



2016/2073/0122

**I Semester 5 Year B.A. LL.B./B.B.A. LL.B. (Old)/II Semester 5 Year B.A. LL.B. (Old) (major-minor system)/B.B.A. LL.B. (New & Old)**

**Examination, December 2017**

**SPECIAL ENGLISH**

Duration : 3 Hours

Max. Marks : 100

**Instructions :** 1. Answer Q. No. 9 and **any five** of the remaining questions.

2. Q. No. 9 carries **20** marks and the remaining questions carry **16** marks **each**.

3. Marks will be reduced for language, grammar mistakes and spelling mistakes.

Q. No. 1. In what context does Lavery use the words egoism and egotism ? Marks : 16

Q. No. 2. Explain the five functions of the lawyer according to Arthur T. Vanderbilt. Marks : 16

Q. No. 3. How did Anton Chekhov highlight the court environment ? Marks : 16

Q. No. 4. Why does Joseph Planck say that the lawyers should be political scientists, economists and sociologists ? Marks : 16

Q. No. 5. What, according to Shaw, characterizes Reasonable murderers ? Marks : 16

Q. No. 6. Make a précis of the following passage and give a suitable title. Marks : 16

Lawyers and teachers must have at least a communicative dimension. Mere knowledge is not enough. If you know your law but if you cannot put it across to understand why it is so, that is a pity. One must have the ability to explain a problem, to recognize where and how comprehension problems will arise and where to give meaningful feedback. Knowledge must be adorned, it must have lustre as well as weight, or it will be often taken for lead than for gold. To say what one has to say in the fewest possible words, consistent with an adequate exposition of the matter, seems to have become the almost universal ideal. One must know for certain that no royal road leads to the shrine where the treasure of persuasion lies.

P.T.O.





Legal language is different from everyday language. The differences are most obvious at the semantic level. Of all the *modes of persuasion* furnished by the spoken word there are three kinds. (i) The first depends upon the *personal character* of the speaker, (ii) the second on *putting the audience into a certain frame of mind* and (iii) the third on the *proof or apparent proof provided* by the words of the speech itself. And this can be achieved by (a) reasoning logically, (b) understanding human character and goodness in their various forms, and (c) understanding the liberty of the mind. The object of every sincere speech after all, is not to arouse the passions or flatter the senses, but to convince the hearers of the truth. This is so because as Shakespeare said "An honest tale speeds best, being plainly told."

As a lawyer one must have a distinctive vocabulary which uses the words from outside the general language and words which are part of the general language, but which have radically different meanings in legal and general usage.

Very often lawyers draft mammoth sentences, use unusual word order, repeat themselves, use complex noun phrases instead of verbs, and where they do use verbs, use passive rather than active forms. For example, consider an active sentence :

The dog bit the boy because he pulled its tail.

The boy screamed very loudly and fell over.

Q. No. 7. Give the English meaning of the foreign words and frame sentences of your own.

Marks : 8x2=16

- a) Abinitio
- b) Denovo
- c) Ex parte
- d) Ex gratia
- e) De facto
- f) Sine-die
- g) In camera
- h) Malefide.



Q. No. 8. Answer **any two** of the following.

Marks : 8×2=16

a) Write a report on road accidents.

OR

b) Write a dialogue between a law student and the District Commissioner discussing awareness of law for people.

OR

c) Refute in the following statement in a paragraph.

Mobile is blessing.

Q. No. 9. Explain **any four** legal maxims.

Marks : 4×5=20

1) Cessante ratione legis cessat ipsa lex.

2) Damnum sine injuria; injuria sine Damnum.

3) Respondent superior.

4) Actus dei nemini facti injuriam.

5) Exnudo pacto non oritur actio.

6) Actio personalis moritur cum persona.