Contents

	of Cases of Authorities	ix xiii
I.	THE CONSTITUTION AND THE SUPREME COURT	1
D.	Political Control over the Supreme Court	1
E.	"Case or Controversy" Requirements and the	-
	Passive Virtues	3
	Trump v. Anderson	7
	Moore v. Harper	12
II.	FEDERALISM AT WORK: CONGRESS	
11.	AND THE NATIONAL ECONOMY	19
D.	State Regulation of Interstate Commerce	19
	National Pork Producers Council v. Ross	19
III.	THE SCOPE OF CONGRESS'S	
	POWERS: TAXING AND SPENDING, WAR	
	POWERS, INDIVIDUAL RIGHTS, AND	
	STATE AUTONOMY	25
D.	Congress's Enforcement Powers under the	
	Reconstruction Amendments	25

IV.	THE DISTRIBUTION OF NATIONAL	
	POWERS	27
D.	Domestic Affairs	27
	Trump v. United States	27
	Biden v. Nebraska	63
V.	EQUALITY AND THE CONSTITUTION	77
C.	Equal Protection Methodology: Heightened	
	Scrutiny and the Problem of Race	77
	Students for Fair Admissions, Inc. v.	
	President and Fellows of Harvard College	77
	United States v. Skrmetti	152
VI.	IMPLIED FUNDAMENTAL RIGHTS	179
F.	Modern Substantive Due Process: Privacy,	
	Personhood, and Family	179
H.	The Contracts and Takings Clauses	180
VII	. FREEDOM OF EXPRESSION	181
VIII. THE CONSTITUTION AND RELIGION		217
C.	The Free Exercise Clause: Required	218