

Page	Chapter	Description	New	Expanded	Tweaked	Reduced	Deleted	Reorganized
1	1	How to Use This Book			X			
9	2	Intro to Con Law			X			
9	2.A	What is Constitutional Law?			X			
15	2.B	Why Study Constitutional Law?			X			
18	2.C	Methods of Constitutional Reasoning			X			
24	2.D	<i>Ingraham v. Wright</i>			X			
39		Intro to Part I			X			
45	3	Tour of US Constitution			X			
45	3.A	Political Background			X			
50	3.B	Constitutional Convention			X			
59	3.C	A Tour of the 1787 Constitution			X			
64	3.D	Ratification & Bill of Rights			X			
67	3.E	<i>Calder v. Bull</i>			X			
73	4	Judicial Review			X			
74	4.A	Counter-Majoritarian Difficulty			X			
77	4.B	<i>Marbury v. Madison</i>			X			
91	4.C	Judicial Review of State Court Decisions			X			
94	4.D	Justiciability			X			
99	5	Early State-Federal Relations			X			
100	5.A	<i>McCulloch v. Maryland</i>			X			
116	5.B	<i>Gibbons v. Ogden</i>			X			
129	5.C	<i>Barron v. Baltimore</i>			X			
133		Flash-Forward: Incorporation			X			
137	6	Slavery			X			
137	6.A	Law Under Slavery			X			
139	6.B	<i>Prigg v. Pennsylvania</i>			X			
148	6.C	Increasing Polarization			X			
149	6.D	<i>Dred Scott</i>		X				
164	6.E	Lincoln-Douglas Debates			X			
171	7	Reconstruction Amendments			X			
172	7.A	Reconstruction Enactments & Statutes			X			
177	7.B	Decisions Upholding Individual Rights Claims			X			X
177	7.B.1	<i>Strauder v. West Virginia</i>		X				X
183	7.B.2	<i>Yick Wo v. Hopkins</i>		X				X
187	7.C	Decisions Rejecting Individual Rights Claims			X			X
188	7.C.1	Demise of 14th Am Porl Clause				X		X
189	7.C.1.a	<i>The Slaughterhouse Cases</i>				X		X
190	7.C.1.b	<i>Bradwell v. Illinois</i>			X			X
190	7.C.1.c	<i>Minor v. Happersett</i>		X				X
191	7.C.1.d	<i>US v. Cruikshank</i>	X					X
193	7.C.2	<i>The Civil Rights Cases</i>			X			X
205	7.C.3	<i>Plessy v. Ferguson</i>			X			X
217	8	The Lochner Era			X			
218	8.A	Lochner-Era Commerce Clause			X			
220	8.A.1	<i>US v. E.C Knight Co.</i>				X		
223	8.A.2	<i>Hammer v. Dagenhart</i>			X			
230	8.B	Lochner-Era Taxing Power			X			
231	8.B.1	Pollock & Sixteenth Amendment			X			
231	8.B.2	<i>Bailey v. Drexel Furniture</i>			X			
235	8.C	Lochner-Era Due Process			X			
236	8.C.1	<i>Lochner v. NY</i>		X				
250	8.C.2	Other Due Process Rights			X			
250	8.C.2.a	<i>Buchanan v. Warley</i>		X				
251	8.C.2.b	<i>Meyer v. Nebraska</i>		X				
256	8.C.2.c	<i>Pierce v. Society of Sisters</i>		X				X
258	8.C.2.d	<i>Buck v. Bell</i>			X			
263	9	New Deal Revolution			X			
263	9.A	The New Deal Meets the Four Horsement			X			
264	9.A.1	<i>Schechter Poultry v. US</i>				X		
265	9.A.2	<i>Carter v. Carter Coal</i>		X				
267	9.A.3	Continuing Freedom of Contract			X			
268	9.B	Hints Before the Fall			X			
272	9.C	Revolution of 1937			X			
272	9.C.1	<i>West Coast Hotel v. Parrish</i>			X			
279	9.C.2.a	<i>NLRB v. Jones & Laughlin Steel</i>			X			
280	9.C.2.b	<i>US v. Darby</i>			X			
285	9.C.2.c	<i>Wickard v. Filburn</i>			X			

291	9.C.3	Taxation & Sonzinsky			X		
295	10	Levels of Scrutiny			X		
296	10.A	Rational Basis for Most Laws			X		
296	10.A.1	<i>US v. Carolene Products Co.</i>			X		
304	10.A.2	<i>Railway Express Agency v. New York</i>		X			X
307	10.B	Heightened Scrutiny Under Equal Protection			X		
307	10.B.1	<i>Skinner v. Oklahoma</i>			X		
313	10.B.2	Japanese Internment Cases			X		
314	10.B.2.a	<i>Hirabayashi and Yasui</i>			X		
316	10.B.2.b	<i>Korematsu v. US</i>			X		
325	10.C	Heightened Scrutiny for Enumerated Rights			X		
325	10.C.1	<i>Minersville School District v. Gobitis</i>			X		
327	10.C.2	<i>West Virginia State Board of Ed v. Barnette</i>			X		
337	11	Civil Rights Era & Warren Court			X		
338	11.A	Multifaceted Campaign for Equal Rights			X		
338	11.A.1	Mob Violence & Criminal Justice		X			
339	11.A.2	Residential Segregation			X		
341	11.B	Desegregation of Public Schools			X		
343	11.B.1	<i>Brown v. Board of Education</i>			X		
348	11.B.2	<i>Bolling v. Sharpe</i>			X		
351	11.B.3	Implementing Desegregation			X		
358	11.C	<i>Loving v. Virginia</i>			X		
364	11.D	Civil Rights Act of 1964			X		
365	11.D.1	<i>Heart of Atlanta Motel v. US</i>			X		
373	11.D.2	<i>Katzenbach v. McClung</i>		X			
379		Into to Part II			X		
387	12	Supremacy					
388	12.A	Preemption			X		
388	12.A.1	Kickstarter: Preemption		X			
394		<i>Chamber of Commerce v. Whiting</i>					X
395	12.A.2	<i>Arizona v. US</i>			X		
408	12.B	Dormant Commerce Clause Doctrine			X		
410	12.B.1	Kickstarter: Dormant Commerce Clause Doctrine		X			
413	12.B.2	<i>Philadelphia v. New Jersey</i>			X		
419	12.B.3	<i>Hunt v. WA State Apple Advertising Comm</i>			X		
425	12.B.3	<i>Camps Newfound/Owatonna v. City of Harrison</i>			X		
435	13	Federalism			X		X
436	13.A	Tenth Amendment	X				X
437	13.B	Commandeering			X		X
437	13.B.1	Kickstarter: Commandeering		X			X
438	13.B.2	<i>New York v. US</i>			X		X
440	13.B.3	<i>Printz v. US</i>			X		X
448	13.B.4	<i>Reno v. Condon</i>	X				X
452	13.C	Federalism As A Method of Legal Reasoning	X				X
457	14	Enumerated Powers			X		X
459	14.A	Taxing Clause			X		X
459	14.A.1	Kickstarter: Taxing Clause			X		X
464	14.A.2	<i>US v. Kahriger</i>	X				X
470	14.B	Spending Clause			X		X
471	14.B.1	Kickstarter: Spending Clause			X		X
474	14.B.2	<i>South Dakota v. Dole</i>			X		X
479	14.C	Commerce Clause			X		X
479	14.C.1	Kickstarter: Commerce Clause		X			X
482	14.C.2	Crime and Commerce			X		X
482	14.C.2.a	<i>US v. Lopez</i>			X		X
483	14.C.2.b	<i>US v. Morrison</i>			X		X
495	14.C.2.c	<i>Gonzales v. Raich</i>			X		X
496	14.D	Necessary & Proper Clause	X				X
498	14.D.1	Kickstarter: Necessary & Proper Clause	X				X
502	14.D.2	<i>US v. Comstock</i>	X				X
515	15.E	Civil Rights Enforcement Clauses			X		X
515	15.E.1	Kickstarter: Civil Rights Enforcement Clauses			X		X
517	15.E.2	<i>City of Boerne v. Flores</i>			X		X
531	15.E.3	<i>Shelby County v. Holder</i>			X		X
551	15	Separation of Powers					
553	15.A	Kickstarter: Separation of Powers					
556	15.B	Tension Between Judicial & Legislative		X			
557	15.C	Tension Between Legislative and Executive			X		

558	15.C.1	<i>Steel Seizure Case</i>			X			
574		<i>NLRB v. Noel Canning</i>					X	
575	15.C.2	<i>Zivotofsky v. Kerry</i>	X					
593	15.D	Tension Between Judicial & Executive						
594	15.D.1	President as Witness: <i>US v. Nixon</i>		X				
604	15.D.2	President as Defendant			X			
605	15.D.2.a	<i>Nixon v. Fitzgerald</i>			X			
612	15.D.2.b	<i>Clinton v. Jones</i>		X				
625	16	Master Class: Structural Limits			X			
625	16.A	Background on Affordable Care Act			X			
627	16.B	Litigation Against ACA			X			
627	16.B.1	Law & Politics in Fifth Circuit			X			
631	16.B.2	<i>NFIB v. Sebelius</i>			X			
665		Intro to Part III			X			
671	17	Equality Rights			X			
672	17.A	Kickstarter: Equal Protection			X			
681	17.B	Identifying Levels of Scrutiny in Court Opinions			X			
683	17.C	The Suspect Classifications Prong			X			X
683	17.C.1	Rational Basis Review			X			X
683	17.C.1.a	<i>New Orleans v. Duke</i>		X				X
687	17.C.1.b	<i>Dallas v. Stanglin</i>		X				X
690	17.C.1.c	<i>USDA v. Moreno</i>			X			X
695	17.C.2	Strict Scrutiny			X			X
696	17.C.2.a	Laws Imposing Disparate Treatment			X			X
696	17.C.2.a.1	<i>Palmore v. Sidoti</i>			X			X
699	17.C.2.a.2	<i>Johnson v. California</i>			X			X
706	17.C.2.b	Laws Imposing Disparate Impact			X			X
706	17.C.2.b.1	<i>Washington v. Davis</i>			X			X
717	17.C.2.b.2	Proving Discriminatory Purpose			X			X
717	17.C.2.b.2.a	<i>Village of Arlington Heights v. MHDC</i>			X			X
719	17.C.2.b.2.b	<i>Personnel Administrator v. Feeney</i>			X			X
720	17.C.2.b.2.c	Mixed Legislative Motives	X					X
721	17.C.2.b.2.d	Cases Finding Discriminatory Purpose			X			X
722	17.C.2.b.3	<i>Palmer v. Thompson</i>			X			X
723	17.C.3	Intermediate Scrutiny			X			X
724	17.C.3.a	The Path to Intermediate Scrutiny			X			X
724	17.C.3.a.1	<i>Hoyt v. Florida</i>			X			X
726	17.C.3.a.2	<i>Reed v. Reed</i>			X			X
729	17.C.3.a.3	The Equal Rights Amendment			X			X
729	17.C.3.a.4	<i>Frontiero v. Richardson</i>			X			X
731	17.C.3.a.5	<i>Craig v. Boren</i>			X			X
737	17.C.3.a.6	Intermediate Scrutiny for Birth Outside Marriage			X			X
738	17.C.3.b	Intermediate Scrutiny in Action			X			X
738	17.C.3.b.1	<i>US v. Virginia (VMI)</i>			X			X
749	17.C.3.b.2	<i>Geduldig v. Aiello</i>			X			X
755	17.C.3.b.3	Sex and Citizenship	X					X
757	17.C.3.b.3.a	<i>Nguyen v. INS</i>			X			X
764	17.C.3.b.3.b	<i>Sessions v. Morales-Santana</i>	X					X
774	17.C.4	Affirmative Action			X			X
776	17.C.4.a	<i>City of Richmond v. JA Croson Co.</i>			X			X
791	17.C.4.b	Affirmative Action in Education			X			X
791	17.C.4.b.1	<i>Fisher v. U of Texas</i>	X					X
803	17.C.4.b.2	<i>PICS v. Seattle School District</i>						X
820	17.D	Fundamental Rights Prong						X
820	17.D.1	<i>Harper v. Virginia State Board of Elections</i>		X				X
826	17.D.2	<i>San Antonio School Dist v. Rodriguez</i>			X			X
837	17.E	Other Classifications			X			X
837	17.E.1	<i>City of Cleburne v. Cleburne Living Center</i>			X			X
846	17.E.2	<i>Plyler v. Doe</i>			X			X
857	18	Fairness Rights			X			
858	18.A	Distinguishing ProDP from SubDP			X			
861	18.B	Kickstarter: Procedural Due Process			X			
864	18.C	ProDP in Courts: <i>Caperton v. Massey Coal</i>			X			
880	18.D	ProDP in Executive Action			X			
880	18.D.1	Deprivation			X			
880	18.D.1.a	<i>Daniels v. Williams</i>			X			
885	18.D.1.b	<i>DeShaney v. Winnegago County</i>			X			
891	18.D.2	Liberty or Property Interest			X			

891	18.D.2.a	<i>Roth v. Board of Regents</i>		X				
899	18.D.2.b	<i>Goldberg v. Kelly</i>			X			
907	18.D.3	Adequacy of Procedures			X			
907	18.D.3.a	<i>Mathews v. Eldridge</i>			X			
913	18.D.3.b	<i>Cleveland Board of Ed v. Loudermill</i>			X			
923	19	Freedom Rights			X			
924	19.A	Kickstarter: Substantive Due Process			X			
928	19.B	Interaction of SubDP, ProDP, and EP	X					
931	19.C	SubDP and Procreation			X			
931	19.C.1	<i>Griswold v. CT</i>		X				
945	19.C.2	Abortion			X			
945	19.C.2.a	<i>Roe v. Wade</i>				X		
947	19.C.2.b	<i>Planned Parenthood v. Casey</i>				X		
972	19.C.2.c	<i>Whole Woman's Health v. Hellerstedt</i>	X					
987	19.D	SubDP and Family Relationships			X			
988	19.D.1	<i>Moore v. East Cleveland</i>		X				
996	19.D.2	<i>Michael H. v. Gerald D.</i>			X			
1008	19.E	SubDP and End of Life			X			
1008	19.E.1	<i>Quinlan and Cruzan</i>			X			
1009	19.E.2	<i>Glucksberg & Quill</i>			X			
1010		<i>Riggins v. Nevada</i>					X	
1023	20	Exceptions to State Action Doctrine			X			
1024	20.A	Kickstarter: State Action Exceptions			X			
1031	20.B	State Action and Courts			X			
1031	20.B.1	<i>Shelley v. Kraemer</i>			X			
1037	20.B.2	<i>Edmonson v. Leesville Concrete</i>			X			
1047	20.C	State Action & Government-Created Entities			X			
1048	20.C.1	<i>SFAA v. US Olympic Committee</i>			X			
1055	20.C.2	<i>Brentwood Academy v. TSSAA</i>			X			
1067	21	Master Class: Individual Rights			X			
1068	21.A	<i>City of Austin v. Driskill Hotel</i>			X			
1074	21.B	<i>Bowers v. Hardwick</i>			X			
1081	21.C	<i>High Tech Gays v. DISCO</i>			X			
1087	21.D	<i>Romer v. Evans</i>			X			
1089	21.E	<i>Lawrence v. Texas</i>			X			
1102	21.F	SubDP After Lawrence			X			
1102	21.F.1	<i>Lofton v. Secretary</i>			X			
1103	21.F.2	<i>Witt v. Air Force</i>			X			
1107	21.G	<i>US v. Windsor</i>				X		
1113	21.H	EP after Windsor				X		
1113	21.H.1	<i>SmithKline Beecham v. Abbott Labs</i>				X		
1114	21.H.2	<i>Robichaux v. Caldwell</i>				X		
1115	21.I	<i>Obergefell v. Hodges</i>	X					
1138	21.J	<i>Pavan v. Smith</i>	X					