

Political science essay sample

[Law](#), [Security](#)



United States V. Virginia

518 U. S. 515 (1996)

Factual background: Virginia Military Institute, also known as “VMI” became one of the fifteen (15) sole single-sexed public institutions situated in the state of Virginia. The mission and objective of VMI is to be able to train male citizen soldiers who shall become the leaders in the future. The training inside the institution adheres to the adversative method, where the trainees are required to undergo physical tests, mental stress, absence of privacy among others. During the trial, the District Court admitted that there are females who miss out on the educational opportunity and training being offered by VMI. However, VMI maintained that the policy of the institution on the justification of excluding females to enter their school will compromise the adversative system being implemented by the school. In the ruling rendered by the Court of Appeals, the State created a new institution called Virginia Women’s Institute for Leadership for Women, also known as “VWIL”. VWIL has provided fewer courses to the women and does not impose the adversative method being used by VMI. Constitutional question: The issue in this case is whether or not VMI has violated the Equal Protection Clause pursuant to the Fourteenth Amendment. Ruling: The Supreme Court held that ruling VMI has violated the Equal Protection Clause pursuant to the Fourteenth Amendment. The concurring opinion of Justice Ginsburg explained that Virginia was not able to show any persuasive justification to exclude women from entering the institution. The claim of VMI that allowing women to enter their institution will destroy the adversity system implemented by the school and cause the destruction of VMI’s stature are

not valid justifications that require evidence.

Reasoning: The rationale behind this ruling is that making a sweeping generalization that women are incapable of entering the adversity system under VMI. The act of VMI is denying the women of the opportunity to use their talents and capabilities means that they failed to make a substantial distinction why women should be treated differently from men. In fact, the training offered by VWIL is not at par with the facilities and courses by VMI.

Future constitutional implications: The categorical exclusion of women from receiving educational opportunities offered by the VMI is a denial of the equal protection to women. The future constitutional implication of such action is that allowing VMI to exclude women to enter their institution should be able to show that there is a legal justification to allow such action. Failure to demonstrate substantial distinction of the genders shall render the action of the institution as a violation of the equal protection clause under the Fourteenth Amendment.