

Exam 3

Course Title: **Terminología Especializada en Documentos Jurídicos**
Course ID: **IT0732 (Marron, 25-2)**
Cohort ID: **7A**
Exam Date: **8-9 Apr 2025**

General Instructions: Print your name in the upper right-hand corner of this paper. Read each item carefully. Be sure that you understand exactly what is being asked of you. Begin your answers on the backside of this paper if possible and add extra sheets of paper as needed. Be sure to write your name on any and all extra sheets of paper. Staple all exam papers together when you are finished.

Do not look at other student's exams, however, you may reference your last homework assignment. If you have a question or a request during the exam, raise your hand and the instructor will call on you.. Do not leave your desk without permission. If you finish early, raise your hand and the instructor will call on you.

This is a closed book exam, however, you may reference your last homework assignment. Attempt to answer all questions, even if you are uncertain. Whenever possible, provide answers in bullet list format with complete content. Tasks will be evaluated by sub-tasks. Three (3) points are available for each sub-task: Accuracy (1 pt), Completeness (1 pt), and Sufficiency (1 pt). Points will be awarded in 0.1 increments. Answer in English unless requested to do so otherwise.

Task 1 (3 pts)

In his review of European law, Skinner suggests that Europe's dark legal past exists as sedimentary layers with fault lines running between the layers. The fault lines run all the way up to the present (see Skinner S. Fault Lines in the Rule of Law: Europe's Present and the Presence of its Past. *International Journal of Law in Context*. 2024;20(2):133-151).

a) What is Skinner's recommendation for dealing with Europe's dark legal past and moving democracy forward?

Task 2 (9 pts)

Kubal argues that authoritarianism in Poland helped strengthen the judiciary (see Kubal, A. Judicial relational legal consciousness: authoritarian backsliding as a catalyst of change. *Journal of Law and Society*. 2024; 51(Suppl. 1): S45–S65).

- a) Explain the concept of "backsliding" as it applies to Poland.
- b) Is there any relationship to the apparent smear campaign that existed in the state-owned media in Poland, which presented Polish judges as 'a privileged cast: corrupt, criminal and incompetent', and AMLO's characterization of the judiciary in Mexico? Do you recall the result of AMLO's constitutional reforms?
- c) Do you think the United States will undergo a period of backsliding under Trump?

Task 3 (6 pts)

Badol and Dewan argue that international courts are often biased with rulings that seek to maintain Western hegemony (see Badol H. A. R., Dewan R. "Governance of global peace and security through the international courts: Serving a holistic purpose or maintaining hegemony?". *International Journal of Law*, Volume 11, Issue 3, 2025, Pages 132-138).

a) Translate into Spanish:

This paper examines the role of the international courts in the governance of global peace and security, and whether they serve a holistic purpose or maintain hegemony. It argues that the international judicial system is not a neutral arbiter of justice, but rather a political instrument that reflects and reinforces the interests and values of the dominant powers. The paper analyzes the jurisdiction, composition, and decision-making processes of the main international courts, such as the International Court of Justice, the International Criminal Court, and the WTO. It also explores the challenges and limitations that these institutions face in addressing complex and multifaceted issues of peace and security. The paper concludes that although these international courts have made some positive contributions to the promotion of global peace and security, they also suffer from serious flaws and biases that undermine their legitimacy and effectiveness.

b) Summarize the Badol and Dewan's recommendations for improving the international courts.