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CLAT 2020: Changes in Pattern Relating to The Legal Aptitude Section

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The CLAT Consortium of NLUs, in their meeting held on November 21, 2019, has changed the pattern of the exam (especially changes in legal aptitude) for the upcoming CLAT 2020 which is to be held on May 10, 2020.

These changes were communicated through a press release which explains that the core reason behind the change in pattern is to make the exam **stress free** for the aspirants.

This article examines the existing pattern of the exam and the expected changes in respect to the legal aptitude section of CLAT.

Legal aptitude in CLAT: old pattern

Till now, each edition of CLAT has consisted of 5 sections/subjects namely- English, General Knowledge and Current Affairs, Mathematics, Legal aptitude and Logical reasoning.

A study of the past CLAT papers reveals that, so far, the "Legal Aptitude" section of CLAT consisted of the following kinds of questions-

1. Reasoning based questions – These questions contain a given legal principle and a hypothetical set of facts. The candidates are expected to read and understand the given legal principle and then apply the principle to the given set of facts to arrive at the correct answer from amongst 4 options given in the question. For example, the following question was asked in CLAT 2019:

Principle: Acceptance of proposal must be the exact mirror image of the proposal.

Facts: 'A' made a proposal to 'B' to sell a chair for Rs. 500. 'B' is desirous of buying the said chair for Rs. 400.

(A) B has accepted the proposal of A.

(B) B has not accepted the proposal of A.

(C) It is not clear if B has accepted the proposal of A.

(D) It is not clear whether A made a proposal to B.

In the above question, the given principle makes it clear that for a person to accept any proposal, he must agree to the given proposal as it is without proposing any change in the given proposal.

Since B proposed to buy the chair for Rs. 400 whereas A's proposal was to sell it for Rs. 500, the correct answer is Option 'B' i.e. B has not accepted the proposal of A.

Going through the above question makes it clear that reasoning based questions of CLAT do not attempt to test the memory of CLAT aspirants but only the ability to understand and comprehend.

1. Knowledge-based questions – These questions are aimed at testing the knowledge of candidates relating to the field of law. For example, the following question was asked in CLAT 2018:

Question – How many languages are there in the eighth schedule to the Constitution of India?

Options:

1) 21

2) 22

3) 19

4) 18

The correct answer to the above question is option A i.e. 21 languages.

Thus, such type of questions are purely aimed at testing knowledge relating to the field of law. Although, as explained above, CLAT has a separate section of knowledge-based questions commonly referred to as "General Knowledge and Current Affairs", the questions contained therein are not restricted to the field of law per se and cover different fields such as sports, science and technology, Indian polity etc..

On the other hand, the knowledge-based questions covered under "Legal Aptitude" relate solely to the field of law.

While the former section contains questions, in different areas, mostly relating to recent events/current affairs, the Legal Aptitude section also tests static knowledge as is evident from the example given above.

In CLAT 2018, questions belonging to General Knowledge and Current Affairs section were asked as questions 41 to 90 (50 questions in total) while knowledge-based questions, specifically related to the field of law, were also asked under Legal Aptitude section as questions 151 to 156 (6 questions).

1. Legal phrases/maxims based questions: These questions are knowledge-based and are aimed at testing knowledge of various legal phrases/maxims. A maxim can be simply understood to mean a settled principle or proposition of law. The questions asked in CLAT mostly relate to Latin maxims which form part of the Common law system. For example, questions no. 36 to 50 of CLAT 2017 related exclusively to legal phrases wherein candidates were expected to read a given legal phrase and identify its correct meaning from 4 given options. For example, question 36 of CLAT 2017 was as follows:

Question – Per incuriam.

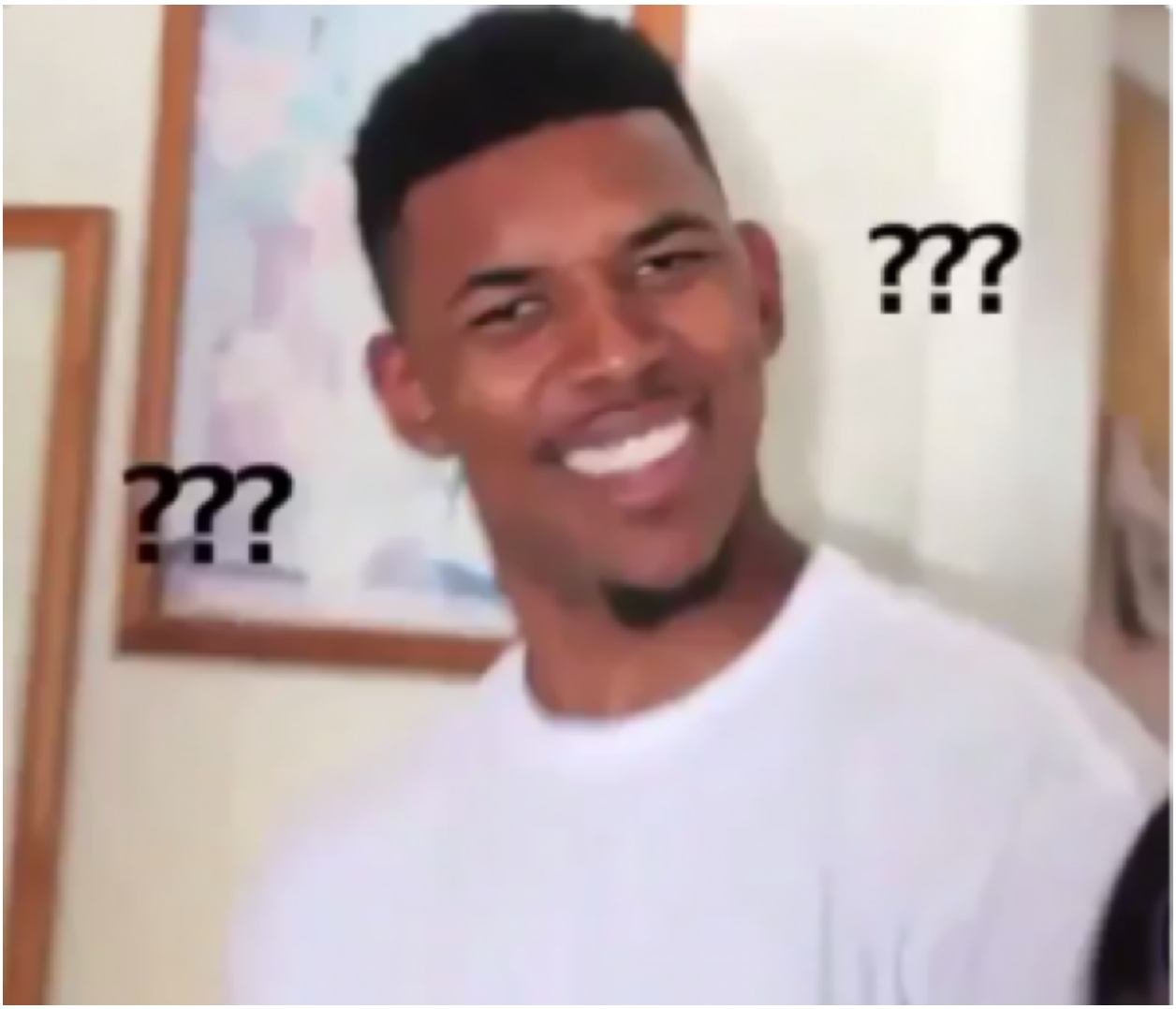
1. Mistaken identity
2. Mistaken decision
3. Supremacy of the Constitution
4. Supremacy of law

Per incuriam is a legal maxim referring to a judicial decision given without following the statutory provisions or existing judicial precedents, so essentially, it is a mistaken decision. Hence, Option 2 is the correct answer above.

CLAT 2020: Proposed changes for Legal Aptitude section

The press release of the CLAT Consortium of NLUs contained very little information about the proposed changes and it had been stated that *"The CLAT – 2020 will also have a change in the pattern of the questions for the UG. Comprehension based questions would be asked from Quantitative Techniques, English, Current Affairs, Deductive Reasoning and Logical Reasoning".*

This might have been confusing for many aspirants because the term "Legal Aptitude" was not mentioned in the press release.



How to prepare for CLAT 2020?

Pursuant to the press release by the CLAT Consortium, Clatalogue has extensively covered the expected changes in CLAT 2020 here and here.

Prof. Faizan Mustafa, the ex-president of CLAT Consortium, recently released a video on his Youtube channel named “Faizan Mustafa’s Legal Awareness Web series: LAW’s” on November 24, 2019, explaining the expected changes for CLAT 2020.

This video, which is available here has given some much-needed clarity on the proposed changes. While the aforesaid video is in the Hindi language, a similar video in English is available here.

In the aforesaid videos, Prof. Mustafa has explained that while arguing in court, lawyers do not speak from memory but refer to legal texts to base their submissions upon such as the judgments relied upon by them in support of their case.

Keeping this in mind, the focus of CLAT is being changed from memory-based to deduction/inference based.

So far as changes in Legal Aptitude is concerned, Prof Mustafa has categorically stated that

1. Maxim based questions or questions testing knowledge of decisions given in important case laws shall not be asked since the aim is not to test the memorisation power of the candidates. This completely eliminates the kind of questions illustrated as category 3 above.
2. The reasoning based questions which were being asked till now, as explained above, shall continue to be asked since the focus of the exam is to test the ability of candidates to understand a given legal principle/proposition and then draw inferences from it to arrive at a correct answer. This makes it clear that questions of category 1 explained above shall certainly be asked in CLAT 2020.

It is to be noted that Prof Mustafa has, in his video, specifically talked only about questions of **categories 1 and 3** illustrated above and has not commented upon questions of category 2 which test the knowledge of law and are of such nature that they tend to overlap with the questions asked under the General Knowledge and Current Affairs section.

However, considering that the key focus of the change in pattern is to do away with the testing of memory, it can be inferred that knowledge-based questions of category 2 shall also not be asked in CLAT 2020. ***We shall have more clarity on the kind of questions once the Executive Committee of the CLAT Consortium releases the model question paper for aspirants.***

Way forward for candidates



Considering the changes introduced in CLAT 2020, candidates should continue their preparation with an increased emphasis on solving the previous years' CLAT question papers to get familiar with the kind of reasoning based questions asked in the exam.

It may happen that same/similar questions are asked involving the same legal principle and a similar set of facts. Candidates should also try and solve as many mocks as possible.

Prior and sufficient practice of reasoning based questions shall give a fair idea of the kind of questions being asked and shall help the candidates in getting a good grip of reasoning based questions including increasing the speed with which one is able to solve these questions.

Further, while candidates may entirely skip memorizing or revising legal maxims during preparation, they should continue referring the study material/content provided on Clatalogue and few other sources, provided by coaching institutes or otherwise, on the topics covered under Legal Aptitude section of CLAT.

Until more clarity is provided by the CLAT Consortium on the expected format, skipping a basic level of preparation for knowledge-based questions on the law (other than legal maxims and case laws) is not advisable.

Confused about preparation by the changes in legal aptitude?

Click here to read our article on how to prepare for deductive reasoning.