



BRAINWARE UNIVERSITY

Term End Examination 2023-2024

Programme – BBA LL.B.-2021/BBA LL.B.-2022

Course Name – Legal Method

Course Code - BBALLB303

(Semester III)

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

- (i) Identify that when a conflict arises between custom and enacted law, which one typically takes precedence.
- | | |
|---------------------------|--|
| a) Custom | b) Enacted law |
| c) Both have equal weight | d) The decision is left to the discretion of the judge |
- (ii) Cite an example of customary law
- | | |
|--|--|
| a) A statute passed by the legislature | b) A judicial decision interpreting a constitutional provision |
| c) A long-standing practice of resolving disputes within a community | d) A regulation issued by an administrative agency |
- (iii) Locate that the customary law is most commonly found in which areas of law
- | | |
|--|---|
| a) Criminal law and constitutional law | b) Administrative law and international law |
| c) Contract law and tort law | d) Family law and property law |
- (iv) Name the jurist who coined the term legal theory
- | | |
|----------------|--------------|
| a) W. Friedman | b) Jenny F |
| c) R Richard | d) William P |
- (v) Name the jurist who has defined Law grows when the nation grows. Law strengthens when the nation strengthens. Law dies when the nation loses its nationality.
- | | |
|------------|------------|
| a) Bentham | b) Savigny |
| c) Pound | d) Allen |
- (vi) Identify the situation where death penalty can be abolished by which theory of punishment
- | | |
|-----------------------|----------------------|
| a) Retributive Theory | b) Deterrent theory |
| c) Reformatory theory | d) Preventive theory |
- (vii) Identify that Laws can be categorized into which of the following types
- | | |
|---------------------------|------------------------------------|
| a) Moral and ethical laws | b) National and international laws |
|---------------------------|------------------------------------|

- c) Criminal and civil laws
 (viii) Select the statement that best describes the rule of law.
 a) It applies only to certain individuals or groups.
 b) It allows for arbitrary decisions by those in power.
 c) It ensures equal treatment and protection under the law.
 d) It is flexible and can be interpreted differently in each case.
 d) All of these
- (ix) Choose Which of the following is a characteristic of a valid law.
 a) It can be ignored by individuals if they disagree with it.
 b) It is based solely on the personal opinions of lawmakers.
 c) It is written and accessible to the public.
 d) It changes frequently to accommodate societal changes.
- (x) Determine that Laws are primarily created to
 a) Dictate personal moral values.
 b) Establish control over society.
 c) Limit individual freedom and autonomy.
 d) Protect individual rights and promote justice.
- (xi) Identify the term that refers to a law's ability to govern all individuals, including those in positions of power.
 a) Supremacy
 b) Flexibility
 c) Universality
 d) Autonomy
- (xii) Differentiate between criminal law and civil law
 a) Criminal law deals with private disputes, while civil law deals with crimes against society.
 b) Criminal law involves government prosecution, while civil law involves private individuals.
 c) Criminal law focuses on moral issues, while civil law addresses financial matters.
 d) Criminal law is more lenient in terms of punishment than civil law.
- (xiii) Predict the consequences of a society without any laws.
 a) Increased social harmony and cooperation
 b) Chaotic and unpredictable behavior
 c) Improved individual freedoms and liberties
 d) Stronger trust and reliance on moral principles
- (xiv) Identify which of the following is an example of an international law.
 a) Traffic regulations
 b) Constitution of a country
 c) Universal Declaration of Human Rights
 d) Employment contracts
- (xv) Determine the purpose of statutory law.
 a) To establish precedents for future cases
 b) To resolve conflicts between individuals
 c) To codify laws enacted by a legislative body
 d) To interpret and clarify constitutional provisions

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Describe the term Interpretation. (3)
 3. Differentiate interpretation and construction (3)
 4. Describe legislation as a source of law (3)
 5. Describe custom as a source of law (3)
 6. Evaluate the term Qui Facit Per Alium Facit Per Se (3)

OR

Evaluate the term Ubi Jus Ibi Remedium (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Explain the advantages and disadvantages of legislation as a source of law. (5)

8. Determine the meaning of the Literal Rule of interpretation. (5)
 9. Explain the rule of harmonious construction and its application. (5)
 10. Explain the exceptions to the concept of the Rule of Law and how they impact the legal and social framework. (5)
 11. Classify the different types of research (5)
 12. Discuss the implications of "De Jure" recognition in law. (5)
- OR**
- Explain the Rule of Ejusdem Generis in statutory interpretation. (5)
