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Ten Latin Legal Maxims Every Law Aspirant Should Know

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Law students often come across Latin phrases that sound intimidating but carry very simple and powerful ideas. These maxims act like guiding principles behind many laws and court decisions. Understanding them makes legal reasoning easier and sharper.

Let us explore ten important Latin maxims in simple language with relatable examples.

1. Delegatus non potest delegare

A person to whom authority is delegated cannot further delegate it unless permitted by law.

This means that if someone is given power to do a task, they cannot pass that power to someone else unless the law allows it. For example, if a government officer is authorized to issue licenses, they cannot ask a private person to do it on their behalf. This rule ensures responsibility stays with the right authority.

2. Sic utere tuo ut alienum non laedas

Use your property in a way that does not harm others.

This principle teaches responsible use of rights. You may own land, but you cannot use it in a way that harms your neighbor. For example, if you play loud music at midnight on your property and disturb others, you are misusing your right. Your freedom ends where someone else's harm begins.

3. Quando aliquid prohibetur ex directo, prohibetur et per obliquum

What cannot be done directly cannot be done indirectly.

If the law forbids something, you cannot achieve the same result through indirect means. For example, if a law says a person cannot hold two government offices at once, they cannot resign briefly from one and immediately rejoin through a loophole. The law looks at the intention, not just the method.

4. In pari delicto potior est conditio defendentis

When both parties are equally at fault, the position of the defendant is stronger.

If both sides are guilty of wrongdoing, the court will usually not help either of them. For example, if two people enter into an illegal contract and later one sues the other for breach, the court may refuse relief because both acted unlawfully. The law does not reward wrongdoing.

5. Qui facit per alium facit per se

He who acts through another acts himself.

If someone commits a wrongful act through another person, the law treats it as if they did it themselves. For example, if a person asks their employee to trespass on someone's land, the employer is legally responsible. One cannot escape liability by using someone else as a tool.

6. Actus curiae neminem gravabit

An act of the court shall prejudice no one.

If a court makes a mistake or delays a case, the parties should not suffer because of it. For example, if a court wrongly dismisses a case and later corrects it, the affected party should not lose their legal rights because of the court's error. Justice should not suffer due to judicial mistakes.

7. Falsus in uno, falsus in omnibus

False in one thing, false in everything.

This means that if a witness lies about one part of their testimony, their entire statement may be doubted. However, Indian courts apply this rule cautiously. Instead of rejecting the entire testimony, courts separate the truth from the falsehood. For example, if a witness lies about the

time of an incident but speaks truthfully about the act itself, the court may still rely on the truthful part.

8. Cessante ratione legis cessat ipsa lex

When the reason for a law ceases, the law itself ceases.

Laws exist for a purpose. If that purpose no longer exists, the law should also fade away. For example, if a law was made during a crisis and that crisis no longer exists, continuing that law may no longer be justified. This principle supports legal reform and modernization.

9. Salus populi suprema lex

The welfare of the people is the supreme law.

This principle places public interest above individual interest. For example, during a health emergency, the government may impose restrictions on movement to protect public safety. Even though individual liberty is important, the greater good of society takes priority.

10. Nemo dat quod non habet

No one can transfer a better title than he himself has.

You cannot give someone something you do not own. For example, if a thief sells a stolen phone, the buyer does not get legal ownership, even if they paid money in good faith. The original owner’s rights remain protected. This principle ensures fairness in property transactions.