

Table 1 Cases before *Brown v. Board of Education*

YEAR	CASE	SCHOOL/STATE ACTION/ POLICY CHALLENGED	SUPREME COURT DECISION/OPINION(S)
1896	PLESSY	'Equal but separate accommodations' required	No violation of EQUAL PROTECTION
1905	LOCHNER	Maximum hours law for bakery employees	Unconstitutional (S'VE DUE PROC.)
1908	MULLER	Court accepts argument in 'Brandeis brief' upholds maximum hours law for women	No violation of SUBSTANTIVE DUE PROCESS
1923	ADKINS	Minimum wage law for women	Unconstitutional (S'VE DUE PROC.)
	MEYER	Foreign language instruction prohibited	Unconstitutional (SUBSTANTIVE DUE PROCESS)
1925	PIERCE	Attendance in <i>public</i> schools required	
	GITLOW	Court upholds criminal convictions for subversive advocacy, but recognizes FREE SPEECH rights as applied to states by the 14th Amendment; Holmes and Brandeis opinions articulate new FIRST AMENDMENT doctrine	
1927	WHITNEY		
1931	STROMBERG	Felony conviction for red flag display	Unconstitutional (FREE SPEECH)
1937	PARRISH	Minimum wage law upheld, repudiating SUBSTANTIVE DUE PROCESS precedents	
	PALKO	Cardozo articulates rationale for applying FIRST AMENDMENT to the states	
1938	CAROLENE PRODUCTS	Stone articulates rationale for 'more exacting judicial scrutiny' in protecting FIRST AMENDMENT and other civil rights	
1940	GOBITIS	Compulsory flag salute — Jehovah's Witnesses not exempted	No violation of FREE EXERCISE rights
1943	BARNETTE	(<i>Gobitis</i> overruled by <i>Barnette</i>)	Unconstitutional (FREE EXERCISE & FREE SPEECH)
	MARTIN	Black articulates FIRST AMENDMENT 'right to receive' literature	
1951	DENNIS	Communists convicted of subversive advocacy	No violation of FREE SPEECH or FREEDOM OF ASSEMBLY
1952	ADLER	Members of 'subversive' organizations disqualified from teaching	
	WIEMAN	'Loyalty oath' required for teachers and other public employees	Unconstitutional (DUE PROCESS)

Table 2 Cases in the Warren Court Era

YEAR	CASE	SCHOOL/STATE ACTION/ POLICY CHALLENGED	SUPREME COURT DECISION/OPINION(S)
1954	<i>BROWN</i>	Public schools segregated by race	Unconstitutional (EQUAL PROTECTION)
1960	<i>SHELTON</i>	Teachers required to report all organizations joined or supported	Unconstitutional (FREE SPEECH and FREEDOM OF ASSOCIATION)
1964	<i>N.Y. TIMES</i>	Libel judgment for advertisement by civil rights group	Unconstitutional (FREE SPEECH and FREEDOM OF THE PRESS)
1966	<i>BOND</i>	Georgia House of Representatives refuses to seat duly elected civil rights activist for speaking against war in Vietnam	Unconstitutional (FREE SPEECH)
1967	<i>KEYISHIAN</i>	Brennan articulates FIRST AMENDMENT protection for academic freedom	
1968	<i>EPPERSON</i>	Teaching of evolution prohibited	Unconstitutional (ESTABLISHMENT)
1969	<i>TINKER</i>	Anti-war armbands prohibited in school	Unconstitutional (FREE SPEECH)
	<i>STANLEY</i>	Marshall reaffirms FIRST AMENDMENT 'right to receive information and ideas'	
	<i>BRANDENBURG</i>	Court overrules 1927 <i>Whitney</i> majority; adopts stricter test for FREE SPEECH	

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Table 3 Cases in the Burger — Rehnquist Era

YEAR	CASE	SCHOOL/STATE ACTION/ POLICY CHALLENGED	SUPREME COURT DECISION/OPINION(S)
1972	<i>YODER</i>	Compulsory schooling to age 16 Amish not exempted	Unconstitutional (FREE EXERCISE)
1973	<i>RODRIGUEZ</i>	Inequalities from school finance law	No violation of EQUAL PROTECTION or FREE SPEECH
1979	<i>AMBACH</i>	Alien teachers disqualified from certification	No violation of EQUAL PROTECTION or FREE SPEECH
1982	<i>PLYLER</i>	Alien students denied free public education	Unconstitutional (EQUAL PROTECTION)
	<i>PICO</i>	Books removed from public school libraries	Possibility of FREE SPEECH violation enough to block dismissal before trial
1985	<i>T.L.O.</i>	Purse searched after student observed smoking	No violation of FOURTH AMENDMENT rights
1986	<i>FRASER</i>	Discipline for suggestive language in student government election speech	No violation of FREE SPEECH
1987	<i>EDWARDS</i>	Teaching of evolution prohibited without 'equal treatment' for 'creation science'	Unconstitutional (ESTABLISHMENT)
1988	<i>HAZELWOOD</i>	Articles removed from student newspaper	No violation of FREE SPEECH