

Second paper topics

Write a paper no longer than 1800 words, about 5-6 pages, on one of the topics below. Please turn your paper in by 5 pm on Friday, April 18. *This is different than the due date in the syllabus.* You may put a paper copy in my box in 208 Pearsons, upload it using Sakai, or send it by email. Also, please write down when your paper was submitted, especially if it is late. Thank you and good luck!

1. Both Justice Scalia and Ronald Dworkin claim to interpret the US Constitution according to its original meaning. Nonetheless, they disagree about many important cases. How does Scalia's method for interpreting the Constitution differ from Dworkin's, such that they reach different conclusions about what it means? Give what you regard as the strongest argument for each side. Explain your own opinion: do you agree with Scalia, Dworkin, or neither? Note: you may find it helpful to discuss an example of Constitutional interpretation on which they disagree. For instance, I found it helpful to talk about cruel and unusual punishment in class.
2. Socrates gives his reasons for refusing Crito's offer in an imagined speech by the laws. Give what you regard as Socrates' best argument for staying in prison. Crito does not put up much of a fight, but what could he have said against this argument? How might Socrates have replied? What do you think about this argument: does it support Socrates' conclusion or not?
3. What is civil disobedience? Be sure to compare and contrast it with other ways of breaking the law. Do those who favor practice civil disobedience have a consistent attitude towards the law? Be sure to consider why it seems that they do not or, conversely, why they think they do.
4. H.L.A. Hart has a choice theory of rights. Explain what that theory holds and why Hart believes it is true. Suppose someone said that the choice

theory must be mistaken because babies would not have rights if it were true. How might Hart respond? What do you think: are there good reasons for accepting the choice theory or not?

5. H.L.A. Hart tries to show that if there are any moral rights, then there is at least one natural right, the equal right of all people to be free. Explain how Hart tries to show that this is true. Give what you regard as a compelling objection to Hart's argument. How might Hart defend his argument? What do you think: has he shown that this natural right exists?
6. According to Joel Feinberg, there is an intimate relationship between having rights and self-respect. Explain his reasons for holding that. Then give what you regard as a compelling reason for rejecting it. How might Feinberg reply? What do you think: are rights really necessary for self-respect or not?