



The University of New Mexico

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Exam No.

**500-001 Comparative & Historical Legal Perspectives
Fall Semester 2004**

**UNM School of Law
Final Examination
Two Credits**

**Professor Fritz
Friday, December 10, 2004
1:30 – 3:30 p.m. (2 hours)**

Examination Format

1. **Laptop** computer users: Start the Securexam program entering your examination number, course name, professor's name, & date of examination. Click "proceed" to enter the program. Type START in the next window that is displayed but do NOT press the enter key until the proctor says to begin the exam.
2. **Bluebooks** for writing: write on every-other line and only on the front page of each sheet. On the front of bluebook record the class name, professor's name, & date of exam. Make sure to number each bluebook in order. DO NOT WRITE YOUR NAME ON BLUEBOOK.

Go to the exam check-in table at the conclusion of the exam & fill out an examination receipt.

Professor's Instructions

This is a **LIMITED OPEN BOOK EXAMINATION**. You may use the course materials, handouts distributed during the course, or any notes or outlines that you have participated in creating.

2. There are three questions to this exam. **Important Tip: Please answer the questions posed in the Exam and *not the focusing questions* to which you think they might refer.**
3. All three questions are equally weighted, so you should allocate approximately forty (40) minutes for each question.

Good luck and have a Happy Holiday season!

Question One (40 minutes)

- 1. How did “equity” emerge in the common law tradition, became institutionalized, and what role does it continue to play in the common law today?**

Question Two (40 minutes)

- 2. The role of a lawyer and “law” obviously varies with the cultural context. For example, in the article by Robert Yazzie, we learn that the Navajo word for lawyer, ‘agha ‘diit ‘aahii, can be translated as “one who takes away with words.” Both in the Navajo and other “non-western” traditions the role of the lawyer rests on how those traditions view “law.” How does the attitude towards “law” differ among the Navajo and other cultural traditions on the one hand and the common law and civil law traditions on the other hand?**

Question Three (40 minutes)

- 3. It has been said that, jurisprudentially speaking, we in America are living in a “post-realist” era. How and why did legal realism emerge and what, in your view, are its relevant insights today?**

End of Exam