

Exam No. \_\_\_\_\_

**LAW AND SOCIAL SCIENCE: A COMPARATIVE PERSPECTIVE**

**2010 Summer Institute of International and Comparative Law  
Cornell Law School & the Université Paris I Panthéon-Sorbonne**

**Final Examination**

**July 17, 2010**

**Professor Hans**

**INSTRUCTIONS**

1. This is an OPEN BOOK examination. You MAY NOT use any electronic device (including but not limited to a computer, tape recorder, blackberry or other cell phone). However, you MAY USE the course reading materials, your notes, or other relevant written, typed, or printed materials that you personally bring with you to the exam.
2. There is 1 question, with 2 parts. Each part is worth 50 points. You must answer all parts of the question. Please budget your time.
3. Answer all parts of the question clearly and concisely. It is MOST IMPORTANT that you support your claims and arguments with specific references to course readings and class presentations and discussions. Your essays should show that you have a very good command of the issues and materials that we discussed in our classes.
4. Good luck!

Question 1 (100 points total for the question, evenly divided between Part 1 and Part 2)

Congratulations! You have been hired as a consultant for a new international court that will hear disputes over women's rights. The cases will often include testimony from social scientists about these international disputes. The organizers of the new court have asked for your help in recommending the court's decision makers, and in designing the system for the presentation of expert social science evidence to the court.

Part 1. (50 points total for Part 1). Recommendation for the selection of the decision makers for the court.

- (a) (10 points). First, you should recommend who would be the ideal decision makers for this court on international disputes over women's rights. Should it be a single professional judge or a jury? Would you advise using a multiple judge panel, or a mixed court of lay assessors and professional judges? And should these decision makers be picked from a single country, or from multiple countries? Is there any other characteristic of the decision makers you believe it is important to specify?
- (b) (40 points). Most important, **JUSTIFY AND SUPPORT YOUR CHOICE** by referring to the readings and class presentations and discussions about the strengths and limits of different types of legal decision makers.

Part 2. (50 points total for Part 2). Design a system for the presentation of expert social science testimony to the court.

- (a) (10 points). Recommend the best method for presenting social science evidence to the court, using the judges you have chosen in Part 1. For example would you recommend a common law adversarial approach, or a civil law inquisitorial approach, or a combination of these approaches? Or something else entirely?
- (b) (40 points). Most important, **JUSTIFY AND SUPPORT YOUR CHOICE** by referring to the readings and class presentations and discussions about the strengths and limits of different approaches to the presentation of expert testimony.