

The Warren Court



Chief Justice Earl Warren (1953-1969)

During this period, the United States Supreme Court operated under a policy of judicial activism and made a number of landmark (and often controversial) decisions involving the protection of individual rights.

Brown vs. Board of Education of Topeka (1954)

Key Concepts: School Segregation/Equal Protection

Facts of the Case: Four African American children sought the aid of the courts to be admitted to the all-white public schools in their community after having been denied admission under laws which permitted racial segregation. Lawyers for the youths alleged that these laws deprived them of the equal protection of the law guaranteed to them under the Fourteenth Amendment, even though their all-black schools were equal to the all-white schools with respect to buildings, curricula, qualifications and salaries of teachers, and other “tangible” factors.

Issue: Whether segregation of children in public schools denies African Americans their Fourteenth Amendment right of equal protection under the law.

Decision: The Supreme Court of the United States looked not to the “tangible” factors but the effect of segregation itself on public education. The Court decided unanimously that segregation of African American children in public schools was a direct violation of the equal protection clause of the Fourteenth Amendment. It rejected, and thereby reversed, the “separate but equal” doctrine of Plessy vs. Ferguson (1896) and stated that this doctrine had no place in education. According to the Court, even if the facilities were physically equal, the children of the minority group would still receive an inferior education. Separate educational facilities were held to be “inherently unequal.” Other segregation practices were also declared unconstitutional after this decision.

Map vs. Ohio (1961)

Key Concepts: Search Warrants/Right to Privacy

Facts of the Case: In May, 1957, Cleveland police officers received a tip that Miss Dollree Mapp was in possession of a large number of betting slips, and that a bomber was hiding in her home. When the police arrived at her house, Mapp refused to admit them without a search warrant. A few hours later, the police knocked again, then forcibly opened the door. A struggle ensued and Mapp was put in handcuffs, taken upstairs, and kept there while police searched her house. During the search, obscene materials were discovered in a trunk in her basement. Mapp was arrested for possession and control of obscene materials.

Issue: Whether Miss Mapp's Fourth Amendment right to be secure from search and seizure was violated during the search of her home.

Decision: The Supreme Court of the United States ruled that Miss Mapp's Fourth Amendment right to be secure from search and seizure was violated. The Court held that both the Fourth and 14th amendments protected persons from unwarranted federal and state intrusion of their private property.

Engel vs. Vitale (1962)

Key Concepts: School Prayer/Establishment Clause of the First Amendment

Facts of the Case: The Board of Education of New Hyde Park, New York, instructed the schools of their district to have students recite a NYS Regents-composed prayer at the beginning of each school day. Parents of a number of students challenged this policy. They said that the official prayer was contrary to their religious beliefs and that a government agency did not have the right to force prayer on students. The parents felt that they prayer violated the First Amendment's separation of church and state provision. The state contended that it was a non-denominational prayer and that the schools did not compel any student to recite it.

Issue: Whether a non-denominational prayer, recited in every classroom in a school district, violated the First Amendment's provision of separation of church and state.

Decision: The Supreme Court of the United States found that the school district violated that students' First Amendment rights because even though the students did not have to say the prayer, the reciting of the prayer in class would put unwanted pressures on them. Further, this non-denominational prayer was found to be too religious for the state to mandate and was in violation of the establishment clause of the First Amendment. Justice Potter Stewart, the lone dissenter, pointed out that New York State had not "interfered with the free exercise of anybody's religion," and that our government had invoked the name of God in many cases – the Pledge of Allegiance, the national anthem, and on our currency.

Gideon vs. Wainwright (1963)

Key Concepts: Right to Counsel/Rights of the Accused

Facts of the Case: Clarence Earl Gideon was arrested in 1961, and charged with breaking and entering a pool hall with intent to commit petty larceny. He did not have enough money for a lawyer and asked that one be appointed to defend him. The judge denied the request, saying that under Florida state law, counsel can only be appointed in a capital offense (one punishable by death). Gideon was sentenced to five years in prison. He then filed an appeal to the United States Supreme Court, asking for a case review. The Court granted Gideon's request and appointed Abe Fortas to defend him.

Issue: Whether the state of Florida violated Gideon's Sixth Amendment right to counsel (made applicable to the states by the 14th Amendment) by not providing him with a lawyer.

Decision: The Court ruled unanimously in Gideon's favor, and held the 14th Amendment included state as well as federal defendants. The Court said that all states must provide an attorney in all felony and capital cases for people who cannot afford one themselves. Through the 14th Amendment due process clause, the Sixth Amendment guarantee of right to counsel applies to the states. Gideon was later retried in Florida and found not guilty.

Escobedo vs. Illinois (1964)

Key Concepts: Right to Counsel/Self-incrimination/Rights of the Accused

Facts of the Case: Danny Escobedo was arrested in 1960, in connection with the murder of his brother-in-law. After his arrest, he requested to see his lawyer but was not allowed to do so. After persistent questioning by the police, Escobedo made a statement which was used against him at his trial and he was convicted of murder. He appealed to the Illinois Supreme Court which upheld the conviction. Escobedo then appealed to the Supreme Court of the United States.

Issue: Whether the state of Illinois violated Escobedo's Fourteenth Amendment protections, his Fifth Amendment right to remain silent, and his Sixth Amendment right to assistance of counsel by denying his request to speak to a lawyer before questioning.

Decision: The Court found that the denial by the police of Escobedo's right to counsel and their failure to inform him of his right to remain silent were clearly unconstitutional. Furthermore, the Court held that incriminating statements made by defendants are not admissible as evidence unless the accused is informed of his rights before making the statements.

Miranda vs. Arizona (1966)

Key Concepts: Self-incrimination/Rights of the Accused

Facts of the Case: Ernesto Miranda was convicted of rape and kidnapping. His conviction was based in part on incriminating statements he made to the police while they interrogated him. At no time during the questioning did the police inform Miranda that he did not have to talk to them or that he had the right to a lawyer when being questioned by the police.

Issue: Whether the state of Arizona violated the constitutional rights of Miranda under the Fifth, Sixth, and Fourteenth Amendments when they interrogated him without advising him of his constitutional rights to counsel and to remain silent.

Decision: The Supreme Court of the United States, in a 5-4 decision, ruled that the police were in error. The Court held that the police must inform suspects that they have the right to remain silent, that anything they say may be used against them, and they have the right to counsel before the police may begin to question those held in custody. The dissenting judges attacked the majority for being unsound legally, complicating the job of law enforcement and enabling criminals to gain freedom on technicalities. In a second trial, Miranda was convicted after his common-law wife testified that he had admitted his guilt.

Epperson vs. Arkansas (1968)

Key Concepts: Teaching of Evolution/Establishment Clause of the First Amendment

Facts of the Case: An Arkansas law forbade teachers in public schools from teaching the “theory or doctrine that mankind ascended or descended from a lower order of animals.” A teacher determined that the law was invalid and lost her job for violating it. The Supreme Court of the United States was called in to review this statute which made it unlawful for teachers in state schools to teach human evolution.

Issue: Whether the Arkansas statute that prohibited the teaching of evolution violated the establishment clause of the First Amendment and the equal protection clause of the 14th Amendment of the Constitution because of its religious purpose.

Decision: The Court held that the Arkansas statute forbidding the teaching of evolution in public learning institutions was contrary to the freedom of religion mandate of the First Amendment and was also in violation of the 14th Amendment. The Court ruled that a state may not eliminate ideas from a school’s curriculum solely because the ideas come into conflict with the beliefs of certain religious groups. In this case, the law that compelled the evolution doctrine to be removed from the course of study was passed to agree with the religious point of view of certain fundamentalists. Thus, the reason for removing the doctrine was to aid a religious point of view and, therefore, went against the First Amendment. The Court ruled that they law must require religious neutrality.

Tinker vs. Des Moines School District (1969)

Key Concepts: Symbolic Speech/Students’ Rights to Free Speech

Facts of the Case: In December, 1965, Marybeth and John Tinker planned to wear black armbands to school signifying their protest to the Vietnam War. School officials became aware of the plan beforehand and adopted a school regulation banning the wearing of such armbands. Failure to comply with this regulation would result in suspension until the student returned to school without the armbands. Both Tinkers went ahead and wore the black armbands to school. They were suspended and told not to return with the armbands. The Tinkers claimed their rights of free speech and expression, which were protected under the First Amendment, had been violated, and that they should have been allowed to attend school wearing the armbands.

Issue: Whether Marybeth and John Tinker had a First Amendment right of free speech to wear black armbands as a symbol of protest in a public school..

Decision: The Court decided that the students did have a right to wear the armbands. It reasoned that the wearing of the armbands was an exercise of the students’ right to free, silent, symbolic speech, which is protected under the First Amendment: “Students do not shed their constitutional rights at the schoolhouse gate, and therefore are entitled to the free expression of their views as long as there is no substantial or material interference in the educational process.”