

# Quoting the Case

## Matching the Quote from the Majority Opinion to the Landmark Case

**Benchmark:** SS.7.C.3.12 Analyze the significance and outcomes of landmark Supreme Court cases including, but not limited to, Marbury v. Madison, Plessy v. Ferguson, Brown v. Board of Education, Gideon v. Wainwright, Miranda v. Arizona, In re Gault, Tinker v. Des Moines, Hazelwood v. Kuhlmeier, United States v. Nixon, and Bush v. Gore. D.C. v. Heller in content focus.

### Clarifications/Objectives:

- Students will read quotes from landmark Supreme Court cases.
- Students will identify key phrases from landmark Supreme Court cases.
- Students will evaluate and interpret quotes from landmark Supreme Court cases.

**Time:** One class period

### Materials:

- PowerPoint
- Projector
- Speakers
- Handout A: Quoting the Case
- Answer Key (request from [apitts@flsouthern.edu](mailto:apitts@flsouthern.edu))

### Lesson Preparation

- Review/copy all handouts and PowerPoints
- DO NOT PROVIDE ANSWER KEY TO STUDENTS

### Lesson Overview

**This lesson is a review of the landmark Supreme Court cases identified in the middle school civics and government standards. All Supreme Court cases in the state standards should be taught in advance of this activity. This is a review activity.**

**Distribute Handout A.** Working in small groups, students should read and evaluate the quotes provided. Students will then interpret the meaning of the quote in the middle column. In the far right column, students should identify the name of the landmark Supreme Court case the quote addressed. Following the work in small groups, use the PowerPoint to review the quotes and the appropriate case materials.

**Debrief the activity.** Using the Teacher's Guide and/or PowerPoint presentation, debrief the activity by having groups identify the landmark case being addressed in the quote and provide an explanation of the meaning of the quote. Ask students to identify the key words in the quotes that helped them to determine the appropriate case.

## Quoting the Case

**Instructions: Read each quote from the majority opinion in landmark U.S. Supreme Court cases. In a small group, write the meaning of the quote and identify the landmark case addressed. Highlight important words that served as clues.**

Quote from the Case	Meaning of the Quote	Landmark Case
<p>“From the very beginning, our state and national constitutions and laws have laid great emphasis on...safeguards designed to assure fair trials...in which every defendant stands equal before the law. This noble ideal cannot be realized if the poor man charged with crime has to face his accusers without a lawyer to assist him.”</p> <p>- Justice Hugo Black, 372 US 335 (1963)</p>		
<p>“There seems to us no doubt, on the basis of both text and history, that the Second Amendment conferred an individual right to keep and bear arms. Of course, the right was not unlimited, just as the First Amendment’s right of free speech was not[.]”</p> <p>- Justice Antonin Scalia, 554 US 570 (2008)</p>		
<p>“A school need not tolerate student speech that is inconsistent with its basic educational mission, even though the government could not censor similar speech outside the school.”</p> <p>- Justice Byron White, 484 US 260 (1988)</p>		
<p>“There can be no doubt that the Fifth Amendment... serves to protect persons in all settings in which their freedom of action is curtailed (<i>restricted, reduced, lessened</i>) in any significant way from being compelled to incriminate themselves.”</p> <p>- Justice Earl Warren, 384 US 436 (1966)</p>		
<p>“It is emphatically the province and duty of the judicial department to say what the law is. Those who apply the rule to particular cases, must of necessity expound and interpret that rule. If two laws conflict with each other, the courts must decide on the operation of each.”</p> <p>- Chief Justice John Marshall, 5 US 137 (1803)</p>		

<p>“Unless appropriate due process of law is followed, even the juvenile who has violated the law may not feel that he is being fairly treated...”</p> <ul style="list-style-type: none"> <li>- Justice Abe Fortas, 387 US 1 (1967)</li> </ul>		
<p>“Neither the doctrine of separation of powers nor the generalized need for confidentiality of high-level communications...can sustain an absolute, unqualified Presidential privilege of immunity from judicial process under all circumstances.”</p> <ul style="list-style-type: none"> <li>- Justice Warren Burger, 418 US 683 (1974)</li> </ul>		
<p>“We conclude that, in the field of public education, the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal.”</p> <ul style="list-style-type: none"> <li>- Justice Earl Warren, 347 US 483 (1954)</li> </ul>		
<p>“It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.”</p> <ul style="list-style-type: none"> <li>- Justice Abe Fortas, 393 US 503 (1969)</li> </ul>		
<p>“None are more conscious of the vital limits on judicial authority than are the members of this Court, and none stand more in admiration of the Constitution’s design to leave the selection of the President to the people, through their legislatures...”</p> <ul style="list-style-type: none"> <li>- Per Curiam Opinion, 531 US 98 (2000)</li> </ul>		
<p>“The statute of Louisiana requiring railway companies carrying passengers in their coaches in that State, to provide equal, but separate, accommodations for the...races, by providing two or more passenger coaches for each passenger train...and providing that no person shall be permitted to occupy seats in coaches other than the ones assigned to them...”</p> <ul style="list-style-type: none"> <li>- Justice Henry Billings Brown, 163 US 537 (1896)</li> </ul>		