

**Introduction to Law**  
**Prof. Belle**  
**Final Examination – December 2013**  
**Answer Key**

**PART I: Definitions** (2 points each = 32 points total) -- Write in your blue book

For each of the following legal terms of art, state the definition and use the term in a sentence.

- (1) Stare decisis (*pp. 81-86; see model answer*)
- (2) Dicta (*p.119; see model answer*)
- (3) Golden rule (*p.170; see model answer*)
- (4) Certiorari (*p.67; see model answer*)
- (5) Rule of lenity (*p.204; see model answer*)
- (6) Dialectical reasoning (*p.149; see model answer*)
- (7) Federalism (*pp. 60-62; see model answer*)
- (8) Ratio decidendi (*pp. 81 and 119-122; see model answer*)
- (9) Syllogism (*pp. 141-143; see model answer*)
- (10) Forms of action (*pp. 35-36; see model answer*)
- (11) Literal rule (*p.170; see model answer*)
- (12) Separation of powers (*pp. 14-17; see model answer*)
- (13) Noscitur a sociis (*pp. 181-182; see model answer*)
- (14) Precedent (*pp. 79-81; see model answer*)
- (15) Legislative history (*pp. 184-189; see model answer*)
- (16) Privity (*p.125; see model answer*)

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**PART II: Contrasting terms** (3 points each = 33 points total) -- Write in your blue book

Contrast the following pairs of legal terms of art, and give an example of each term of art.

- (1) International law and municipal law (*pp. 8-9; see model answer*)
- (2) Deductive reasoning and inductive reasoning (*p.148; see model answer*)
- (3) Quantum meruit and quantum valebant (*p.41; see model answer*)
- (4) Statutory law and case law (*p.86; see model answer*)
- (5) Substantive law and adjective law (*p.12; see model answer*)
- (6) Law and equity (*pp. 56-57; see model answer*)
- (7) Special assumpsit and general assumpsit (*pp. 40-42; see model answer*)
- (8) Horizontal separation of powers and vertical separation of powers (*pp. 60-61; see model answer*)
- (9) Common law and civil law (*pp. 9-11; see model answer*)
- (10) Code and statute (*p.12; see model answer*)
- (11) Replevin and detinue (*p.37; see model answer*)

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**PART III: Essays** (10 points each = 20 points total) -- Write in your blue book

**(1) Forms of action**

- (a) Explain the original system of forms of action.**
- (b) Give at least two specific examples of forms of action.**
- (c) Explain the relationship of the forms of action to the modern common law.**

*(pp. 35-43; see model answer)*

**(2) Statutory construction**

- (a) Explain the term “statutory construction.”**
- (b) Give at least two examples of extrinsic aids to statutory construction.**
- (c) Make an argument in favor of using extrinsic aids to statutory construction.**
- (d) Make an argument against using extrinsic aids to statutory construction.**

*(pp. 184-189; see model answer)*