

TABLE OF CONTENTS

INTRODUCTION	1
1. Freedom of Speech	3
The Smith Act (1940)	5
<i>Dennis et al. v. United States</i> (1951)	6
<i>Yates v. United States</i> (1957)	9
<i>Brandenburg v. Ohio</i> (1969)	13
<i>Tinker et al. v. Des Moines Independent Community School District et al.</i> (1969)	16
<i>Buckley et al. v. Valeo, Secretary of the United States Senate</i> (1976)	22
<i>First National Bank of Boston et al. v. Bellotti, Attorney General of Massachusetts</i> (1978)	28
<i>Texas v. Johnson</i> (1989)	31
<i>United States v. Shawn D. Eichman, David Gerald Blalock, and Scott W. Tyler</i> (1990)	37
<i>R.A.V. v. City of St. Paul</i> (1992)	40
2. Second Reconstruction	49
<i>Brown et al. v. Board of Education of Topeka et al.</i> (1954)	51
<i>Brown et al. v. Board of Education of Topeka et al.</i> (1955)	57
Senator Richard Russell of Georgia on Civil Rights (1957)	59
President Eisenhower Speaks on the Little Rock Crisis (1957)	64
Telegram to Senator Russell of Georgia Regarding the Use of Federal Troops at Little Rock (1957)	66
Civil Rights Act (1964)	67
Lyndon Johnson Reacts to Selma, March 15, 1965	77
Voting Rights Act of 1965	81
3. A National Bill of Rights	87
<i>Palko v. Connecticut</i> (1937)	89
<i>United States v. Carolene Products Co.</i> (1938)	92

<i>Adamson v. California</i> (1947)	93
<i>Mapp v. Ohio</i> (1961)	99
<i>Engel et al. v. Vitale et al.</i> (1962)	103
<i>Gideon v. Wainright</i> (1963)	108
<i>Griswold v. Connecticut</i> (1965)	110
<i>Miranda v. Arizona</i> (1966)	112
<i>Furman v. Georgia</i> (1972)	117
<i>Roe v. Wade</i> (1973)	126
 4. Presidential Power	 137
<i>Youngstown Sheet and Tube v. Sawyer</i> (1952)	139
The Gulf of Tonkin Resolution (1964)	149
The War Powers Act of 1973	151
<i>United States v. Nixon</i> (1974)	158
Articles of Impeachment against Richard Nixon (1974)	166
<i>William Jefferson Clinton v. Paula Corbin Jones</i> (1997)	172
Articles of Impeachment against William Jefferson Clinton (1998)	179
 5. Conservative Constitutionalism	 186
<i>Gregg v. Georgia</i> (1976)	188
<i>Regents of the University of California v. Bakke</i> (1978)	191
<i>Bowers v. Hardwick</i> (1986)	195
<i>McCleskey v. Kemp</i> , Superintendent, <i>Georgia Diagnostic and Classification Center</i> (1987)	196
Robert Bork on Original Intent (1987)	205
<i>DeShaney, a Minor, by his Guardian ad litem, et al. v.</i> <i>Winnebago County Department of Social Services,</i> <i>et al.</i> (1989)	207
<i>United States v. Alfonso Lopez, Jr.</i> (1995)	211
<i>Seminole Tribe of Florida v. Florida et al.</i> (1996)	215
<i>John H. Alden et al. v. Maine</i> (1999)	217
<i>George W. Bush and Richard Cheney, Petitioners v.</i> <i>Albert Gore, Jr., et al.</i> (2000)	218
An Act to Deter Terrorism and Provide for an Effective Death Penalty (1996)	224

Table of Contents

vii

Address to a Joint Session of Congress and the American People (2001)	228
Authorization for Use of Military Force against Iraq Resolution of 2002	232
APPENDIX	237
Constitution of the United States	237
GLOSSARY	263
INDEX	267