

Important Supreme Court Cases

Marbury v. Madison: (1803) Judicial review

In 1801, Justice William Marbury was to have received a commission from President Adams, but Secretary of State James Madison refused to issue the commission. Chief Justice Marshall stated that the Judiciary Act of 1789, which was the basis for Marbury's claim, conflicted with Article III of the Constitution. Marbury did not receive the commission. This case determined that the Supreme Court and not the states would have the ultimate word on whether an issue was in violation of the Constitution. The ruling, based on judicial review, made the Judicial Branch equal to the other two branches of government.

Fletcher v. Peck: (1810) Contracts and State law

Following a massive bribery scandal that involved almost the entire Georgia legislature in 1794, the legislature authorized the sale of thirty-five million acres to four companies for less than 2 cents an acre. In the 1796 elections nearly all the legislators were dismissed and replaced. The new legislators rescinded the land grant. However, purchasers of the grant had already started selling off the land. The Supreme Court judged that when the state of Georgia rescinded a land grant it was unconstitutional since it revoked the rights already granted in the contract. This was the first case to declare a state law in violation of the Constitution.

Dartmouth College v. Woodward: (1819) Contracts and State law

The New Hampshire legislature amended the original charter of the college, which had been in place since 1769, to make the college more accessible to the public. The problem was that the legislature acted without consultation with the college trustee. The Supreme Court ruled that the original charter was inviolable as the charter was a contract. This decision led to a strengthening of property rights against state abridgement.

McCulloch v. Maryland: (1819) Implied powers

James Madison created a national bank. The state of Maryland believed this was an intrusion into states' rights and attempted to tax the bank. James McCullough, who worked at the bank, refused to pay the state taxes because he believed the state had no right to tax a national bank. Marshall stated that the bank was in compliance with the constitution and could not be subjected to state taxes. This case established the rule that states could not tax an institution of the federal government.

Gibbons v. Ogden: (1824) Interstate commerce

At issue was the right to carry passengers along a canal from New York to New Jersey. The state of New York had granted Aaron Ogden the exclusive right. The federal government issued a license to Thomas Gibbons for the same route. On appeal the case went to the Supreme Court after Ogden sued Gibbons and won. The Supreme Court decided that Gibbons was right and that states cannot stop Congress regulating interstate commerce. This was a landmark case because it established federal authority over the states. This became the basis of the Civil Rights Act of 1964.

Johnson v. McIntosh (1823, Marshall). Established that Indian tribes had rights to tribal lands that preceded all other American law; only the federal government could take land from the tribes.

Cherokee Nation v. The State of Georgia: (1831) State law and Indians

The Cherokee Indians had been farming the land in the western part of the state and had established their own government. The Georgians passed laws and tried to have the Cherokee government declared null and void. The Cherokee nation brought the suit to the Supreme Court on the grounds that the Cherokee nation was a foreign entity and therefore the state of Georgia had no rights. Marshall knew that if he ruled in favor of the Indians, President Jackson would not enforce the ruling. So Marshall ruled that the Cherokee nation did not constitute a foreign nation. Thus the Supreme Court had no jurisdiction over the Cherokee nation.

Worcester v. Georgia: (1832) State law and Indians

In *Worcester v. Georgia* John Marshall invalidated a Georgia law concerning entry into the Cherokee nation. In this case Worcester, a missionary, sued on the grounds that the state had no right to control any aspect of the Cherokee nation as this would fall within the powers of the federal government. This was just one more instance of the Marshall court increasing power for the federal government over state governments. The Marshall court attempted to protect the property rights of the Indians. Unfortunately, even Marshall was unable to keep the Indians from continually being forced off their land.

Charles River Bridge v. Warren Bridge (1837, Taney). The interests of the community are more important than the interests of business; the supremacy of society's interest over private interest.

Commonwealth v. Hunt (1842). Declared that labor unions were lawful organizations and that the strike was a lawful weapon.

Scott v. Sanford: (1857) Citizenship and Slavery

Dred Scott was the slave of an army doctor. The doctor had lived in free states and in free territories, but had returned to Missouri, a slave state, before his death. Scott sued the doctor's wife for his freedom on the basis that in a free state he had been free. The Supreme Court decided that Congress had no power to forbid slavery in the territories. They also said that as a slave, Scott was not a citizen and was not eligible to sue in a federal court. This decision annulled the Missouri Compromise and the Kansas-Nebraska Act. The case centered on 3 issues: a) Was Dred Scott a citizen?; b) Could Congress prohibit slavery in the territories?; c) If a slave was property, then shouldn't Sanford be compensated?

Scott and his family did win their freedom because Scott's new owner was the widow's brother and a known abolitionist. This case was never about the freedom of Dred Scott but about the future expansion of slavery into the territories.

Ex parte Milligan (1866). Ruled that a civilian cannot be tried in military courts while civil courts are available.

Texas v. White: (1869) Legality of Confederate Government Policies

After the Civil War the reconstruction government of the state of Texas brought suit to regain state-owned securities, which had been sold by the Confederate state legislators during the war. The defense claimed that since Texas had not been restored to the Union there were no grounds for a federal court case. Chief Justice Salmon P. Chase maintained that since secession was illegal, Texas had never left the Union. Chase said the Confederate government of the state had been unlawful so all acts carried out by the government were null and void. Therefore the state was entitled to recover the securities.

Civil Rights Cases of 1883. (A single decision on a group of cases with similar legal problems). Legalized segregation with regard to private property.

Wabash, St. Louis, and Pacific Railway Co. v. Illinois (1886). Declared state-passed Granger laws that regulated interstate commerce unconstitutional.

Chicago, Milwaukee and St. Paul Railroad Co. v. Minnesota (1890). Found that Granger law regulations were violations of the 5th Amendment right to property.

Pollock v. The Farmers' Loan and Trust Co. (1895). Declared the income tax under the Wilson-Gorman Tariff to be unconstitutional.

U. S. v. E. C. Knight Co. (1895). Due to a narrow interpretation of the Sherman Anti-Trust Act, the Court undermined the authority of the federal government to act against monopolies.

Plessy v. Ferguson: (1896) Separate but equal

Homer Plessy was arrested in Louisiana for riding in a whites-only railroad car. Plessy, who was one-eighth African American, appealed on the basis of the equal protection clause of the Fourteenth Amendment. The court said that so long as the facilities were equal then it was legal to racially separate. This became the impetus for segregation across the south.

"Insular Cases" / Downes v. Bidwell (1901). Confirmed the right of the federal government to place tariffs on good entering the U. S. From U. S. Territories on the grounds that "the Constitution does not follow the flag."

Northern Securities Co. v. U. S. (1904). Re-established the authority of the federal government to fight monopolies under the Sherman Anti-Trust Act.

Swift and Company v. United States: (1905) Defining Interstate Commerce

Swift claimed to be participating in business that was intrastate and not interstate, which he added, meant the interstate commerce act did not apply to his business. The court agreed unanimously that this was not the case and Swift was trying to create a monopoly. Armed with the Sherman Antitrust Act, Oliver Wendell Holmes said the company had a "current of commerce" among states.

Lochner v. New York (1905). Declared unconstitutional a New York act limiting the working hours of bakers due to a denial of the 14th Amendment rights.

Muller v. Oregon (1908). First case to use the "Brandeis brief"; recognized a 10-hour work day for women laundry workers on the grounds of health and community concerns.

Bunting v. Oregon: (1917) Government Enforcement of 10-Hour Workday

In 1913 Oregon established a 10-hour workday for all men and women in mills or manufacturing industries. Any work beyond the ten hours was payable at a rate of time-and-a-half. Bunting, who owned a factory required his workers to work a 13 hour day and did not pay overtime. The Court was split on the issue and did not want to be seen as a regulator of wages. Eventually the court decided that overtime pay did not constitute wage regulation.

Hammer v. Dagenhart (1918). Declared the Keating-Owen Act (a child labor act) unconstitutional on the grounds that it was an invasion of state authority.

Schenck v. United States: (1919) Freedom of Speech during Wartime

During World War I Charles Schenck had distributed pamphlets that said the draft was illegal. He was charged under the Espionage Act (1917). Justice Oliver Wendell Holmes rejected the argument that the pamphlets were protected by the free speech clause of the Constitution. Holmes told the court that freedom of speech could be suppressed if there is a "clear and present danger", and since this happened during a time of war, there was such a circumstance.

Adkins v. Children's Hospital (1923). Declared unconstitutional a minimum wage law for women on the grounds that it denied women freedom of contract.

Schechter v. U. S. (1936). Sometimes called "the sick chicken case." Unanimously declared the National Industrial Recovery Act (NIRA) unconstitutional on three grounds: that the act delegated legislative power to the executive; that there was a lack of constitutional authority for such legislation; and that it sought to regulate businesses that were wholly intrastate in character.

Korematsu v. United States: (1944) Legality of Japanese Internment during WWII

In 1942, after the Japanese attack on Pearl Harbor, President Roosevelt issued Executive Order 9066, which required the forced relocation of over 100,000 Japanese-Americans to relocation camps. The Supreme Court ruled the relocation was illegal. In 1988 these people, of whom many were citizens, received compensation.

Ex parte Endo (1944). The court forbade the internment of Japanese-Americans born in the U. S. (Nisei)

Brown v. Board of Education of Topeka, Kansas: (1954) Equal protection

Linda brown was denied admission to a local elementary school in Topeka, Kansas. The basis for her denial was that she was black. Chief Justice Earl Warren overruled the "separate but equal" doctrine of Plessy v. Ferguson. He stated that the public schools violated the fourteenth amendment condition of equal protection under the law. The defendants claimed that the inferior conditions in segregated schools hindered their development. After the ruling was made, the court declared that segregation must end.

Roth v. U.S., Alberts v. California. (1957) The Court ruled that obscene material was not protected by the First Amendment guarantees of freedom of speech and press, defining obscene as "utterly without redeeming social value" and appealing to "prurient interests" in the view of the average person. (This definition, the first offered by the Court, was modified in several subsequent decisions, and the "average person" standard was replaced by the "local community" standard in the 1973 Miller v. California case.)

Mapp v. Ohio. (1961) The Court ruled that evidence obtained in violation of the 4th Amendment guarantee against unreasonable search and seizure must be excluded from use at state as well as federal trials.

Engel v. Vitale. (1962) The Court ruled that public school officials could not require pupils to recite a state-composed prayer at the start of each school day, even if the prayer was non-denominational and pupils who so desired could be excused from reciting it, because such official state sanction of religious utterances was an unconstitutional attempt to establish religion.

Baker v. Carr. (1962) The Court held that the constitutional challenges to the unequal distribution of voters among legislative districts could be resolved by federal courts, rejecting the doctrine set out in *Colegrove v. Green* in 1946 that such apportionment challenges were "political questions."

Gideon v. Wainwright: (1963) Representation by counsel

Gideon was accused of breaking into a poolroom in Florida but he had no financial means to secure a defense. He requested a defense counsel but was refused and was forced to defend himself. The court returned a guilty verdict. This led to the Supreme Court ruling that all people were entitled to legal counsel regardless of their ability to pay for legal counsel.

Heart of Atlanta Motel v. United States: (1964) Interstate commerce

In 1964 Congress tried to pass the Civil Rights Act based on its power to regulate interstate commerce. Congress believed it had the right to ban discrimination in public accommodation and in employment. A motel owner challenged the law on the basis that he had a local business which should not be considered interstate commerce. The Supreme Court ruled that since the business gained most of its income from interstate commerce; thus, the business was liable to the rules of Article 1, section 8 of the Interstate Commerce Act.

Wesberry v. Sanders: (1964) One man one vote

This case dealt with the apportionment of congressional districts in Georgia. The voters of Georgia's fifth congressional district, easily the largest district, believed that their representation was not as equal as that of other districts with less people. They argued that because the state legislators had failed to realign the districts their vote was debased. The Supreme Court ruled that as much as possible districts should be comparable in terms of population.

Escobedo v. Illinois (1964). Ruled that a defendant must be allowed access to a lawyer *before* questioning by police.

New York Times Co. v. Sullivan. (1964) The Court ruled that the First Amendment guarantee of freedom of the press protected the press from libel suits for defamatory reports on public officials unless the officials proved that the reports were made from actual malice. The Court defined malice as "with knowledge that (the defamatory statement) was false or with reckless disregard of whether it was false or not."

Griswold v. Conn. (1965) The Court ruled that a state unconstitutionally interfered with personal privacy in the marriage relationship when it prohibited anyone, including married couples, from using contraceptives.

Miranda v. Arizona: (1966) Rights in custody

Ernesto Miranda a man who had not completed the ninth grade was arrested at his home in Arizona and identified as a suspect in a rape-kidnapping case. When he was questioned about the crime Miranda maintained he was innocent, but after two hours of interrogation he signed a confession. At the trial the confession was admitted as evidence and the court found Miranda guilty. The police acknowledged that Miranda had not been made aware of his rights during the process nor had he had access to legal counsel. While the Miranda confession was given with relatively little pressure it still violated the constitutional requirements that governed such procedures. In this case, the Warren court ruled that the accused must be made aware of his or her rights from the beginning.

Roe v. Wade: (1973) Right to Privacy

During the sexual revolution of the 1960s and 1970s the number of abortions performed illegally was unbelievably high. In its decision the Court struck down a Texas law that made it illegal to perform abortions unless the woman's life was risk. "Jane Roe" an unmarried mother wanted to terminate her pregnancy but she did not meet the necessary requirements. The Court sided with Roe and said that a woman had a constitutional right to privacy that extended to cover a decision whether or not to terminate her pregnancy.

U. S. v. Richard Nixon (1974). The court rejected Richard Nixon's claim to an absolutely unqualified privilege against any judicial process.

Bakke v. Board of Regents of California: (1977) Affirmative Action

In an attempt to get greater racial and ethnic diversity The University of California Medical School at Davis created a special category for minority students. This was the first constitutional test for affirmative action. Bakke, a white student, was rejected by the university and filed a lawsuit alleging discrimination under the Civil Rights Act of 1965. The Court said the university can use special criteria to determine which students gained acceptance so long as it did not use a quota system.

United Steelworkers of America v. Weber, Kaiser Aluminum v. Weber, U.S. v. Weber.

(1979) The Court ruled that Title VII of the 1964 Civil Rights Act, which forbids racial discrimination in employment, did not forbid employers to adopt voluntarily race-conscious affirmative action programs to encourage minority participation in areas in which they traditionally were underrepresented.

Bowers v. Hardwick. (1986) The Court refused to extend the right of privacy inherent in the Constitution to homosexual activity, upholding a Georgia law that made sodomy a crime. (Although the Georgia law covered heterosexual sodomy as well as homosexual sodomy, enforcement in Georgia and most other states had been confined to homosexual activity.)

Cruzan v. Missouri. (1990) The court ruled that a person had the right to refuse life-sustaining medical treatment. However, the Court also ruled that such treatment could not be withheld from comatose patients unless there was "clear and convincing evidence" that the person would not have wanted to live under those conditions.