

APUSH: Supreme Court Cases to Know

Chisholm v. Georgia (1793): individuals suing states. Two citizens of S. Carolina sued Georgia in the Supreme Court. The court accepted the case and handed down a decision for the South Carolinians, who were acting as agents for a British creditor. Georgia refused to participate in the case. The case angered many, who saw it as an infringement on the sovereignty of the states. The 11th Amendment ended such suits. (Arco)

Marshall Court (1801 – 1835): John Marshall delivered the majority opinions in a number of critical decisions in these formative years, all of which served to strengthen the power of the federal government and restrict the powers of state governments (REA).

Marbury v. Madison (1803): was the first instance in which a law passed by Congress was declared unconstitutional. The decision greatly expanded the power of the Court by establishing its right to overturn acts of Congress (judicial review), a power not explicitly granted by the Constitution. Initially the case involved Secretary of State [James Madison](#), who refused to seat four judicial appointees although they had been confirmed by the Senate. (Infoplease) For the first time, the Supreme Court declares an act of Congress unconstitutional, declaring, “A law repugnant to the Constitution is void.” The court does not strike down another federal law until the Dred Scott decision in 1857. (Gilder Lehrman Institute)

Fletcher v. Peck (1810): contracts and state laws. First case to declare a state law void. A corrupt Georgia legislature sold land to speculators for bribes, but new legislature could not rescind sale because it was a contract. The contract clause of the Constitution overrode the state law.

Dartmouth v. Woodward (1819): contracts and state laws. The Supreme Court declares that a charter to a private corporation is a contract and that a state government cannot impair a contract by unilateral action. (Gilder Lehrman Institute)

McCulloch v. Maryland (1819): the elastic clause and federal-state relations. The Supreme Court upholds the constitutionality of the Bank of the United States and endorses a loose interpretation of the constitution. “Let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist[ent] with the letter and spirit of the

constitution, are constitutional” (Gilder Lehrman Institute). *McCulloch v. Maryland* upheld the right of Congress to create a Bank of the United States, ruling that it was a power implied but not enumerated by the Constitution. The case is significant because it advanced the doctrine of implied powers, or a loose construction of the Constitution. The Court, Chief Justice John Marshall wrote, would sanction laws reflecting “the letter and spirit” of the Constitution. (Infoplease) Marshall wrote that “the power to tax is the power to destroy”— meaning that if he allowed Maryland to tax the bank they could conceivably tax it out of existence. Since Marshall agreed that the elastic clause gave the federal government the right to create a national bank, he declared the tax unconstitutional.

Cohens v. Virginia (1821): federal jurisdiction over state cases involving federal rights. The Cohens were arrested and fined for selling federal lottery tickets. Since the law in question was a federal law authorizing lottery tickets in the D.C. lottery, Marshall asserted the right to review state court decisions (ARCO).

Gibbons v. Ogden (1824): federal control of interstate commerce. The Supreme Court invalidates a monopoly granted by New York State for the operation of steamboats on state waters on the grounds that it conflicts with congressional power under the Constitution’s commerce clause. The court establishes the principle that when federal and state laws conflict, federal law is supreme (Gilder Lehrman Institute). The decision also broadened the application of the commerce clause to not only include goods crossing state lines, but people and services as well.

Cherokee Nation v. Georgia (1831); Worcester v. Georgia (1832): state laws, treaties, and Indians. In the first case, the Supreme Court refuses to issue an injunction against the state of Georgia after it declares the laws of the Cherokee nation null and void. But the court rules that it lacks jurisdiction because the Cherokee comprise a “domestic dependent” nation rather than a foreign state (Gilder Lehrman Institute). In the second case Marshall ruled that the laws of Georgia had no force within the territorial boundaries of the Cherokee Nation. President Jackson, no admirer of Marshall, reportedly said, “John Marshall has made his decision, now let him enforce it.”

Charles River Bridge v. Warren Bridge (1837): contracts and the community's rights. The Charles River Bridge Company contended that under a charter granted by the Massachusetts legislature, it had a right to be free from competition. The Supreme Court ruled that rights granted in a legislative charter should be construed narrowly and any ambiguity should be interpreted in the public interest (Gilder Lehrman Institute). A second bridge was regarded as being in the public interest. Taney argued that no charter granted to a private corporation permanently vested rights that might harm the public interest (ARCO).

Commonwealth v. Hunt (1842): a union's right to organize. A decision of the *Massachusetts* Supreme Court which ruled that trade union organization and strike tactics were legal.

Dred Scott v. Sandford (1857): citizenship and slaves. The Supreme Court ruled that African Americans, slave or free, were not citizens of the United States and were not entitled to sue in federal court (although free blacks could be citizens of a state). It also ruled that a slave's residence in a free state or territory did not make him free upon his return to a slave state. It further rules that the Missouri Compromise was unconstitutional since a state could not deprive people of their property without due process of law (Gilder Lehrman Institute).

Ex Parte Merryman (1861): president's war powers. After a Baltimore secessionist was arrested by military authorities, Chief justice Roger Taney issued a writ of habeas corpus, which was rejected by the military commander. Taney cited the commander for contempt and denied that the president had the power to suspend the writ of habeas corpus (Gilder Lehrman Institute).

Ex Parte Milligan (1866): constitutional rights during war. The Supreme Court declares military courts unconstitutional in areas where the civil courts are in operation. The majority opinion says that the Constitution applies "equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances" (Gilder Lehrman Institute).

Slaughterhouse Cases (1873): the privileges and immunities clause. In its first decision involving the 14th Amendment, the Supreme Court ruled that the amendment applied only to federal, and not state, violations of the privileges and immunities of U.S. citizens. It also held that the amendment's equal protection clause applied only to state laws

discriminating against African Americans (Gilder Lehrman Institute). In a 5-4 decision the Court ruled a sharp distinction between state privileges and rights and federal privileges and rights. The 14th Amendment protected only the latter; it offered no protection against state infringements. Later cases that held that the 14th amendment applies to the states as well (ARCO).

Munn v. Illinois (1877): state regulation of business. The court upholds an Illinois law setting maximum rates for grain storage, arguing that this represented a legitimate exercise of the state's power to regulate businesses that involved the public interest (Gilder Lehrman Institute).

Civil Rights Cases (1883): discrimination against individuals. The Supreme Court strikes down the provisions of the 1875 Civil Rights Act that entitle all people to equal enjoyment of public accommodations and privileges on the ground that the 14th Amendment was intended to prevent wrongful acts by states and did not apply to the acts of individuals (Gilder Lehrman Institute).

Wabash, St. Louis & Pacific R.R. v. Illinois (1886): states and the commerce clause. The court strikes down an Illinois law regulating transportation contracts, ruling that it infringed on Congress' exclusive control over interstate commerce (Gilder Lehrman Institute). The striking down of these "granger" laws led to the push for the Interstate Commerce Act of 1887 (ARCO).

In Re Debs (1895): labor and injunctions. The Supreme Court denied a writ of habeas corpus to Eugene Debs, president of the American Railroad Union, after he was cited for contempt for violating an injunction against the Pullman Strike. The court ruled that the strike interfered with the federal responsibility to transport the mails and its authority over interstate commerce (Gilder Lehrman Institute).

Plessy v. Ferguson (1896): separate but equal. By a vote of 8-1, the court ruled that a Louisiana law requiring African Americans and whites to use separate railroad cars did not deprive African Americans of equal protection under the 14th Amendment. The ruling gives judicial sanction to the doctrine of "separate but equal" (Gilder Lehrman Institute).

Insular Cases (1901, 1903, 1904): constitutional rights in territories. These cases raised questions concerning the extent to which constitutional rights were bestowed automatically upon the natives in newly acquired territories. The court ruled that some rights are fundamental and applied to all American territory. Other rights are procedural and should not be imposed upon those unfamiliar with American law. Congress must determine which procedural rights applied in unincorporated territories. The Constitution did not follow the flag (ARCO).

Northern Securities Co. v. United States (1904): antitrust laws. Upheld a government suit against a railroad holding company, ruling that an illegal combination in restraint of interstate commerce violated the Sherman Anti-Trust Act (Gilder Lehrman Institute).

Lochner v. New York (1905): due process and state regulatory power. The Supreme Court struck down a state law setting a 10-hour day for bakery workers because it interfered with the protection of liberty guaranteed by the 14th Amendment. This decision barred states from interfering with an employee's right to contract with an employer (Gilder Lehrman Institute).

Muller v. Oregon (1908): due process and state regulatory power. The court upheld an Oregon law setting maximum hours for women workers. The state's attorney, Louis Brandeis, submitted the "Brandeis Brief," which included statistical, sociological, and economic data as well as legal arguments (Gilder Lehrman Institute) demonstrating the harmful effects of excess labor on women in particular.

Standard Oil of N.J. v. United States (1911): antitrust laws. The Supreme Court ordered the breakup of the oil giant as a monopoly in violation of the Sherman Anti-Trust Act of 1890. The court adopts the "rule of reason"—that a business combination was illegal only when it was engaged in unreasonable restraint of trade. The Court held that the Sherman Anti-Trust Act "should be construed in the light of reason, and as so construed, it prohibits all contracts and combinations which amount to an unreasonable or undue restraint of trade in interstate commerce" (Gilder Lehrman Institute). In this case as well as in *U.S. v. American Tobacco Co.* (1911) and *U.S. v. U.S. Steel Corp.* (1920), the court differentiated between a "good" trust and a "bad" trust, putting into interpretation a widespread popular view that bigness was not synonymous with badness, and that large corporations were part of modern society (ARCO).

Schenck v. United States (1919): radicals and the First Amendment. The court ruled unanimously that the World War I Espionage Act did not violate the 1st Amendment's protection of free speech and free press, ruling that anti-war pamphlets encouraged resistance to the military draft and establishing the "clear and present danger" test (Gilder Lehrman Institute).

Adkins v. Children's Hospital (1923): minimum wage laws. The court struck down a Congressional act authorizing a Wage Board for the District of Columbia from setting minimum wages for women workers. In a dissent, Justice Oliver Wendell Holmes wrote: "The criterion of constitutionality is not whether we believe the law to be for the public good" (Gilder Lehrman Institute).

Schechter Poultry Corp. v. United States (1935): constitutionality of New Deal programs. The court unanimously invalidated the National Industrial Recovery Act on the grounds that it delegated excessive authority to the president and regulated businesses that operated wholly within individual states (Gilder Lehrman Institute). Referred to as the "Sick Chicken Case."

West Coast Hotel v. Parrish (1937): due process and state regulatory power. "The switch in time that saves nine." In the face of President Franklin Roosevelt's proposal to expand the court's membership, the court upheld a series of New Deal measures. By a 5-4 vote in *West Coast Hotel Co. v. Parrish*, the court upheld a Washington State minimum wage law, reversing its decision in *Adkins v. Children's Hospital* (1923) (Gilder Lehrman Institute).

West Virginia State School Board v. Barnette (1943): flag salute in school. By a 6-3 vote, the Supreme Court overruled its decision in *Minersville School District v. Gobitis*, and struck down state laws requiring students to salute the American flag. In a decision issued on Flag Day, Robert H. Jackson wrote that Americans could not be forced to demonstrate their allegiance to "what shall be orthodox in politics, nationalism, religion, or other matters of opinion" and that this was true for the young as well as adults. "The very purpose of the Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials" (Gilder Lehrman Institute).

Korematsu v. United States (1943): war powers and civilians. By a 6-3 vote, the court upheld the relocation and internment of Japanese Americans (Gilder Lehrman Institute).

Sweatt v. Painter (1950): blacks and “separate but equal” education. The Supreme Court struck down a Texas law that restricted the University of Texas to white students only, even though the state had set up a separate law school for African American students (Gilder Lehrman Institute).

Warren Court (1953 – 1969): Appointed as Chief Justice in 1953, Earl Warren was nominated by Eisenhower as a conservative, but rather led the court toward judicial activism. The Warren court handed down many significant cases affecting individual rights, including sexual freedom, rights of criminals, religion, and civil and political rights.

Brown v. Board of Education (1954): blacks, education and the equal protection clause. The Supreme Court unanimously ruled that segregation in public schools was unconstitutional, overturning the 1896 *Plessy v. Ferguson* decision that allowed for “separate but equal” facilities for blacks and whites. A unanimous court held that segregation stamped a badge of inferiority on military children and hindered their development no matter how equal the facilities. “We conclude that in the field of public education the doctrine of ‘separate but equal’ has no place.” Linda Brown was denied admission to a school simply because she was African American. She had to walk a mile through a railroad switchyard to get to her all-black elementary school, even though there was a school just seven blocks from her home (Gilder Lehrman Institute).

Mapp v. Ohio (1961): Bill of Rights and the states. The court ruled that evidence obtained by unreasonable search and seizures must be excluded from trial (Gilder Lehrman Institute).

Baker v. Carr (1962) and Reynolds v. Sims (1964): legislative reapportionment. The court ruled 6-2 (*Baker*) that voters had a right to challenge the apportionment of state legislative districts in ways that overrepresented rural districts and diluted the voting power of urban voters (Gilder Lehrman Institute).

Engel v. Vitale (1962): religion and public schools. The court forbids non-denominational prayer in public schools, ruling that the Constitution prohibits government from “endorsing religion in general.” The court ruled that a prayer read in New York State schools violated the constitutional separation of church and state. “It is no part of the business of government to compose official prayers to be recited as a part of a religious program carried on by government” (Gilder Lehrman Institute).

School District of Abington Township v. Schempp (1963): religion and public schools. The court prohibited daily Bible readings and the reading of the Lord’s Prayer in public schools (Gilder Lehrman Institute).

Gideon v. Wainwright (1963): right to counsel. In a case involving a barely literate Florida man, Clarence Gideon, who was accused of breaking into a pool hall, the court ruled that indigent criminal defendants have a right to legal counsel at taxpayers’ expense (Gilder Lehrman Institute).

New York Times v. Sullivan (1964): freedom of the press, libel. When a white segregationist officials in the South tried to silence newspapers through huge libel suits, the Supreme Court ruled that public figures have a higher burden of proof in a libel case than private citizens, and must prove that a libelous statement is published with malicious intent and in reckless disregard for the truth. “Debate on public issues,” wrote Justice William J. Brennan, “should be uninhibited, robust, wide-open, and ...may well include vehement, caustic and sometimes unpleasantly sharp attacks on government and public officials” (Gilder Lehrman Institute).

Escobedo v. Illinois (1964): right to counsel. The court throws out the confession of a man whose requests to have his attorney present during police interrogation were denied (Gilder Lehrman Institute).

Heart of Atlanta Motel v. U.S. (1964): discrimination in public accommodations. The Supreme Court upheld the portion of the Civil Rights Act of 1964 which outlawed discrimination in public accommodations (ARCO), even though privately owned.

Griswold v. Connecticut (1965): right to privacy. Holding that a right to privacy is implicit in the Constitution, the Supreme Court, by a 7-2 vote, struck down a state law that prohibited the use of birth control by married couples (Gilder Lehrman Institute).

Miranda v. Arizona (1966): rights of the accused. By a 5-4 vote, the Supreme Court ruled that truck driver Ernesto Miranda, who confessed to abducting and raping an 18-year-old girl, should have been informed by the police of his right to remain silent and to consult with an attorney (Gilder Lehrman Institute).

New York Times v. United States (1971): freedom of the press. By a 6-3 vote the court denied the government's request for a court order barring publication of a secret Pentagon history of the Vietnam War (Pentagon Papers). The court said there was insufficient evidence to support a prior restraint on the press (Gilder Lehrman Institute).

Griggs v. Duke Power (1971): affirmative action. The court ruled that unnecessary barriers to employment must be removed if they are unrelated to job skills and have a discriminatory impact. This decision upheld the use of statistics as a way of demonstrating discrimination (Gilder Lehrman Institute).

Roe v. Wade (1973): abortion. The Supreme Court invalidated a Texas law prohibiting abortion except to save a mother's life. Justice Harry Blackmun wrote that the 14th Amendment "protects against state action the right to privacy, including a woman's right to terminate her pregnancy" (Gilder Lehrman Institute).

United States v. Nixon (1974): executive privilege. The court orders President Richard Nixon to turn over to a special prosecutor subpoenaed tapes relating to the Watergate break-in (Gilder Lehrman Institute).

Bakke v. Board of Regents (1978): reverse discrimination. In a 5-4 decision, the court imposed limitations on affirmative action to ensure that providing greater opportunities for minorities did not come at the expense of the rights of the majority. In other words, affirmative action was unfair if it led to reverse discrimination. The case involved the University of Calif., Davis, Medical School and Allan Bakke, a white applicant who was rejected twice even though there were minority applicants admitted with significantly lower scores than his. A closely divided Court ruled that while race was a legitimate factor in school admissions, the use of rigid quotas was not permissible (Infoplease).

Bush v. Gore (2000): The court ruled that manual recounts of presidential ballots in the Nov. 2000 election could not proceed because inconsistent evaluation standards in different counties violated the equal protection clause. In effect, the ruling meant Bush would win the election (APStudyNotes.org).

Citizens United v. Federal Election Commission (2010): By a 5-4 vote along ideological lines, the Court held that under the First Amendment, corporate funding of independent political broadcasts in candidate elections cannot be limited. The majority maintained that political speech is indispensable to a democracy, which is no less true because the speech comes from a corporation. The Bipartisan Campaign Reform Act was found unconstitutional (Oyez.org).

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