

First paper topics

Write a paper no longer than 1800 words, about 5-6 pages, on one of the following topics. Please turn your paper in to my box in Pearsons Hall *and* to the dropbox on Sakai by 4pm on Friday, March 7. Good luck!

1. Fuller presents a hypothetical case, the Speluncean Explorers, and five opinions from an imagined final court of appeals. The point of the imaginative exercise is to show how philosophies of law might matter to a real case. How would you resolve this case? Every possible resolution has some objections. Explain the ones that you regard as the most powerful. How do you answer them? You may defend one of the justice's opinions against what you regard as the most compelling objections raised by the other justices or you may offer a view entirely of your own making.
2. 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?

