

# Introduction

The journey to the United States Supreme Court is one that is taken by very few Americans. Because most people question the power of an individual to protect his or her constitutional rights in our complex society, only a few have had the courage and perseverance to pursue a belief in their rights all the way to the U.S. Supreme Court.

The trip to the U.S. Supreme Court is not an easy one, and the route taken is not always the same. Cases can originate in the state court system, traveling from state district court to Minnesota Court of Appeals to the Minnesota Supreme Court, and then on to the U.S. Supreme Court. Or they can first be tried in U.S. District Court, with appeals brought to the Eighth Circuit Court of Appeals and ending with the U.S. Supreme Court. However, in all cases involving a constitutional issue, the question before the U.S. Supreme Court is the same. Did the state or federal government act in a way that violated the constitution?

To answer this question, the Court must know what the Constitution says and what it means. Herein lies the problem. Although understanding the meaning of some parts of the Constitution is fairly easy because the language is quite specific and the meaning is clear (for example, a person must be 35 years old to be president), other parts require continuing interpretation. For example, what does a free press mean?

The Framers of the Constitution knew that determining the meaning of some parts of the Constitution would be a continuing struggle throughout the history of our country. Today, as has been the case for the last 200 years, the Supreme Court Justices disagree about interpretation, and for this reason, many important decisions have been made by a majority vote of five to four of the nine justices.

In making decisions, justices tend to be influenced by many considerations, including their interpretations of the language of the Constitution and the intent of the framers, the precedents established by previous cases, current social policies and political and economical concerns, and personal beliefs. Throughout all of this, the justices must maintain as their overriding concern the continued commitment to both the language and the spirit of the Constitution.

As former Chief Justice Warren Burger said in *INS v. Chadha* (1983),  
“...if a challenged action does not violate the Constitution, it must be sustained . . . . By the same token, the fact that a given law or procedure is efficient, convenient, and useful in facilitating functions of government, standing alone, will not save it if it is contrary to the Constitution.”

The cases selected for this publication arise out of conflicts between Minnesotans and state or federal government. Although at first glance, the cases may not seem terribly significant, they have each clarified the meaning of part of the constitution for all of us, and in this way, they form the backdrop for a future constitutional challenge. Our constitution lives through the vigilance of our people. If we remain forever vigilant, the American constitutional system will continue to carve a path to justice.

# Overview

This publication focuses on cases brought by Minnesotans to the U.S. Supreme Court. Because our search for Minnesota cases did not result in a balanced list, there was no attempt to cover any particular areas of the Constitution. Rather, an effort was made to find interesting stories with important legal results.

The lessons are designed to provide secondary classroom teachers with everything needed to teach each unit. Feel free to make student copies of anything included.

It has become our practice to publish curriculum materials in three-ring binders so that teachers can supplement the lessons and we can add materials as needed. If you find a case you believe would contribute to this collection, share your information with us and we will attempt to add it.

We greatly appreciate the support we receive from teachers throughout Minnesota. We admire their commitment, energy, and courage. Keep up the good work.

# Acknowledgements

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