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500 Comparative & Historical Legal Perspective

Semester I, 2003

UNM School of Law
Final Examination
Two Credits

Professor Fritz
Friday, December 12, 2003
1:30 p.m. to 3:30 p.m.

Instructions

- 1 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 two parts to the exam. Part One consists of two focusing-like questions and Part Two consists of one broader essay question. **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.
- 4 On each blue book, write the subject, professor's name, and your exam number. **DO NOT WRITE YOUR NAME ON THE BLUE BOOKS.**
5. For students typing their exams: Type or write the information that would appear on the front of the blue book at the top of the first page of your answer. Put your exam number on each typed page.

Good luck and have a Happy Holiday season!

A footnote to our discussion of Charles Darwin]

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Part One (80 minutes: 40 minutes for each question)

- 1. It has been said that how societies and communities approach the resolution of conflict provides a window into the values they embrace.**

Identify what seems important to the Japanese, the Navajo, and modern American society in how disputes are approached, and then, identify the apparent benefits and limitations of the various approaches.

- 2. Judges play a significantly different role in the Civil Law tradition than in the Common Law tradition.**

How would you describe those respective roles and to what extent do those roles reflect the history and experience of each tradition?

Part Two (40 minutes)

- 3. The ancient writ system has long been relegated to legal history. Only a few legal historians seem to care about the origins and nature of the writ system.**

Still, inquiring minds (if not “flying fish”) might be curious about the legacy of the writ system. Indeed, despite an initial assumption of the irrelevance of this subject to the study and practice of law in the common law, it turns out that there are significant “pay-offs” in understanding the legacy of the system of writs.

Assume you are such an individual: What could you tell next year’s incoming UNM law students on their first day of class about how the legal system they’ll be studying has been shaped and influenced by the writ system?

End of Exam