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Tips to Ace Legal Reasoning in CLAT & Other Law Entrance Exams

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The Legal Reasoning section is one of the most important sections in CLAT. It directly tests your legal acumen whereas other sections of the paper test your propensity to succeed in the field of law indirectly.

Also, this section acts as a tiebreaker in case two or more students score the same marks. There have been multiple instances of students scoring the same marks and their ranks only decided by the marks of the Legal Reasoning section.

Hence, it becomes very important to prepare for this section properly, and not neglect it. Fortunately, this is a scoring section. The only tools required in your arsenal to ace this, is a good reading speed and the ability to comprehend well. After the pattern change implemented after CLAT 2020, the need for prior knowledge has been eliminated.

So, you don’t need to learn a lot of theory, you just have to sharpen your inference skills!

About CLAT 2022 Legal Reasoning

The Legal Reasoning section usually has around 35-40 questions. For each correct answer, you get 1 mark and for a wrong answer, 0.25 mark is deducted. In CLAT 2021, there were 8 passages with 5 questions each, giving a total of 40 questions.

This section had the highest number of questions out of all, thus giving it a lot of weightage and importance. Usually, a good number of attempts would be 90% of the total number of questions in that section, provided the accuracy is good.

Here are 4 basic tips to tackle legal reasoning in Law Entrance Examinations, specifically CLAT:

1. Analytical Problem Solving > Knowledge of Law

Entrances are a gateway to law schools. They are conducted at a stage when the student has not yet undergone a formal study of law. Accordingly, the legal reasoning section does not aim to

inquire into your vast knowledge of law, but merely aims to gauge your ability to analyse basic legal problems.

If you were to go through the past-years' papers, you would observe that references to complex legal jargon have been kept to a bare minimum.

Memorising statues and preparing long intricate notes on a wide variety of laws will not do you any benefit when it comes to cracking law entrances. You would have ample time to indulge in these activities when you get into a law school but for now, you should emphasise more on developing your analytical skills.

That being said, you should not disregard legal knowledge wholly. A rudimentary grasp over subjects such as contracts, torts, law of crimes, and constitutional law will most definitely help you to effectively understand legal reasoning questions faster.

This year, for instance, the questions were mainly from the Indian Contract Act, Torts, the Indian Penal Code, etc. There are chances of legal aptitude (factual) questions being asked too, though this year there were none.

So, it is important to have some prior knowledge, though it is not mandatory. But, since the topics are from subject areas like Contracts, Torts, etc, prior knowledge can prove to be a huge advantage since familiarization with the topics will increase your reading speed.

Thus, this is an advantage you should not miss out on. Read the important topics falling under the above-mentioned subject areas. For example, under Torts, read up on the general defences, nuisance, negligence, etc. But don't waste a lot of time on theory. Practice is key.

2. Read the Passage First & Look for Verbal Clues

Always read the passage first. Don't read the questions first and then skim through the passage. This might be your strategy for sections like Reading Comprehension, but never do that for the Legal Reasoning section.

This is because prior knowledge cannot be applied in this section. Whatever is written in the passage is what you should follow. Don't use any extra information that you might have read about in the course of your preparation. Answer questions using only the information given in the passage.

Further, qualifying terms such as ‘provided’, ‘unless’, and ‘subject to’ etc. act as important clues as to what the question actually wants to ask you. All such terms determine the many conditions and exceptions that need to be checked while applying the principles to the given set of facts.

Even though verbal reasoning forms a part of the logical reasoning section of the exam, it must be understood that both the logical reasoning section and the legal reasoning section of an entrance examination essentially try to evaluate your analytical capabilities, and it is quite common for their questions to have a similar underlying pattern.

If your verbal reasoning is strong, then you would benefit in the two segments rather than just one. Therefore, it is pivotal for you to understand the meaning of these terms and practice many questions related to verbal reasoning as well.

3. Choose the ‘most appropriate’ Option

It is noteworthy that almost none of the popular law entrances ask for the correct answer. Instead, these examinations specifically ask for answers which are the ‘most accurate’, ‘most suitable’ et cetera.

It is quite common for students to get confused between two options, both of which seem correct to them. In such scenarios, you should always choose the option that is the closest to the principle applied.

Being closest to the principle does not mean that the language used in the option and in the question/principle should be similar, rather it means that there is a great affinity between the option and the correct application of the principle involved.

4. Strictly Adhere to the Principle

In the legal reasoning section, you will come across principle-facts questions wherein a set of legal principles will be provided and you would be asked to apply these principles to the given facts.

Your job is to arrive at the most appropriate conclusion by analyzing the given information and nothing else. It is immaterial whether the principle is true or not. Solution to a question may become wrong if the legal principle provided in the question is changed.

It is even possible that the examiner may deliberately give you principles which are legally untenable in order to throw you off, but you should strictly apply these principles without going into the question of their veracity.

Hence, it is worthwhile to remember that the aim of the examiner is not to judge your legal knowledge, but to assess your problem-solving abilities and your legal aptitude.

In fact, the examination pattern of CLAT has recently been redesigned to exclude questions of legal knowledge and to focus even more substantively on reasoning.

Thus, you should not let assumptions, prejudices, value systems and external knowledge of law affect your decision making when you have been specifically given a set of principles to base your answers on.

The passages given in the exam are usually of 450-500 words. Thus, it's essential to differentiate between the relevant principle mentioned in the passage and the supporting statements.

Don't get caught up in irrelevant facts that act as extra information, and aren't related to the main principle in any way. This is something you learn with practice. So, practice as many passages as you can, don't solve only objective one-liner questions.

SAMPLE PASSAGE

"The Polluter Pays principle made an important impact in the famous MC Mehta Oleum Gas Leak case. In this judgment, the Supreme Court laid down the rule of absolute liability which essentially states that a person would be wholly responsible for any mishap caused by their "hazardous or inherently dangerous" enterprise, which in this case was a chlorine plant.

The apex court noted that the polluter's liability would depend on their ability to pay – thus using the principle to both clean up the environmental damage and to punish the polluter. In later cases like Bichhri, the Court noted that the polluter would need to pay for cleaning up the damage as well as compensate those harmed by the pollution.

Again, in the Vellore Citizens case, the Court highlighted that the polluter pays principle was implied in the Constitutional provisions protecting the environment as well as in the various Acts concerning the environment.

Interestingly, under the public interest litigation route, courts in India have often also held the government liable for failing to curb the pollution and have directed them to pay for the costs of

environmental damage. The primary problem with this principle occurs with the fact that by its very nature, environmental pollution is not always easy to narrow down to a single source which can be strictly punished.

A great deal of pollution is from nonpoint sources, cumulative in nature and occurs over long time spans. Thus, identifying a perpetrator is both difficult and, in some cases, technically unfeasible. Another problem appears with the principle itself – there is no clarity on how exactly the damages should be calculated.

This means that a polluter may be asked to pay for the actual costs of clean-up, the damage caused to the victims of environmental damage, a fine or a penalty based on their ability to pay, a general levy aimed at a clean-up of the problem as a whole, or all of the above."

PRACTICE QUESTIONS

1. Due to a negligently managed chemical plant by MG Polymers, a poisonous gas leaked killing 10 people and injuring several. As a result, the air in the area was contaminated and people around the radius of 15 Kms couldn't breathe properly. A case was brought against MG Polymers where the company argued that they took utmost care and complied with all the guidelines provided by the government. Decide.

(a) MG Polymers will be liable under polluter pays principle and will be required to make good the damage.
(b) MG Polymers will not be liable as they complied to the guidelines laid down by the government.
(c) MG Polymers will be liable as it's the responsibility of every industry to clear the damage caused by it.
(d) MG Polymers will not be liable as the accident was inevitable.

2. Referring to the above passage, which among the following will not be considered as a right decision made by the National Green Tribunal?

(a) Order shutting down of Dell Technology offices for not disposing of the tea/coffee cups used by the IT employees as per the municipal corporation guidelines.
(b) Order Sam's tanning industry to pay Rs 35 Lakhs as damage caused to Ganga River by

releasing waste polluted water in the river.
(c) Order Naik & associates to plant 10,000 trees to curb pollution in the area caused by construction of real estate.
(d) Order Ravi Shankar Maharaj to deploy manpower to clean up the pollution caused after hosting a world heritage event and also to pay Rs 5 lakhs as fine.

3. State of Maharashtra enacted a law pushing liability of clean up after any environmental mishap completely on the owner of the premise, irrespective of who owns the business run on the premise. Shlok wishes to challenge the enactment. Which among the following will be the correct argument in favour of Shlok?

(a) Polluter pays principle puts the liability on the wrong-doer and not on the premise owner.
(b) The objective of the polluter pays principle is to hold the party responsible for damages that occur as a result of pollution.
(c) Polluter pays principle identifies the party responsible for paying compensation.
(d) All of the above.

Answers:

Q.1) Option (a). MG Polymers will be liable under the polluter pays principle because it was their chemical plant. It doesn't matter if they took 'utmost care'. It is not mentioned in the passage that 'care' will be a defence against this liability.

Q.2) Option (a). The question is asking about a decision that would not be right. Options (b), (c) and (d) are decisions that can be taken by the NGT since they involve "actual costs of clean-up, the damage caused to the victims of environmental damage, a fine or a penalty based on their ability to pay, a general levy aimed at a clean-up of the problem as a whole, or all of the above." This is mentioned in the passage.

Q.3) Option (d). Here, all the three options satisfy the polluter pays principle. The law mentioned in the question goes against this principle.

Thus, the questions asked can range from inference-based questions to direct questions. So, it is

necessary to read and comprehend the passage properly in order to solve questions. Practice passages that you've solved in mocks at least twice. This will ensure that you've understood the principle perfectly.

Keep all these tips in mind and prepare your own strategies as you proceed with your preparation. All the best!

With inputs from Samarth Luthra.

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