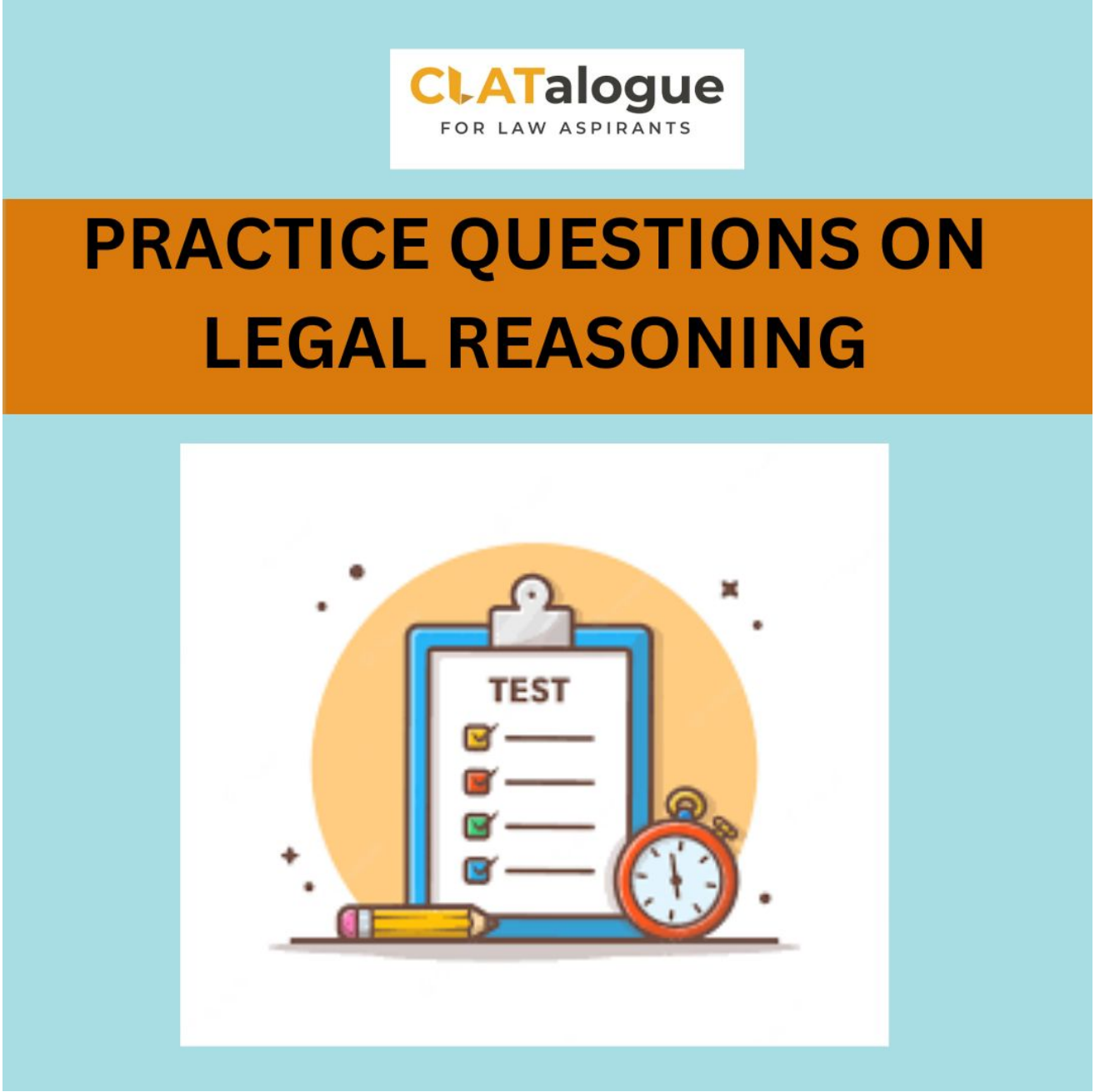
BLOGS

Passage-based Legal Reasoning Questions for CLAT 2024

Indrasish Majumder · 07 Oct 2023

LEGAL REASONING QUESTIONS FOR CLAT

Legal Reasoning Questions for CLAT are principle and fact-based comprehension questions designed to test the legal aptitude of the candidates. Practice these 10 Legal Reasoning Questions for CLAT 2024 based on the latest pattern today to improve your score in CLAT 2024!



PASSAGE 1

Under Indian law, people seeking refuge are defined as — “foreigners” under the Foreigners Act, of 1946 as they enter the nation without valid travel papers. According to the Foreigners (Report to the Police) Order, 2001, made under the Foreigners Act 1946, anyone giving shelter to such a foreigner must report him or her to the police within 24 hours.

Despite this, all people living within the borders of India, including foreigners, migrants, and refugees, have two very important rights under the Indian Constitution. The rights under Article

14 and Article 21 of the Constitution are available for all persons, whether they are citizens or foreigners, whether they are legally inside the country or not.

Globally, a refugee is defined as a special category of foreigner who is compelled to seek refuge in another country because of persecution in the country of their origin based on certain identities like race, creed, belief, religion, ethnicity etc.

The basic protection for anyone seeking asylum under any refugee law is the right to non-refoulement. The principle of non-refoulment prohibits states from transferring or deporting individuals from their jurisdiction or effective control when there are substantial grounds for believing that the person would be at risk of irreparable harm upon return, including persecution, torture, ill-treatment, or other serious human rights violations.

Non-refoulement is a right under refugee law which is a part of international humanitarian law. India is a signatory to international human rights treaties and is under obligation to respect basic human rights principles.

Since India does not have a refugee law, UNHCR would ascertain whether a person is qualified to be a refugee and then issue them an identity card, help them with a stipend, and often resettle the refugees in other countries.

Question 1

Kavi is a citizen of a fictional country called Zyra, known for its oppressive regime. Kavi, a political dissident, manages to escape to the neighbouring country of Eldora. Eldora captures him and starts the deportation process, but Kavi claims that he will face persecution in Zyra. Is his request viable?

a) He is correct as his life would be in danger back in his country, and all persons within the territory of Eldora possess the right to life under their constitution.

b) He is correct as under the principle of non-refoulement, he cannot be deported.

c) His request isn’t viable as he does not qualify as a refugee, and the Zyra government isn’t targeting him based on any of his identities.

d) He is a criminal operating against the Zyra regime; he will not be allowed to stay as a refugee.

Question 2

In the fictional nation of Zephyria, there is a treaty signed with the neighbouring country Eldoria. According to this treaty, all refugees in Zephyria will be deported to Eldoria. The legality of this treaty is challenged in the court.

a) The court will let the government proceed with this treaty as this is a policy matter, and the court does not have locus standi.

b) Zephyria is bound by international treaties and is liable to follow the principle of non-refoulement; hence, the court would scrap this treaty.

c) Articles 14 and 21 of the Constitution are available to all persons within the territory of Zephyria; hence, the government cannot deport the refugees staying in Zephyria.

d) Zephyria does not have a refugee law; hence, the country isn't bound to allow refugees in Zephyria.

Question 3

Aria, a human rights advocate in the fictional nation of Utopica, sets up a shelter for refugees escaping persecution in the neighbouring country of Dystopia. Utopica is a signatory to international human rights treaties on refugees.

However, the Utopican authorities arrest her, alleging that she is aiding refugees in evading deportation and hiding them for protection which is an infringement of the domestic law on refugee rights and protection. Is she liable?

a) No, she is not liable as the government cannot deport refugees under international law.

b) Yes, she is liable as anyone giving shelter to a foreigner must report him or her to the police within 24 hours under the Foreigners Act 1946.

c) Yes, she is liable as Utopica does not have a law to protect refugees, and refugees are considered foreigners.

d) No, she is not liable as Utopica is a signatory to international human rights treaties that call for the protection of refugees and non-refoulement.

Question 4

A group of refugees has been residing in the fictional city of Harmony for several years now. Recently, some of these refugees have been found to be in touch with a supposed

human rights organization known to be involved in anti-Harmony activities. The refugees are detained due to their involvement with the organization. Is this an infringement of their rights as refugees?

a) Yes, this is a clear violation of their right to life guaranteed under Article 21 of the constitution.

b) Yes, refugees also enjoy several rights under the Harmony constitution.

c) No, the police have the right to inspect them because the organization is suspicious in nature.

d) No, they have been booked under due process of law and not because of their status as refugees.

Question 5

In the fictional nation of Tranquiland, a person named Zara, belonging to the fictional community of Zeniths, faces persecution. Zara escapes to the neighbouring country of Serenity to seek refuge. The authorities in Serenity plan to deport her back to Tranquiland. Zara claims security under Article 21. What will be the course of action?

a) She cannot be deported back to Tranquiland as the Serenity constitution allows her the right to life under Article 21.

b) She cannot be deported as non-refoulement is a right under refugee law, and her life would be under threat back in Tranquiland.

c) She will be deported back to Tranquiland as she is accused of crimes, and she should be tried according to the procedure established by law.

d) She will be deported back to Tranquiland as Serenity does not have a refugee law and recognizes them only as illegal immigrants.

Question 6

In the fictional nation of Zenobia, a new law is introduced requiring individuals to register their religious beliefs with the government. A group of people, known as the Luminaries (refugees), refuses to comply, citing concerns about potential discrimination. The government begins detaining members of the Luminaries. Can they seek protection under Indian law, and if so, which principle would apply?

a) Yes, they can seek protection under the principle of non-refoulement.

b) No, because the government has the right to regulate religious practices within its borders.

c) Yes, they can seek protection under the principle of religious freedom and expression.

d) No, unless the Luminaries can prove immediate physical harm, international law does not intervene.

ANSWERS

1. b) He is correct as under the principle of non-refoulement, he cannot be deported.Non-refoulement is a principle that prohibits the deportation of individuals to a country where they may face persecution. If Kavi can establish a credible fear of persecution in Zyra, he may be protected under this principle.
2. b) Zephyria is bound by international treaties and is liable to follow the principle of non-refoulement; hence, the court would scrap this treaty. International treaties and principles, especially those related to human rights, take precedence over domestic policies. The principle of non-refoulement is crucial in protecting individuals from deportation to a place where they may face persecution.
3. d) No, she is not liable as Utopica is a signatory to international human rights treaties that call for the protection of refugees and non-refoulement. International human rights treaties, especially those related to refugees, may take precedence over domestic laws. If Aria's actions align with international principles, she may be protected.
4. d) No, they have been booked under due process of law and not because of their status as refugees. If the refugees are detained following the due process of law and based on their involvement with an organization engaging in suspicious activities, it may not be a direct infringement of their rights as refugees.
5. b) She cannot be deported as non-refoulement is a right under refugee law, and her life would be under threat back in Tranquiland. Non-refoulement is a crucial principle in refugee law that prevents the deportation of individuals to a place where they may face persecution. If Zara can demonstrate a credible fear of persecution in Tranquiland, she may be protected.
6. c) Yes, they can seek protection under the principle of religious freedom and expression under Article 25 of the Indian Constitution. The following article applies to citizens and non-citizens alike. The principle of religious freedom and expression, protected under Article 25 of the Indian Constitution prohibits discrimination based on religious beliefs and allows the freedom

of conscience. If the Luminaries face persecution due to their religious beliefs, they may seek protection under this principle.

To practice more such Legal Reasoning Questions for CLAT, click here!