



INTERNATIONAL LAW
JOURNAL

**WHITE BLACK
LEGAL LAW
JOURNAL
ISSN: 2581-
8503**

Peer - Reviewed & Refereed Journal

The Law Journal strives to provide a platform for discussion of International as well as National Developments in the Field of Law.

WWW.WHITEBLACKLEGAL.CO.IN

DISCLAIMER

No part of this publication may be reproduced, stored, transmitted, translated, or distributed in any form or by any means—whether electronic, mechanical, photocopying, recording, scanning, or otherwise—without the prior written permission of the Editor-in-Chief of *White Black Legal – The Law Journal*.

All copyrights in the articles published in this journal vest with *White Black Legal – The Law Journal*, unless otherwise expressly stated. Authors are solely responsible for the originality, authenticity, accuracy, and legality of the content submitted and published.

The views, opinions, interpretations, and conclusions expressed in the articles are exclusively those of the respective authors. They do not represent or reflect the views of the Editorial Board, Editors, Reviewers, Advisors, Publisher, or Management of *White Black Legal*.

While reasonable efforts are made to ensure academic quality and accuracy through editorial and peer-review processes, *White Black Legal* makes no representations or warranties, express or implied, regarding the completeness, accuracy, reliability, or suitability of the content published. The journal shall not be liable for any errors, omissions, inaccuracies, or consequences arising from the use, interpretation, or reliance upon the information contained in this publication.

The content published in this journal is intended solely for academic and informational purposes and shall not be construed as legal advice, professional advice, or legal opinion. *White Black Legal* expressly disclaims all liability for any loss, damage, claim, or legal consequence arising directly or indirectly from the use of any material published herein.

ABOUT WHITE BLACK LEGAL

White Black Legal – The Law Journal is an open-access, peer-reviewed, and refereed legal journal established to provide a scholarly platform for the examination and discussion of contemporary legal issues. The journal is dedicated to encouraging rigorous legal research, critical analysis, and informed academic discourse across diverse fields of law.

The journal invites contributions from law students, researchers, academicians, legal practitioners, and policy scholars. By facilitating engagement between emerging scholars and experienced legal professionals, *White Black Legal* seeks to bridge theoretical legal research with practical, institutional, and societal perspectives.

In a rapidly evolving social, economic, and technological environment, the journal endeavours to examine the changing role of law and its impact on governance, justice systems, and society. *White Black Legal* remains committed to academic integrity, ethical research practices, and the dissemination of accessible legal scholarship to a global readership.

AIM & SCOPE

The aim of *White Black Legal – The Law Journal* is to promote excellence in legal research and to provide a credible academic forum for the analysis, discussion, and advancement of contemporary legal issues. The journal encourages original, analytical, and well-researched contributions that add substantive value to legal scholarship.

The journal publishes scholarly works examining doctrinal, theoretical, empirical, and interdisciplinary perspectives of law. Submissions are welcomed from academicians, legal professionals, researchers, scholars, and students who demonstrate intellectual rigour, analytical clarity, and relevance to current legal and policy developments.

The scope of the journal includes, but is not limited to:

- Constitutional and Administrative Law
- Criminal Law and Criminal Justice
- Corporate, Commercial, and Business Laws
- Intellectual Property and Technology Law
- International Law and Human Rights
- Environmental and Sustainable Development Law
- Cyber Law, Artificial Intelligence, and Emerging Technologies
- Family Law, Labour Law, and Social Justice Studies

The journal accepts original research articles, case comments, legislative and policy analyses, book reviews, and interdisciplinary studies addressing legal issues at national and international levels. All submissions are subject to a rigorous double-blind peer-review process to ensure academic quality, originality, and relevance.

Through its publications, *White Black Legal – The Law Journal* seeks to foster critical legal thinking and contribute to the development of law as an instrument of justice, governance, and social progress, while expressly disclaiming responsibility for the application or misuse of published content.

THE CORE PILLARS OF MOOTING

AUTHORED BY - MS. HARBANS JASSI¹

Abstract:

Mooting stands as an architecture of advocacy. It is simultaneous court proceedings and an effort to bridge the gap between bookish knowledge to a courtroom reality. This research paper explores the core pillars of mooting which are essential for advocacy. For a successful mooting performance, all these elements i.e. research, writing memorials, preparing arguments, presenting oral arguments before the bench, rebuttal- sur rebuttal and the last impression. These all are the necessary elements which need to be fulfilled for a successful mooting. It transforms a student to an active legal practitioner.

KEYWORDS: Mooting, legal art, submissions, mock trial, advocacy, arguments

I. INTRODUCTION:

Mooting is the pillar of the legal advocacy. It is basically the skill that makes a student's transformative shift into an advocate. Though, mooting is a mock trial of judicial proceedings where students argue on judicial or constitutional points before a judicial bench so appointed. Unlike original judicial trial, the moot trial basically focuses on the application of the law in a right way and tricks of witness testimonials. Mooting helps the student to learn all the advocacy tricks before stepping into the courtroom.

II. Writing Memorial:

The memorial is the backbone of any moot case. Before submitting oral arguments, team must submit written submissions. The written briefs must include in its ambit the arguments to be laid before the judge. It includes:

Title Page: It includes the title of the memorial, which includes the name of the plaintiff and the respondent and name of the court before whom the case is presented.

Table of Authorities: It includes the list of authorities cited, case laws listed in the memorial.

¹ Moot In charge, Baba Farid Law College, Faridkot

Statement of Jurisdiction: It includes the legal basis for the court to hear the case. It states the jurisdictional power the court has to try the case.

Statement of Facts: It gives the summary of the case by highlighting the major events taken place in a sequential manner.

Issues Raised: It lists the number of issues raised by the plaintiff or the respondent. It includes the specific questions that court needs to answer.

Summary of Arguments: It is the detailed explanations and contentions of the plaintiff or respondent in regards to the issue raised. It is basically of 1-2 pages.

Arguments Advanced: It is the detailed contentions of the plaintiff or respondent. It includes the case cited. It is basically of 3-4 pages.

Prayer: It is basically the relief sought by the plaintiff or respondent from the court.

The memorial written must be easily readable. The headings must be transparent and logical. The memorial must adhere to any citation rule (Bluebook or OSCOLA).

III. Formation of an Argument:

Arguments are the constructive stage of the moot. It is basically the narration of the case in a way that changes the fate of the case. Before entering into the courtroom, legal issues are identified. These legal issues are the core questions by one party to another party to assess the facts of the case.

Arguments must be selected wisely as it will determine the consequences of the case. From the memorial, certain issues must be selectively taken. It may be procedural or substantive in nature. The issues so framed must be in question format. It must start from the word “Whether”. The first argument is always procedural in nature questioning the jurisdiction of the court. The other issues so framed may be subsequent asking about the compensation or the guilt of the party.

The party must always prepare alternative argument for facing backlash in case the primary argument fails. One must always think far beyond to gain victory in the case.

IV. Oral Presentation:

Another round is the oral presentation of the arguments so raised by the party against another. It is the showcasing of research skills to the bench. It is face to face conversation of the party to the bench to inculcate the real facts and presenting the speaking skills. It includes:

Clear and polite voice: The oral round must be clear, precise and polite so that whoever is listening finds it soothing and tolerable. It is often the assumption that the voice must be loud for grabbing a victory, instead it must be clear. Volume doesn't affect your case's destiny. But it must be audible to another party.

Maintaining Decorum: While showcasing the speaking skills, one needs to follow the courtroom decorum. He/ she needs to address the bench formally with the words such as "My Lords" or "Your Honor". There must be respectful address to the bench even you are falling back in your case.

Eye Contact: During oral submissions, the prime factor is the eye contact. The appearing counsel must keep eye contact with the bench. The counsel must not read everything from their notes, it takes an impression that you are merely reading, so one must learn the submission thoroughly. This not only leads to the good impression instead bench will remain engaged with your matter.

Body Language: Another important aspect is the body language. It is the key factor in adjudging your personality. During the presentation, the counsel must stand with a feet should width apart. Don't stand in a style showcasing your dress. Don't ever lean on the podium with whole your weight onto it. Always show kindness towards the other party; never ever show arrogance even things don't go according to your plans. The counsel should use proper gestures to convey confidence to the bench.

Judicial Intervention: It often happen that during your submissions, the bench may intervene into and ask you questions, so you should immediately stop at once the question has been raise. Silence is the most respectful way of showing your decency. Don't try to complete your

sentence. Just listen to the query of the bench patiently. If you have the appropriate reply go for it, but in case you don't know the answer or you want some time to frame, just take 2 minutes to ponder, and patiently reply the question asked.

Always take the question round as an opportunity to showcase your research skills not as an obstacle.

V. Rebuttal / Sur rebuttal:

This is the most important phase of the moot competition. During this phase, both the parties point out the loopholes of the other to win the case. It is actually the mind game of the whole moot where intellect and research skills are showed up by the parties.

Rebuttal: It is the done by the appellant side to point out the flaws in the respondent's arguments. They tried their best to show that there is misinterpretation of fact or a law; some necessary facts were ignored by the bench, irrelevant precedents presented by the respondent. During this clash, no new point can be introduced by any party. In this the focus of the appellant side must be to find the errors of the respondent. The errors may be factual or logical errors. The appellant tries its best to cut sword the respondent by presenting their last words.

Sur- rebuttal: It is the defense by the respondent towards the sword of the appellant. It is the only opportunity to the respondent to extinguish the fire initiated by the appellant. The respondent side must put forth their stance precisely and patiently so to repair the dismantle points. The party must not repeat the point instead give a clear vision to the court that how their facts or the cited precedent is relevant to the case.

The final and closing word by the respondent decides the fate of the case.

VI. Relief:

It is the last pillar of the moot yet the important one where the request is laid before the court to grant an appropriate relief. It is the formal script that must be delivered with gravity. It is the only part in the whole moot that can be read over from the notes as there must not be any error while delivering it. It is the standard and traditional phrasing as follows:

"Wherefore, in light of the facts stated, issues raised, and authorities cited, may this Honorable Court be pleased to:

1. Allow the appeal and set aside the judgment of the High Court;
2. Hold that the Appellant is not liable for breach of contract;

And pass any other order that this Court may deem fit in the interests of Justice, Equity, and Good Conscience."

It must be stated solemnly so that court may grant a relief so sought by the party. It is merely 30 seconds process.

VII. Last Impression:

After delivering the traditional script, you can't just go and take your place. Instead the last impression is as much as important as of the first one. This pillar differentiates the counsel from being a "student" to a "professional advocate".

After finishing the prayer, just look before the bench to acknowledge whether they have any questions, if they have then you have to answer them patiently. In case there are no questions, then concludes the submissions by addressing "Much Obligated My Lords". Then bow slightly before the bench and then take your seat. These courtroom etiquettes add up your personality.

Conclusion:

To conclude, knowledge of all these pillars are important for cultivating the lawyer's ability into a student's mind. Mooting is a mock trial, where one learns to frame arguments, submit contentions, oral rounds and to anticipate the opposition's next move. The architecture of moot is incomplete even without any of above pillars listed. If a person has good speaking skills but fails to address the written contentions precisely then the whole base of the moot can be dismantled. A student needs to master all these skills to wear the black coat in the court of law.