**AP United States Government and Politics**

Supreme Court Required Cases

**Case about Checks and Balances and Separation of Powers**

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| Case | Precedent and Constitutional Reasoning |
| Marbury v. Madison (1803) | Uses the Judicial Branch’s inherent power in Article III of the Constitution to establish judicial review as constitutional affirming checks and balances and separation of powers |

**Cases about Federalism**

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| Case | Precedent and Constitutional Reasoning |
| McCulloch v. Maryland (1819) | Used the supremacy clause from Article IV of the Constitution to affirm the supremacy of the federal government and the US Constitution over the states and state laws |
| United States v. Lopez (1995) | Congress may not use the commerce clause, Article I Section 8, to make possession of a gun in a school zone a federal crime |

**Cases about the Bill of Rights, balance between power of government and individual liberties**

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| Case | Precedent and Constitutional Reasoning |
| Engel v. Vitale (1962) | School sponsorship of religious activities violates the establishment clause in the 1st amendment |
| Wisconsin v. Yoder (1972) | Forcing Amish students to attend school past 8th grade violates the free exercise clause of the 1st amendment |
| Tinker v. Des Moines School District (1969) | Public school students retain 1st amendment freedom of speech/expression while on campus, as long as it doesn’t “disrupt the learning environment” |
| New York Times v. United States (1971) | Ensures freedom of press clause of the 1st amendment by limiting prior restraint except in most extreme cases of national security |
| Schenk v. US (1919) | Speech that is a “clear and present danger” is not protected speech under the freedom of speech clause in the 1st amendment |

**Cases about Selective Incorporation via the 14th amendment’s *due process clause* - limits states**

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| Case | Precedent and Constitutional Reasoning |
| Gitlow v. New York (1925) | The first case that used the selective incorporation doctrine, using the due process clause of the 14th amendment to extend the Bill of Rights protections to states |
| Gideon v. Wainwright (1963) | Used the 6th amendment to decide that those who cannot afford an attorney will be provided with one, incorporated to the states via the due process clause of the 14th amendment. |
| Roe v. Wade (1973) | Used the 4th amendments right to privacy to rule that the state could not prevent women from having abortions, incorporated to the states via the due process clause of the 14th amendment. |
| MacDonald v. Chicago (2010) | The 2nd amendment prevents states from limiting gun ownership for self-protection, incorporated to the states via the due process clause of the 14th amendment. |

**Cases about the 14th amendment’s *equal protection clause* supports equality of individuals**

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| Case | Precedent and Constitutional Reasoning |
| Brown v. Board of Education (1954) | School segregation violates the equal protection clause of the 14th amendment - overturned Plessy v. Ferguson’s separate but equal doctrine |

**Cases about campaigning, election rules, and redistricting**

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| Case | Precedent and Constitutional Reasoning |
| Baker v. Carr (1961) | Used the equal protection clause in the 14th amendment to apply to redistricting - established “one person one vote” doctrine |
| Shaw v. Reno (1993) | Used equal protection clause in the 14th amendment to prohibit states from racial gerrymandering |
| Buckley v. Valeo (1976) | Used the 1st amendment freedom of speech clause to rule that campaign donations were protected expression and cannot be limited by the government |
| Citizen United v. Federal Election Commission (2010) | Political spending by corporations and organizations is protected speech under the 1st amendment and cannot be limited by government |