

NAME OF CASE	Quick Summary	Outcome/Historical Significance	CONSTITUTIONAL CONCEPTS/Enduring Issues
<u><i>Marbury v. Madison (1803)</i></u> ****	Appointment of midnight justices by John Adams rejected by Jefferson. Supreme Court must decide constitutionality of Judiciary Act.	John Marshall declares Judiciary Act unconstitutional The Supreme Court has the right of Judicial Review. Judicial Review = SCOTUS can review <i>all</i> legislative/ executive actions	Judicial v. Executive and Congressional Power Judicial Review/Separation of powers
<u><i>McCulloch v. Maryland (1819)</i></u> ***	Maryland attempts to tax the National Bank of the United States. Court must decide whether Bank is legitimate under the elastic clause and whether Maryland can tax it.	John Marshall declares "the power to tax is the power to destroy." The Supremacy Clause of the Constitution prohibits state taxation of a federal institution. Necessary and Proper Clause is also strengthened and upheld.	Supremacy vs State Rights; Elastic Clause Judicial Review; Federalism
<u><i>Gibbons v. Odgen (1824)</i></u> **	Ogden receives exclusive right from New York to use Steam boat to navigate in New York and to N.J. Gibbons gets right from Congress.	John Marshall declares that Congress has the exclusive authority to regulate Interstate Commerce, especially when it involves a stream of commerce."	Interstate Commerce Clause (Art. I, Sect.8) vs States Rights Judicial Review/Federalism
<u><i>Worcester v Georgia (1838)</i></u> **	Worcester, a minister did not get a license from Georgia to do missionary work with the Cherokee nation residing in Georgia.	The court ruled that only the Federal Government had the authority to make treaties and regulate Native Americans. The decision opened the door for Jackson to enforce the Indian Removal Act. Nullified any Georgia, state level, rulings.	Article I treaty power of Congress vs Tenth Amendment police Reserved Power of Georgia. Native Americans/Manifest Destiny/ Rights of Ethnic Group/Power of National Government
<u><i>Dred Scott v Sanford (1857)</i></u> ****	Dred Scott was a slave who was brought into free Territory as defined by the Missouri Compromise.	The Supreme Court declared that slaves were property and as such were not protected by the Constitution. It also declared the Missouri Compromise unconstitutional Slavery could essentially exist anywhere, even the north	Article III citizenship rights vs Fifth Amendment property rights. Civil War causes/ Federalism/Equality/ Rights of Ethnic Groups
<u><i>Ex Parte Milligan (1866)</i></u> **	Lambden P. Milligan, was sentenced to death by a military commission in Indiana during the Civil War; Milligan claimed that he was not given a trial by jury under due process; 5th Amendment	SCOTUS ruled even though Lincoln did have the right to limit Habeas Corpus in times of national emergencies, Milligan should have been given a civil trial.	The government used Article I Section 9, the legal suspension of Habeas Corpus in times of war. Civil War/ Civil Liberties/Federalism/ Presidential Power in wartime
<u><i>Wabash, St. Louis & Pacific RR v. Illinois (1886)</i></u> *	Illinois attempted to regulate railroad rates within the state.	SCOTUS rules that railroads are part of interstate commerce even if parts of the journey are within state borders and fall into federal regulation. Commerce Clause is greatly strengthened.	Commerce Clause Federalism is an issue in this case

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<u><i>United States v E.C. Knight Co (1895)</i></u> **	The E.C. Knight Company was a combination controlling over 98 percent of the sugar-refining business in the United States. The U.S. accused Knight of violating the Sherman Anti-Trust Act.	Because Knight diversified its product as a Trust of many sugar companies, the Court ruled it did <i>not</i> violate the restraint of trade provision of the Sherman Anti-Trust Act.	Article I, Section VIII the commerce clause vs the Fifth Amendment property rights of Knight. Growth of Monopolies/Captains of Industry/Gilded Age/Sherman Anti-Trust Act/Age of Industrialization
<u><i>Plessy v Ferguson (1896)</i></u> *****	Louisiana required separate railway cars for blacks and whites. In 1892, Homer Adolph Plessy--who was seven-eighths Caucasian--took a seat in a "whites only" car of a Louisiana train. He refused to move to the car reserved for blacks and was arrested	The Supreme Court ruled that the "separate but equal" provision of the Louisiana law was constitutional. The case established this principle of segregation until it was overturned in 1954. Separate but Equal was accepted nationwide	Fourteenth Amendment equal protection clause vs Louisiana's Tenth Amendment Reserved power right to legislate. Equality/ Federalism/Jim Crow/
<u><i>Northern Securities Co. v United States (1904)</i></u> **	Wallstreet bankers formed a company that bought stock in two competing railroad lines. President Theodore Roosevelt sued them under the Sherman Anti-Trust Act.	In a 5-4 decision the federal government won and Northern Securities was broken up. Roosevelt ensured companies would not prohibit or limit competition. Sherman Anti-Trust is strengthened again.	Federalism Commerce Clause Progressive Era - Federal reach and challenges to Sherman Anti-Trust Act
<u><i>Lochner v New York (1905)</i></u> **	The state of New York enacted a statute forbidding bakers to work more than 60 hours a week or 10 hours a day. Lochner challenged law.	The Court decided that New York did not have the right to make a law interfering with the right of an employer to make a contract with workers.	Fourteenth Amendment property rights of Lochner vs Tenth Amendment Reserved police powers of New York. Progressive Era/ Labor/ Property Rights
<u><i>Muller v Oregon (1908)</i></u> **	Oregon enacted a law that limited women to ten hours of work in factories and laundries. Muller challenges it after he orders a female employee to work longer hours.	Louis Brandeis offers a "friend of the Court Amicus brief" arguing that women were did not have the same physical capabilities as men and the Court ruled that Oregon's law was constitutional.	Fourteenth Amendment property rights of Muller vs Tenth Amendment police power of Oregon. Progressive Era/rights of women/ Property rights.
<u><i>Schenck v U.S. (1919)</i></u> ****	Schenck was charged with conspiracy to violate the Espionage Act by attempting to cause insubordination in the military and to obstruct recruitment.	The Court ruled that by obstructing the process in which people would be recruited or register for the armed forces, Debs did violate the act. The "clear and present danger" doctrine was established by this case.	First Amendment, free speech and assembly for Debs vs Congress' Article I ability to wage war. World War I/Clear and Present Danger/ National Power

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<p><u><i>Schechter Poultry Corp v U.S. (1935)</i></u></p> <p>**</p>	<p>Section 3 of the National Industrial Recovery Act empowered the President to implement industrial codes to regulate weekly employment hours, wages, and minimum ages of employees. Schechter was accused of violating those codes by selling "sick chickens."</p>	<p>Calling it, the court of "nine old men" FDR was furious that the the Supreme Court ruled the NRA unconstitutional because it gave to the president legislative power which the Constitution assigns to the Congress. After invalidating other New Deal laws, FDR proposes a court packing solution which the Congress rejects.</p>	<p>Fifth Amendment property right of Schechter vs Article I Section VIII commerce clause right of Congress.</p> <p>Great Depression/New Deal/FDR/Court Packing/Separation of Powers</p>
<p><u><i>Korematsu v U.S. (1944)</i></u></p> <p>***</p>	<p>During World War II, Executive Order 9066 gave the military authority to exclude citizens of Japanese ancestry from areas deemed critical to national defense</p> <p>Korematsu remained in California and violated the order.</p>	<p>The Supreme Court ruled that the President had the right to issue the Executive order as Commander-in-Chief.</p> <p>Japanese were put into internment camps during the war</p> <p>In 1988 Congress passed a law giving \$20,000 to all ancestors of Japanese-Americans who were put in these camps.</p>	<p>Fourteenth Amendment equal protection clause, vs Article II power of the president.</p> <p>Civil Liberties/Rights of ethnic minorities/World War II/Power of President in Foreign Affairs</p>
<p><u><i>Brown v Board of Education Topeka Kansas (1954)*</i></u></p>	<p>Linda Brown denied enrollment in an all white school near her home challenges the separate but equal policy of the Topeka school district.</p>	<p>In one of the most celebrated cases, the court struck down separate but equal and ordered integration in the nation's schools with "all deliberate speed."</p>	<p>Fourteenth Amendment equal protection clause vs School's Tenth Amendment Reserve Power of education</p> <p>Civil Rights/rights of ethnic minorities</p>
<p><u><i>Mapp v Ohio (1961)</i></u></p> <p>***</p>	<p>Dollere Mapp was accused of harboring a dangerous criminal. The police searched her house without a warrant and found other illegal material which they used to prosecute Mapp.</p>	<p>The exclusionary rule was established by the Supreme Court. States were not allowed to introduce illegally obtained evidence in a trial.</p>	<p>Fourth and Fourteenth Amendments vs Tenth Amendment</p> <p>Bill of Rights/Search and Seizure/ Reserved Police Power of the States</p>
<p><u><i>Gideon v Wainwright (1963)</i></u></p> <p>***</p>	<p>Gideon was accused of a felony by Florida and did not have attorney representation because he could not afford one.</p>	<p>Based on his "pauper" appeal to the Supreme Court, it decided that regardless of the crime, Gideon had the right to an attorney.</p>	<p>Fifth, Sixth and Fourteenth Amendments vs 10th Amendment</p> <p>Bill of Rights/Due Process/ Right to an attorney</p>
<p><u><i>Miranda v Arizona (1966)</i></u></p> <p>***</p>	<p>Ernesto Miranda was arrested, interrogated and confessed to rape without the police informing him of his right to remain silent or have an attorney after his arrest.</p>	<p>One of the most important cases decided by the Supreme Court, it directed police to give "Miranda Warnings" immediately after a person is arrested.</p>	<p>Fifth, Sixth and Fourteenth Amendments vs Tenth Amendment</p> <p>Bill of Rights/Due Process/Right against self-incrimination/Right to an attorney vs Police Power</p>

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<p><u><i>Heart of Atlanta Motel v. United States (1964)</i></u></p> <p>**</p>	<p>Title II of the Civil Rights Act of 1964 forbade racial discrimination by places of public accommodation if their operations affected commerce.</p> <p>The Heart of Atlanta Motel in Atlanta, Georgia, refused to accept Black Americans and was charged with violating Title II.</p>	<p>The Court held that the Commerce Clause allowed Congress to regulate local incidents of commerce, and that the Civil Right Act of 1964 passed constitutional muster.</p> <p>The Court thus concluded that places of public accommodation had no "right" to select guests as they saw fit, free from governmental regulation.</p>	<p>Commerce Clause/Federalism</p> <p>Civil Rights Act of 1964 was upheld</p>
<p><u><i>Tinker v Des Moines School District (1969)</i></u></p> <p>**</p>	<p>Three public school students wore black arm bands to school to protest the Vietnam War. Principals in their school district had prohibited the wearing of armbands on the ground that such conduct would provoke a disturbance, so the students were suspended from school.</p>	<p>The court declared that "student rights do not stop at the schoolhouse gates." The wearing of black arm bands was protected by the Constitution. Students enjoy protection of the Bill of Rights unless their actions materially disrupt the educational environment.</p>	<p>First Amendment free speech, Fourteenth Amendment vs Tenth Amendment education as a reserved power.</p> <p>Bill of Rights/Civil Liberties</p> <p>Vietnam War</p>
<p><u><i>New York Times v U.S. (1971)</i></u></p> <p>**</p>	<p>In what became known as the "Pentagon Papers Case," the Nixon Administration attempted to prevent the New York Times and Washington Post from publishing materials from a classified Defense Department study regarding the history of United States activities in Vietnam.</p>	<p>The Court ruled that the papers did not violate national security and therefore the newspapers had the right to publish them. The result was an embarrassment for the President of the United States.</p>	<p>First Amendment, free speech vs Article II power of the president.</p> <p>Cold War/Vietnam/Freedom of the Press</p>
<p><u><i>Roe v Wade (1973)</i></u></p> <p>**</p>	<p>A Texas woman has an abortion violating Texas state law. Abortion at the time is legal in some states and illegal in others.</p>	<p>A constitutional right to an abortion is established, though the court laid down a trimester criteria in determining whether states can impose restrictions</p>	<p>Fourth amendment right to privacy, ninth amendment rights not listed in the Constitution and the Fourteenth Amendment vs the Tenth Amendment health reserved power of the states.</p> <p>The rights of women/contemporary social issues</p>
<p><u><i>University of California Regents v Bakke (1978)</i></u></p> <p>*</p>	<p>Alan Bakke was denied admission to the medical school in the University of California even though his scores were higher than those of minority candidates who had seats set aside for them.</p>	<p>In one of the most controversial decisions, the Court decided that a state supported school could use race as a basis for admission, though it ruled that quotas were illegal. Bakke was admitted.</p>	<p>Tenth Amendment reserved power of education vs Fourteenth Amendment equal protection clause.</p> <p>Affirmative Action/ Civil Rights/ Reverse Discrimination</p>

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<p><u><i>New Jersey v TLO (1985)</i></u></p> <p>***</p>	<p>TLO was accused of smoking in the bathroom. The principal searches her pocketbook without her permission and discovers cigarettes as well as other illegal substances.</p>	<p>Are students rights of search and seizure the same in a school setting? No.</p> <p>Court rules that schools can search students with reasonable cause. This case lessens the Tinker doctrine and gives school officials greater latitude in disciplining students</p> <p>Schools must maintain safety as a priority.</p>	<p>Tenth Amendment reserved power of education vs Fourth and Fourteenth Amendments</p> <p>Bill of Rights/Due Process/Search and Seizure vs police and education reserved power of the school.</p>
<p><u><i>Gore v Bush (2000)</i></u></p> <p>****</p>	<p>The election of 2000 between Al Gore (D) and George W. Bush (R) was too close to call. Florida's ballots would determine the electoral winner. A recall was mandated by the FL Supreme Court then SCOTUS decided to suspend the recount.</p>	<p>The Supreme Court suspended the recount and stated the 14th Amendment Even if the recount was fair in theory, it was unfair in practice. The record suggested that different standards were applied from ballot to ballot, precinct to precinct, and county to county so other ballots were not "equally" counted.</p>	<p>Extension of 14th Amendment Equal protection clause.</p> <p>Federalism and Checks and Balances.</p> <p>*Court essentially "gave" the election to Bush without a true recount.</p>

Throughout United States history, the Supreme Court has dealt with many controversial issues. The Court's decisions in these cases have had a significant impact on the United States and/or on American society.

Task: Select *two* United States Supreme Court decisions that have had a significant impact on American society and for *each*

- Describe the historical circumstances surrounding the case
- Explain the Court's decision in the case
- Discuss the impact of the decision on the United States and/or on American society

You may use any Supreme Court decision from your study of United States history. Some suggestions you might wish to consider include *Worcester v. Georgia (1832)*, *Dred Scott v. Sanford (1857)*, *Plessy v. Ferguson (1896)*, *Schenck v. United States (1919)*, *Korematsu v. United States (1944)*, *Engel v. Vitale (1962)*, *Miranda v. Arizona (1966)*, *New York Times v. United States (1971)*, *Roe v. Wade (1973)*, and *United States v. Nixon (1974)*.

LANDMARK CASES ORGANIZED BY THEME:

<p>Theme: Federalism & Powers of Government</p> <p>These are decisions by the Marshall Court in the early 1800s that established the interpretation of the constitution to strengthen the power of the federal government. (Politically Marshall was a member of the Federalist party.)</p> <p><i>McCulloch v. Maryland</i>(1819) <i>Gibbons v. Odgen</i>(1824) <i>Dartmouth College v. New Hampshire</i> <i>Fletcher vs Peck</i></p>	<p>Theme: Interstate Commerce (Regulations)</p> <p>These are decisions in which the constitution was interpreted so as to provide guidelines for government interaction with commerce.</p> <p><i>Wabash, St. Louis & Pacific R.R. v. Illinois</i> (1886) <i>United States v. E.C. Knight Co.</i> (1895) <i>Northern Securities Co. v. United States</i> (1904) <i>Lochner v. New York</i> (1905) <i>Muller v. Oregon</i> (1908) <i>Schechter Poultry Corporation v. United States</i> (1935)</p>
<p>Theme: Civil Liberties (African Americans)</p> <p>These cases display the evolution of rights and equality for Blacks as forged through the interpretation of the Constitution.</p> <p><i>Dred Scot v. Sanford</i> <i>Plessy v. Ferguson</i> <i>Brown v. Board of Education of Topeka</i> (1954) <i>Heart of Atlanta Motel v. United States</i> (1964)</p>	<p>Theme: Civil Liberties in a time of War</p> <p>These cases display the struggle to balance civil liberties and the defense of a nation during a time of emergency.</p> <p><i>Thomas v. Cooper</i> <i>Ex Part Milligan</i> <i>Schenck v. U.S.</i> <i>Korematsu v. U.S.</i> <i>New York Times v. United States</i> (1971)</p>
<p>Theme: Civil Liberties (The Rights of the Accused)</p> <p>Under the Earl Warren court, civil liberties were strengthened in a series of cases that emphasized knowledge of and interpretation of the due process of law.</p> <p><i>Mapp v. Ohio</i> (1961) <i>Baker v. Carr</i> (1962) <i>Engle v. Vitale</i> (1962) <i>Gideon v. Wainwright</i> (1963) <i>Miranda v. Arizona</i> (1966)</p>	<p>Theme: Civil Liberties (Students' Rights)</p> <p>These cases have demonstrated how within schools the rights of the individual are more limited.</p> <p><i>Tinker v. Des Moines</i> (1969) <i>New Jersey v. TLO</i> (1985) <i>Hazelwood v. Kuhlmeier</i> (1987) <i>Vernonia School District v. Acton</i> (1995)</p>
<p>Theme: Civil Liberties (Abortion and Reproductive Rights)</p> <p>These cases have centered around interpreting the link between rights within the 1st amendment such as privacy when linked to the issue of reproduction.</p> <p><i>Griswold v. Connecticut</i> (1964) <i>Roe v. Wade</i> (1973) <i>Planned Parenthood of Southeastern Pennsylvania, et. al. v. Casey</i> (1992)</p>	