

LL.M Entrance (TU) — 100 Jurisprudence MCQs

Printable practice set — lawinonepal.com · free study aid · compiled 2083/06/03 (18 Sep 2026)

LL.M entrance pattern: jurisprudence-focused; 100 MCQs with answers & explanations

SECTION A — QUESTIONS (practise at 1 minute per question, like the real exam)

Q1. “True law is right reason in agreement with nature” — this classic natural-law statement is by:

- (a) Thomas Aquinas
- (b) Aristotle
- (c) Cicero
- (d) John Locke

Q2. The maxim “lex injusta non est lex” (an unjust law is not law) is most associated with:

- (a) H.L.A. Hart
- (b) Augustine / Aquinas
- (c) John Austin
- (d) O.W. Holmes

Q3. Lon L. Fuller’s contribution to natural-law thinking is the idea of:

- (a) The basic norm
- (b) Pure theory of law
- (c) The inner morality of law
- (d) Social engineering

Q4. De Jure Naturae et Gentium (The Law of Nature and of Nations) was written by:

- (a) Francisco Suárez
- (b) Thomas Hobbes
- (c) Hugo Grotius
- (d) Samuel Pufendorf

Q5. Which of these thinkers is NOT part of the natural-law tradition?

- (a) Cicero
- (b) Lon Fuller
- (c) John Finnis
- (d) John Austin

Q6. John Austin defined law as:

- (a) The command of the sovereign backed by sanction
- (b) Predictions of what the courts will do
- (c) Right reason in agreement with nature
- (d) The aggregate of rules of conduct

Q7. In Kelsen’s Pure Theory of Law, the ‘Grundnorm’ is:

- (a) The command of the sovereign
- (b) The constitution itself
- (c) The presupposed basic norm that grounds the validity of all other norms
- (d) Custom of the community

Q8. H.L.A. Hart described a mature legal system as the union of:

- (a) Rules and commands
- (b) Primary and secondary rules
- (c) Law and morality
- (d) Norms and sanctions

Q9. Hart famously compared Austin’s command theory to:

- (a) A gunman situation writ large
- (b) A chess game
- (c) A social contract
- (d) A market transaction

Q10. The core claim of legal positivism is:

- (a) Law is founded on divine reason
- (b) Law as it is can be separated from law as it ought to be
- (c) Judges never make law
- (d) Law and morality are necessarily connected

Q11. The idea of law as ‘social engineering’ — balancing competing interests — is by:

- (a) Roscoe Pound
- (b) Léon Duguit
- (c) Max Weber
- (d) Eugen Ehrlich

Q12. Eugen Ehrlich’s ‘living law’ means:

- (a) Natural law
- (b) Case law of the highest court
- (c) Statutes passed by parliament
- (d) The law actually practised in society, beyond formal sources

Q13. Léon Duguit grounded law and the state in:

- (a) Sovereign command
- (b) Divine will
- (c) Class struggle
- (d) Social solidarity

Q14. The term ‘sociological jurisprudence’ itself is credited to:

- (a) Roscoe Pound
- (b) Karl Marx
- (c) Jeremy Bentham
- (d) Hans Kelsen

Q15. Max Weber’s sociology of law is best known for analysing:

- (a) The basic norm
- (b) The inner morality of law
- (c) Types of legal thought and rationality (formal/irrational etc.)
- (d) Jural opposites

Q16. “The prophecies of what the courts will do in fact, and nothing more pretentious, are what I mean by the law” — who said it?

- (a) Jerome Frank
- (b) Roscoe Pound
- (c) Karl Llewellyn
- (d) Oliver Wendell Holmes

Q17. Rule-skepticism vs fact-skepticism: the FACT-skeptic among American realists is:

- (a) Roscoe Pound
- (b) Jerome Frank
- (c) Lon Fuller
- (d) Karl Llewellyn

Q18. Scandinavian realism (Hägerström, Olivecrona, Ross) is chiefly a:

- (a) Critique of metaphysical concepts in law (rights, duty, ‘word magic’)
- (b) Defence of natural rights
- (c) Defence of judicial discretion

- (d) Theory of codification

Q19. “Nonsense upon stilts” — the famous attack on natural rights — is by:

- (a) John Austin
- (b) Jeremy Bentham
- (c) H.L.A. Hart
- (d) Edmund Burke

Q20. Karl Llewellyn’s practical legacy in US law is:

- (a) The inner morality of law
- (b) The Pure Theory of Law
- (c) The Uniform Commercial Code
- (d) Social solidarity doctrine

Q21. The analysis of jural relations into eight correlatives (right–duty, privilege–no-right, power–liability, immunity–disability) is by:

- (a) Hans Kelsen
- (b) Rudolf von Ihering
- (c) W.N. Hohfeld
- (d) John Salmond

Q22. The ‘interest theory’ of rights (a right protects an interest) traces back to:

- (a) Robert Nozick
- (b) Immanuel Kant
- (c) H.L.A. Hart
- (d) Jeremy Bentham / Ihering

Q23. “A right is an interest recognised and protected by a rule of law” — this definition is by:

- (a) Kelsen
- (b) John Salmond
- (c) Pound
- (d) Austin

Q24. A duty that corresponds to a right residing in a determinate person is called a:

- (a) Absolute duty
- (b) Relative (positive) duty
- (c) Imperfect duty
- (d) Moral duty

Q25. Natural rights to life, liberty and property are central to the political theory of:

- (a) Karl Marx
- (b) Thomas Hobbes
- (c) John Locke
- (d) Jeremy Bentham

Q26. Ownership analysed as a ‘bundle of rights’ (possession, use, management, income, capital...) is the work of:

- (a) Rudolf von Ihering
- (b) John Salmond
- (c) Friedrich Carl von Savigny
- (d) A.M. Honoré

Q27. Savigny’s two elements of possession are:

- (a) Corpus possessionis and animus possidendi
- (b) Fact and law
- (c) Use and abuse
- (d) Title and deed

Q28. Vested ownership differs from contingent ownership because in vested ownership:

- (a) The right is complete and present, even if enjoyment is future
- (b) The right depends on an uncertain future event
- (c) There is no legal title
- (d) Only possession exists

Q29. "Possession is nine points of the law" expresses that:

- (a) Only written title matters
- (b) Possession always defeats true title
- (c) Possession is prima facie evidence of ownership and strongly protected
- (d) Ownership is irrelevant in law

Q30. Ownership of incorporeal things (e.g. copyright, patent) is called:

- (a) Incorporeal ownership
- (b) Corporeal ownership
- (c) Co-ownership
- (d) Sole ownership

Q31. Legal personality means:

- (a) Capacity to be a bearer of rights and duties
- (b) Having citizenship
- (c) Being a human being
- (d) Being registered as a company

Q32. The fictitious theory of corporate personality (a company is an artificial person created by law) is associated with:

- (a) Friedrich Carl von Savigny
- (b) Otto von Gierke
- (c) Brinz
- (d) Rudolf von Ihering

Q33. The 'bracket theory' (look behind the bracket to the real human beneficiaries) is by:

- (a) Gierke
- (b) Kelsen
- (c) Savigny
- (d) Rudolf von Ihering

Q34. Brinz's 'purpose theory' treats corporate property as:

- (a) Property of the state
- (b) Ownerless property
- (c) Property of the members jointly
- (d) Property belonging to a purpose, not to persons

Q35. Which of the following is a legal person in Nepal?

- (a) An unborn child in all respects
- (b) A company registered under the Companies Act
- (c) A dead person
- (d) A pet animal

Q36. The doctrine 'stare decisis' means:

- (a) Statutes override custom
- (b) Equity follows the law
- (c) Courts follow earlier decisions (precedents)
- (d) The king is above the law

Q37. The binding part of a precedent is the:

- (a) Obiter dicta
- (b) Headnote

- (c) Ratio decidendi
- (d) Dissent

Q38. The declaratory theory of precedent (judges do not make law, they discover it) is associated with:

- (a) Cardozo
- (b) Blackstone
- (c) Holmes
- (d) Bentham

Q39. A valid custom as a source of law must be:

- (a) Universal across the country
- (b) Approved by parliament
- (c) Ancient, continuous, certain, reasonable and not contrary to law
- (d) Written and registered

Q40. The great champion of codification of law was:

- (a) Savigny
- (b) Henry Maine
- (c) James Carter
- (d) Jeremy Bentham

Q41. The Hart–Devlin debate concerned:

- (a) Whether precedent binds
- (b) Whether contracts need consideration
- (c) Whether law may enforce morality
- (d) Whether customs are law

Q42. Distributive and corrective (rectificatory) justice were distinguished by:

- (a) Nozick
- (b) Aristotle
- (c) Rawls
- (d) Plato

Q43. The maxim 'ejusdem generis' in interpretation means:

- (a) General words following specific words are read as of the same kind
- (b) Expressing one thing excludes another
- (c) Statutes must be read literally
- (d) A law is known by its associates

Q44. 'Noscitur a sociis' means the meaning of a word is gathered from:

- (a) The dictionary alone
- (b) The preamble
- (c) The words accompanying it
- (d) The headnote

Q45. The mischief rule of statutory interpretation comes from:

- (a) Kesavananda Bharati
- (b) Heydon's Case (1584)
- (c) Marbury v Madison
- (d) Salomon v Salomon

Q46. The Concept of Law (1961) was written by:

- (a) Ronald Dworkin
- (b) John Rawls
- (c) H.L.A. Hart
- (d) Hans Kelsen

Q47. 'A Theory of Justice' (justice as fairness) is by:

- (a) Robert Nozick
- (b) Michael Sandel
- (c) John Rawls
- (d) Ronald Dworkin

Q48. 'Law's Empire' and the idea of law as integrity are by:

- (a) H.L.A. Hart
- (b) Lon Fuller
- (c) Joseph Raz
- (d) Ronald Dworkin

Q49. The maxim 'ignorantia juris neminem excusat' means:

- (a) Ignorance of law excuses no one
- (b) Law helps the vigilant
- (c) The court helps those who help themselves
- (d) Ignorance of fact excuses

Q50. The Province of Jurisprudence Determined (1832) is the founding text of:

- (a) Analytical positivism (Austin)
- (b) Legal realism
- (c) Natural law revival
- (d) Sociological jurisprudence

Q51. 'The specific character of law as a means of social control' is stated by

- (a) Roscoe Pound
- (b) H.L.A. Hart
- (c) Banakar
- (d) Joseph Raz

Q52. Who is well known for the propounder of liberalism?

- (a) J.S. Mill
- (b) Abraham Lincoln
- (c) Thomas Jefferson
- (d) John Locke

Q53. Jurimetrics technique in jurisprudence is forwarded by....

- (a) Eugen Ehrlich
- (b) O. W. Holmes
- (c) Lee Loevinger
- (d) Karl Llewellyn

Q54. Which one author defined jurisprudence as 'A work on law may be concerned with any or all of three questions: first, what is the law? Second, what ought to be law? Third, what is the history of law?'

- (a) A.V. Dicey
- (b) Blackstone
- (c) Sir Henry Maine
- (d) F.K.V. Savigny

Q55. User theory of law is advanced and studied by....

- (a) Sociologist, Max Weber
- (b) Historical jurist, Sir Henry Maine
- (c) Anthropologist, Laura Nader
- (d) None of the above

Q56. Natural Law and Natural Rights is the work of

- (a) L.L. Fuller

- (b) J.S. Mill
- (c) John Finnis
- (d) Cicero

Q57. Relational approach of law was best explained by....

- (a) Pashukanis
- (b) Karl von Savigny
- (c) Roscoe Pound
- (d) Karl Marx

Q58. Who is the well-known author to advance the economic analysis of law?

- (a) Ronald Coase
- (b) Richard A. Posner
- (c) Vilfredo Pareto
- (d) All of the given

Q59. Which one jurist applied descriptive sociology to theorize the positivist conception of law?

- (a) Jeremy Bentham
- (b) Hans Kelsen
- (c) Joseph Raz
- (d) H.L.A. Hart

Q60. 'Law is an aspect of the social totality, not just the tail of the dog' is a critique by....

- (a) A. Thompson
- (b) Duncan Kennedy
- (c) Noam Chomsky
- (d) Roberto M. Unger

Q61. Find the INCORRECT relevancy in the following legal scholars and their thesis.

- (a) Thomas Aquinas — law of God is practical, thus binding upon all
- (b) Austin — the constitution guarantees the fundamental rights of citizens
- (c) Bentham — judge-made law can be a source of law
- (d) All of the above

Q62. Who is the author of 'Rights of Man'?

- (a) Aristotle
- (b) J.S. Mill
- (c) Immanuel Kant
- (d) Thomas Paine

Q63. The idea of reason has a vital practical value which can oblige every legislator — put forward by....

- (a) Cicero
- (b) Aristotle
- (c) Kant
- (d) Hegel

Q64. 'Like a harlot, natural law is at the disposal of everyone' is stated by the jurist....

- (a) Aquinas
- (b) Alf Ross
- (c) Del Vecchio
- (d) Pufendorf

Q65. ... theorized the idea of skepticism in jurisprudence.

- (a) H.L.A. Hart
- (b) Jeremy Bentham
- (c) Friedrich Nietzsche
- (d) Jerome Frank

Q66. 'The Constitutional State' is heavily criticized as 'mirage' and rejected by the Marxist jurist....

- (a) Friedrich Engels
- (b) Karl Renner
- (c) P. Yudin
- (d) Evgeny N. Pashukanis

Q67. The famous book by Robert Nozick, Anarchy, State and Utopia, is about....

- (a) Justify the redistribution of property
- (b) Show the injustice in redistribution of property
- (c) Establish the welfare state
- (d) Promote utilitarianism

Q68. ... treated the law not as solution of the dispute but just as the theory of prediction.

- (a) Naturalism
- (b) Capitalism
- (c) Realism
- (d) Marxism

Q69. What can be the meaning of 'basic norm' for Kelsen in his pure theory of law?

- (a) Basic norm is the command of sovereign
- (b) Basic norm is the law-making power
- (c) Basic norm is the aggregate of rules
- (d) All of the above

Q70. Who is the author of 'Of Grammatology'?

- (a) Kafka
- (b) Lyotard
- (c) Derrida
- (d) None of the above

Q71. Equality of resources ensures fair choices on the basis of market — advocated by....

- (a) Robert Nozick
- (b) John Rawls
- (c) Ronald Dworkin
- (d) F.A. Hayek

Q72. The historic book 'A Vindication of the Rights of Woman' is written by....

- (a) Andrea Dworkin
- (b) Mary Wollstonecraft
- (c) Catharine A. MacKinnon
- (d) Katherine T. Bartlett

Q73. H.L.A. Hart's attempt to theorize on the basis of description of a neutral observer is seriously critiqued (description by a responsible observer) by....

- (a) Ronald Dworkin
- (b) L.L. Fuller
- (c) John Rawls
- (d) John Finnis

Q74. Which school of law does not prefer to study the law by linking the issues of justice?

- (a) Marxism
- (b) Realism
- (c) Feminism
- (d) Positivism

Q75. Which theory of right explicitly advances the right of animals?

- (a) Will theory of right
- (b) Interest theory of right

- (c) Theories of human right
- (d) None of the above

Q76. 'Law and Modern Mind' is written by....

- (a) St. Augustine
- (b) C.K. Allen
- (c) Hans Kelsen
- (d) Jerome N. Frank

Q77. Realists argue that the legal profession should....

- (a) Ignore social implications
- (b) Adhere strictly to tradition
- (c) Focus solely on legal texts
- (d) Embrace interdisciplinary approaches

Q78. Which Marxist thinker expanded upon the idea of the law as social construct?

- (a) Karl Korsch
- (b) F.A. Hayek
- (c) Herbert Marcuse
- (d) Louis Althusser

Q79. 'Legislation is the exercise of legal powers in creating legal rights and duties' is stated by....

- (a) Bentham
- (b) Salmond
- (c) Holland
- (d) H.L.A. Hart

Q80. 'To follow the law is to be just' is the expression of....

- (a) Immanuel Kant
- (b) G.W. Hegel
- (c) Josef Kohler
- (d) Gustav Radbruch

Q81. The jurist who calls the theory of state sovereignty a myth is:

- (a) Jethro Brown
- (b) Léon Duguit
- (c) A.V. Dicey
- (d) Lord Lloyd

Q82. Who was NOT in favour of codification of law?

- (a) Jeremy Bentham
- (b) Henry Maine
- (c) K.V. Savigny
- (d) John Austin

Q83. The jurist who is NOT a supporter of the declaratory theory of precedent:

- (a) Blackstone
- (b) James Carter
- (c) Jeremy Bentham
- (d) O.W. Holmes

Q84. The jurist who does not consider international law mere positive morality is:

- (a) Austin
- (b) Willoughby
- (c) Holland
- (d) Dias

Q85. The doctrine of prospective overruling was formulated by:

- (a) W. Holmes
- (b) B.N. Cardozo
- (c) K. Llewellyn
- (d) J. Frank

Q86. The predominantly secular code was/is:

- (a) Hammurabi Code
- (b) Manusmriti
- (c) Twelve Tables
- (d) Hebrew Code

Q87. The concept of Rule of Law is strongly opposed by:

- (a) Feminists
- (b) Critics
- (c) Marxists
- (d) Post-modernists

Q88. Which one is NOT a merit of precedent?

- (a) Practicability
- (b) Certainty
- (c) Flexibility
- (d) Retrospective

Q89. Strong criticizer of metaphysics is:

- (a) Axel Hägerström
- (b) Karl Olivecrona
- (c) Alf Ross
- (d) A.V. Lundstedt

Q90. Who is a radical feminist?

- (a) Mary Wollstonecraft
- (b) Catharine MacKinnon
- (c) Carol Gilligan
- (d) Drucilla Cornell

Q91. 'In the whole world there can be no study so beneficial and so elevating as that of the Upanishads' is the expression of:

- (a) D.D. Basu
- (b) Yogi Naraharinath
- (c) Max Müller
- (d) B.N.M. Tripathi

Q92. The jurist who denies the existence of private rights:

- (a) Joseph Raz
- (b) Léon Duguit
- (c) Eugen Ehrlich
- (d) W.N. Hohfeld

Q93. The jurist who claimed jurisprudence as 'lawyer's extra version':

- (a) Wendell Holmes
- (b) Frederick Pollock
- (c) Julius Stone
- (d) Jerome Frank

Q94. The international aspect of sovereignty, in the relation of the state to its citizen, was worked out by....

- (a) Montesquieu
- (b) Jean Bodin

- (c) Hugo Grotius
- (d) Machiavelli

Q95. Legislation and taxation are which type of functions of the state?

- (a) Primary functions
- (b) Secondary functions
- (c) Both of the above
- (d) None of the above

Q96. Which one is NOT a maxim of interpretation?

- (a) Ejusdem generis
- (b) Expressio unius exclusio alterius
- (c) Noscitur a sociis
- (d) Audi alteram partem

Q97. Social solidarity and law is studied by....

- (a) Marx & Engels
- (b) Ihering & Duguit
- (c) Duguit & Ehrlich
- (d) Durkheim & Duguit

Q98. Hart described various rules; among them the primary rule which practically can be identified and described as....

- (a) Sovereign command
- (b) Constitution
- (c) Custom
- (d) Social obligations

Q99. Which book of Aristotle describes the various ideas of justice?

- (a) Nicomachean Ethics
- (b) Politics
- (c) The Quest of Justice
- (d) All of the above

Q100. Kelsen claimed the pure theory of law because....

- (a) Law serves the fundamental objectives of society such as justice and security
- (b) Law depends on command but not on any others
- (c) Law satisfies the social and religious requirements
- (d) Law concerns nothing about religion and politics

SECTION B — ANSWER KEY

1	2	3	4	5	6	7	8	9	10
(c)	(b)	(c)	(d)	(d)	(a)	(c)	(b)	(a)	(b)
11	12	13	14	15	16	17	18	19	20
(a)	(d)	(d)	(a)	(c)	(d)	(b)	(a)	(b)	(c)
21	22	23	24	25	26	27	28	29	30
(c)	(d)	(b)	(b)	(c)	(d)	(a)	(a)	(c)	(a)
31	32	33	34	35	36	37	38	39	40
(a)	(a)	(d)	(d)	(b)	(c)	(c)	(b)	(c)	(d)
41	42	43	44	45	46	47	48	49	50
(c)	(b)	(a)	(c)	(b)	(c)	(c)	(d)	(a)	(a)
51	52	53	54	55	56	57	58	59	60
(a)	(d)	(b)	(a)	(c)	(c)	(c)	(b)	(d)	(b)
61	62	63	64	65	66	67	68	69	70
(b)	(d)	(c)	(b)	(d)	(d)	(b)	(c)	(d)	(c)
71	72	73	74	75	76	77	78	79	80
(c)	(b)	(a)	(d)	(b)	(d)	(d)	(d)	(a)	(a)
81	82	83	84	85	86	87	88	89	90
(b)	(c)	(c)	(a)	(b)	(a)	(c)	(d)	(a)	(b)
91	92	93	94	95	96	97	98	99	100
(c)	(b)	(c)	(c)	(a)	(d)	(d)	(d)	(a)	(d)

SECTION C — ANSWERS WITH EXPLANATIONS

Q1. Answer (c) Cicero — Cicero's Stoic formulation: true law is universal, unchanging right reason in harmony with nature.

Q2. Answer (b) Augustine / Aquinas — The natural-law tradition from Augustine through Aquinas holds that a law contradicting justice/morality lacks the character of law.

Q3. Answer (c) The inner morality of law — Fuller argued law has an 'inner morality' — eight principles of legality (generality, publicity, non-retroactivity, clarity, etc.).

Q4. Answer (d) Samuel Pufendorf — Pufendorf systematised natural law in *De Jure Naturae et Gentium* (1672); Grotius wrote *De Jure Belli ac Pacis*.

Q5. Answer (d) John Austin — Austin is the founder of analytical positivism — the opposite camp from natural law.

Q6. Answer (a) The command of the sovereign backed by sanction — Austin's imperative theory: law = command of a politically superior sovereign, enforced by sanction.

Q7. Answer (c) The presupposed basic norm that grounds the validity of all other norms — The Grundnorm is a transcendental presupposition (not a positive rule) from which the whole hierarchy of norms derives validity.

Q8. Answer (b) Primary and secondary rules — In *The Concept of Law* (1961) Hart replaces Austin's commands with primary rules (duties) + secondary rules (recognition, change, adjudication).

Q9. Answer (a) A gunman situation writ large — Hart's critique: orders backed by threats (the gunman) cannot explain legal obligation, continuity or authority.

Q10. Answer (b) Law as it is can be separated from law as it ought to be — Positivism (Austin, Kelsen, Hart) insists on the conceptual separation of law and morals.

Q11. Answer (a) Roscoe Pound — Pound viewed law as social engineering: satisfying the maximum of interests with the least friction and waste.

Q12. Answer (d) The law actually practised in society, beyond formal sources — Ehrlich: the centre of gravity of legal development lies in society itself — the living law dominates the norms on paper.

Q13. Answer (d) Social solidarity — Duguit's solidarism: objective law arises from social interdependence; even the state is bound by it.

Q14. Answer (a) Roscoe Pound — Pound coined and programmed sociological jurisprudence in his early 20th-century essays.

Q15. Answer (c) Types of legal thought and rationality (formal/irrational etc.) — Weber's ideal types (formally/substantively rational/irrational law) link legal systems to forms of authority.

Q16. Answer (d) Oliver Wendell Holmes — Holmes, 'The Path of the Law' (1897) — the prediction/bad-man view that seeded American realism.

Q17. Answer (b) Jerome Frank — Jerome Frank stressed uncertainty of facts and judicial personality ('hunch'); Llewellyn stressed uncertainty of rules.

Q18. Answer (a) Critique of metaphysical concepts in law (rights, duty, 'word magic') — The Uppsala school attacked metaphysics in legal language — e.g. Ross called talk of rights ideological; Olivecrona analysed law as organised force and 'independent imperatives'.

Q19. Answer (b) Jeremy Bentham — Bentham ridiculed the French Declaration's natural rights as 'nonsense upon stilts'.

Q20. Answer (c) The Uniform Commercial Code — Llewellyn, the contracts realist, was the leading drafter of the UCC.

Q21. Answer (c) W.N. Hohfeld — Hohfeld's scheme (1913/1917) is the standard tool for precise rights analysis — and a past-paper favourite.

Q22. Answer (d) Jeremy Bentham / Ihering — Ihering defined rights as legally protected interests; Bentham likewise grounded rights in interests/utility. The rival 'will/choice theory' follows Kant/Hart.

Q23. Answer (b) John Salmond — Salmond's Elements: a right is an interest protected by law; its correlative is a duty.

Q24. Answer (b) Relative (positive) duty — Relative duties answer to rights in specific persons; absolute duties (e.g. to the state) have no correlative right in a determinate individual.

Q25. Answer (c) John Locke — Locke's Second Treatise: pre-political natural rights that government exists to protect.

Q26. Answer (d) A.M. Honoré — Honoré's eleven incidents of ownership (1961) remain the classic analysis.

Q27. Answer (a) Corpus possessionis and animus possidendi — Physical control (corpus) + intention to possess (animus) — Savigny's subjective theory.

Q28. Answer (a) The right is complete and present, even if enjoyment is future — Vested = present complete title (enjoyment may be deferred); contingent = title waits on an uncertain condition.

Q29. Answer (c) Possession is prima facie evidence of ownership and strongly protected — Possession serves as evidence of ownership, ripens into title (prescription) and is itself protected against dispossession.

Q30. Answer (a) Incorporeal ownership — When the object owned is a right/intangible, ownership is incorporeal — Salmond's classification.

Q31. Answer (a) Capacity to be a bearer of rights and duties — A 'person' in law is any being to whom law ascribes rights and duties — humans, corporations, and in some systems idols, rivers, etc.

Q32. Answer (a) Friedrich Carl von Savigny — Savigny: only humans are real persons; corporations are legal fictions. Gierke led the realist/organic reaction.

Q33. Answer (d) Rudolf von Ihering — Ihering: the corporation is a bracket concealing the actual persons who hold the rights.

Q34. Answer (d) Property belonging to a purpose, not to persons — Brinz: the patrimony serves a purpose (Zweckvermögen); no human subject is needed.

Q35. Answer (b) A company registered under the Companies Act — Registered companies have separate legal personality; Nepali law does not generally treat animals or the dead as persons.

Q36. Answer (c) Courts follow earlier decisions (precedents) — Stare decisis et non quieta movere — stand by things decided; the backbone of case-law systems.

Q37. Answer (c) Ratio decidendi — Ratio = the reason for the decision (binding); obiter = sayings by the way (persuasive only).

Q38. Answer (b) Blackstone — Blackstone's view; Bentham and later realists attacked it as a 'fairy tale'.

Q39. Answer (c) Ancient, continuous, certain, reasonable and not contrary to law — These are the classic requirements of a legally binding custom (local or general).

Q40. Answer (d) Jeremy Bentham — Bentham campaigned for complete rational codification; Savigny and the historical school resisted it.

Q41. Answer (c) Whether law may enforce morality — Following the Wolfenden Report: Devlin defended legal enforcement of shared morality; Hart defended individual liberty (following Mill's harm principle).

Q42. Answer (b) Aristotle — Aristotle's Nicomachean Ethics, Book V — the classic taxonomy of justice.

Q43. Answer (a) General words following specific words are read as of the same kind — Ejusdem generis limits a general term to things of the same genus as the listed specifics.

Q44. Answer (c) The words accompanying it — A word is known by its associates — context within the series colours the meaning.

Q45. Answer (b) Heydon's Case (1584) — Heydon's Case: look at the defect/mischief the statute was meant to remedy and suppress the mischief, advance the remedy.

Q46. Answer (c) H.L.A. Hart — Hart's masterpiece of modern positivism — rules of recognition, internal point of view, minimum content of natural law.

Q47. Answer (c) John Rawls — Rawls (1971): the veil of ignorance, the two principles of justice.

Q48. Answer (d) Ronald Dworkin — Dworkin's interpretivist theory: law as integrity, principles, rights as trumps, Judge Hercules.

Q49. Answer (a) Ignorance of law excuses no one — Everyone is presumed to know the law — mistake of law is no defence.

Q50. Answer (a) Analytical positivism (Austin) — Austin's lectures established analytical jurisprudence in English.

Q51. Answer (a) Roscoe Pound — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q52. Answer (d) John Locke — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q53. Answer (b) O. W. Holmes — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q54. Answer (a) A.V. Dicey — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q55. Answer (c) Anthropologist, Laura Nader — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q56. Answer (c) John Finnis — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q57. Answer (c) Roscoe Pound — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q58. Answer (b) Richard A. Posner — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q59. Answer (d) H.L.A. Hart — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q60. Answer (b) Duncan Kennedy — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q61. Answer (b) Austin — the constitution guarantees the fundamental rights of citizens — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q62. Answer (d) Thomas Paine — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q63. Answer (c) Kant — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q64. Answer (b) Alf Ross — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q65. Answer (d) Jerome Frank — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q66. Answer (d) Evgeny N. Pashukanis — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q67. Answer (b) Show the injustice in redistribution of property — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q68. Answer (c) Realism — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q69. Answer (d) All of the above — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q70. Answer (c) Derrida — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q71. Answer (c) Ronald Dworkin — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q72. Answer (b) Mary Wollstonecraft — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q73. Answer (a) Ronald Dworkin — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q74. Answer (d) Positivism — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q75. Answer (b) Interest theory of right — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q76. Answer (d) Jerome N. Frank — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q77. Answer (d) Embrace interdisciplinary approaches — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q78. Answer (d) Louis Althusser — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q79. Answer (a) Bentham — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q80. Answer (a) Immanuel Kant — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q81. Answer (b) Léon Duguit — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q82. Answer (c) K.V. Savigny — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q83. Answer (c) Jeremy Bentham — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q84. Answer (a) Austin — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q85. Answer (b) B.N. Cardozo — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q86. Answer (a) Hammurabi Code — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q87. Answer (c) Marxists — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q88. Answer (d) Retrospective — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q89. Answer (a) Axel Hägerström — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q90. Answer (b) Catharine MacKinnon — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q91. Answer (c) Max Müller — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q92. Answer (b) Léon Duguit — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q93. Answer (c) Julius Stone — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q94. Answer (c) Hugo Grotius — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q95. Answer (a) Primary functions — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q96. Answer (d) Audi alteram partem — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q97. Answer (d) Durkheim & Duguit — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q98. Answer (d) Social obligations — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q99. Answer (a) Nicomachean Ethics — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Q100. Answer (d) Law concerns nothing about religion and politics — Past question from the TU LL.M Entrance 2080/2081 paper — answer as per the circulated key.

Unofficial study aid by Law Info Nepal. Past-paper keys: B.A.LL.B SET-A as marked; SET-B and the LL.B model paper answered by us — discuss doubts with your teacher. Verify all cycle dates at www.fol.edu.np.