Share in fixed asset of company

Choose the correct answer:

- (a) A, C only
- (b) B, D only
- (c) C, D only
- (d) A, B only

Ans. (a):

11. Arrange the following reasonable restrictions provided for Freedom of Speech and Expression in Article 19(2) of the Constitution in their chronological order:

- A. Contempt of court
- B. Incitement to an offence
- C. Public order

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- D. Security of the State
- E. Friendly relations with Foreign States

Choose the correct answer from the options given below:

- (a) A, E, B, C, D
- (b) D, E, C, A, B
- (c) D, A, B, C, E
- (d) D, C, B, E, A

Ans. (b):

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12. Digital Signature Certificate issued by the Certifying Authority can be revoked:
- (a) Depending upon the type of certificate issued
 - (b) On the request of the subscriber
 - (c) Under no circumstances
 - (d) On the basis of dispute between the partners of the firm

Ans. (b):

13. According to Section 20 of the Green Tribunal Act, 2010, what are the principles that should be applied by the NGT while passing orders and decisions?

- A. Principle of sustainable development
- B. Precautionary principle
- C. Polluter pays principle
- D. Principle of absolute liability

Choose the correct answer from the options given below:

- (a) A, B, and D only
- (b) B, C, and D only
- (c) A, B, and C only
- (d) A, C, and D only

Ans. (c):

14. Arrange the following as per the procedure of Constitutional amendment in the United States of America.

- A. Proposal by Congress or Convention of States
- B. Governor of State submitting proposed amendment to State's Legislature for consideration
- C. Ratification by State
- D. Governor intimating Congress about State decision
- E. Getting ratification by 2/3rd states

Choose the correct answer from the options given below:

- (a) A, B, C, D, E
- (b) A, B, C, E, D
- (c) B, C, D, E, A
- (d) B, C, E, D, A

Ans. (a):

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15. As per Article 324 of the Constitution of India, any other Election Commissioner or a Regional Commissioner shall not be removed from office except on the recommendation of the:

- (a) President
- (b) Chief Justice of India
- (c) Prime Minister
- (d) Chief Election Commissioner

Ans. (d):

16. Inland Instrument means:

- (a) Instrument drawn or made in India
- (b) Instrument made payable in India
- (c) Instrument drawn upon any person resident in India
- (d) Instrument that is passed by Indian Parliament

Choose the correct answer from the options given below:

- (a) A, B, C only
- (b) B, C, D only
- (c) A, C, D only
- (d) B, A, D only

Ans. (a):

17. Which of the following is not a condition for determining the capacity of a male Hindu to adopt?

- (a) Consent of wife under certain circumstances
- (b) Majority
- (c) Soundness of mind
- (d) Must be necessarily married

Ans. (d):

18. Match the List - I with List - II

List - I Titles of Books	List - II Authors
A. Public International Law in Nutshell	I. J. L. Taulbee and G. V. Glahn
B. Law among Nations: An Introduction to Public International Law	II. Martin Dixon
C. Principles of Public International Law	III. Thomas Buergenthal and Sean D. Murphy
D. Textbook on International Law	IV. Ian Brownlie

Choose the correct answer from the options given below:

- (a) A-IV, B-II, C-III, D-I
- (b) A-III, B-I, C-IV, D-II
- (c) A-II, B-I, C-III, D-IV
- (d) A-I, B-III, C-II, D-IV

Ans. (b):

19. Arrange the following legislations in the chronological order of their enactment.

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- A. Indian Divorce Act
- B. Parsi Marriage and Divorce Act
- C. Dissolution of Muslim Marriage Act
- D. Special Marriage Act

Choose the correct answer from the options given below:

- (a) B, A, D, C
- (b) A, B, C, D
- (c) C, B, D, A
- (d) A, D, B, C

Ans. (b):

20. Match the List - I with List - II

List - I Type of Government	List - II Name of Country
A. Constitutional Monarchy	I. Canada, Australia
B. Dual Federalism	II. United States of America
C. Presidential	III. Denmark, Bhutan, Belgium
D. Parliamentary	IV. United Kingdom and India

Choose the correct answer from the options given below:

- (a) A-III, B-I, C-II, D-IV
- (b) A-I, B-III, C-II, D-IV
- (c) A-III, B-II, C-I, D-IV
- (d) A-I, B-II, C-III, D-IV

Ans. (a):

21. Constitution of India confers original and exclusive jurisdiction on the Supreme Court in cases where there is a dispute:

- A. Between two or more states
- B. Dispute arising out of any treaty entered into or executed before the commencement of the Constitution
- C. Between Union Govt and one or more states
- D. Between Union Govt and any states on one side and one or more states on the other
- E. Dispute arising out of substantial questions of law of general importance

Choose the correct answer from the options given below:

- (a) A, B, C only
- (b) C, D, E only
- (c) B, C, D, E only
- (d) A, C, D only

Ans. (d):

22. Match the List - I with List - II

List - I Name of Agreements	List - II Related Areas
A. Strasbourg Agreement	I. International Patent Classification

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B. Nice Agreement	II. Audio-Visual Performance
C. Beijing Treaty	III. International Classification of Goods
D. Singapore Treaty	IV. Trademark

Choose the correct answer from the options given below:

- (a) A-I, B-III, C-IV, D-II
- (b) A-III, B-II, C-I, D-IV
- (c) A-II, B-I, C-III, D-IV
- (d) A-III, B-IV, C-II, D-I

Ans. (d):

23. Nuisance is the interference with the person's right related to:

- (a) Possession
- (b) Leave and License
- (c) Use and enjoyment of land
- (d) Ownership

Ans. (c):

24. Match the List - I with List - II

List-I Case Laws	List-II Legal Principles
A. NG Dastane v. S. Dastane (1975) – Cruelty as a ground of divorce	I. Cruelty as a ground of divorce
B. Court on its own motion (Lajja Devi) v. State (2012) – Prohibition of Child Marriage Act, 2006 will prevail over personal law	II. Prohibition of Child Marriage Act, 2006 will prevail over personal law
C. Saroj Rani v. Sudershan Kumar (1984) – S. 23(1) is not a bar to file a petition u/s 13(1A) of Hindu Marriage Act	III. S. 23(1) is not a bar to file a petition u/s 13(1A) of Hindu Marriage Act
D. Bipin Chandra v. Prabayati (1957) – Desertion as a ground of divorce	IV. Desertion as a ground of divorce

Choose the correct answer from the options given below:

- (a) A-IV, B-III, C-II, D-I
- (b) A-IV, B-II, C-III, D-I
- (c) A-III, B-IV, C-II, D-I
- (d) A-III, B-IV, C-I, D-II

Ans. (b):

25. Arrange the following steps as per the law-making process of UK Parliament.

- A. First and second reading
- B. Royal Assent
- C. Consideration of Amendments
- D. Committee Stage
- E. Report Stage

Choose the correct answer from the options given below:

- (a) A, E, D, C, B
- (b) A, D, C, E, B
- (c) A, D, E, C, B
- (d) D, A, E, C, B

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LAW PYQ (2016 – JAN 2025)

Question Pattern and Trend Analysis

1. Questions of types in diversity:

- **Directly question:** Direct questions are asked based on definitions, exponents of principles, specific sections/sections. (Example: Who gave the definition of jurisprudence? In which article is the principle of jus cogens?)
- **Hair-law based question:** Questions based on important judicial decisions (Landmark Judgments) and the principles established from them are regularly asked. (Example: Golaknath Case, Kesavanand Bharti Case, Maneka Gandhi Case, MC Mehta Case). Recent decisions are also being asked.
- **Assertion and reason (Assertion & Reason):** The number of these questions is increasing, requiring a deep understanding of legal principles and their reasoning.
- **Match (Matching):** Questions matching concepts/principles with their proponents/relevant laws/case-laws/paragraphs are common. (Example: Match List I with List II).
- **Chronological sequence (Chronological Order):** Questions are asked arranging case-law, statutes, treaties or events in the order of their occurrence/applicability.
- **Multiple-optional statement (Multiple Correct Statements):** Questions in which the correct set of statements has to be selected from a number of given statements (Example: A, B and D are correct). These questions demand detailed understanding of the concepts.
- **Article (Passage) based question:** Two paragraphs are given (5 questions each), answers have to be based on understanding and analysis of the given text. These are often based on legal principles, judicial approaches or constitutional interpretations.

2. Difficulty level:

- The level of examination is going from moderate to difficult. More emphasis is being

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placed on deep understanding of concepts, analytical skills and knowledge of case-law rather than mere factual information.

- Assertion-reason and multiple-choice statement questions can be particularly challenging.

3. Trend:

- Questions on new laws and amendments (e.g. Consumer Protection Act 2019, Motor Vehicles Amendment Act 2019, Criminal Law Amendment 2013/2018, Constitutional Amendments).
- Increasing focus on international conventions and protocols related to human rights and environmental law.
- Questions on Practical Aspects of Intellectual Property Rights (IPR) and International Agreements (TRIPS).
- Increasing number of questions from relatively new areas such as competition law and information technology law.

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Subject-object of focus:

- **Main law (Core Laws):** Jurisprudence, constitutional law, administrative law, international law, tort law, contract law, family law (Hindu and Muslim law), Indian Penal Code (IPC) and intellectual property rights (IPR) continue to be important.
- **Contemporary and emerging area:** There is increasing emphasis on environmental law, human rights law, information technology law, competition law and consumer protection law (especially the new Act 2019).
- **International law:** Questions focus on treaties (especially the Vienna Convention), international organizations (UN, WTO), the International Court of Justice (ICJ), human rights instruments and recent developments.
- **Constitutional law:** Fundamental Rights, Directive Principles, Union and State Executive/Legislature, Judiciary (especially judicial review, writs, appointments), Centre-State relations, emergency provisions and recent constitutional amendments are important.
- **Jurisprudence:** Questions come on different schools of thought, prominent jurists (Austin, Bentham, Hart, Kelsen, Pound, Savigny, Salmond), sources of law, concepts of rights and duties.

Unit 1: Jurisprudence

- **Chief concepts:**
 - Definitions of Law (by various jurists – Keaton, Austin, Hart, Pound).
 - Sources of law (classification by Salmond, Keaton – binding/persuasive).
 - Schools of jurisprudence – historical (Savigny, Maine), analytical (Austin, Bentham, Hart, Kelsen), sociological (Pound, Ehrlich, Duguit), realistic (Holmes, Frank).
 - Rights and Duties (Analysis of Salmond, Hohfeld – Liberty, Power, Immunity).
 - Ownership and possession (definitions – Austin, Holland, Salmond; elements – Savigny).
 - Legal Personality (Definition – Corporation).
 - Theories of Justice (Aristotle, Rawls).
 - Law and Ethics (Fuller – Internal/External Ethics).
- **Question type:**
 - Definitions and statements (who said it?).
 - Exponent of principles.
 - Classification of ideologies.
 - Analysis of concepts (e.g. possession, possession).
 - Books and Authors (Example: 'Concept of Law' - Hart, 'Law and the Modern Mind' - Frank).
 - Assertions and Reasons.

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LAW ONELINER SAMPLE

- Question:** Which jurist, in his work *The Province of Jurisprudence Determined* (1832), defined law as the "command of the sovereign backed by a sanction"?

Answer: John Austin.
- Question:** The 'Pure Theory of Law', which seeks to separate law from morals and facts and is based on a hypothetical 'Grundnorm', was propounded by which Austrian jurist?

Answer: Hans Kelsen.
- Question:** The concept of 'Volksgeist' (spirit of the people) as the source of law was a central idea of the Historical School of Jurisprudence, founded by which German jurist?

Answer: Friedrich Carl von Savigny.
- Question:** The theory of 'Social Engineering', which views law as an instrument to balance competing interests in society, was given by which American jurist?

Answer: Roscoe Pound.
- Question:** In his 1961 book *The Concept of Law*, which legal philosopher made the famous distinction between 'primary rules' and 'secondary rules'?

Answer: H.L.A. Hart.
- Question:** The 'Basic Structure' doctrine of the Indian Constitution was laid down by the Supreme Court in which landmark case of 1973?

Answer: Kesavananda Bharati v. State of Kerala.
- Question:** The 'Right to Privacy' was declared a

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fundamental right under Article 21 of the Constitution by a nine-judge bench in which 2017 case?

Answer: Justice K.S. Puttaswamy (Retd.) v. Union of India.

8. **Question:** The 'due process of law' was interpreted to be part of Article 21, vastly expanding its scope, in which 1978 Supreme Court judgment?

Answer: Maneka Gandhi v. Union of India.

9. **Question:** In the law of torts, the 'Neighbour Principle' for determining the duty of care was famously laid down by Lord Atkin in which 1932 case?

Answer: Donoghue v. Stevenson.

10. **Question:** The rule of 'Strict Liability' for the escape of dangerous things from one's land was established in which famous English case of 1868?

Answer: Rylands v. Fletcher.

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11. **Question:** The principle of 'Absolute Liability', making hazardous enterprises absolutely liable for any harm, was laid down by the Supreme Court of India in which 1987 case?

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Answer: M.C. Mehta v. Union of India (Oleum Gas Leak Case).

12. **Question:** The Universal Declaration of Human Rights (UDHR) was adopted by the United Nations General Assembly in which year?

Answer: 1948.

13. **Question:** The 'Vienna Convention on the Law of Treaties', a cornerstone of international treaty law, was adopted in which year?

Answer: 1969.

14. **Question:** The International Court of Justice (ICJ), the principal judicial organ of the United Nations, has its seat in which city?

Answer: The Hague, Netherlands.

15. **Question:** The Indian Contract Act, which governs the law of contracts in India, was enacted in which year during the British Raj?

Answer: 1872.

16. **Question:** The 'Shah Bano Begum' case of 1985 is a landmark judgment of the Supreme Court of India that deals with which issue under Muslim personal law?

Answer: Maintenance for a divorced woman.

17. **Question:** The 'Environment (Protection) Act', an umbrella legislation for the protection of the environment in India, was enacted in which year?

Answer: 1986.

18. **Question:** The UN Conference on the Human Environment, which led to the creation of UNEP, was held in which city in 1972?

Answer: Stockholm.

19. **Question:** The doctrine of 'Pith and Substance' is used

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by courts to determine the true nature of a legislation when resolving conflicts related to which constitutional list?

Answer: The distribution of powers (between Union and States).

20. **Question:** The 42nd Amendment to the Indian Constitution, which made significant changes and is often called a 'mini-constitution', was enacted in which year?

Answer: 1976.

21. **Question:** The 'Berne Convention', an international agreement governing copyright, was first accepted in which year?

Answer: 1886.

22. **Question:** The TRIPS Agreement, which sets down minimum standards for intellectual property regulation, is an international legal agreement administered by which organization?

Answer: The World Trade Organization (WTO).

23. **Question:** In the case of Carlill v. Carbolic Smoke Ball Co. (1893), the court held that an advertisement could constitute what type of offer?

Answer: A general offer to the world.

24. **Question:** Who is considered the 'Father of International Law' for his 17th-century work De Jure Belli ac Pacis (On the Law of the War and Peace)?

Answer: Hugo Grotius.

25. **Question:** The 'Protection of Human Rights Act' under which the National Human Rights Commission (NHRC) of India was established, was enacted in which year?

Answer: 1993.

26. **Question:** The case of Sarla Mudgal v. Union of India

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(1995) deals with the issue of solemnizing a second marriage after converting to Islam and its relation to which social issue?

Answer: Uniform Civil Code.

27. **Question:** The 'Utilitarian' theory of law, which advocates for the "greatest happiness of the greatest number," is primarily associated with which English philosopher?

Answer: Jeremy Bentham.

28. **Question:** The legal maxim 'Ubi jus ibi remedium' means what?

Answer: Where there is a right, there is a remedy.

29. **Question:** Who was the chairman of the Drafting Committee of the Indian Constitution, often called the chief architect of the Constitution?

Answer: Dr. B.R. Ambedkar.

30. **Question:** The landmark case of Vishaka v. State of Rajasthan (1997) laid down guidelines for dealing with which issue at the workplace?

Answer: Sexual Harassment.

31. **Question:** The 'Consumer Protection Act' of 1986 was replaced by a new act enacted in which year?

Answer: 2019.

32. **Question:** The doctrine of 'Jus Cogens' in international law refers to what kind of norms?

Answer: Peremptory norms from which no derogation is permitted.

33. **Question:** The Indian Penal Code (IPC), the official criminal code of India, was drafted in 1860 on the recommendations of a commission chaired by whom?

Answer: Lord Macaulay.

34. **Question:** The 'Rio Declaration on Environment and

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Development' was adopted at the UN Conference on Environment and Development (UNCED) in which year?

Answer: 1992.

35. **Question:** The doctrine of 'Separation of Powers' was systematically propounded by which French philosopher in his book The Spirit of the Laws?

Answer: Montesquieu.

36. **Question:** The concept of 'Public Interest Litigation' (PIL) in India was introduced through judicial activism, primarily by which judge in the late 1970s?

Answer: Justice P.N. Bhagwati.

37. **Question:** The 'Hindu Marriage Act', which governs the marriage laws for Hindus, was enacted by the Indian Parliament in which year?

Answer: 1955.

38. **Question:** The principle 'Pacta sunt servanda' is a fundamental principle of international law meaning what?

Answer: Agreements must be kept.

39. **Question:** The doctrine of 'Colourable Legislation' is used to determine the competence of the legislature when it indirectly tries to legislate on a matter outside its competence. What is this based on?

Answer: The substance of the law, not its form.

40. **Question:** The International Covenant on Civil and Political Rights (ICCPR) was adopted by the UN General Assembly in which year?

Answer: 1966.

41. **Question:** Which case established that an agreement with a minor is void ab initio, as per the Indian Contract Act, 1872?

Answer: Mohori Bibee v. Dharmodas Ghose (1903).

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42. **Question:** The National Green Tribunal (NGT) was established in India under the NGT Act for effective disposal of environmental cases in which year?

Answer: 2010.

43. **Question:** Who famously defined law as "the prophecies of what the courts will do in fact," representing the Realist school of thought?

Answer: Oliver Wendell Holmes Jr.

44. **Question:** The concept of the 'Golden Triangle' in the Indian Constitution refers to the interconnectedness of which three fundamental rights articles?

Answer: Articles 14, 19, and 21.

45. **Question:** The 'Competition Act' of 2002 was enacted to replace which previous act that dealt with monopolies in India?

Answer: The MRTP Act, 1969.

46. **Question:** The 'Information Technology Act', which provides a legal framework for electronic transactions in India, was enacted in which year?

Answer: 2000.

47. **Question:** The maxim 'Volenti non fit injuria' is a defence in tort law, which means what?

Answer: To a willing person, injury is not done.

48. **Question:** In his book A Theory of Justice (1971), which political philosopher introduced the concepts of the 'original position' and the 'veil of ignorance'?

Answer: John Rawls.

49. **Question:** The International Criminal Court (ICC), which has jurisdiction to prosecute individuals for international crimes like genocide, was established by which treaty?

Answer: The Rome Statute (1998).

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50. **Question:** The legal concept of 'Obiter Dicta' in a judgment refers to remarks made by a judge that are not essential to the decision and therefore do not have what kind of force?

Answer: Binding precedent.

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Law Thinker Tool Kit Sample

1. John Austin (1790-1859)

• Introduction:

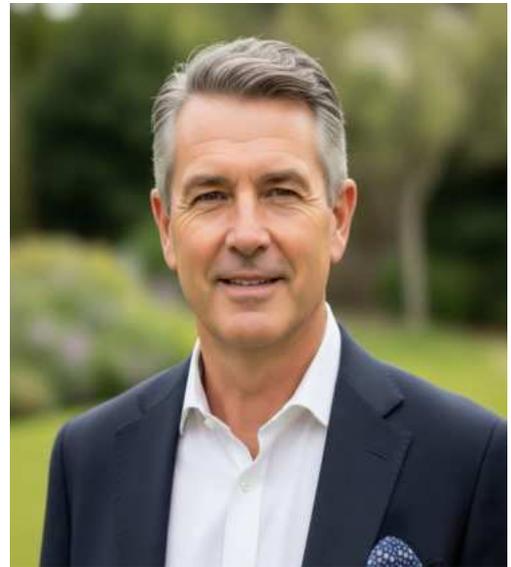
- An English jurist and a central figure in the Analytical School of Jurisprudence.
- He is widely regarded as the founder of modern Legal Positivism.
- His work sought to create a scientific and logical framework for understanding law, separating it strictly from morality.
- He famously defined law as the "command of the sovereign," a concept that dominated legal thought for generations.

• Major Contributions:

- Systematized the principles of legal positivism and set a clear agenda for the Analytical school.
- Made a sharp distinction between "law as it is" (the province of jurisprudence) and "law as it ought to be" (the province of ethics).
- Developed the "Command Theory of Law," which breaks law down into three essential components: a command, a sovereign, and a sanction.
- Classified law into "law properly so-called" and "law improperly so-called" to delineate the boundaries of jurisprudence.

• Key Concepts:

- **Positive Law:** For Austin, the only proper subject matter of jurisprudence is positive law, which he defined as law "set by a political superior to a political inferior."
- **Command Theory:** Law is a command expressing the desire of a sovereign, which must be followed by inferiors.
 - **Command:** An expression of a wish or desire, distinguished by the power and purpose of the party commanding to inflict an evil or pain in case the desire be disregarded.
 - **Sovereign:** A determinate human superior who receives habitual obedience from the bulk of a given society and is not in the habit of obedience to¹ any other superior. Austin's sovereign is illimitable and indivisible.
 - **Sanction:** The evil or pain that will be incurred if a command is disobeyed. For Austin, every command must be backed by a sanction.
- **Law Properly So-Called vs. Law Improperly So-Called:**
 - **Properly So-Called:** Includes laws of God and human laws (positive law).
 - **Improperly So-Called:** Includes laws by analogy (e.g., laws of fashion, international law) and laws by metaphor (e.g., laws of gravity). International law was mere "positive morality" for Austin as it lacked a sovereign.



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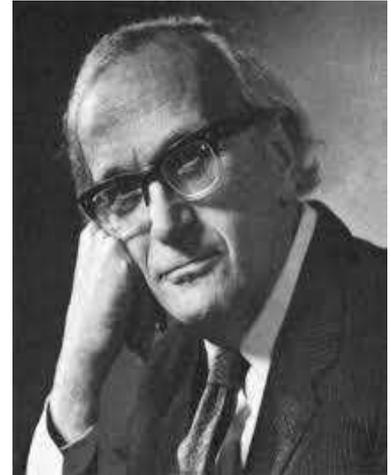
• Key Books & Publication Year:

- **The Province of Jurisprudence Determined (1832):** His most famous work, in which he lays out his entire command theory and the scope of analytical jurisprudence.
- **Lectures on Jurisprudence or The Philosophy of Positive Law** (published posthumously): A more extensive collection of his lectures.

2. H.L.A. Hart (1907-1992)

• Introduction:

- A British legal philosopher and one of the most influential jurists of the 20th century.
- He is a leading figure in modern "soft" legal positivism, providing a sophisticated critique and alternative to Austin's rigid theory.
- His magnum opus, *The Concept of Law*, revitalized analytical jurisprudence by introducing a new way of understanding law as a system of rules.
- He is famous for his intellectual debates, particularly the Hart-Fuller debate on law and morality.



• Major Contributions:

- Refined legal positivism by moving away from the "command" model to a more nuanced "rules" model.
- Introduced the concept of law as a union of primary and secondary rules, which explained the structure of a legal system more effectively than Austin's theory.
- Acknowledged a "minimum content of natural law," conceding that for a legal system to be viable, it must contain certain basic protections for human survival.
- Argued for a clear separation of law and morality but acknowledged that they have many points of contact.

• Key Concepts:

- **Law as a Union of Primary and Secondary Rules:**
 - **Primary Rules:** These rules impose duties or obligations on individuals (e.g., criminal laws, tort laws). They tell people what they must or must not do.
 - **Secondary Rules:** These are rules about the primary rules. They confer powers and specify the ways in which primary rules can be introduced, changed, and adjudicated. They are the hallmark of a developed legal system.
- **Types of Secondary Rules:**
 - **Rule of Recognition:** The ultimate rule that provides the criteria for identifying valid laws within a legal system (e.g., what the Queen-in-Parliament enacts is law).
 - **Rules of Change:** Rules that empower individuals or bodies to introduce new primary rules and to amend or repeal old ones.
 - **Rules of Adjudication:** Rules that empower individuals to make authoritative

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determinations of whether a primary rule has been broken.

- **"Open Texture" of Law:** Hart's concept that legal rules have a core of settled meaning but also a "penumbra" of uncertainty where judges must exercise discretion. This acknowledges the limits of language and the need for judicial interpretation.
- **Internal vs. External Point of View:** The **external point of view** is that of an observer who can see regularities of behaviour. The **internal point of view** is that of a participant in the system who accepts the rules as standards of conduct. A legal system requires that officials, at a minimum, take an internal point of view.

• Key Books & Publication Year:

- **The Concept of Law (1961):** His most important work, which revolutionized legal positivism.
- **Law, Liberty, and Morality (1963):** Contains his arguments in the Hart-Devlin debate regarding the legal enforcement of morality.
- **Punishment and Responsibility (1968):** A collection of essays on legal responsibility and criminal law.

3. Hans Kelsen (1881-1973)

• Introduction:

- An Austrian jurist, legal philosopher, and political philosopher, who was a key figure at the Vienna School of Law.
- He is the author of the "Pure Theory of Law," one of the most rigorous and influential theories of legal positivism.
- His goal was to create a "pure" science of law, completely separate from ethics, sociology, politics, and other disciplines.
- He conceived of law as a hierarchical system of norms, where each norm derives its validity from a higher norm.

• Major Contributions:

- Developed the "Pure Theory of Law," which views law as a self-contained system of norms.
- Introduced the concept of the Grundnorm (basic norm) as the ultimate source of validity for a legal system.
- Provided a dynamic theory of law, explaining how law is both created and applied through a chain of authorization.
- His work heavily influenced the drafting of the 1920 Austrian Constitution and had a significant impact on constitutional law globally.

• Key Concepts:

- **Pure Theory of Law:** The theory seeks to describe law "as it is," not as it "ought to be." It is "pure" because it excludes anything that is not strictly law, such as justice, morality, or social facts.
- **Law as a Normative Science:** Kelsen saw law not as a collection of facts (what



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is) but as a system of "ought" propositions or norms. A law is a norm that stipulates that if a certain conduct is performed, a certain sanction "ought" to be applied.

- **Hierarchy of Norms:** A legal system is structured like a pyramid. At the bottom are individual norms (e.g., a specific court order), which are authorized by higher norms (e.g., statutes), which are in turn authorized by the constitution.
- **Grundnorm (Basic Norm):** The ultimate, hypothetical norm that sits at the top of the pyramid. Its validity is not derived from any higher norm; it is presupposed. The Grundnorm itself is not a positive law but is a pre-legal presupposition that gives validity to the entire legal order (e.g., "the first constitution ought to be obeyed").
- **Sanction:** For Kelsen, a sanction is a central and essential element of a legal norm. A legal norm is a direction to an official to apply a sanction under certain conditions.

• Key Books & Publication Year:

- **Pure Theory of Law (First German edition 1s_93_4, second revised and expanded edition 1960):** His definitive work outlining his theory.
- **General Theory of Law and State (1945):** An English-language presentation of his ideas.

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4. Roscoe Pound (1870-1964)

• Introduction:

- An American legal scholar and botanist who was a leading figure in the Sociological School of Jurisprudence.
- He served for two decades as the Dean of Harvard Law School and profoundly shaped American legal education.
- He viewed law not as an abstract set of rules but as a practical social institution designed to solve real-world problems.
- His approach is famously known as the theory of "Social Engineering."



• Major Contributions:

- Championed the Sociological School of Jurisprudence in the United States.
- Emphasized the importance of studying "law in action" (how law actually works in society) rather than just "law in books" (the written statutes and doctrines).
- Developed a detailed theory of social interests and the role of law in balancing them.
- Created the concept of "Jural Postulates" as the foundational assumptions of a civilized society.

• Key Concepts:

- **Social Engineering:** Pound's most famous metaphor. He saw the task of lawyers and judges as that of a social engineer, whose job is to build an efficient social structure by satisfying the maximum number of wants with the minimum of friction and waste.
- **Theory of Interests:** To achieve social engineering, the law must recognize, define, and secure various competing interests. Pound classified them into three categories:
 - **Individual Interests:** Interests of personality (e.g., physical integrity, reputation) and domestic relations.
 - **Public Interests:** Interests of the state as a juristic person (e.g., integrity of the state).
 - **Social Interests:** The claims or demands of the social group as a whole (e.g., social interest in general security, health, morals, and economic progress).
- **Jural Postulates:** These are generalized principles of conduct that are taken for granted in a civilized society, which the law should aim to protect. Examples include:
 - In a civilized society, men must be able to assume that others will not commit intentional aggressions upon them.
 - They must be able to assume that they may control for beneficial purposes what they have discovered and appropriated to their own use.²

• Key Books & Publication Year:

- **An Introduction to the Philosophy of Law (1922):** A classic and accessible work outlining his philosophy.

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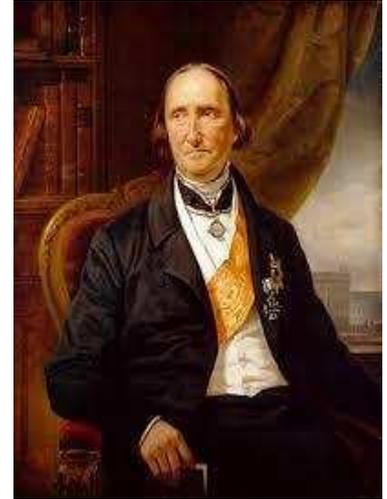
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- **Social Control Through Law (1942):** Further details his theory of social engineering.
- **Jurisprudence (5 volumes, 1959):** His comprehensive magnum opus covering his entire jurisprudential thought.

5. Friedrich Karl von Savigny (1779-1861)

● Introduction:

- A highly respected German jurist and historian of the 19th century.
- He is credited as the founder and leading proponent of the Historical School of Law.
- His work was a strong reaction against the rationalism of the Natural Law school and proposals for rapid legal codification.
- He argued that law is not a universal set of rational principles but an organic product of a people's unique culture and history.



● Major Contributions:

- Founded the Historical School of Jurisprudence, which emphasized the historical evolution of law.
- Developed the influential concept of the Volksgeist as the source of law.
- Argued strongly against the immediate codification of German law, believing it was not yet mature enough.
- Elevated the importance of custom as a source of law, often placing it above legislation.

● Key Concepts:

- **Volksgeist (Spirit of the People):** Savigny's central concept. It means that law is the product of the "common consciousness" or "popular spirit" of a people. Law is deeply rooted in a nation's history, traditions, language, and culture.
- **Law is Found, Not Made:** This is the core tenet of the Historical School. Law is not created by the arbitrary will of a lawmaker but is discovered in the customs and practices of the people. It evolves organically, like language.
- **Custom as the Primary Source of Law:** Because law originates from the Volksgeist, the most authentic expression of law is custom. Legislation is only acceptable when it codifies existing customs.
- **Rejection of Codification:** Savigny opposed the call for a unified legal code for Germany in his time. He argued that the German people's legal consciousness (Volksgeist) was not yet fully developed, and a premature code would stifle the natural growth of the law. He believed only mature legal systems should be codified.

● Key Books & Publication Year:

- **On the Vocation of Our Age for Legislation and Jurisprudence (1814):** His famous pamphlet arguing against codification and outlining the principles of the

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Historical School.

- **System of Modern Roman Law (8 volumes, 1840-1849):** His major historical work analyzing the development of Roman law.

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Law Important Books & Table

1. **John Austin (Jurisprudence)**: A key proponent of the Analytical/Positivist School, known for his "Command Theory of Law," where law is defined as the command of the sovereign backed by a sanction.
2. **H.L.A. Hart (The Concept of Law, 1961)**: An influential legal positivist who critiqued Austin's theory and proposed that law is a system of "primary and secondary rules."
3. **Hans Kelsen (Pure Theory of Law)**: Proposed a "Pure Theory of Law," which seeks to separate law from all other elements like sociology, politics, and morality. He introduced the concept of the Grundnorm.
4. **Roscoe Pound (Jurisprudence)**: A leading figure of the Sociological School, who viewed law as a tool for "social engineering" to balance competing interests in society.
5. **Friedrich Carl von Savigny (Jurisprudence)**: The main proponent of the Historical School, who argued that law is not made but found, and it originates from the common consciousness of the people (Volksgeist).
6. **Jeremy Bentham (Jurisprudence)**: A philosopher and jurist known for his theory of Utilitarianism ("the greatest happiness of the greatest number"), which he applied to legal and penal reform.
7. **Kesavananda Bharati v. State of Kerala (1973)**: A landmark Supreme Court case that established the "Basic Structure Doctrine," stating that the Parliament cannot amend the fundamental features of the Constitution.
8. **Maneka Gandhi v. Union of India (1978)**: This case vastly expanded the scope of Article 21 (Right to Life), ruling that "procedure established by law" must be fair, just, and reasonable.
9. **A.K. Gopalan v. State of Madras (1950)**: An early Supreme Court case that took a narrow view of fundamental rights, interpreting them as separate and distinct from each other. This was later overruled.
10. **Indra Sawhney v. Union of India (1992)**: Known as the "Mandal Commission Case," this case upheld OBC reservations but imposed a 50% ceiling on total reservations and introduced the concept of the "creamy layer."
11. **S.R. Bommai v. Union of India (1994)**: A landmark case that placed restrictions on the arbitrary use of Article 356 (President's Rule) and held that secularism is part of the basic structure.
12. **Donoghue v. Stevenson (1932)**: A foundational case in the Law of Torts that established the modern concept of "negligence" and the "neighbour principle" for determining duty of care.
13. **Rylands v. Fletcher (1868)**: The case that established the principle of "Strict Liability" for abnormally dangerous things kept on one's land.
14. **M.C. Mehta v. Union of India (1987)**: The Oleum Gas Leak case, where the Supreme

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Court of India developed the principle of "Absolute Liability," which is stricter than strict liability.

15. **Vishakha v. State of Rajasthan** (1997): In the absence of a specific law, the Supreme Court laid down guidelines to prevent sexual harassment of women at the workplace.
16. **K.M. Nanavati v. State of Maharashtra** (1962): A famous criminal case that dealt with the scope of "grave and sudden provocation" as a defence against a charge of murder.
17. **Hugo Grotius (International Law)**: Often called the "father of modern international law," his work *De Jure Belli ac Pacis* separated international law from theology.
18. **L. Oppenheim (International Law: A Treatise)**: Author of a classic and highly influential treatise on public international law.
19. **North Sea Continental Shelf Cases** (ICJ, 1969): A key case that explained the formation of customary international law.
20. **Doctrine of Pith and Substance (Constitutional Law)**: A legal doctrine used to determine which level of government (Union or State) has the power to legislate on a particular subject matter.
21. **Doctrine of Colourable Legislation (Constitutional Law)**: The doctrine that what cannot be done directly cannot be done indirectly. It tests the true nature of a law disguised to be within legislative competence.
22. **Hohfeld's Analysis of Rights**: An analysis by Wesley Newcomb Hohfeld that breaks down "rights" into a set of eight fundamental legal concepts (e.g., Right, Duty, Privilege, No-right).
23. **John Rawls (A Theory of Justice, 1971)**: A political philosopher who proposed a theory of "justice as fairness," based on the concepts of the "original position" and the "veil of ignorance."
24. **D.D. Basu (Commentary on the Constitution of India)**: An authoritative and comprehensive multi-volume commentary on the Indian Constitution.
25. **H.M. Seervai (Constitutional Law of India)**: A highly respected and critical analysis of Indian constitutional law.
26. **Salmond (Salmond on Jurisprudence)**: A classic textbook on jurisprudence that has been influential for generations of law students.
27. **The Consumer Protection Act, 2019**: The key legislation in India for the protection of consumer rights, establishing a three-tier quasi-judicial machinery for redressal.
28. **The Information Technology Act, 2000**: The primary law in India dealing with cybercrime and electronic commerce.
29. **The Environment (Protection) Act, 1986**: An umbrella legislation in India enacted to provide for the protection and improvement of the environment.
30. **United Nations Charter** (1945): The foundational treaty of the United Nations, an intergovernmental organization.

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1: Major Schools of Jurisprudence – A Comparison

School	Chief Proponent(s)	Core Idea / "Law is..."	Key Terms
Analytical School (Positivism)	John Austin, H.L.A. Hart, Hans Kelsen	...the command of the sovereign. It focuses on law as it is (lex lata), not as it ought to be.	Command, Sovereign, Sanction, Primary & Secondary Rules, Grundnorm.
Historical School	Savigny, Henry Maine	...found, not made. It originates from the common consciousness, customs, and spirit of the people.	Volksgeist (spirit of the people), Status to Contract.
Sociological School	Roscoe Pound, Ihering, Ehrlich	...a tool for social control and balancing competing interests. It studies the relationship between law and society.	Social Engineering, Living Law, Jural Postulates.
Philosophical / Natural Law School	Thomas Aquinas, John Locke, Rousseau	...based on reason, justice, morality, and divine principles. There are universal moral laws that are inherent in nature.	Law of Nature, Reason, Divine Law, Social Contract.
Realist School (American)	Oliver Wendell Holmes, Jerome Frank, Llewellyn	...what the judges or officials actually do. It focuses on the practical application and effects of law.	"Law is the prophesy of what the courts will do in fact", Rule Skepticism.

2: Key Jurists and Their Theories

Jurist	School	Key Theory/Concept	Famous Work
John Austin	Analytical	Command Theory: Law is a command given by a sovereign, which is backed by a sanction.	The Province of Jurisprudence Determined
H.L.A. Hart	Analytical	Law as a system of Rules: Law is a union of "primary rules of obligation" and "secondary rules"	The Concept of Law

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		(of recognition, change, adjudication).	
Hans Kelsen	Analytical	Pure Theory of Law: A theory of positive law that is "pure" from all other elements. Law is a hierarchy of norms, with a Grundnorm (basic norm) at the top.	Pure Theory of Law
Roscoe Pound	Sociological	Social Engineering: The task of law is to balance competing interests (individual, public, social) in society to achieve the maximum satisfaction with minimum friction.	An Introduction to the Philosophy of Law
Savigny	Historical	Volksgeist: Law grows organically from the common spirit, customs, and consciousness of the people, like language.	On the Vocation of Our Age for Legislation and Jurisprudence

3: Sources of Law

Source	Description	Key Concepts / Proponents
Legislation	The making of law by a formal and express declaration of rules by a competent authority. It is the primary source of law in modern states.	Types: Supreme (by sovereign) and Subordinate (delegated legislation).
Precedent	A judicial decision that contains a principle (ratio decidendi) which serves as an authority for judges to follow in similar future cases.	Doctrine of Stare Decisis (to stand by decided cases), Ratio Decidendi, Obiter Dicta.
Custom	A long-established practice or usage that has acquired the force of law. It must be ancient, certain, reasonable, and continuous.	Types: Legal Custom (General & Local), Conventional Custom (Usage). Savigny's Historical School gives it prime importance.
Convention	Rules of political practice that are regarded as binding by those to whom they apply, but are not legally enforceable.	Key source for constitutional law in countries like the UK.

4: Theories of Rights and Justice

Concept / Theory	Proponent(s)	Core Idea
Hohfeld's Analysis of Rights	Wesley N. Hohfeld	Breaks down "rights" into eight fundamental concepts arranged as Jural Correlatives

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		(e.g., Right-Duty) and Jural Opposites (e.g., Right-No-right) to clarify legal relationships.
Rawls' Theory of Justice	John Rawls	"Justice as Fairness." Proposes two principles of justice that would be chosen in an "original position" behind a "veil of ignorance": 1. Equal basic liberties. 2. Social and economic inequalities are arranged to be of the greatest benefit to the least-advantaged (Difference Principle).
Nozick's Entitlement Theory	Robert Nozick	A libertarian theory of justice. A distribution is just if everyone is entitled to the holdings they possess under it. Based on principles of justice in acquisition, transfer, and rectification.
Theories of Punishment	(Various Jurists)	Deterrent: Punish to deter the offender and others. Retributive: An eye for an eye; punishment as deserved payment for a crime. Reformative: Punish to reform the offender. Preventive: Punish to disable the offender from reoffending.

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1. John Austin (1790–1859)

Category	Details
Short Introduction	British legal philosopher, founder of legal positivism.
Key Concepts	- Command theory of law - Legal positivism
Key Books	- The Province of Jurisprudence Determined (1832)
Facts	- Emphasized separation of law and morality.

2. H.L.A. Hart (1907–1992)

Category	Details
Short Introduction	British legal philosopher, major modern proponent of legal positivism.
Key Concepts	- Rule of recognition - Primary and secondary rules
Key Books	- The Concept of Law (1961)
Facts	- Integrated moral theory with legal positivism.

3. Hans Kelsen (1881–1973)

Category	Details
Short Introduction	Austrian jurist and legal theorist, architect of the Pure Theory of Law.
Key Concepts	- Pure theory of law - Normativity
Key Books	- Pure Theory of Law (1934)
Facts	- Advocated a norm-based, scientific approach to jurisprudence.

4. Roscoe Pound (1870–1964)

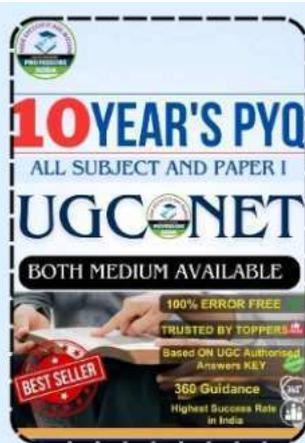
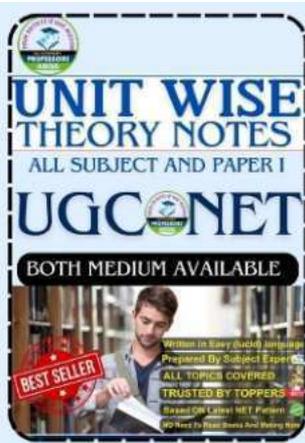
Category	Details
Short Introduction	American legal scholar, founder of sociological jurisprudence.
Key Concepts	- Sociological jurisprudence - Law as a social institution
Key Books	- An Introduction to the Philosophy of Law (1922)
Facts	- Emphasized law's role in social engineering.

5. Friedrich Karl von Savigny (1779–1861)

Category	Details
Short Introduction	German legal scholar, founder of the historical school of law.
Key Concepts	- Historical jurisprudence - Volksgeist (spirit of the people)
Key Books	- Of the Vocation of Our Age for Legislation and Jurisprudence (1814)
Facts	- Believed law evolved organically from the customs of the people.

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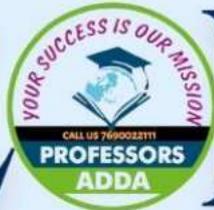
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UGC NET Law (Easy Level) - Model Paper (100 MCQs)

Unit I: Jurisprudence

Q1. Who is considered the father of the Analytical School of Jurisprudence?

- (A) Jeremy Bentham
- (B) John Austin
- (C) H.L.A. Hart
- (D) Hans Kelsen

Answer: (B) John Austin

Explanation: John Austin (1790-1859) defined law as the command of the sovereign backed by sanction, a key tenet of the Analytical School.

Q2. The concept of 'Grundnorm' was propounded by which jurist?

- (A) Savigny
- (B) Roscoe Pound
- (C) Hans Kelsen
- (D) Fuller

Answer: (C) Hans Kelsen

Explanation: Hans Kelsen (1881-1973) introduced the 'Grundnorm' (basic norm) as the ultimate source of validity in his 'Pure Theory of Law'.

Q3. 'Volksgeist' as a source of law is associated with which school?

- (A) Sociological School
- (B) Historical School
- (C) Philosophical School
- (D) Realist School

Answer: (B) Historical School

Explanation: Friedrich Carl von Savigny (1779-1861), a proponent of the Historical School, emphasized 'Volksgeist' (spirit of the people) as the source of law.

Q4. What does 'Ratio Decidendi' mean in the context of judicial precedents?

- (A) Obiter Dicta
- (B) The reason for the decision
- (C) Dissenting opinion
- (D) Facts of the case

Answer: (B) The reason for the decision

Explanation: 'Ratio Decidendi' refers to the binding legal principle or rule upon which a judicial decision is based.

Q5. Roscoe Pound is associated with which school of jurisprudence?

- (A) Analytical School

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- (B) Historical School
- (C) Sociological School
- (D) Realist School

Answer: (C) Sociological School

Explanation: Roscoe Pound (1870-1964) viewed law as a tool for 'social engineering', a key concept in the Sociological School.

Q6. H.L.A. Hart's concept of law involves the union of:

- (A) Primary and Secondary Rules
- (B) Commands and Sanctions
- (C) Rights and Duties
- (D) Morality and Law

Answer: (A) Primary and Secondary Rules

Explanation: H.L.A. Hart (1907-1992), in "The Concept of Law" (1961), described law as a system comprising primary rules of obligation and secondary rules of recognition, change, and adjudication.

Q7. Which theory suggests that law and morality are inherently connected?

- (A) Legal Positivism
- (B) Natural Law Theory
- (C) Legal Realism
- (D) Critical Legal Studies

Answer: (B) Natural Law Theory

Explanation: Natural Law theories, dating back to ancient Greece (e.g., Aristotle), posit that true law derives from or must align with morality or reason.

Q8. Ownership primarily consists of:

- (A) Right to possess only
- (B) Right to use and enjoy only
- (C) Right to possess, use, enjoy, and dispose
- (D) Right to dispose only

Answer: (C) Right to possess, use, enjoy, and dispose

Explanation: Ownership is the most comprehensive right, encompassing the bundle of rights including possession, use, enjoyment, and alienation (disposal).

Q9. The term 'Jurisprudence' is derived from the Latin term 'Jurisprudencia', which means:

- (A) Command of the Sovereign
- (B) Rule of Law
- (C) Knowledge of Law or Skill in Law
- (D) Social Contract

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Answer: (C) Knowledge of Law or Skill in Law

Explanation: 'Juris' means law and 'prudentia' means knowledge or skill. Jurisprudence essentially means the study or knowledge of law.

Q10. Who defined law as "the prophecies of what the courts will do in fact"?

- (A) Jerome Frank
- (B) Karl Llewellyn
- (C) Oliver Wendell Holmes Jr.
- (D) Benjamin Cardozo

Answer: (C) Oliver Wendell Holmes Jr.

Explanation: Justice Holmes (1841-1935), a key figure in American Legal Realism, famously gave this predictive definition of law in 1897.

Unit II: Constitutional and Administrative Law

Q11. Which Article of the Indian Constitution deals with the Right to Equality?

- (A) Article 19
- (B) Article 21
- (C) Article 14
- (D) Article 32

Answer: (C) Article 14

Explanation: Article 14 guarantees equality before the law and equal protection of the laws within India. It's a fundamental right.

Q12. The Directive Principles of State Policy (DPSP) are contained in which Part of the Constitution?

- (A) Part III
- (B) Part IV
- (C) Part IVA
- (D) Part V

Answer: (B) Part IV

Explanation: Part IV (Articles 36-51) of the Indian Constitution enumerates the Directive Principles, which guide the state in law-making.

Q13. The power of the President of India to issue ordinances is mentioned in:

- (A) Article 123
- (B) Article 213
- (C) Article 72
- (D) Article 111

Answer: (A) Article 123

Explanation: Article 123 empowers the President to promulgate Ordinances during the recess of Parliament, having the same force as an Act of Parliament.

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Q14. The concept of 'Judicial Review' in India is primarily derived from the Constitution of:

- (A) United Kingdom
- (B) United States of America
- (C) Canada
- (D) Australia

Answer: (B) United States of America

Explanation: While inherent, the power of judicial review in India draws inspiration from the US Constitution, established in Marbury v. Madison (1803).

Q15. The principle of 'Audi Alteram Partem' means:

- (A) Rule against bias
- (B) Reasoned decision
- (C) Hear the other side
- (D) Speaking order

Answer: (C) Hear the other side

Explanation: 'Audi Alteram Partem' is a fundamental principle of Natural Justice, ensuring that no person is condemned unheard.

Q16. The Right to Information Act in India was enacted in the year:

- (A) 2000
- (B) 2002
- (C) 2005
- (D) 2009

Answer: (C) 2005

Explanation: The Right to Information Act, 2005, provides a framework for citizens to access information under the control of public authorities.

Q17. Which constitutional amendment added Fundamental Duties to the Indian Constitution?

- (A) 42nd Amendment, 1976
- (B) 44th Amendment, 1978
- (C) 24th Amendment, 1971
- (D) 1st Amendment, 1951

Answer: (A) 42nd Amendment, 1976

Explanation: The 42nd Amendment Act, 1976, introduced Part IVA (Article 51A) containing Fundamental Duties, based on the Swaran Singh Committee recommendations.

Q18. The power to declare a national emergency under Article 352 rests with:

- (A) Prime Minister
- (B) Parliament
- (C) President
- (D) Chief Justice of India

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Answer: (C) President

Explanation: Article 352 empowers the President to declare a National Emergency, but only on the written advice of the Union Cabinet.

Q19. Delegated legislation means legislation made by:

- (A) Parliament
- (B) State Legislature
- (C) Executive authorities under powers given by the legislature
- (D) Judiciary

Answer: (C) Executive authorities under powers given by the legislature

Explanation: Delegated (or subordinate) legislation refers to rules/regulations made by executive bodies under the authority granted by primary legislation (Acts).

Q20. The case Kesavananda Bharati v. State of Kerala (1973) is primarily known for:

- (A) Defining Secularism
- (B) Upholding Judicial Review
- (C) Propounding the Basic Structure Doctrine
- (D) Establishing Right to Privacy

Answer: (C) Propounding the Basic Structure Doctrine

Explanation: This landmark 1973 Supreme Court judgment established that Parliament cannot alter the 'basic structure' of the Constitution through amendments.

Unit III: Public International Law and IHL

Q21. Which of the following is considered a primary source of International Law under Article 38(1) of the ICJ Statute?

- (A) Writings of jurists
- (B) General principles of law recognized by civilized nations
- (C) Decisions of national courts
- (D) Resolutions of the UN General Assembly

Answer: (B) General principles of law recognized by civilized nations

Explanation: Article 38(1) of the Statute of the International Court of Justice lists treaties, international custom, and general principles as primary sources.

Q22. The principle of 'Pacta Sunt Servanda' means:

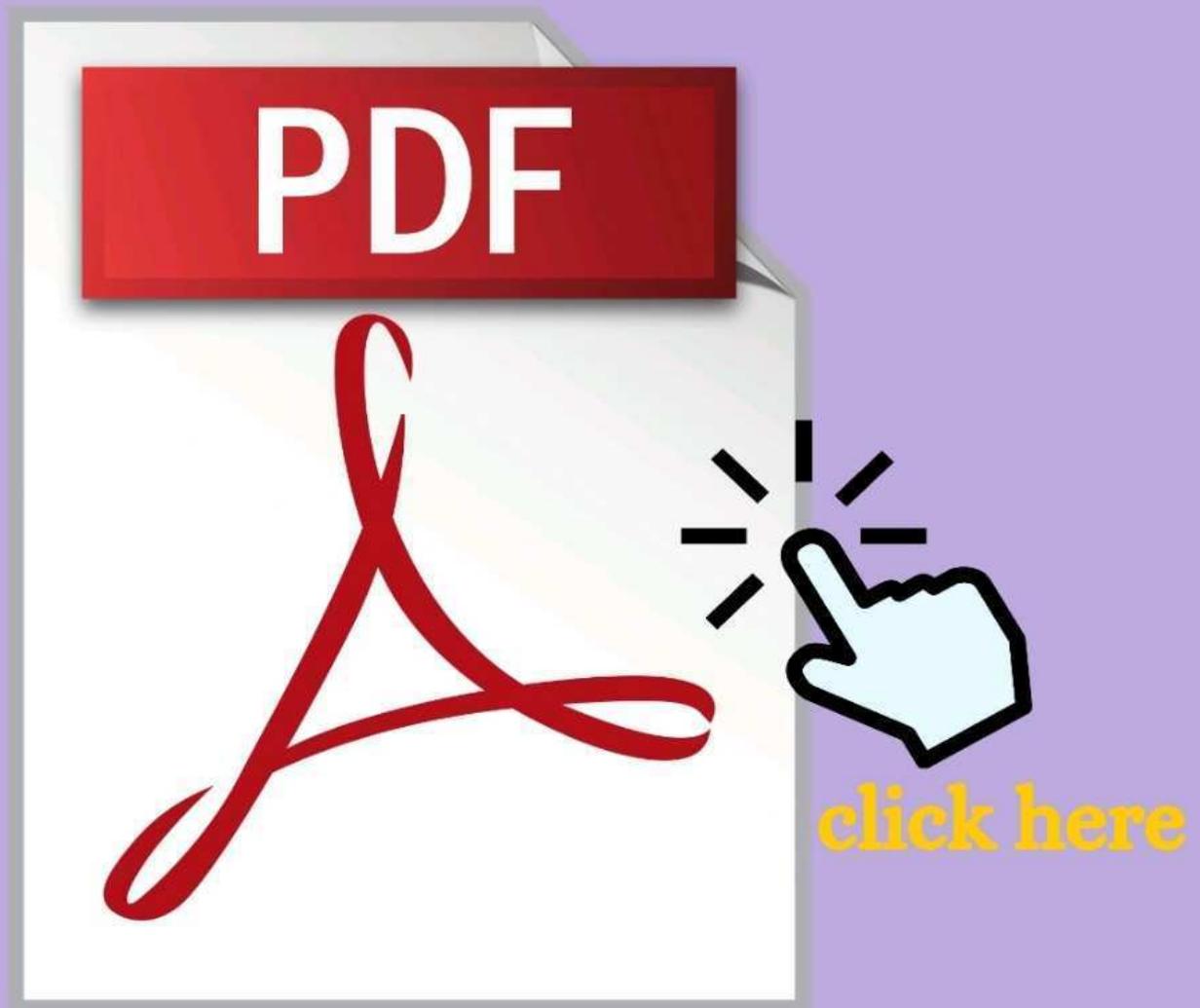
- (A) Treaties are binding on parties and must be performed in good faith
- (B) A state cannot be sued without its consent
- (C) Recognition of a new state
- (D) Fundamental change of circumstances

Answer: (A) Treaties are binding on parties and must be performed in good faith

Explanation: 'Pacta Sunt Servanda' is a fundamental principle of treaty law, codified in the Vienna Convention on the Law of Treaties (1969).

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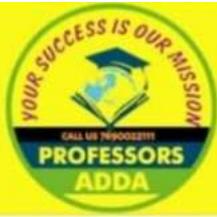
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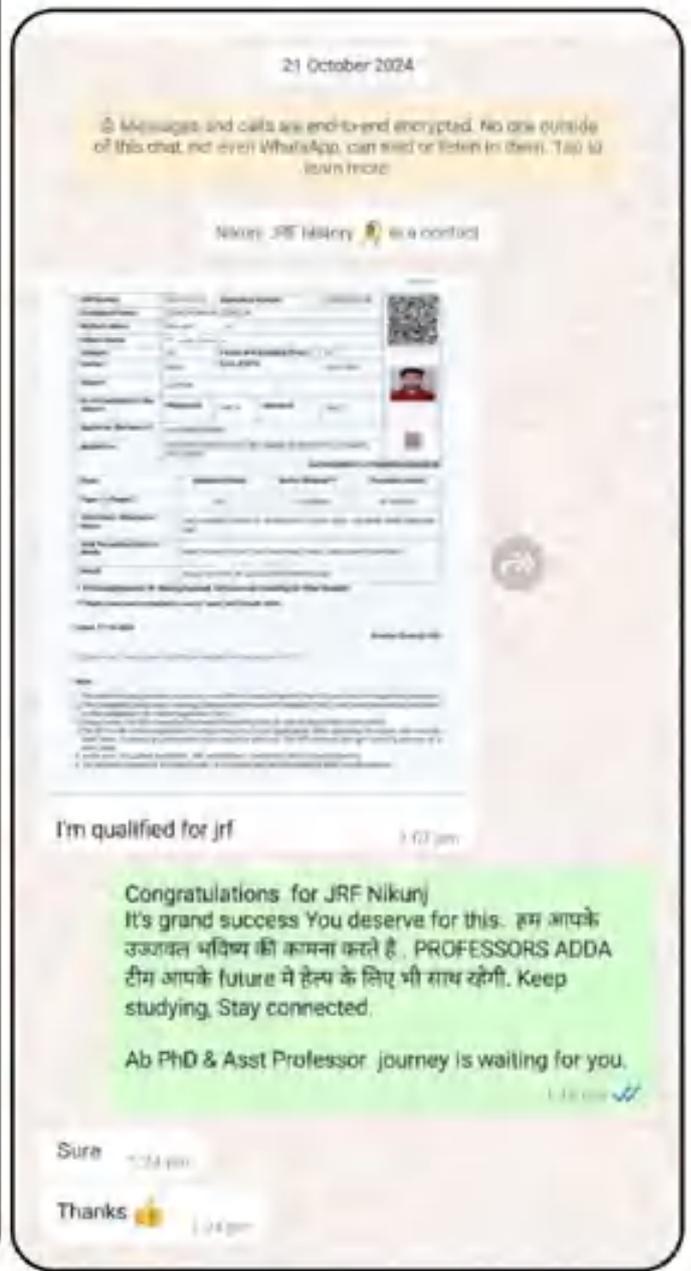
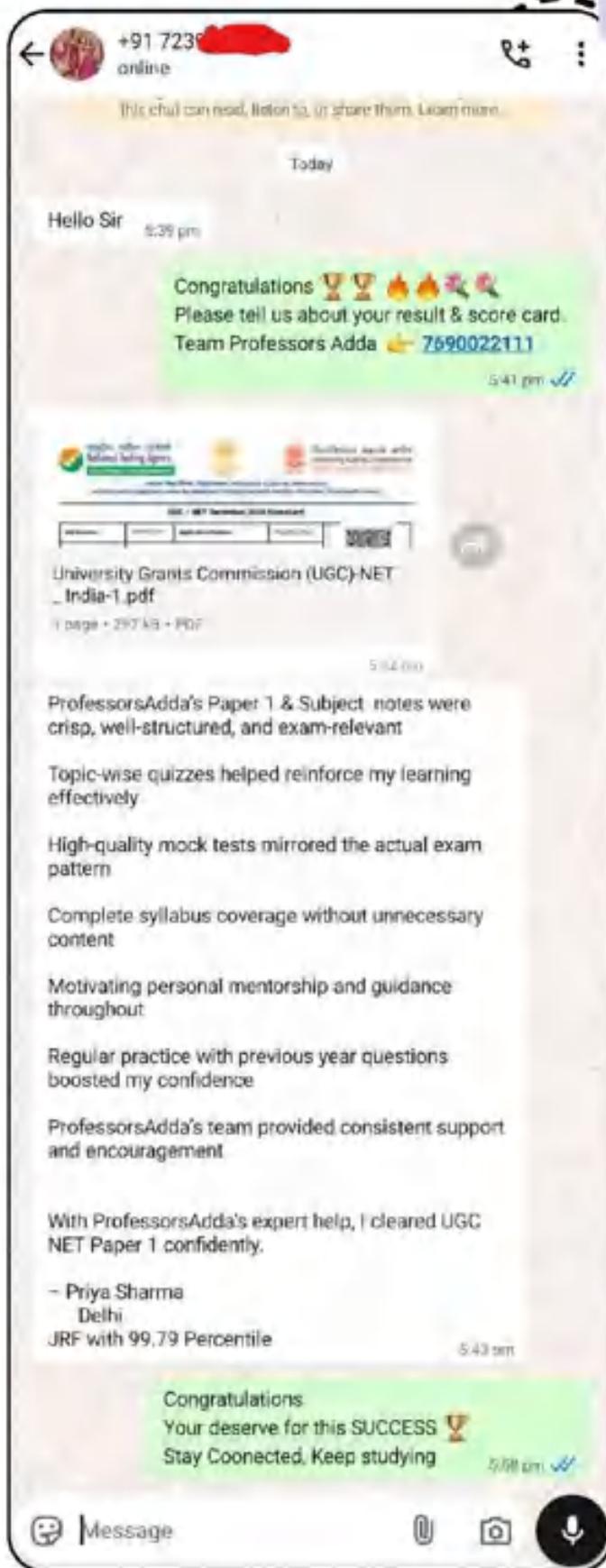
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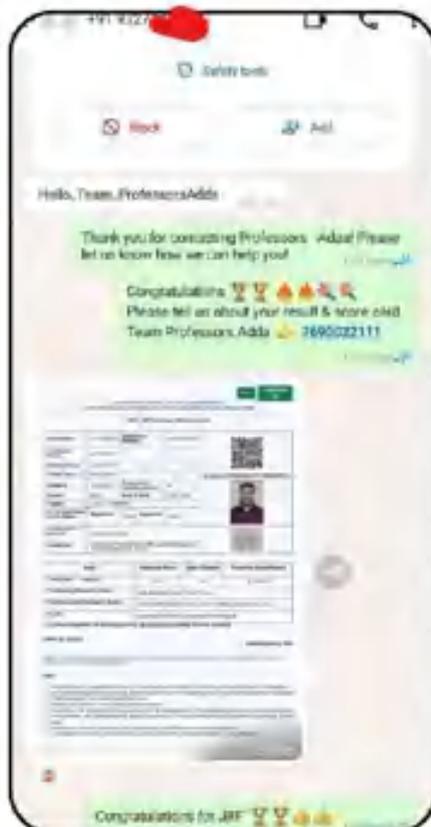
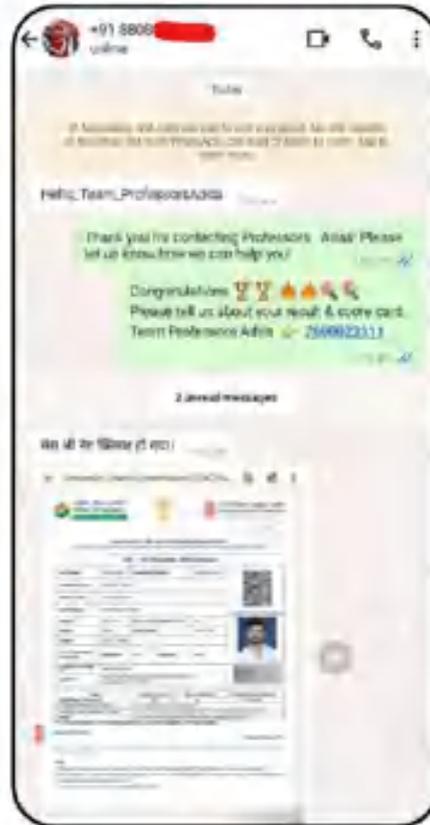
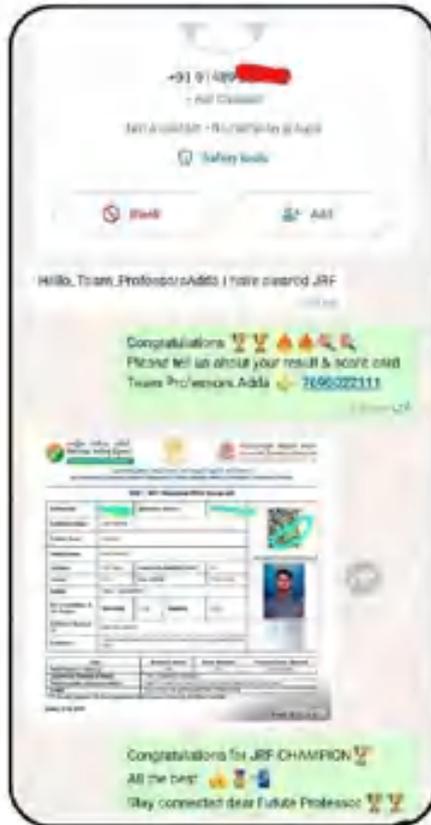
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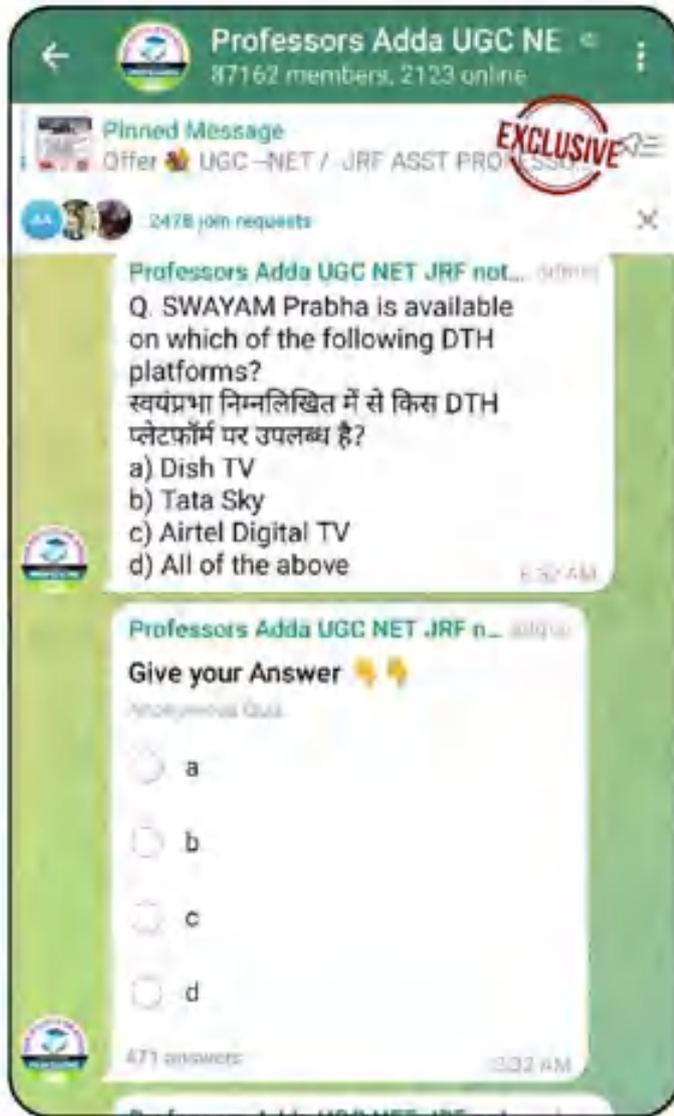


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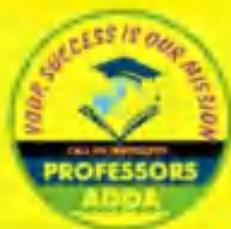
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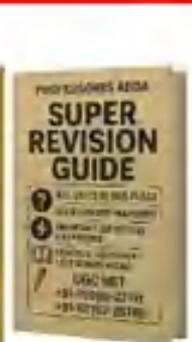
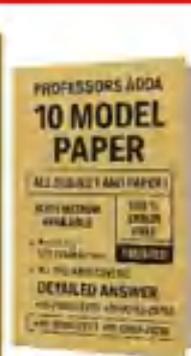
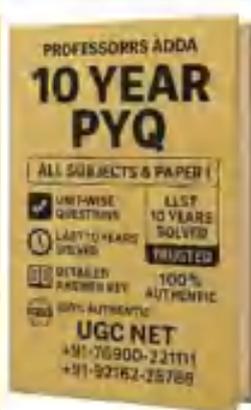
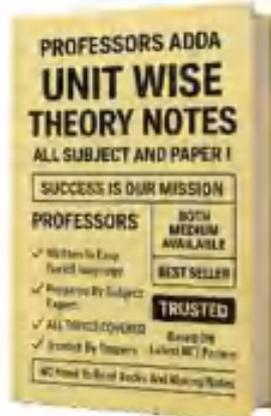
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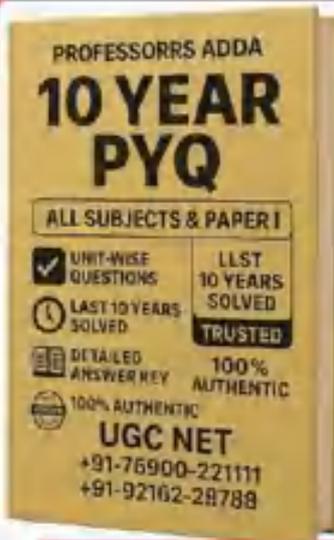
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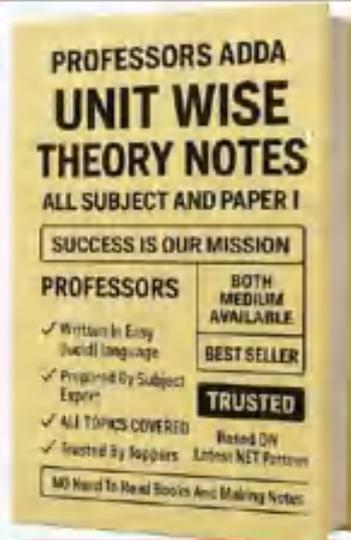
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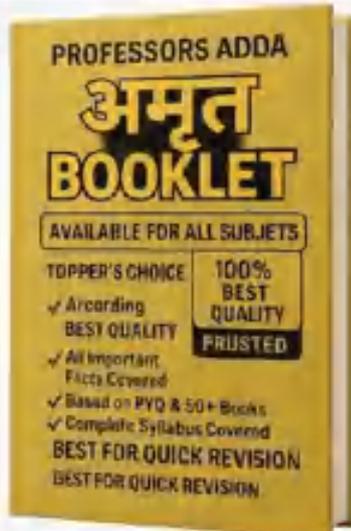
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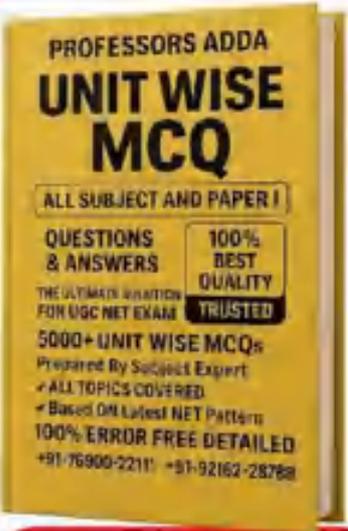
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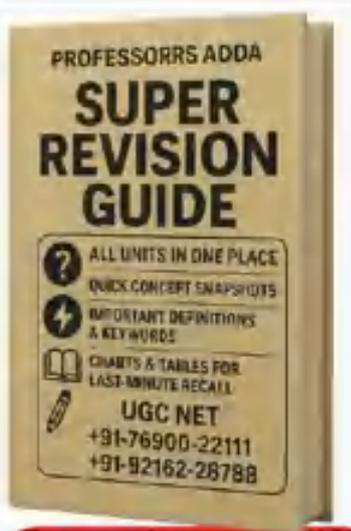
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