

FYS 525, Assignment #5: Rahimi

Arguably the biggest case before the United States Supreme Court is *United States v. Rahimi*, a gun rights case. For some background [ScotusBlog](#) has followed the case closely. This [article](#) discusses the case while [this one](#) describes the oral argument.

This is a short assignment. It asks you to answer a few background questions followed by a very brief writing assignment.

To start, read this [background article](#) from the University Virginia Law School.¹

1. Under the originalist approach, how would the Supreme Court decide whether the defendant has a right to bear arms?
2. Under the living document approach, how would the Supreme Court decide whether the defendant has a right to bear arms?
3. Which view is more consistent with the current U.S Supreme Court?

Now imagine that you are the attorney arguing the case. You may pick either side and the side you pick need not align with your personal views. Your grade is independent of the side you choose.

4. (Counts for 50% of the assignment). Present the question to the court. Your job is to frame it in a way that will maximize your side's chances of winning. The word count is a strict 75 words and longer questions will be completely discarded.

5. Explain the strategy behind #4. Why does your framing help your side's chances.

Bonus. Repeat #4-#5, but for the opposite side.

¹Lawrence B. Solum, Originalism Versus Living Constitutionalism: The Conceptual Structure of the Great Debate, 113 Northwestern University Law Review, 1243 (2019).