

CONSTITUTIONAL LAW

LAW 540-1

FALL 2016

MARTIN LEVY

TABLE OF CONTENTS

The Professor	3
Course Books & Material	4
Course Description & Objective.....	5
Student Learning Outcomes.....	5
Grading	6
Accommodations	6
Participation, Attendance & Professionalism	6
Policies & Procedures.....	6
<u>8</u> Academic Calendar.....	7
Reading Assignments.....	8

THE PROFESSOR

NAME: Martin Levy

TELEPHONE: 713.313.7368

EMAIL: mlevy@profmlevy.com; mlevy@tmslaw.tsu.edu

LOCATION: 221-B

OFFICE HOURS: MWF: 12-1; 2-3
T:2-3
(All other times by appointment only)

NOTE FROM THE PROFESSOR:

Web Sites for course: www.profmlevy.com; West "Twen;"

COURSE BOOKS & MATERIAL

REQUIRED MATERIALS:

1. Levy, Jackson, *Constitutional Law, Cases and Materials, 2nd Edition*, ASPEN (2017) ISBN: 9781454839057*
2. Levy, Jackson, *2016 Supplement*, ASPEN (2016) This will be published and made available Online, by the start of class. You will be informed as to how to download and print it, please remember that it is copyright material. The Casebook should be updated wherever the Supplement so instructs.

*These materials will be available from the TSU Bookstore. This is a **brand new 2nd edition** of this book, replacing the previous edition . Please note, as per ASPEN: **This is a hardbound book with print ISBN 978-1-4548-3905-7. When students purchase the book, they also receive a free download of the book through a free software called Adobe Digital Editions. Digital access codes will be included in the book shrink wrap.**

SUGGESTED MATERIALS:

1. Tribe, *American Constitutional Law*, Foundation.
2. This subject matter abounds with numerous and specific articles detailing most every aspect of the field. From time to time I will be suggesting several articles in class for your individual exploration. Should you feel the need for further insight "let your mind do the walking" in the library, for this mental "exercise" will be quite rewarding.

COURSE DESCRIPTION, LEARNING OBJECTIVES & STUDENT LEARNING OUTCOMES

A study of the United States Constitution including judicial review, national power, state power, executive and congressional relations, substantive due process, procedural due process and equal protection..

This is the initial offering of this course with 2ND Edition of a Casebook I have published with ASPEN. Any publication of this kind is truly a work in progress. As with the West editions, this edition allows me to add text and background materials to support the cases presented in the 1st Edition. If the cases are the "heart" of the materials, I have hopefully added the "soul." I have also been able to update the materials with cases from the intervening Supreme Court terms. **This ASPEN edition is updated by a 2016 Supplement. These materials are available for download at my West Twen Site. You may print them and should automatically insert them into the Casebook wherever the Supplement so indicates.** This process allows updating without any additional student cost, so please remember that the materials are copyrighted.

A word of explanation concerning this effort and these materials is appropriate. I am committed to this work in order to unify classroom presentation with materials that reflect my approach to this subject matter. My in-class presentation and this book might be considered unique, for example, in commencing the course with a study in constitutional decision making before coverage of the conventional case law. These materials, including several significant law review articles, are detailed in the syllabus below as "Constitutional Interpretation: A Head Start." Though the book is and will be available to the market as a whole, my commitment to this endeavor is based upon my hope that the integration provided by such will be beneficial to my students. Let me thank you in advance for working with me on developing this casebook. I think you will find the coordination of materials and class discussion of significant benefit. Feel free to provide open and robust feedback in regard to your opinions of the materials and my design of the course. One luxury of having a casebook published by your Instructor is that the Table of Contents automatically becomes your syllabus, though I do repeat it below for your convenience.

The student should be advised that because of the voluminous materials and ever expanding nature of the field known as "Constitutional Law," inclusion of all materials that could be covered in the course is extremely difficult, if not impossible. Thus, the present four hour course will provide a broad survey offering that will prepare students for the numerous law school courses which benefit from a background in this subject matter, while also allowing the students additional time (three semesters) to take other necessary offerings in the area. (i.e., The "First Amendment") The student should consequently be put on notice that additional course offerings and/or private study may be necessary to attain a working knowledge in this area. The materials listed below have been selected with a goal of providing the student with the best possible background to achieve these objectives. Particular attention should be paid to further study in regard to the First Amendment and civil rights enforcement legislation. Coverage or deferral of the same in these areas speaks more to their importance, rather than appearances to the contrary. It underscores the need for further exploration in additional course offerings where time will permit adequate coverage.

As you might well assume by now, the course as presently structured will carry a substantial reading load for the student, and it is expected that this will be handled in a professional manner.

GRADING

There will be a comprehensive final examination. The instructor reserves the right to have a "mid-term" examination, with its relative weight to be announced at that time. Please note that the Instructor reserves the right to hold additional examinations as may be deemed necessary. Students will be notified of the value of these exams at said time.

ACCOMMODATIONS

Accommodation will be provided and administered as dictated by the Dean's office. If you require accommodation please provide approval and guidelines from the Dean's office.

PARTICIPATION, ATTENDANCE & PROFESSIONALISM

Because verbal articulation of ones' ideas is an essential commodity in the practice of law, class participation is encouraged. With such in mind both the quality and quantity of class participation will be evaluated and applied as an *added* value of up to **two (2)** points in determination of your final grade. Further to such, the Instructor may assign specific class sessions for students participation, which may be applied as up to 10% of the "Professor's" final grade.

ATTENDANCE: Will be applied as required for a 4 hour class via a sign-in roll sheet disseminated at the commencement of class.

POLICIES & PROCEDURES

All policies and procedures relative to this course are articulated in the Law School Student Rules. All such rules will be complied with by both students and the Instructor.

ACADEMIC CALENDAR 2016 – 2017

FALL SEMESTER 2016 (SEVENTY DAYS OF CLASSES)

Orientation Monday-Friday August 8-12, 2016

First Day of Class Monday August 15, 2016

Last Day to ADD/DROP Wednesday August 17, 2016

Labor Day (NO CLASSES) Monday September 5, 2016

Purge of all unpaid course selections Thursday September 15, 2016

Mid Term Examinations Mon – Fri October 10-14, 2016

VETERANS DAY (NO CLASSES) Friday NOVEMBER 11, 2016

Last Day of Classes Tuesday November 22, 2016

Last Day to Drop a Class Tuesday November 22, 2016

First Year Professors' Grades due Tuesday November 22, 2016

Reading Period (NO CLASS) Wednesday November 23, 2016

Thanksgiving Holiday Thurs – Fri November 24-25, 2016

Reading Period Sat-Sun November 26-27, 2016

Final Examinations Mon –Fri November 28-Dec. 9, 2016

Commencement Saturday December 10, 2016

SPRING SEMESTER 2017 (SEVENTY DAYS OF CLASSES)

School Opens Monday January 2, 2017

First Day of Class Monday January 9, 2017

Last Day to ADD/DROP Wednesday January 11, 2017

M L K Holiday (No Classes) Monday January 16, 2017

Purge of all unpaid course selections Wednesday February 8, 2017

President's Day Holiday (No Classes) Monday February 20, 2017

Mid Term Examinations Mon – Fri March 6– 10, 2017

Spring Break Mon – Fri March 13 – 17, 2017

Good Friday (No Classes) Friday April 14, 2017

Last Day of Classes Wednesday April 26, 2017

Last Day to Drop a Class Wednesday April 26, 2017

First Year Professors' Grades due Wednesday April 26, 2017

Reading Period (No Classes) Thur. – Sun April 27 - 30, 2017

Final Examinations Mon- Fri May 1 – May 12, 2017

Hooding Ceremony Friday May 12, 2017

Commencement Saturday May 13, 2017

Please note that the calendar events and /or dates are subject to change.

READING ASSIGNMENTS

GOVERNMENTAL POWERS

Chapter 1. The Supreme Court and Judicial Review	3
I. Development of Judicial Review.....	4
A. Origins.....	4
<i>Marbury v. Madison</i>	4
<i>Cooper v. Aaron</i>	13
<i>Bush v. Gore</i>	14
Cass Sunstein, <i>Order Without Law</i>	25
Pamela S. Karlan, <i>Unduly Partial: The Supreme Court and the Fourteenth Amendment in Bush v. Gore</i>	26
John C. Yoo, <i>In Defense of the Court's Legitimacy</i>	26
Michael J. Klarman, <i>Bush v. Gore Through the Lens of Constitutional History</i>	27
Mark Tushnet, <i>Renormalizing Bush v. Gore: An Anticipatory Intellectual History</i>	28
B. Contemporary Use of the Judicial Power.....	29
<i>The Federalist</i> No. 78 (Alexander Hamilton).....	30
C. Constitutional Interpretation: "When and How".....	35
1. Head Start — Contraception/Reproduction: A Case Study.....	35
<i>Tileston v. Ullman</i>	36
<i>Poe v. Ullman</i>	37
<i>Griswold v. Connecticut</i>	42
<i>Roe v. Wade</i>	50
<i>Planned Parenthood of Southeastern Pennsylvania v. Casey</i>	56
D. Supremacy and State Courts.....	79
<i>Martin v. Hunter's Lessee</i>	79
1. Review of State Courts "In-Action": Independent/Adequate Grounds.....	83
<i>Michigan v. Long</i>	84
II. Jurisdictional Limitations on the Scope of the Judicial Power.....	88
A. Congressional/Statutory.....	88
1. Supreme Court/Appellate Jurisdiction.....	88
<i>Ex parte McCordle</i>	88
2. Lower Federal Courts.....	94
B. Article III "Case and Controversy" — Constitutional and Discretionary Abstention.....	95
1. The Constitutional Requirements.....	95
2. Advisory Opinions: Adversity, Mootness, and Collusion.....	95
<i>Muskrat v. United States</i>	96
<i>DeFunis v. Odegaard</i>	98
<i>Roe v. Wade</i>	103
3. "Measuring" Controversy/Adversity.....	103
4. Standing/Personalized Harm.....	104
a. Ripeness/Concreteness.....	104
<i>Nashville, Cincinnati & St. Louis Railway v. Wallace</i>	105
5. Measuring Adversity: Judicial Restraint and the Discretionary Use of the Judicial Power — Limiting Judicial Activism.....	106
6. Standing: Citizen and Taxpayer Suits.....	107

<i>Massachusetts v. Mellon</i>	108
<i>Flast v. Cohen</i>	111
<i>United States v. Richardson</i>	116
<i>Valley Forge Christian College v. Americans United for</i> <i>Separation of Church and State</i>	121
7. “In-House Rules” and Contemporary Judicial Self-Governance.....	125
<i>Warth v. Seldin</i>	126
<i>Valley Forge Christian College v. Americans United for the</i> <i>Separation of Church and State</i>	135
<i>DaimlerChrysler Corp. v. Cuno</i>	140
<i>Hein v. Freedom from Religion Foundation, Inc.</i>	142
<i>Arizona Christian School Tuition Organization v. Winn</i>	151
<i>Clapper v. Amnesty International et al.</i>	156
<i>Arizona State Legislature v. Arizona Independent Redistricting</i> <i>Commission et al.</i>	165
<i>Alabama Legislative Black Caucus et al. v. Alabama et al.</i>	166
<i>United States v. Windsor</i>	168
<i>Hollingsworth v. Perry</i>	179
<i>Susan B. Anthony List v. Driehaus</i>	185
8. Standing and Federalism: Prudence and Enforcing the Tenth Amendment.....	188
9. Article III Minimums: How Minimum Is Minimum? or “How Low Can You Go”?.....	189
<i>Allen v. Wright</i>	189
10. Article III Minimums: Can Congress “Create” Standing?.....	194
<i>Lujan v. Defenders of Wildlife</i>	194
<i>Massachusetts v. Environmental Protection Agency</i>	202
11. Article III Minimums: “Injury in Fact” and “Causal Connection”.....	206
<i>Summers v. Earth Island Institute</i>	206
C. Discretionary Abstention/The Power to Decline Jurisdiction.....	206
1. Avoiding Constitutional Questions.....	206
<i>Cohens v. Virginia</i>	207
<i>Ashwander v. Tennessee Valley Authority</i>	208
2. Political Questions.....	210
<i>Collegrove v. Green</i>	210
<i>Baker v. Carr</i>	212
<i>Powell v. McCormack</i>	216
<i>Nixon v. United States</i>	220
<i>Goldwater v. Carter</i>	222
D. Supreme Court Practice.....	226
Chapter 2. Congress and Federal Authority.....	229
I. Authority to Legislate: National Powers in Federal Union.....	229
A. A Lesson in Nation Building.....	232
<i>McCulloch v. Maryland</i>	232
B. Other Aspects of Federal Power.....	245
C. The Modern Anti-federalist Revival.....	249
<i>U.S. Term Limits, Inc. v. Thornton</i>	250
II. Commerce Power.....	258
A. The Court at the Threshold: “Fulton’s Folly”.....	259
<i>Gibbons v. Ogden</i>	259

B. The Indirect-Direct Test: Laissez-Faire and Limitation of National Power	261
<i>United States v. Knight</i>	261
<i>Houston, E. & W. Ry. Co. v. United States (The Shreveport Rate Case)</i>	263
<i>Swift & Co. v. United States</i>	264
<i>Hammer v. Dagenhart</i>	265
1. No “New Deal”	270
<i>Schechter Poultry Corp. v. United States</i>	270
<i>Carter v. Carter Coal Co.</i>	275
2. “Court Packing”	277
C. Substantial Effect: Expansion of Federal Authority: 1937-1995 — “A Switch in Time to Save the Nine”	279
<i>NLRB v. Jones & Laughlin Steel Corp.</i>	279
<i>United States v. Darby</i>	283
<i>Wickard v. Filburn</i>	286
D. The Use of the Expanded Commerce Power as a Regulatory Tool for Federal Authority— Early Precedents	289
<i>Champion v. Ames (The Lottery Case)</i>	290
<i>Perez v. United States</i>	292
E. Drawing on the Expansive Commerce Power to Protect Civil Rights	294
<i>Heart of Atlanta Motel v. United States</i>	296
<i>Katzenbach v. McClung</i>	299
F. Limits on the Commerce Power in the Modern Era	302
<i>United States v. Lopez</i>	302
<i>United States v. Morrison</i>	319
1. “Is Home Weed Home Feed?”	326
<i>Gonzales v. Raich</i>	326
2. The Affordable Health Care Act and the Commerce Clause	350
<i>National Federation of Independent Business v. Sebelius</i>	350
a. One Last Try: <i>King v. Burwell</i>	356
G. State Autonomy, Federalism, and the 10th and 11th Amendments: Modern Limits on the Commerce Power	357
1. Pre- <i>Garcia</i> “State Sovereignty and the 10th Amendment”	357
<i>National League of Cities v. Usery</i>	358
<i>Hodel v. Virginia Surface Mining Association</i>	358
<i>United Transportation Union v. Long Island Railroad</i>	359
<i>Federal Energy Regulatory Commission v. Mississippi</i>	359
<i>EEOC v. Wyoming</i>	359
<i>Garcia v. San Antonio Metropolitan Transit Authority</i>	360
<i>South Carolina v. Baker</i>	361
2. “Other Ways to Skin a Cat”	362
<i>New York v. United States</i>	362
<i>Printz v. United States</i>	372
<i>National Federation of Independent Business v. Sebelius</i>	387
H. The Rehnquist Court Fetish—“Dual Sovereignty,” the 11th Amendment: Limitation of Congressional Power	393
III. Other National Powers	398
A. The Taxing and Spending Powers	398
1. The Taxing Power	398
<i>Bailey v. Drexel Furniture Co. (Child Labor Tax Case)</i>	398

<i>United States v. Kahriger</i>	402
<i>National Federation of Independent Business v. Sebelius</i>	405
2. The Spending Power	407
<i>United States v. Butler</i>	408
<i>Steward Machine Co. v. Davis</i>	414
3. Conditional Spending.....	416
<i>South Dakota v. Dole</i>	417
<i>National Federation of Independent Business v. Sebelius</i>	423
B. The War and Treaty Powers	423
1. The War Power.....	423
<i>Woods v. Miller Co.</i>	423
2. The Treaty Power	424
<i>Missouri v. Holland</i>	425
<i>Medellin v. Texas</i>	426
IV. State Regulation and the National Economy:	
The Dormant Commerce Clause	427
A. Introduction.....	427
1. Comment: The American Common Market.....	429
B. The American Common Market as Seen in the Constitution and Supreme Court Decisions.....	431
1. Constitutional Provisions	431
2. Supreme Court Decisions.....	432
C. Development of the Dormant Commerce Clause.....	434
1. Early Cases.....	434
<i>Gibbons v. Ogden</i>	434
<i>Cooley v. Board of Wardens</i>	437
2. Race, Slavery, and the Dormant Commerce Clause.....	441
<i>Groves v. Slaughter</i>	442
D. The Modern Dormant Commerce Clause	447
<i>Di Santo v. Pennsylvania</i>	448
1. Category One: Discrimination	450
a. Facial Discrimination	451
b. Non-facial Discrimination.....	451
2. Category One (a) — Facial Discrimination	451
<i>City of Philadelphia v. New Jersey</i>	452
3. Compensatory Tax Schemes	457
<i>Comptroller of the Treasury of Md v. Wynne</i>	458
4. Restrictions on Both Out-of-State and Intrastate Activity	460
5. Discrimination That Does Not Offend the Dormant Commerce Clause... 460	
6. The New Public Function Exception.....	461
<i>C & A Carbone, Inc. v. Town of Clarkstown</i>	461
<i>United Haulers Association v. Oneida-Herkimer Solid Waste Management Authority</i>	464
7. Category One (b) — Discriminatory Purpose or Effect.....	469
<i>Baldwin v. G.A.F. Seelig, Inc.</i>	469
8. The Market Participant Exception.....	473
<i>South-Central Timber Development, Inc. v. Wunnicke</i>	473
<i>Department of Revenue of Kentucky v. Davis</i>	477
9. Nondiscriminatory, Yet Burdensome, State Legislation (Pike Balancing).....	479
<i>Southern Pacific Co. v. Arizona</i>	480

<i>McBurney v. Young</i>	487
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**Chapter 3. The President, Executive Authority,
and Separation of Power 489**

I. Presidential Power: Domestic Affairs	490
<i>Youngstown Sheet & Tube v. Sawyer (The Steel Seizure Case)</i>	491
<i>Dames & Moore v. Regan</i>	502
A. The “War on Terrorism”	509
<i>Hamdi v. Rumsfeld</i>	510
<i>Rumsfeld v. Padilla</i>	524
<i>Rasul v. Bush</i>	528
<i>Hamdan v. Rumsfeld</i>	534
<i>Boumediene v. Bush</i>	545
II. Presidential Power: Foreign Affairs	553
<i>United States v. Curtiss-Wright Corp.</i>	554
A. Executive Agreements	
<i>Menachem Binyamin Zivotofsky v. John Kerry</i>	558
B. Military Affairs: The President and Use of Armed Forces	664
III. Separation of Powers	565
A. Legislative Veto	574
<i>INS v. Chadha</i>	574
B. Impoundment	581
<i>Clinton v. City of New York</i>	581
C. Executive Officers	591
<i>Bowsher v. Synar</i>	591
<i>Morrison v. Olson</i>	598
<i>Free Enterprise Fund v. Public Company Accounting Oversight Board</i>	606
<i>NLRB v. Noel Canning</i>	608
D. Watergate and Executive Privilege	618
<i>United States v. Nixon</i>	619
<i>Clinton v. Jones</i>	623
<i>Cheney v. U.S. District Court</i>	632

PART II. INDIVIDUAL RIGHTS AND LIBERTIES

Chapter 4. Application of the Bill of Rights	637
I. Adoption of the Bill of Rights	637
A. The Failure to Include a Written Bill of Rights	637
II. The Bill of Rights and the States.....	642
<i>Barron v. Baltimore</i>	642
III. Slavery and the Constitution: The Ignoble Compromise	644
<i>Prigg v. Pennsylvania</i>	646
<i>Dred Scott v. Sanford</i>	657
IV. The Civil War and the Post-Civil War Amendments.....	661
A. The Amendments “Annotated”	662
1. Amendment XIII	662
2. Amendment XIV	663
3. Amendment XV	664
B. Reconstruction and a Return to Normalcy	665
1. “Radical” Reconstruction.....	665

2. "A Return to Normalcy"	666
C. A Supreme Court Trilogy	667
<i>Slaughter-House Cases</i>	667
<i>The Civil Rights Cases</i>	678
<i>Plessy v. Ferguson</i>	690
V. The Struggle for Incorporation	690
A. Life, Liberty, or Property, Without Due Process of Law	694
<i>Palko v. Connecticut</i>	694
<i>Adamson v. California</i>	695
<i>Duncan v. Louisiana</i>	701
<i>Williams v. Florida</i>	712
<i>Apodaca v. Oregon</i>	717
<i>Burch v. Louisiana</i>	718
VI. The State Action Limitation	728
A. Public Function	729
<i>Marsh v. Alabama</i>	729
<i>Evans v. Newton</i>	732
<i>Amalgamated Food Employees Union Local v. Logan Valley Plaza</i> ...	734
<i>Hudgens v. National Labor Relations Board</i>	737
<i>Jackson v. Metropolitan Edison Co.</i>	740
<i>Flagg Brothers v. Brooks</i>	742
1. "The White Primary Cases"	744
<i>Nixon v. Herdon</i>	744
<i>Nixon v. Condon</i>	744
<i>Grovey v. Townsend</i>	744
<i>Smith v. Allwright</i>	744
<i>Terry v. Adams</i>	745
B. State Involvement	746
<i>Shelley v. Kraemer</i>	746
<i>Pennsylvania v. Board of Directors of City Trusts of</i> <i>City of Philadelphia</i>	749
<i>Evans v. Abney</i>	750
<i>Burton v. Wilmington Parking Authority</i>	751
1. "State Encouragement"	755
<i>Reitman v. Mulkey</i>	755
<i>Moose Lodge v. Iris</i>	758
2. "Contemporary Standards"	762
<i>Jackson v. Metropolitan Edison Co.</i>	762
<i>Flagg Brothers v. Brooks</i>	765
<i>Lugar v. Edmondson</i>	768
<i>Edmonson v. Leesville Concrete Co.</i>	770
<i>Brentwood Academy v. Tennessee Secondary School</i> <i>Athletic Association</i>	773
Chapter 5. Constitutionally Protected Rights — Due Process	777
I. Substantive Due Process	777
A. Introduction	777
<i>Lochner v. New York</i>	778
1. Decline of Judicial Intervention	784
<i>Nebbia v. New York</i>	784
<i>United States v. Carolene Products Co.</i>	786
<i>Williamson v. Lee Optical</i>	788
B. The Contract and Takings Clauses	792
1. The Contract Clause	792

a. Nineteenth-Century Developments	793
<i>Fletcher v. Peck</i>	793
b. Twentieth-Century Developments	796
<i>Home Building & Loan Ass'n v. Blaisdell</i>	797
<i>Allied Structural Steel v. Spannaus</i>	807
2. The Takings Clause	811
a. Public Use	812
<i>Berman v. Parker</i>	812
<i>Kelo v. New London</i>	815
b. Regulatory Takings	825
<i>Pennsylvania Coal Co. v. Mahon</i>	825
<i>Keystone Bituminous Coal Ass'n v. De Benedictis</i>	831
<i>Koontz v. St. Johns River Water Management District</i>	838
C. Revival of Substantive Due Process	843
1. "Fundamental" Right to Privacy	843
<i>Griswold v. Connecticut</i>	843
2. Abortion	852
<i>Roe v. Wade</i>	852
3. The Nature of the Right	859
<i>Maher v. Roe</i>	859
<i>Harris v. McRae</i>	862
<i>Planned Parenthood of Southeastern Pennsylvania v. Casey</i>	864
<i>Stenberg v. Carhart</i>	886
<i>Gonzales v. Carhart</i>	891
<i>Whole Womens Health v. Hellerstadt 579 U.S. ____ (2016).....SUPP.</i>	
4. Extending Privacy Rights: Family, Marriage, Procreation, Child Bearing	896
<i>Moore v. City of East Cleveland</i>	896
<i>Zablocki v. Redhail</i>	899
<i>Michael H. v. Gerald D.</i>	901
<i>James Obergefell v. Richard Hodges, Director, Ohio Department of Health</i>	913
<i>McDonald v. City of Chicago</i>	930
5. Sexual Orientation	936
<i>Lawrence v. Texas</i>	936
6. Right to Die	948
<i>Cruzan v. Director, Missouri Department of Health</i>	948
<i>Washington v. Glucksberg</i>	955
<i>Vacco v. Quill</i>	967
II. "Procedural" Due Process	970
A. Procedural Due Process in Civil Procedure	973
1. Opportunity to be Heard	974
 Chapter 6. Constitutionally Protected Rights — Equal Protection.....	981
I. An Overview — The "Old" and the "New"	982
A. Something "Old"	982
B. Something "New"	982
C. The Newer Than New but Older Than Old Equal Protection	982
II. Discriminatory Classifications	984
A. Economic Regulations: The Rational Purpose Test	984
<i>Kotch v. Board of River Port Pilots</i>	984
<i>Railway Express Agency v. New York</i>	987
<i>Dandridge v. Williams</i>	990

B. “Proving Up Discrimination, Discriminatory Purpose”	992
<i>Yick Wo v. Hopkins</i>	993
<i>Washington v. Davis</i>	994
<i>Arlington Heights v. Metropolitan Housing Development Corp.</i>	1001
<i>Texas Department of Housing and Community Affairs et al. v.</i> <i>Inclusive Communities Project, Inc., et al.</i>	1004
1. Note on Disparate Impact	1010
<i>Personnel Administrator of Massachusetts v. Feeney</i>	1011
<i>Rogers v. Lodge</i>	1019
C. Race-Based Classifications	1026
1. Strict Scrutiny	1026
<i>Loving v. Virginia</i>	1027
2. Racial Segregation — Apartheid	1030
a. The Road to <i>Brown</i>	1030
<i>State of Missouri ex rel. Gaines v. Canada</i>	1030
<i>Sweatt v. Painter</i>	1032
<i>McLaurin v. Oklahoma State Regents for Higher Education</i>	1035
<i>Brown v. Board of Education (Brown I)</i>	1036
<i>Brown v. Board of Education (Brown II)</i>	1039
<i>Martin L. Levy, Separate But Equal Is Inherently Unequal</i>	1042
b. Implementation	1050
c. Contemporary Standards	1051
<i>Swann v. Charlotte-Mecklenburg Board of Education</i>	1051
d. “The North”	1055
<i>Keyes v. School District No. 1, Denver</i>	1055
<i>Columbus Board of Education v. Penick</i>	1058
<i>Pasadena City Board of Education v. Spangler</i>	1061
e. “Inter-District Relief”	1064
<i>Milliken v. Bradley (Milliken I)</i>	1064
f. “Recent Era”	1066
<i>Board of Education of Oklahoma City v. Dowell</i>	1066
<i>Missouri v. Jenkins</i>	1070
g. “Use of the Political Process to Repeal Remedies”	1076
<i>Hunter v. Erickson</i>	1076
<i>Washington v. Seattle School District No. 1</i>	1077
<i>Crawford v. Los Angeles Board of Education</i>	1082
h. Colleges and Universities	1084
<i>United States v. Fordice</i>	1084
3. Affirmative Action	1090
<i>Regents of the University of California v. Bakke</i>	1091
<i>City of Richmond v. Croson</i>	1115
<i>Adarand Constructors, Inc. v. Pena</i>	1131
<i>Ricci v. DeStefano</i>	1141
a. <i>Bakke</i> Revisited	1148
<i>Grutter v. Bollinger</i>	1149
<i>Gratz v. Bollinger</i>	1158
<i>Fisher v. University of Texas at Austin</i>	1162
<i>Fisher v. The University of Texas at Austin</i> 579 U.S. ____ (2016).SUPP.	
<i>Schuette v. Coalition to Defend Affirmative Action,</i> <i>Integration & Immigrant Rights & Fight for Equality by any</i> <i>Means Necessary (Bamn)</i>	1170
(i.) Racial Diversity In K-12 Public Education	1182
<i>Parents Involved in Community Schools v.</i>	

<i>Seattle School District</i>	1183
(ii.) "Disparate Impact," Title VII, and Employment Practices.....	1191
D. Gender-Based Classifications	1192
1. Heightened Review	1192
<i>Goesaert v. Cleary</i>	1192
<i>Craig v. Boren</i>	1194
<i>Mississippi University for Women v. Hogan</i>	1199
<i>J.E.B. v. Alabama</i>	1202
<i>United States v. Virginia</i>	1204
a. Are All Differences Between Men and Woman	
Archaic Generalizations?	1216
<i>Michael M. v. Sonoma County Superior Court</i>	1216
2. Affirmative Action	1220
<i>Rostker v. Goldberg</i>	1220
<i>Califano v. Webster</i>	1223
E. Alienage.....	1224
<i>Foley v. Connelie</i>	1225
<i>Bernal v. Fainter</i>	1226
1. "Federal Government"	1228
<i>Hampton v. Wong</i>	1228
<i>Mathews v. Diaz</i>	1229
F. Nonmarital Children	1229
<i>Clark v. Jeter</i>	1230
G. "Additional Classes"?	1232
1. Disabilities.....	1232
<i>City of Cleburne v. Cleburne Living Center</i>	1232
2. Age	1237
<i>Massachusetts Board of Retirement v. Murgia</i>	1237
3. Sexual Orientation.....	1239
<i>Romer v. Evans</i>	1239
a. Comments Concerning <i>Romer</i> and Sexual Orientation.....	1250
<i>United States v. Windsor</i>	1251
III. Discrimination in Denial of Fundamental Rights: Strict Scrutiny	1264
<i>San Antonio Independent School District v. Rodriguez</i>	1265
<i>Plyler v. Doe</i>	1275
A. Vote.....	1280
<i>Harper v. Virginia State Board of Elections</i>	1280
1. "Reapportionment".....	1281
<i>Reynolds v. Sims</i>	1281
a. Congressional Districts.....	1286
b. State Elective Districting.....	1286
c. Gerrymandering	1286
(i.) Political Gerrymandering	1287
<i>Davis v. Bandemer</i>	1288
<i>Vieth v. Jubilirer</i>	1299
<i>Shaw v. Reno</i>	1304
<i>Hunt v. Cromartie</i>	1317
<i>Alabama Legislative Black Caucus et al. v. Alabama et al.</i>	1327
<i>Arizona State Legislature v. Arizona Independent</i>	
<i>Redistricting Commission et al.</i>	1336
<i>Evenwel et al. v. Abbott, Governor of Texas</i>	1341
B. Access to Courts.....	1347
<i>M.L.B. v. S.L.J.</i>	1347
<i>Tennessee v. Lane</i>	1352

C. Interstate Travel.....	1352
<i>Shapiro v. Thompson</i>	1352
<i>Saenz v. Roe</i>	1356
D. The Second Amendment and “The Right to Bear Arms”	1361
<i>District of Columbia v. Heller</i>	1361
IV. Enforcement Legislation.....	1364
A. Post-Reconstruction Civil Rights Laws	1364
1. Enforcing the Civil War Amendments	1364
a. Criminal Provisions.....	1365
b. Civil Provisions.....	1365
B. Reach of the Enforcement Power	1366
1. The Right to Vote and the Fourteenth and Fifteenth Amendments.....	1366
<i>South Carolina v. Katzenbach</i>	1367
<i>Rome v. United States</i>	1370
<i>City of Boerne v. Flores, Archbishop of San Antonio</i>	1375
<i>United States v. Morrison</i>	1384
<i>Tennessee v. Lane</i>	1388
2. Congressional Protection of Voting Rights — The 2008-09 Term: “Winds of Change A-Shift”?.....	1396
<i>Northwest Austin Municipal Utility District Number One</i> <i>v. Holder</i>	1397
<i>Shelby County, Alabama v. Holder</i>	1401
The Constitution of the United States	1421
Table of Cases.....	1435
Index.....	1441

*Wherever an assignment is preceded by an (R), for READ ONLY, the student will be held responsible for only those items concerning said assignment that are discussed in class. The purpose of such is to facilitate and expedite material coverage.
