

CSCE for Law Graduates (Common Paper for Law Graduates)

PAPER II: General Subject Knowledge

Marks : 100

Time : 90 minutes

Section A: 25 multiple-choice questions of two marks each (50 marks)

All questions are compulsory.

Note: For answers to these questions, simply write the number of the correct answer e.g. 1 (a)

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1. The Imperative or Positive Theory of law was propagated by:
  - (a) Jeremy Bentham
  - (b) Kant
  - (c) John Austin
  - (d) Hobbes
2. An accused is presumed to be innocent until proven guilty is:
  - (a) a legal fiction
  - (b) a legal presumption
3. International law may be defined as the body of rules which govern or regulate the relations among:
  - (a) international organizations
  - (b) citizens of different states
  - (c) sovereign states
4. Conflicts of laws is also called:
  - (a) private international law
  - (b) public international law
  - (c) municipal law
5. Obiter Dictum is:
  - (a) a binding precedent
  - (b) a decision
  - (c) what the judge said by the way
6. Reducing the body of law into a written form is called:
  - (a) enactment
  - (b) codification
  - (c) legislation
7. In the expression "Doli incapax" the word "Doli" means:
  - (a) a doll
  - (b) a child
  - (c) an offender

8. Under the doctrine of Stare Decisis, a past judgment is:
- (a) binding
  - (b) not binding
9. In the phrase Ratio Decidendi, "ratio" comes from the word "ratiocinate" which means:
- (a) a decision
  - (b) reason
  - (c) fact
10. Right of way over another person's land is an example of:
- (a) rights in re propria
  - (b) rights in re aliena
11. A right in rem is one which is available against:
- (a) another person
  - (b) the state
  - (c) the whole world
12. The correlative of right is:
- (a) duty
  - (b) liability
  - (c) disability
13. The expression "caveat emptor" means:
- (a) seller beware
  - (b) buyer beware
  - (c) finder beware
14. "Mr. A" owns a diamond ring which is on his finger," is :
- (a) possession in law
  - (b) possession in fact
  - (c) possession both in law and fact
15. A condition in an agreement which delays the vesting of right until the happening of an event is called:
- (a) condition precedent
  - (b) condition subsequent
  - (c) conditional limitation
16. Delictal obligations are obligations based on:
- (a) tort
  - (b) contract
  - (c) criminal offence

17. An unborn child is a:  
(a) natural person  
(b) legal person
18. Vicarious liability means you are liable for:  
(a) your own act  
(b) the acts of another
19. My right to obtain pecuniary compensation from one who has assaulted me is:  
(a) primary right  
(b) sanctioning right
20. If Mr. A agrees to sell land to Mr. B, but Mr. A is thinking of one piece of land, and B is thinking of another, the agreement is:  
(a) valid  
(b) void  
(c) illegal
21. The duty of a child to obey his parents is a:  
(a) legal duty  
(b) moral duty
22. In the phrase "Damnum sine injuria" the word "injuria" means:  
(a) physical injury  
(b) an act contrary to the law
23. A claim barred by time in which the limitation does not extinguish the right but bars the remedy is an example of:  
(a) perfect right  
(b) imperfect right
24. Mr. X has a car which he leaves with his driver. The possession is deemed as:  
(a) mediate possession  
(b) immediate possession
25. Mr. A bequeaths his land to his son Mr. B but this is to take effect after the death of Mrs. W, the wife of Mr. A. Here, Mr. B's right to the said land is:  
(a) vested ownership  
(b) contingent ownership

**Section B: Ten short answer questions of 5 marks each (50 marks)**

*All questions are compulsory.*

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1. What is law? Define in your own words.
2. What are the sources of law? Enumerate five sources.
3. Why do you think legislation is superior to other sources of law?
4. What does the "literal rule of interpretation" of statutes say?
5. What is the difference between Ratio Decidendi and Obiter Dicta?
6. What are the circumstances which destroy or weaken the binding force of precedents?
7. What are the essential features of a valid local custom?
8. What are the characteristics of legal rights?
9. "Possession is nine points of the law." What does this expression mean to you?
10. In your opinion, what is the difference between "sex" and "gender" discrimination?