

Shaw v. Reno (1993)

Facts After the 1990 census, North Carolina qualified to have a 12th district and drew it in a distinct snake-like manner in order to create a Black majority district. 5 North Carolina residents challenged the constitutionality of the district arguing it was racial gerrymandering and violated the equal protection clause of the 14th Amendment.

Decision NC reapportionment plan was unconstitutional. The proposed district was so odd that there was no compelling explanation for its shape other than separating voters by race. Although district plans may take racial considerations into account, race cannot be the predominant factor in drawing districts.

Key Principle Equal Protection

Wisconsin v Yoder

Facts Three Amish families from Wisconsin took their kids out of school after 8th grade. This broke the compulsory education law because kids have to go to school until they are 16 years old. Yoder and other parents sued claiming that Wisconsin violated their free exercise of religion.

Wisconsin v Yoder (cont)

Decision By a unanimous decision, it was decided that school cannot override freedom of religion.

Key Principle 1A free exercise of religion

McDonald v Chicago 2010

Facts Had hunting guns but wanted a handgun because crime was bad in his neighborhood and he had been robbed five times. Hunting guns were ineffective for self defense, but handguns were. Due to Chicago gun laws he could not get one so he sued Chicago.

Ruling The supreme court sided with McDonald, and stated that the 14th amendment makes the second amendment applicable to the states.

Principal a2 right to bare arms is applicable to the States.

Baker v Carr

Facts The city population has grown a lot but the rural areas were very sparse. Baker sued Tennessee secretary of state for more equal representation.

Ruling The Supreme Court has jurisdiction over questions of legislative apportionment.

Principle 14th amendment equal protection clause.

Engel v. Vitale (1962)

Facts New York State Board of Regents authorized a short, voluntary prayer at the start of each school day. A group of organizations challenged the prayer claiming it violated the Establishment Clause.

Decision State cannot hold prayers in public schools, even if participation is not required.

Key Principle Establishment Clause of 1A

Tinker v Des Moines

Facts Students from the Tinker family wore arm bands to protest against the Vietnam War, but were suspended due to it being political. The parents sued and claimed that it was a violation of 1A freedom of Speech.

Decision The court agreed that it was a violation of 1A rights. They created substantial disruption tests for future decisions.

Key Principle 1A freedom of speech

Schenck vs United States

Facts During WW1, Schenck distributed leaflets claiming that the draft violates the third amendment, and he encourage people to refuse to the draft. This caused him to break the espionage Act of 1917. He believed his first amendment rights were violated.



Schenck vs United States (cont)

Decision Schenck's rights were not violated because the first amendment does not protect speech that leads to present danger. Unanimous vote

Principle 1a freedom of speech

Gideon v Wainwright

Facts In Florida, the only time they gave the defendant a lawyer was when they committed a capital offense. So he did not get a lawyer and was put into jail. So he appealed because his sixth amendment rights are violated (right to an attorney).

Ruling unanimous decision that Gideon should have had a lawyer

Principle a6 right to attorney.

US v Lopez

Facts Lopez brought a gun to school and was charged for his crime. Then the crime was charged federally. They challenged that because bringing a gun to school has nothing to do with the commerce clause.

Ruling Possession of a gun at school is in no sense an economic activity that affects interstate commerce. Federal Government had overstepped its bounds.

Principle Commerce clause, federalism.

Marbury v. Madison

Facts At the end of President John Adams' term, Marbury did not receive docs to finalize his commission as Justice of the Peace. President Thomas Jefferson's new administration refused to deliver the docs. Marbury sued Madison (the Sec of State) and asked the Supreme Court to issue a writ to force delivery.

Decision The Court found that Madison's refusal to deliver the commission was illegal, but did not force Madison to deliver docs. Instead, the Court held that the provision of the Judiciary Act of 1789 enabling Marbury to bring his claim to the Supreme Court was itself unconstitutional. **Marshall established the principle of judicial review - the power to declare a law unconstitutional.**

Key Judicial Review

Principle

New York Times v US

Facts NY Times published pentagon papers which exposed government lies regarding the Vietnam War. Nixon tried to bar further publication based on prior restraint.

Decision 6-3. Government could not use prior restraint because it was unconstitutional use of using it.

Principle 1a freedom of press

Brown v board of ed.

Facts Challenged separate but equal in schools.

Decision Separate but equal facilities are unequal.

Principal A14 equal protection clause

McCullough v Maryland

Facts US Government set up a national bank, which made the state of Maryland mad because Maryland banks now must compete against the national bank. So they put a big tax on the National bank. McCullough, the bank cashier, refused to pay the tax and was fined for 2500 dollars. He appealed

Ruling US can put the bank in Maryland, and states cannot tax national government.

Principle Necessary and proper clause, supremacy clause.

Citizens United v FEC

Facts Citizens United sued because a movie against Hillary Clinton could not be released due to Bipartisan Campaign Reform Act (BCRA). So they sued to change this.

Ruling It was unconstitutional because it violated the people's First amendment right. Applied bill of rights to a corporation

Principle 1a freedom of speech,

