**NAME:**

**SURNAME:**

**STUDENT NUMBER:**

**EXAM INSTRUCTIONS**

* Follow all instructions given by the examiners.
* Please do not leave your seat.
* Do not communicate in any way with any other students in the examination room.
* Do not open the question paper until told to do so.
* All answers must be written or marked in the space provided. Pencils cannot be used.
* Students MAY NOT bring any written or printed materials into the examination hall. This is a close book examination; It is forbidden to consult with any written materials including any dictionaries.
* Students may not bring any electronic device into the examination hall.
* Students will be given 40 minutes to complete the examination.
* There are 25 questions. Students will get 4 points from each correct question.
* Please read all questions carefully and make sure you understand the facts before begin answering.
* Students may raise their hand to ask the examiner a question. The examiner may decide not to answer the question: students are expected to know the requisite terminology and understand the examination questions.
* Once a student has seen the examination paper, the student is assumed to be in good health at the time of the examination
* At the end of the examination, remain seated until your paper has been collected and you have been told you may leave.
* Leave your scrap paper on the desk when you leave the examination room.

I have read and understood the examination rules. I will not cheat, copy from other students, or use unauthorized materials or devices, and I have not brought such materials or devices into the examination hall.

Signed: …………………………………………………

1. Which one of the following statements is true in respect of A. Dicey’s formulation of the Rule of Law?
2. The rule of law is synonymous with social justice.
3. **The rule of law is based on supremacy of law over arbitrary and discretionary power, equal subjection to the law and the origins of constitutional law in private law.**
4. The rule of law is purely a political concept.
5. The separation of powers is part of the rule of law.
6. Which one of the following statements is false?
7. The legislative function is primarily responsible for making, unmaking and amending the

law.

1. **The legislative function is subject to the judicial function of the government.**
2. The executive function gives effect to and enforces the law.
3. The primary judicial function is to interpret and apply the law, resolve disputes, provide

remedies, and determine punishments when the law is breached.

1. Who is in charge of the executive branch in the Republic of Turkey? Choose one:
2. The Speaker of TBMM.
3. **The Prime Minister.**
4. The President.
5. The Chief of Justice.
6. What stops one branch of government from becoming too powerful? Choose one:
7. The President.
8. **Checks and balances.**
9. The people.
10. Freedom of speech.
11. What is the “rule of law”? Choose one:
12. Everyone but the President must follow the law.
13. Government does not have to follow the law.
14. All laws must be the same in every state.
15. **Everyone must follow the law.**
16. What does the Constitution do? Choose one:
17. Defines the government.
18. Sets up the government.
19. Protects basic rights of the citizens.
20. **All of these answers.**
21. The law in the UK is derived mainly from two sources. Judge-made law is known as:
22. Statute law or legislation
23. **Common law**
24. Rule of law
25. Supreme law
26. Law made by Parliament is known as:
27. Supreme law
28. Common law
29. Rule of law
30. **Statute law or legislation**
31. What is a law?
32. **Rules and regulations made and enforced by government that regulate the behavior of people in a society**
33. A series of suggestions people should follow
34. Rules that tell you only what not to do
35. Regulations made only by the leader of a country which tell the citizens to obey him/her and only him/her
36. What are human rights?
37. The rights humans have if they live in the Republic of Turkey
38. The rights which tell others to treat people less than how they should be treated
39. The rights people have if they live in Europe
40. **The rights all people have simply because they are human beings**
41. What type of Legal System does Turkey have?
42. Common law
43. **Civil law**
44. Federal law
45. Equitable law
46. What is the standard of proof in a civil case?
47. The claimant must prove the case
48. The defendant must prove the case
49. The **case must be proved on the balance of probabilities**
50. The case must be proved beyond reasonable doubt
51. mplete the following sentence by choosing the correct option:
52. A normative system can be described as a system of…
53. (a) rules that determine the play of sport.
54. (b) rules that govern human behaviour.
55. (c) rules that control physical forces.
56. (d) rules that must be obeyed by all.
57. mplete the following sentence by choosing the correct option:
58. A normative system can be described as a system of…
59. (a) rules that determine the play of sport.
60. (b) rules that govern human behaviour.
61. (c) rules that control physical forces.
62. (d) rules that must be obeyed by all.
63. What does the term "private law" refer to?
64. A body of legal rules that derives from the decisions of court cases.
65. **A body of legal rules that regulates relationships between individuals.**
66. A body of legal rules that regulates relations between states and citizens.
67. A body of legal rules that states that individuals have rights to privacy.
68. Which of the following options does not relate to the term “legal subjects”?
69. natural and juristic persons
70. bearers of rights and duties
71. persons who are subject to norms of the law
72. **persons who are not under control of the law**
73. Which of the following statements describes the concept “formal law” correctly?
74. Formal law determines the meaning of legal rules.
75. Formal law regulates relationships between individuals.
76. Formal law regulates relationships between the state and its citizens.
77. **Formal law are legal rules that determine how court cases are decided**.
78. Read the following statements about the difference between legal norms and moral norms. Which statement is correct?
79. Legal norms must be obeyed by all of society whereas moral norms must be obeyed in a particular society.
80. **Legal norms bind the whole community whereas moral norms do not bind the whole community.**
81. The sanction for non-compliance of legal norms is prosecution whereas the sanction for moral norms is punishment.
82. The origin of legal norms is not found in religion whereas the origin of moral norms can be found in religion.
83. Read the following scenario and answer the question that follows: Nomsa is a beautiful single Christian lady who enjoys socializing with her friends over a glass of wine. Sometimes she drinks too much and then her friends do not allow her to drive home. She always feels embarrassed afterwards and decides to stop drinking. Unfortunately, she has a stressful job and soon she starts drinking again. She is so upset with herself that she stops visiting her friends. Which normative system is applicable to this scenario and why?
84. The law is applicable because Nomsa drives home under the influence of alcohol.
85. Religion is applicable because as a Christian Nomsa is not allowed to drink alcohol.
86. **Individual morality is applicable because Nomsa disobeyed the rule she set for herself.**
87. Community mores is applicable because her friends would not allow her to drive home.
88. Read the following scenario and answer the question that follows: Rendani, an artist, always signs his name at the back of his paintings before sending them to the gallery. In terms of the private law Rendani has a right to his artwork. What is his right to his artwork called?
    1. real right
    2. personal right
    3. immaterial right
    4. **intellectual property right**
89. Which of the following options does not have anything to do with the connection between “law” and “right”?
90. The law determines what the content of a right is.
91. The law determines what the powers of a legal subject are.
92. **The law prescribes what human behavior and conduct are.**
93. The law prescribes what the limits to the content of a right are.
94. Which factor played a role in the survival of classical Roman law in the Eastern Empire after the split of the Roman Empire?
95. The influence of the Roman law on the Greek civilization of the Eastern Empire
96. The emperor Justinian’s success in reuniting the Western and Eastern Empires
97. **The emperor Justinian’s collection of the Roman law in the Corpus Iuris Civilis**
98. The different kinds of law developed by jurists and emperors before AD527
99. Which of the following options that deal with the world legal order is incorrect?
100. The concepts “families of law”, “legal families” and “legal cultures” all relate to the world legal order.
101. **The concepts “legal systems of the world” and “legal families of the world” are the same.**
102. A country’s legal system may reflect the influence of the country’s culture on its law.
103. Certain standards are used to group the world’s different legal systems into legal families.
104. Every legal family has an important characteristic that is common to the legal systems that belong to that legal family. Which option is incorrect?
105. Roman law played a role in the development of the legal systems belonging to the civil-law legal family.
106. **Romano-Germanic law played a role in the development of legal systems belonging to the common-law legal family.**
107. The focus of legal systems belonging to the socialist legal family is on social and economic policies.
108. The focus of legal systems belonging to the indigenous legal family is on the community.
109. Which of the following real-life situations has to do with public law?
110. Payment of private school fees
111. Repair work to motor vehicle
112. **Voting in municipal elections**
113. Agreement to cut off branches
114. Read the scenario and complete the sentence that follows: Thato and Mbali have been friends for many years. However, Thato has noticed Mbali’s behaviour changing towards her lately. One morning as Thato is scrolling though Facebook, she notices that Mbali posted nasty, negative statements about her which have no truth to them. The negative statements were made public by Mbali and are now trending on social media. Thato is very upset and seeks legal advice from you. The above scenario will fall under the private law because…
115. the case will involve the state and an individual.
116. the interests of the whole community are involved.
117. Mbali has committed a criminal offense against Thato.
118. **individual interests are protected under the private law.**
119. Read the scenario and answer the question that follows: A prominent member of parliament has been exposed for his involvement in corrupt activities where taxpayers’ money was allegedly used to conduct extensive improvements to his private, residential townhouse in Sandton. You are part of an activist organisation who provides legal advice to its members. The members as a collective would like to take the Minister the Court. The scenario above describes a:
120. Private law matter
121. **Public law matter**
122. International law dispute
123. Law of procedure dispute