



CASES, CONTROVERSY, AND THE COURT

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SUPREME COURT VOTING PATTERNS 1994-2001

	Stevens	Souter	Breyer	Ginsburg	Kennedy	O'Connor	Rehnquist	Scalia	Thomas
1994-95									
CIVIL RIGHTS: Made it tougher to uphold federal affirmative action programs, 5-4.									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes
STATES' RIGHTS: Upset U.S. law barring guns near schools, 5-4									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes
RELIGION: Allowed university to fund religious publication, 5-4									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes
1995-96									
CIVIL RIGHTS: Overturned state anti-gay amendment, 6-3									
	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No
VOTING: Struck down race-based congressional districts, 5-4									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes
JUDICIAL ACCESS: Restricted access of inmates to courts, 5-4									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes
1996-97									
RELIGION: Allowed public school teachers to instruct in parochial schools, 5-4									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes
FEDERAL POWER: Struck down Congress's expansion of religious liberty, 6-3									
	Yes	No	No	Yes	Yes	No	Yes	Yes	Yes
STATES' RIGHTS: Overturned a U.S. law requiring local police checks on handgun purchases, 5-4									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes
1997-98									
SCHOOLS: Freed schools of most liability for sexual harassment, 5-4									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes
CIVIL RIGHTS: Refused to make it tougher to sue officials for violations, 5-4									
	Yes	Yes	Yes	Yes	Yes	No	No	No	No
CIVIL RIGHTS: Protected HIV victims from discrimination under federal law, 5-4									
	Yes	Yes	Yes	Yes	Yes	No	No	No	No

This chart shows how the current Supreme Court justices voted on selected 5-4 and 6-3 decisions. Justices are arranged roughly from the most liberal to the most conservative, showing the Court's impact over a six-year period, the right-left split on the Court, and the pivotal roles of Justices Sandra Day O'Connor and Anthony Kennedy in closely divided cases.



	Stevens	Souter	Breyer	Ginsburg	Kennedy	O'Connor	Rehnquist	Scalia	Thomas
1998-99									
SCHOOLS: Allowed schools to be sued for deliberate indifference to student sexual harassment, 6-3									
	Yes	Yes	Yes	Yes	No	Yes	No	No	No
CIVIL RIGHTS: Barred police arrests of gang suspects for loitering, 6-3									
	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No
STATES' RIGHTS: Forbade suits against states for violating federal labor law, 5-4									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes
1999-2000									
TOBACCO: Barred U.S. agency from controlling tobacco products, 5-4									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes
CIVIL RIGHTS: Allowed Boy Scouts to refuse to accept homosexual members, 5-4									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes
RELIGION: Prohibited student-led prayers at football games, 6-3									
	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No
2000-01									
FREE PRESS: Barred prosecution for publishing contents of illegally intercepted phone call, 6-3									
	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No
STATES' RIGHTS: Forbade suits against states for violating federal disability rights, 5-4									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes
ELECTIONS: Stopped vote recount in Florida, making Bush president, 5-4									
	No	No	No	No	Yes	Yes	Yes	Yes	Yes

Aaron Epstein was longtime national correspondent for Knight-Ridder Newspapers, primarily covering the U.S. Supreme Court and legal issues. He is co-author of *A Year in the Life of the Supreme Court* (Duke University Press, 1995). A member of the District of Columbia and Supreme Court bars, he now teaches at the University of Maryland's College of Journalism, coaches new reporters at Post-Newsweek publications, and offers free legal services to low-income clients.