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PRESIDENCY UNIVERSITY

BENGALURU

Mid - Term Examinations – October 2025

Date 10-10-2025

Time: 09.30am to 11.00am

School: SOL	Program: BA/BBA/BCOM LLB HONS	
Course Code: LAW2027	Course Name: Jurisprudence	
Semester: III	Max Marks: 50	Weightage: 25%

CO - Levels	CO1	CO2	CO3	CO4	CO5
Marks	26	24			

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Do not write anything on the question paper other than roll number.

Part A

Answer ALL the Questions. Each question carries 2marks.

5Q x 2M=10M

1	Identify two weaknesses of Analytical Positivism school of jurisprudence.	2 Marks	L2	CO2
2	Explain Rousseau's theory of 'General Will' in brief.	2 Marks	L2	CO2
3	Define 'jurisprudence' from point of view of Holland.	2 Marks	L1	CO1
4	Explain and differentiate the terms 'ancient jurisprudence' and 'modern jurisprudence'.	2 Marks	L2	CO1
5	Differentiate between 'Legal theory' and Legal concept'.	2 Marks	L2	CO1

Part B

Answer the Questions.

Total Marks 40M

6.	Hart's distinction between primary and secondary rules attempts to explain modern legal systems. Explain Hart's theory and apply it to understand the basic working of the Indian Constitution.	10 Marks	L2	CO2
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Or

7.	The Government of India introduces a new reservation scheme that provides 50% of seats in higher education to economically disadvantaged groups, leaving only 50% for others. Some critics argue this violates the principle of equality, whereas others appreciate the scheme. Apply Rawls' "veil of ignorance" to assess whether this reservation policy is just.	5+5 Marks	L3	CO 2
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8.	A woman in a totalitarian regime informs against her husband, leading to his imprisonment under an unjust law. Years later, the regime collapses, and she is prosecuted for her act. Should the courts punish her, even though her conduct was legal under the previous regime? Apply Hart's positivist view and Fuller's inner morality of law to critically analyze the situation.	5+5 Marks	L3	CO 1
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Or

9.	A runaway trolley is heading towards five workers tied to the tracks. You are standing near a lever; if you pull it, the trolley will switch tracks and kill only one worker. This dilemma raises questions of law, morality, and justice. If you were to briefly analyze this situation using different jurisprudential theories- Bentham's utilitarianism, Rawls' theory of justice, Austin's command theory, and natural law principles, what would each theory suggest as the morally and legally justified choice? Critically evaluate whether jurisprudence provides a clear answer to such moral dilemmas or whether law must accept the inevitability of ethical uncertainty.	5+5 Marks	L3	CO 1
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10.	A legislature frequently amends a tax law, changing rules almost every two weeks. Citizens argue that they cannot plan their businesses due to uncertainty. Apply Fuller's theory to determine whether such unpredictable law-making violates the procedural morality necessary for a functioning legal system.	10 Marks	L3	CO 2
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Or

11.	A government declares an emergency, suspends free speech, and imposes curfews, justifying it on the basis of maintaining peace. Citizens challenge this by claiming their contract with the state is broken. Using Hobbes, Locke, and Rousseau, evaluate whether the government has breached the social contract or is acting within its rightful authority.	7+3 Marks	L3	CO 2
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12.	Discuss how the study of jurisprudence goes beyond technical legal	10 Marks	L3	CO
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	rules to encompass philosophical inquiry. Explain why it is important for a lawyer to understand the philosophical dimensions of law.			1
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Or

13.	In a hypothetical scenario, the Government of India passes a law that allows preventive detention of individuals based on “reasonable suspicion” without trial for two years. A lawyer argues that this law violates the very essence of law as a rational instrument for justice, while the government claims it is a “necessary legal mechanism”. Using the definitions and significance of jurisprudence, analyze how the study of jurisprudence helps us in evaluating whether this enactment is law in the true sense.	10 Marks	L3	CO 1
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