

Oxbridge HON 251: Prompts for writing response #2 DeShaney v. Winnebago Co. (Wisconsin) DSS

Instructions:

1. Choose 2-4 prompts for your essay.

2. Format: 2 pages; 12-point type; double line-spaced

3. Deadline: Thursday, October 4 (in class)

4.

Here are your instructions:

In this hypothetical, the DeShaney decision has just been issued and, because it's 2012 and not 1989, opposition and disgust in reaction to the decision has gone viral. In your two-page response, write either a defense of Rehnquist's decision or of Harry Blackmun's brief dissent, using law as the basis for your defense. In your defense of the one you choose, you should attack/oppose/argue against the one you do not.

Keep in mind that as a member of the high Court, you are more interested in ensuring that the law is developing properly than whether or not justice has been served in the particular case before the Court. The individuals and particulars of any one case are never as important as the larger question or issue. You are more interested in "good" law, or the law's "goodness," and in what the law should do (and in what it should not).

Don't worry about your style of writing or the form here, though if it helps, use the general form of the newspaper op-ed piece, like the one linked off of the course webpage on the United Nations meeting on the rule of law (http://www.nytimes.com/2012/09/27/opinion/UN-general-assembly-on-the-rule-of-law.html). The emphasis here is on your thinking.