

APUSH SUPREME COURT CASES REVIEW

Constitutional Clauses (for reference)

- Necessary and Proper Clause
 - o Article I, Section 8
 - o aka Elastic Clause
 - o Congress authorized to make laws deemed necessary and proper to enforce the Constitution
- Commerce Clause
 - o Article I, Section 8
 - o Congress authorized to regulate interstate commerce between states, foreign nations, and native tribes
 - o Cannot regulate intrastate commerce
- Contract Clause
 - o Article I, Section 10
 - o Prohibits states from retroactively impairing contract rights
- Supremacy Clause
 - o Article VI
 - o Federal law is the supreme law of the land and supersedes state and local laws
- Privileges and Immunities Clause
 - o Article IV, Section 2
 - o Prohibits states from discriminating against citizens of other states
- Citizenship Clause
 - o 14th Amendment
 - o All native-born and naturalized people of U.S. are citizens
- Due Process Clause
 - o 14th Amendment
 - o Prevents states and local governments from denying rights without legislative or judicial process
- Equal Protection Clause
 - o 14th Amendment
 - o Each state required to guarantee equal protection to all people within its jurisdiction

Early Supreme Courts (1789-1801)

- *Chisom v. Georgia* (1783)
 - o Federal courts could decide on lawsuits against states
 - o Overturned by Eleventh Amendment in 1795

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Marshall Court (1801-1835)

- era of Federalist-based decisions promoting a strong central government
- John Marshall, a dedicated Federalist
- **Marbury v. Madison (1803)**
 - o **Judicial review ruling laws constitutional**
- *Fletcher v. Peck* (1810)
 - o Establish constitutionality of state laws
- *Martin v. Hunter's Lessee* (1816)
 - o Federal courts can review state court judgments
- **McCulloch v. Maryland (1819)**
 - o **Expanded implied powers through Necessary and Proper Clause**
 - o **Enforced Supremacy Clause over states prohibiting states to tax the federal government**
 - o **Bank of the United States ruled constitutional**
- *Dartmouth College v. Woodward* (1819)
 - o Upholds contracts under the Contract Clause
- **Gibbons v. Ogden (1824)**
 - o **Expanded Congress's interstate regulation under the Commerce Clause**
- **Cherokee Nation v. Georgia (1831)**
 - o **Ruled native tribes as dependent entities, not as foreign nations**
 - o **Native tribes under direct authority of the federal government**
- **Worcester v. Georgia (1832)**
 - o **Endorsed native sovereignty against state laws and governments**
- *Barron v. Baltimore* (1833)
 - o Limited Bill of Rights to federal government and not applied to states

Taney Court (1836-1864)

- many decisions during this Court favored states' rights over federal supremacy
- controversial decisions made during a period of sectionalism
- Roger B. Taney, a Democrat and states' rights enthusiast
- **Charles River Bridge v. Warren Bridge (1837)**
 - o **Contract Clause in favor of states' rights over federal influence**
 - o **Interests of the community are more important than the interests of business**
- *The Amistad* (1841)
 - o Affirmed freedom of Africans as international slave trade was prohibited
- **Commonwealth v. Hunt (1842)***
 - o **Labor unions are lawful organizations and strikes are legal activities**
 - o **Massachusetts Judicial Supreme Court ruling***
- **Dred Scott v. Sandford (1857)**
 - o **Secured property rights through 5th Amendment**
 - o **Slaves as property thus nullifying the Missouri Compromise and 36'30**
 - o **Blacks could never become citizens**
- *Prize Cases* (1863)
 - o Expanded powers of executive as commander-in-chief
 - o Supported Lincoln's blockade of Confederate ports

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Gilded Age Cases (1864-1900)

- many cases dealt with the interpretation of the Fourteenth Amendment in regards to states and civil rights
- some cases dealt with the pro-business decisions during the Second Industrial Revolution and economic expansion
- ***Ex parte Milligan* (1866)**
 - o **Military tribunals unconstitutional if civil courts in session during war**
- ***Slaughterhouse Cases* (1873)**
 - o **Fourteenth Amendment protects privileges and immunities of citizens of the U.S., but does not protect for citizens of states**
- ***Munn v. Illinois* (1876)**
 - o **States could regulate certain businesses involved in facilitating the public interest**
 - o **Response to the Granger Movement between farmers and railroad companies**
- *Reynolds v. United States* (1878)
 - o Polygamy ruled unconstitutional
- ***Civil Rights Cases* (1883)**
 - o **Equal Protection Clause applies to state governments not private businesses**
- *Elk v. Wilkins* (1884)
 - o Natives not automatically U.S. citizens if born on reservations
- ***Wabash v. Illinois* (1886)**
 - o **Granger laws in states regulating interstate commerce are unconstitutional**
 - o **Led to creation of Interstate Commerce Commission**
- ***United States v. E.C. Knight Co.* (1895)**
 - o **Manufacturing is not subject to interstate commerce regulation under the Sherman Anti-Trust Act**
 - o **Protected the concept of monopolies**
- ***In re Debs* (1895)**
 - o **Guaranteed the interstate commerce regulation of granting injunctions**
 - o **Considered a major loss for labor unions as injunctions were used against strikes by unions**
- ***Plessy v. Ferguson* (1896)**
 - o **Established “separate, but equal” authorizing segregation**
 - o **Led to establishment of Jim Crow laws in the South**
- ***Insular Cases* (1901)**
 - o **Native populations of U.S.-acquired territories around the globe are not subject to the same rights, privileges, and immunities granted to U.S. citizens**
 - o **“the Constitution does not follow the flag”**

Progressive Era Cases (1900-1920)

- cases dealt with the power of federal regulation and the attitudes of progressive reforms
- ***Muller v. Oregon* (1908)**
 - o **Ruled in favor of state’s restrictions for hours women worked**
 - o **A victory for labor reform, but stereotyped women as weak**
- ***Hammer v. Dagenhart* (1918)**
 - o **Child labor law ruled unconstitutional in violation of state sovereignty**
- ***Schenck v. United States* (1919), *Debs v. United States* (1919), *Abrams v. United States* (1919)**
 - o **Upheld Espionage Act of 1917/Sedition Act of 1918 prohibiting interference with war effort and criticism of the federal government during war**
 - o **Free speech limited if presents “clear and present danger”**

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Roaring Twenties to World War II (1920-1945)

- most cases dealt with the constitutionality of the New Deal and the extent of civil rights
- *Near v. Minnesota* (1931)
 - o Incorporated freedom of the press to the states
- *Schechter Poultry Corp. v. United States* (1935)
 - o **National Industrial Recovery Act (NIRA) ruled unconstitutional based on violation of intrastate commerce, limited constitutional basis, and delegating Congress power to President**
- *United States v. Butler* (1936)
 - o **Agricultural Adjustment Act (AAA) ruled unconstitutional under the Tenth Amendment**
- *Smith v. Allwright* (1944)
 - o Prohibited states from denying blacks in participating in primary elections
- *Korematsu v. United States* (1944)
 - o **Upheld the executive branch's internment of Japanese and Americans of Japanese descent during World War II as a matter of national security**
- *Youngstown Sheet & Tube Co. v. Sawyer* (1952)
 - o **Ruled President Truman's seizure of steel production facilities in an attempt to break a strike was unconstitutional**
 - o **Truman attempted to prevent inflation and secure production during Korean Conflict**

Warren Court (1953-1969)

- many cases dealing with the civil rights of alleged criminals and paving the way for desegregation
- conservatives criticized the judicial activism and liberalism of the Warren Court
- *Hernandez v. Texas* (1954)
 - o Equal Protection applied to Mexicans
- *Brown v. Board of Education of Topeka* (1954)
 - o **Overturned the "separate but equal" concept of *Plessy v. Ferguson***
- *Mapp v. Ohio* (1961)
 - o **Prohibition of illegal search and seizure per 4th Amendment**
- *Engel v. Vitale* (1962)
 - o Public school-sanctioned prayer ruled unconstitutional per the Establishment Clause of First Amendment
- *Gideon v. Wainwright* (1963)
 - o **Right to counsel in all criminal cases, even if defendants cannot afford an attorney**
- *Reynolds v. Sims* (1964)
 - o State legislature district must be relatively equal; based on Equal Protection Clause
 - o "one man, one vote"
- *Escobedo v. Illinois* (1964)
 - o Right to counsel must be granted before interrogation
- *Heart of Atlanta Motel v. United States* (1964)
 - o Commerce Clause can be used to enforce Civil Rights Act of 1964 to fight discrimination in businesses
- *Griswold v. Connecticut* (1965)
 - o Ruled law banning sale of contraceptives unconstitutional in violation of 9th Amendment
- *Miranda v. Arizona* (1966)
 - o **Defendants must be informed of their right to counsel and right against self-incrimination before arrest and incarceration**
- *Tinker v. Des Moines* (1969)
 - o Overruled a school's rule of preventing students from wearing black arm bands in protesting the Vietnam Conflict as a matter of free speech
- *Brandenburg v. Ohio* (1969)
 - o Laws prohibiting inflammatory speech unconstitutional unless incites lawless action
 - o Overrules *Schenck v. U.S.*, *Abrams v. U.S.*

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Berger Court (1969-1986)

- made some liberal decisions akin to the Warren Court, but made evident of a conservative resurgence to the Court
- *Lemon v. Kurtzman* (1971)
 - o Establishes Lemon Test regarding state funding of parochial schools
- *New York Times Co. v. United States* (1971)
 - o **Prevented federal government from prohibiting publication of the Pentagon Papers**
 - o **Made public the real reasons for the Department of Defense's pursuits in the Vietnam Conflict**
- *Roe v. Wade* (1973)
 - o **Legalized abortions over state restrictions during the first trimester**
- *Miller v. California* (1973)
 - o Established the Obscenity Test
- *United States v. Nixon* (1974)
 - o **Ruled executive privilege is not absolute**
 - o **President Nixon required to turn over the Watergate Tapes**
- *Buckley v. Valeo* (1976)
 - o Upheld federal limits on campaign finance and upheld campaign financial contributions to influence elections as free speech
- *Gregg v. Georgia* (1976)
 - o Ruled constitutionality of the death penalty
- *Regents of the University of California v. Bakke* (1978)
 - o **Upheld affirmative action**

Rehnquist Court (1986-2005)

- tended to be a more conservative-leaning Court during the 1980s and 1990s
- *Texas v. Johnson* (1989)
 - o Upheld flag burning as protected speech
- *Clinton v. Jones* (1997)
 - o **Sitting president did not possess immunity in cases involving actions outside realm of office**
- *Reno v. ACLU* (1997)
 - o Struck down regulations of indecent materials over the internet
- *Clinton v. City of New York* (1998)
 - o Line-item veto ruled unconstitutional
- *Bush v. Gore* (2000)
 - o **Manual recounts discontinued based on different recount measures in different counties violated Equal Protection Clause**
 - o **George W. Bush granted presidency by reward of Florida's electoral votes**
- *Lawrence v. Texas* (2003)
 - o Sodomy laws ruled unconstitutional as a matter of privacy