BLOGS

# Legal Maxims for CLAT- Part II

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***Afraid you can't recall all the legal maxims you've been learning all this time? Here's the second part of the post on legal maxims for CLAT to help you remember them and improve your legal knowledge.***

## J

- Jus cogens: Compelling law [No exceptions allowed under this]
- Jus in personam – Right against a specific person [In personam means against a specific person as discussed in this post; similarly, jus in personam means right against a specific party]
- Jus in rem – Right against the world at large
- Jus Necessitatis – It means a person's right to do what is required for the greater good even though it may be forbidden by law

## L

- Lex Fori – The law of the country [The law of the jurisdiction where the case is instituted is applied]
- Locus standi – Right of a party to an action to appear and be heard by the court

## M

- Mala fide – In bad faith
- Mala in se – Wrong or evil in itself [This is an act that is immoral or wrong by itself irrespective of whether or not it is illegal]
- Malum prohibitum – This means that something is wrong because the law ordains it to be so even though it may not actually be evil.
- Mens rea – Guilty mind [Can you recall how this is related to actus reus?]

- Modus operandi – Mode of operation or the method of doing something
- Mutatis Mutandis – With the necessary changes having been made[ In this situation, only the necessary changes are made while the main point remains the same]

## N

- Nemo bis punitur pro eodem delicto – Nobody can be punished twice for the same offence [Have you heard of Double Jeopardy?]
- Nemo moriturus praesumitur mentire – No man at the point of death is presumed to lie[ Did you know that this maxim is related to dying declaration? It is believed that when someone is about to die, they're highly unlikely to lie and thus, their dying declaration is presumed to be true]
- Non Sequitur – A statement that does not follow logically from or is not clearly related to anything previously said.

## O

- Onus probandi – Burden of proof [Can you recall which maxim meant 'Burden of proof lies on the plaintiff'?]

## P

- Pacta Sunt Servanda – Agreements must be kept. Or Agreements are legally binding.
- Per curiam- Decision or opinion by the court
- Per se – By itself
- Prima facie – On the face of it

## Q

- Qui facit per alium, facit per se – He who acts through another acts himself [For example, if an employee commits an act, his employer is held liable]
- Quid pro quo – Something for something [Think of it as a favour done in exchange of another]

- Quod necessitas non habet legem: Necessity knows no law [Do you think this is connected to jus necessitas?]

## R

- Res ipsa loquitor – The thing speaks for itself
- Res Judicata – A matter that has already been judged

## S

- Salus populi est suprema lex– The welfare of the people is the supreme law
- Sine qua non – An essential condition
- Suo Motu – Of its own accord

## U

- Uberrima fides – Utmost good faith [Do you remember act done in a bona fide manner?]
- Ubi jus ibi remedium – Where there is a right, there is a remedy.

## V

- Vis major – Act of God [Recently a bridge collapsed in Gujarat and the accused claimed this defense]
- Volenti non fit injuria – Damage suffered by consent gives no cause of action[ If you consent to attending a racing event and are hurt in the course of attending it, is there any cause of action?]

## For the first part on Legal Maxims for CLAT, click here!

***Note: This post was updated and republished.***