

This question requires you to compare a Supreme Court case you studied in class with one you have not studied in class. A summary of the Supreme Court case you did not study in class is presented and provides all of the information you need to know about this case to answer the prompts.

Wickard v. Filburn (1942)

The Agricultural Adjustment Act of 1938 was a law passed by Congress during the Great Depression. The purpose of the federal law was to regulate the production of wheat to stabilize the economy and the nation's food supply. The law limited the amount of wheat that farmers could grow on their farms. Roscoe Filburn, a farmer in Ohio, grew more wheat than the amount allowed under the Agricultural Adjustment Act. When Filburn was penalized under the law, he sued.

Filburn argued that the excess wheat grown on his farm was for personal use and therefore did not fall under the wheat limit established by the law. Filburn also argued that the law was unconstitutional because Congress did not have the authority to regulate how much wheat a farmer could grow for personal consumption or use.

A unanimous Supreme Court held that the power of Congress granted by Article I of the Constitution includes the authority to regulate activities in a single state when they have even an indirect effect on the economy of other states. That meant that the Agricultural Adjustment Act applied to Filburn's wheat sold at market and his wheat grown for personal use.

3. Respond to parts A, B, and C.

- A.** Identify the constitutional clause that is common to both *United States v. Lopez* (1995) and *Wickard v. Filburn* (1942).
- B.** Explain how the facts in *United States v. Lopez* and *Wickard v. Filburn* led to different holdings.
- C.** Explain how the holding in *Wickard v. Filburn* reflects the concept of federalism.

4. Social media has changed the way many Americans communicate about politics.

Develop an argument as to whether the use of social media has helped or hindered participatory democracy.

Use at least one piece of evidence from one of the following foundational documents:

- First Amendment to the Constitution of the United States
- *Federalist No. 10*
- “Letter from a Birmingham Jail”

In your response, you should do the following:

- Respond to the prompt with a defensible claim or thesis that establishes a line of reasoning.
- Support your claim with at least TWO pieces of specific and relevant evidence.
 - One piece of evidence must come from one of the foundational documents listed.
 - A second piece of evidence can come from any other foundational document not used as your first piece of evidence or it may be from your knowledge of course concepts.
- Use reasoning to explain why your evidence supports your claim or thesis.
- Respond to an opposing or alternate perspective using rebuttal or refutation.

STOP
END OF EXAM

Question 3: SCOTUS Comparison

4 points

- A Identify the constitutional clause that is the basis for the decisions in both *United States v. Lopez* (1995) and *Wickard v. Filburn* (1942). **1 point**

Acceptable response:

- Commerce Clause

- B Explain how the facts in *United States v. Lopez* and *Wickard v. Filburn* led to different holdings. **1 point**

Examples of acceptable responses may include the following:

One point for describing relevant information (facts or holding) about the required Supreme Court case.

- In *Lopez*, a student was found to have possessed a weapon on school grounds.
- In *United States v. Lopez*, the Court held that gun possession was not an economic activity that could be considered interstate commerce.

OR

OR

- Two points for correctly explaining** how the facts in *United States v. Lopez* and *Wickard v. Filburn* led to different holdings. **2 points**

- In *Lopez*, a gun was brought into a school and the Court held this was not an economic activity and therefore not subject to the Commerce Clause. However, in *Wickard v. Filburn*, the Court determined Filburn could be punished under federal law for growing excess wheat for personal consumption because it could have an indirect effect on the economy of other states and was therefore covered by the Commerce Clause.

- C Explain how the holding in *Wickard v. Filburn* reflects the concept of federalism. **1 point**

Examples of acceptable responses may include the following:

- In *Wickard*, the Supreme Court held that economic activity in one state could be regulated by the federal government when it impacts the economic activity of another state.
- The holding in *Wickard* shows that the struggle for power between the states and the federal government sometimes favors the federal government as seen by the Court making activities performed entirely in one state subject to the Commerce Clause.